



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 20th November, 2014**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**

Nickie Aiken (Chairman)  
Nick Evans  
Rita Begum

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

#### **1. MEMBERSHIP**

The Head of Legal and Democratic Services to report any changes to the membership.

#### **2. DECLARATIONS OF INTEREST**

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

#### **Licensing Applications for Determination**

- |   |                          |
|---|--------------------------|
| <b>1. PERFETTO, GROUND FLOOR AND BASEMENT, 112 WESTBOURNE GROVE, W2</b> | <b>(Pages 1 - 56)</b>    |
| <b>2. JAMAICA PATTY, BASEMENT AND GROUND FLOOR, 26 NEW ROW, WC2</b>     | <b>(Pages 57 - 96)</b>   |
| <b>3. LOWER GROUND FLOOR TO FOURTH FLOOR, 12 HAY HILL, W1</b>           | <b>(Pages 97 - 156)</b>  |
| <b>4. VINYL BAR, 36-38 HANWAY STREET, W1</b>                            | <b>(Pages 157 - 264)</b> |
| <b>5. FULL REVIEW - MADAME JOJO'S, 8-10 BREWER STREET, W1</b>           | <b>(Pages 265 - 422)</b> |
| <b>6. FULL REVIEW - ESCAPE NIGHTCLUB, 10A BREWER STREET, W1</b>         | <b>(Pages 423 - 618)</b> |

**Peter Large**  
**Head of Legal & Democratic Services**  
**14 November 2014**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

### **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

### **PERMITTED TEMPORARY ACTIVITIES**

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

## **LIVE MUSIC ACT 2012**

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.



## **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES**

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/07833/LIPN</b>
Date:	<b>20 November 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Perfetto Ground Floor and Basement 112 Westbourne Grove London, W2 5RU</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Susan Patterson, Environmental Health Case Officer (Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 2207 E-mail: <a href="mailto:spatterson@westminster.gov.uk">spatterson@westminster.gov.uk</a></b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Alessandro Zavarise	<b>Date Application Received:</b>	16 September 2014 – valid from 23 September 2014
<b>Premises Name and Address:</b>	Perfetto, Ground Floor and Basement, 112 Westbourne Grove, London, W2 5RU		
<b>Ward Name:</b>	Bayswater	<b>Stress Area:</b>	Bayswater
<b>Description of Premises:</b>	<p>The application states that the premises will be operated as an Italian Deli/Bistro/Cafe.</p> <p>The premises comprises of a Basement Floor and Ground Floor.</p>		

*Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.*

### Proposed Licensable Activities, Proposed Hours:

#### **1.1 Sale of Alcohol: On and Off the premises**

Monday to Saturday 10:00 to 23:00  
Sunday 10:00 to 22:30

#### **1.2 Opening Hours:**

Monday to Saturday 07:00 to 23:30  
Sunday 07:00 to 23:00

*(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)*

	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>
<b>1A</b>	The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and possible impact on Public Safety in the area. Conditions have been proposed to the applicants for their consideration. <b>Please refer to Appendix B.</b>	<b>Environmental Health Service representation</b>
<b>1B</b>	The Metropolitan Police Service had made an adverse representation to this application. They propose shorter hours be agreed and have proposed conditions to the applicants for consideration. <b>Please refer to Appendix B.</b>	<b>Metropolitan Police Service representation</b>
<b>1C</b>	3 local residents have made adverse representations to this application. They state that the application, if granted will create	<b>3 residential representations</b>

	<p>another bar/restaurant in the area creating additional public nuisance.1 states that there are sufficient restaurants in the area and that the premises does not have the appropriate ventilation and is attempting to avoid troublesome planning reclassification and do not have the relevant permissions. They state that the premises should be retail and was not intended for the use of preparing and selling food and beverages.</p>	
<p><b>1D</b></p>	<p>The Hereford Road Association have also made representation requesting that the application is refused as it is in a stress area, already saturated with licensed premises and contrary to policy, seeking permission for what could be a bar with food just “available” They have concerns over the nebulous nature of the private functions mentioned and question the need for a deli and cookery school to have alcohol sales to 23.00 hours. Additionally they say that the commencement licensed hour of 10.00 requested for Sunday is too early and that although the application refers to customers being seated there is no reference to waiter/waitress service. .</p>	<p><b>1 Local amenity association representation</b></p>
<p><b>1E</b></p>	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1)  Public Safety (PS1)  Prevention of public nuisance (PN1)  Protection children from harm (CH1)  Hours (HRS1)  Stress Areas (STR1)  Public Houses and Bars in the Stress Area (PB2)  Restaurants within the Stress Area (RNT2)</p>	<p><b>Policies applicable</b></p>
<p><b>1F</b></p>	<p><b>Policy HRS1 applies:</b> (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p>	
<p><b>1G</b></p>	<p><b>Policy STR1 Applies:</b></p> <p>(i) It is the Licensing Authority’s policy to refuse applications in the Stress Areas for: pubs and bars; late night refreshment premises offering hot food and drink to take-away and premises offering facilities for music and dancing other than applications to vary hours within the Core Hours under Policy HRS1</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p> <p>Policies STR1, FFP2 and PB2 and MD2 are intended to be strict and will only be overridden in genuinely exceptional circumstances. However, the Licensing Authority will not apply these policies inflexibly. 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.</p>	

<p><b>1H</b></p> <p><b>1I</b></p> <p><b>1J</b></p> <p><b>1K</b></p>	<p><b>Policy HRS1 Applies:</b>  (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p> <p><b>Policy PB2:</b>  It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within core hours under policy HRS1</p> <p><b>Policy RNT2 Applies:</b>  Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	<p><b>Summary</b></p>
<p><b>Current Licensing Position</b></p>	<p>These premises do not hold a premises licence. Please refer to <b>Appendix A</b></p>	
<p><b>Residential Density:</b></p>	<p>298 of the 391 units within a 75m radius of the premises are residential, under construction or proposed residential, (76%), refer to <b>Appendix C</b>.</p>	
<p><b>Planning Position:</b></p>	<p>In June 2014 the planning department reported that:</p> <p>No.112 Westbourne Grove is a Grade II listed building located within the Westbourne Conservation Area. It is located within a designated District/Major shopping centre &amp; entertainment stress area. The property comprises ground &amp; basement retail unit, currently vacant but last occupied by Monsoon for Retail Class A1 purposes, which is its lawful planning use. Applications for planning permission, listed building consent and advertisement consent have recently been submitted which seek a change of use of the basement and ground floors from Class A1 retail to Class A3 restaurant (with hours of operation 0800-23.00 Monday to Saturday &amp; 08.00-22.30 on Sundays &amp; Bank Holidays), installation of replacement plant at roof level, internal alterations, painting of shop front and installation of externally illuminated fascia and projecting signs. The applications are currently under assessment.</p> <p><i>Update November 2014 the application was refused</i></p>	
<p><b>List of Appendices:</b></p>	<p>A – Premises Licence History  B - Conditions  C – Residential Map and list of premises in the vicinity</p>	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)
- Application form
- Plan
- Representations received
- Photos

**Licence & Appeal History**

There are no previous Licensing Act 2003 applications submitted by Alessandro Zavarise for these premises.

There was previously a licensing application for this premises for Bills restaurant which was withdrawn on 19/6/2014



## APPENDIX B

### 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.

#### 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.

**Conditions consistent with the operating schedule:**

- 9. The main use of the premises shall be a delicatessen with a food and wine school in which intoxicating liquor will only be sold or supplied for consumption on the premises to seated persons with the exception of:
  - i. up to a maximum of 6 persons standing at the Sommelier's bar counter
  - ii. up to a maximum of 4 persons at the cooking lessons/tasting table area
  - iii. persons attending a private function

**\*Alternative condition(s) proposed by Police Licensing Team;**

- 9a. *Sales of alcohol for consumption on the premises shall be ancillary to the operation of the premises as a delicatessen.*
- 9b. *The ground floor of the premises shall only operate where:-*
- (i) customers are shown to their table,*
  - (ii) food is prepared on the premises and served and consumed at the table using non disposable crockery and*
  - (iii) intoxicating liquor is only sold, supplied, or consumed 'on' the premises to persons who are bona fide eating food and provided always that the consumption of intoxicating liquor by such persons is ancillary to eating food.*

**\*Alternative condition proposed by Environmental Health;**

- 9c. *The premises shall only operate as a restaurant:-*
- (i) in which customers are shown to their table,*
  - (ii) where the supply of alcohol is by waiter or waitress service only,*
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*
  - (iv) which do not provide any take away service of food or drink for immediate consumption,*
  - (v) which do not provide any take away service of food or drink after 23.00, and*
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.*

*Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.*

10. *In the basement intoxicating liquor will only be sold or supplied to people attending a cookery or wine course or persons attending a private function.*

**\*Alternative condition proposed by Police Licensing Team;**

- 10a. *The supply of alcohol for consumption in the basement shall only be to persons (and their guests) attending a bona fide cookery or wine course or persons attending a pre-booked private function.*
11. *With the exception of the school area, there shall be a maximum of 20 covers on the ground floor together with a maximum of 10 covers at the cookery lessons/tasting table.*
12. *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.*
13. *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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.*

14. Substantial food and non-intoxicating beverages, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

**\*Alternative condition proposed by Environmental Health;**

- 14a. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

15. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

**\*Alternative condition proposed by Environmental Health;**

- 15a. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

16. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

17. All cashiers and relevant staff will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.

18. A direct telephone number for the manager at the premises shall be publically made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

19. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police or an Authorised Officer of the City Council at all times whilst the premises is open.

**\*Alternative condition proposed by Police Licensing Team;**

- 19a. 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 an authorised officer of the City Council at all times whilst the premises are open.

20. The entrance door shall be kept closed after 22.00 hours except for the immediate access and egress of patrons.

21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

22. Loudspeakers shall not be located in the entrance area or outside the premises building.

23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 hours and 08.00 hours on the following day.
26. No deliveries of produce to the premises shall take place between 20.00 hours and 08.00 hours on the following day.

***\*Alternative condition proposed by Environmental Health;***

- 26a. *No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.*
27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
28. The door onto Chepstow Road shall not be used by customers after 21.00 hours each day save for during emergencies.

**Conditions proposed by Police Licensing Team; additional to those outlined above:**

*Further to conditions, Police request licensable hours be reduced as follows:-*

*Monday to Saturday: 10:00 to 22:00*

*Sunday: 12:00 to 22:00*

29. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
30. Beers, lagers and ciders sold at the premises shall only be premium products in glass bottles.
31. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
32. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
33. There shall be no supply of draught beer.
34. There shall be no self service of alcohol on the premises.
35. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
36. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
37. Pre-booked private functions shall be booked at least 48 hours in advance.

**Conditions proposed by Environmental Health Service; additional to those outlined above:**

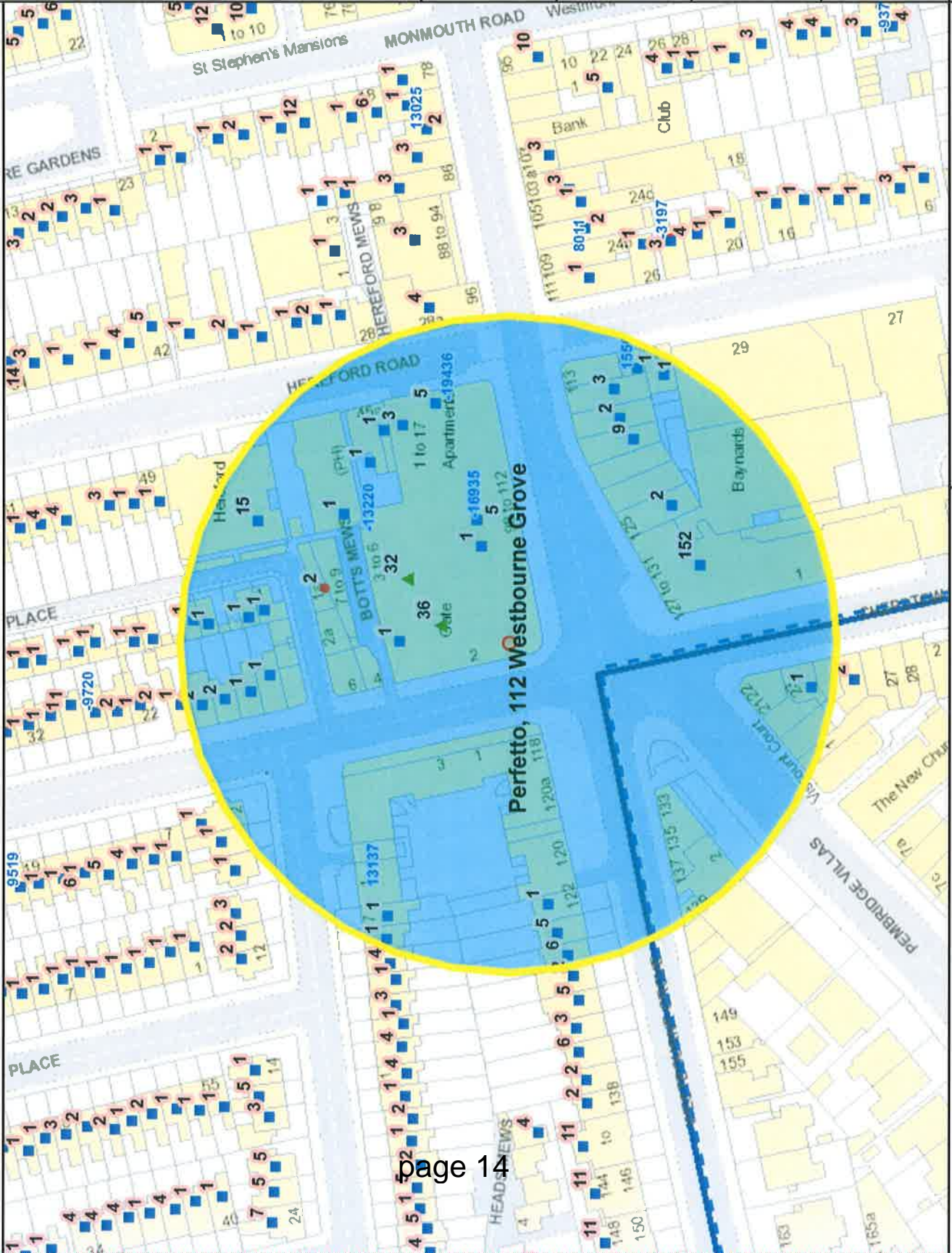
38. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

39. Sales of alcohol for consumption off the premises shall only be supplied with, ancillary to a take- away meal.
40. All outside tables and chairs shall be rendered unusable or removed by 21.00 each day.
41. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall be limited to 10 persons at any one time.
42. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
43. The number of persons permitted in the premises (excluding staff) shall not exceed:-  
  
Ground Floor XXX  
First Floor XXX  
  
With no more than 46 persons at any one time.  
  
(If an additional female WC is provided then the capacity can be increases to 70 persons).
44. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
45. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.



Perfetto, 112 Westbourne Grove

# Appendix C



Residential / Proposed Residential	230
Under Construction	68
Other Uses	93
Proportion Residential of all Uses	76%

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Data Source: Uniform Database  
Date: 03/11/2014



**Premises within 75 metres of: Perfetto, 112, Westbourne Grove**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
-19436	Bestone	Unit 7 98 Westbourne Grove London W2 5RU	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-16935	Carluccio's	Unit 4 106 Westbourne Grove London W2 5RU	Monday to Saturday 08:00 - 00:30 Sunday 09:00 - 00:00
-13220	Commander	6 Bolts Mews London W2 5AG	Thursday to Saturday 10:00 - 00:00 Monday to Wednesday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 23:00
13137	Mr Fish	Flat 4 1 Artesian Road London W2 5DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
1550	Saran Supermarkets	Ground 41 Hereford Road London W2 4AB	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30

\* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?  Yes       No

\* Registration number

\* Business name

\* VAT number

\* Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or Individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

Santi Angeli Limited

**Details**

Registered number (where applicable)

08374043

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

limited company

**Address**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Contact Details**

E-mail   
Telephone number   
Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Italian Deli/Bistro/Cafe

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start 10:00

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 10:00

End 23:00

Start

End

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 22:30

Start

End

Will the sale of alcohol be for consumption:

On the premises

Off the premises

Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 19

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 19

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Please see conditions attached.

b) The prevention of crime and disorder

Please see conditions attached.

c) Public safety

Please see conditions attached.

d) The prevention of public nuisance

Please see conditions attached.

e) The protection of children from harm

Please see conditions attached.

Continued from previous page...

Section 19 of 19

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Continued from previous page...

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	MCL/SMH/21841.00001
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted.	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

# PERFETT

## F O O D & W I N E

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### **PROPOSED DRAFT CONDITIONS**

#### **Mandatory Conditions**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
  - (b) "permitted price" is the price found by applying the formula-
$$P = D+(D \times V)$$
where-
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-

# PERFETT

## F O O D & W I N E

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paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
7. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
8. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at the premises), as defined in section 159 of the Act);

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- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
9. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
12. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.



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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.

## **Proposed Conditions**

15. The main use of the premises shall be a delicatessen with a food and wine school in which intoxicating liquor will only be sold or supplied for consumption on the premises to seated persons with the exception of:
  - i. up to a maximum of 6 persons standing at the Sommelier's bar counter
  - ii. up to a maximum of 4 persons at the cooking lessons/tasting table area
  - iii. persons attending a private function
16. In the basement intoxicating liquor will only be sold or supplied to people attending a cookery or wine course or persons attending a private function.
17. With the exception of the school area, there shall be a maximum of 20 covers on the ground floor together with a maximum of 10 covers at the cookery lessons/tasting table.
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
19. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
20. Substantial food and non-intoxicating beverages, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

# PERFETT

## F O O D & W I N E

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21. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
22. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
23. All cashiers and relevant staff will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
24. A direct telephone number for the manager at the premises shall be publically made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
25. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police or an Authorised Officer of the City Council at all times whilst the premises is open.
26. The entrance door shall be kept closed after 22.00 hours except for the immediate access and egress of patrons.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. Loudspeakers shall not be located in the entrance area or outside the premises building.
29. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

# PERFETT

F O O D & W I N E

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30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 hours and 08.00 hours on the following day.
32. No deliveries of produce to the premises shall take place between 20.00 hours and 08.00 hours on the following day.
33. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
34. The door onto Chepstow Road shall not be used by customers after 21.00 hours each day save for during emergencies.

**General Notes:**

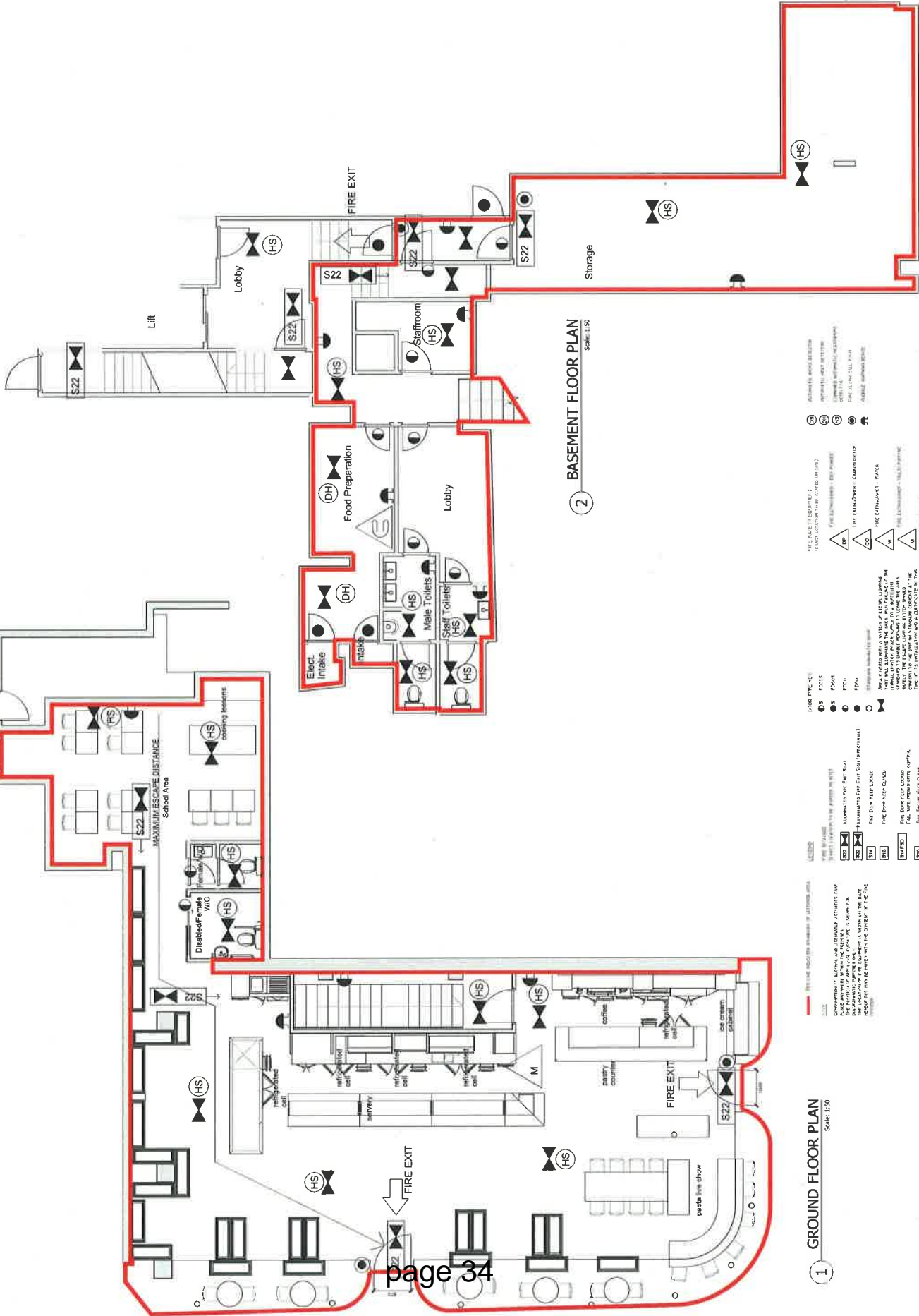
1. The proposed works are shown on this plan in accordance with the relevant Building Regulations and the Fire Safety Order 2005.
2. The proposed works are shown on this plan in accordance with the relevant Building Regulations and the Fire Safety Order 2005.
3. The proposed works are shown on this plan in accordance with the relevant Building Regulations and the Fire Safety Order 2005.
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10. The proposed works are shown on this plan in accordance with the relevant Building Regulations and the Fire Safety Order 2005.

**TIBBATT'S ABEL**  
Fireworks, Architecture

**PROPOSED LICENSE PLAN**  
GROUND & BASEMENT

**LOVING EXCELLENCE**  
PERFETTO  
112 WESTBOURNE GROVE  
LONDON

**DATE:** 15/06/2016  
**SCALE:** 1:50 @ A1  
**PROJECT:** MEL  
**REF:** 15/14



- LEGEND**
- 1. Fire Exit
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TO  
REFERENCE

Susan Patterson  
14/07833/LIPN

FROM  
REFERENCE  
BEING DEALT WITH BY  
TELEPHONE/EMAIL  
DATE

EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
EHCT/LXJ/14/040270/EHCT  
Louise Joyce  
020 7641 1773/ljoyce@westminster.gov.uk  
6<sup>th</sup> October 2014

**The Licensing Act 2003**

**Re: Basement Floor And Ground Floor, 112 Westbourne Grove, London, W2 5RU**

I refer to the application for a New Premises Licence number 14/07833/LIPN. The applicant has submitted plans for the premises showing the proposed ground and basement floors.

- Proposed license plan ground and basement date: 11.09.2014 drg no: A-02

This representation is based on the application submitted and the operating schedule.

The applicant is seeking the following licensable activities on the premises:

1. To permit the Supply of Alcohol "On" and 'Off' the premises Monday to Saturday 1000 hours to 2300 hours and Sunday 1000 hours to 2230 hours

**I wish to make the following representations in relation to the above application:**

1. The supply of alcohol 'On' and 'Off' the premises and the hours requested will have the likely effect to cause an increase in Public Nuisance in the area.

A site visit will need to be arranged to assess the premises to ensure that it does not impact on public safety.

The applicant has submitted proposed conditions; however any new Premises Licence granted will be subject to additional conditions to address the licensing objectives of Prevention of Public Nuisance and Promoting Public Safety.

**The granting of the New Premises Licence as presented would have the likely effect of causing an increase in prevention of Public Nuisance in the area and may impact on Public Safety.**

Should you wish to discuss the matter further please do not hesitate to contact me.

Louise Joyce  
Environmental Health Officer

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**TO** Susan Patterson  
**REFERENCE** 14/07833/LIPN

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**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
**REFERENCE** EHCT/LXJ/14/040270/EHCT  
**BEING DEALT WITH BY** Louise Joyce  
**TELEPHONE/EMAIL** 020 7641 1773/ljoyce@westminster.gov.uk  
**DATE** 11<sup>th</sup> November 2014

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**The Licensing Act 2003**

**Re: Basement Floor And Ground Floor, 112 Westbourne Grove, London, W2 5RU**

These conditions take into account the conditions proposed by the applicant in the operating schedule for the new premises application that is located in the Queensway/Bayswater Stress Area as stated in the Westminster Licensing Policy

1. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
5. Sales of alcohol for consumption off the premises shall only be supplied with, ancillary to a take- away meal.
6. All outside tables and chairs shall be rendered unusable or removed by 21.00 each day.
7. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
8. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall be limited to 10 persons at any one time.
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
13. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
14. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
15. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
16. The number of persons permitted in the premises (excluding staff) shall not exceed  
Ground Floor XXX  
First Floor XXX  
With no more than **46 persons** at any one time.  
If an additional female WC is provided then the capacity can be increases to 70 persons
17. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
18. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

A site visit might be arranged and additional conditions may be proposed by Environmental Health to support the licensing objectives on Prevention of Public Nuisance and Public Safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

Louise Joyce  
Environmental Health Officer

Your

Our

Date:



**METROPOLITAN POLICE  
SERVICE  
Toby Janes**

Westminster Police Licensing Unit  
Westminster City Hall  
Fourth Floor  
64 Victoria Street  
London  
SW1E 6QP

Telephone: 020 7641 3179

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

Dear Sir

**Application – 14/07833/LIPN – Perfetto, 112 Westbourne Grove, W2.**

Dear Marcus,

Police have considered your application. The conditions that you have offered do not satisfy the licensing policy as the venue is within the Queensway stress area.

The following conditions listed below are those that Police would like you to attach to your premises licence as I believe they will address Police concerns in relation to crime and disorder.

We would also like to see a reduction in licensed hours as follows:

Sale of Alcohol: Monday – Saturday 10:00 – 22:00  
Sunday 12:00 – 22:00

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period
2. 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 are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.



3. 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 an authorised officer of the City Council at all times whilst the premises are open
4. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
5. Beers, lagers and ciders sold at the premises shall only be premium products in glass bottles
6. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
8. The ground floor of the premises shall only operate where (i) customers are shown to their table, (ii) food is prepared on the premises and served and consumed at the table using non disposable crockery and (iii) intoxicating liquor is only sold, supplied, or consumed 'on' the premises to persons who are bona fide eating food and provided always that the consumption of intoxicating liquor by such persons is ancillary to eating food.
9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
10. There shall be no supply of draught beer.
11. There shall be no self service of alcohol on the premises.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
13. Substantial food and non-intoxicating beverages, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Sales of alcohol for consumption on the premises shall be ancillary to the operation of the premises as a delicatessen
16. The supply of alcohol for consumption in the basement shall only be to persons (and their guests) attending a bona fide cookery or wine course or persons attending a pre-booked private function.
17. Pre-booked private functions shall be booked at least 48 hours in advance.

Should you wish to discuss the matter further please contact Toby Janes PC1275CW on **0207 641 3179** or via email, [tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)

Yours sincerely.

Toby

Westminster Police Licensing Team

## Details of public representations relating to 14/07833/LIPN

### Comments received electronically via PublicAccess:

- **Mr Ben Carson - Flat 9 2 Chepstow Road, London, W2 5BH**

**Received: 22 Sep 2014**

**OBJECTION**

*9:20 AM on 22 Sep 2014 I am a local resident and believe that another restaurant/bar of this type will substantially add to the noise and people congestion. The area already suffers from too many drinking establishments.*

*Further, as the majority of the venue sits on Chepstow Road which is a purely residential road, this will add noise and congestion to this part of the neighbourhood.*

*Regards*

- **Sally Sampson - 10 Hereford Mansions , W2 5BA,**

**Received: 21 Oct 2014**

**OBJECTION**

*I am writing in as a resident of Hereford Mansions, to oppose the above application. I am co chair of the Hereford Road Association, which has written in separately, but I would like to add my own objections as a private individual who has lived at flat 10 Hereford Mansions for ten years. I have read the documentation carefully, and agree with Richard Brown of the CAB that, if granted, the application would lead to the establishment of a bar, with entitlement to any number of "private functions." This has been designated a stress area, and we already have many restaurants and bars nearby. We do not need another., with all the noise and nuisance that it would inevitably cause to local residents of all ages, who need some peace and quiet.*

*Please reject the application.*

### Comments received via other means:

- **Noel And Carmen Deans - Flat1, The Gate Apartments, 2 Chepstow Road, London**

**Received: 14 Oct 2014 by Neighbour**

**OBJECTION**

- **Ms Sally Sampson - And Ms Claire Tallis, Co-chairs Of The HRA, 10 Hereford Mansions**

**Received: 23 Oct 2014 by Local Neighbourhood Group**

**OBJECTION**

**Patterson, Susan**

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**From:** salvsamp@aol.com  
**Sent:** 21 October 2014 16:04  
**To:** Premises Licensing  
**Subject:** Perfetto, 112 Westbourne Grove W2 5RU application for new preimises licence ref 14/07833/LIPN

Dear Sirs,

I am writing in as a resident of Hereford Mansions, to oppose the above application. I am co chair of the Hereford Road Association, which has written in separately, but I would like to add my own objections as a private individual who has lived at flat 10 Hereford Mansions for ten years. I have read the documentation carefully, and agree with Richard Brown of the CAB that, if granted, the application would lead to the establishment of a bar, with entitlement to any number of "private functions." This has been designated a stress area, and we already have many restaurants and bars nearby. We do not need another., with all the noise and nuisance that it would inevitably cause to local residents of all ages, who need some peace and quiet.

Please reject the application.

Yours sincerely

Sally Sampson (Mrs)  
10 Hereford Mansions W2 5BA

Please reject the application

# Comments for Licensing Application 14/07833/LIPN

## Application Summary

Application Number: 14/07833/LIPN

Address: Basement Floor And Ground Floor 112 Westbourne Grove London W2 5RU

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

## Customer Details

Name: Mr Ben Carson

Address: Flat 9 2 Chepstow Road London

## Comment Details

Commenter Type: Interested Party

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:9:20 AM on 22 Sep 2014 I am a local resident and believe that another restaurant/bar of this type will substantially add to the noise and people congestion. The area already suffers from too many drinking establishments.

Further, as the majority of the venue sits on Chepstow Road which is a purely residential road, this will add noise and congestion to this part of the neighbourhood.

Regards

Flat 1, The Gate Apartments  
2 Chepstow Rd  
London W2 5BH

13 October 2014

Dear Sir/Madam

Re: Perfetto, Basement Floor and Ground Floor, 112 Westbourne Grove, London, W2 5RU

Notification of a new premises license application under the licensing Act 2003  
(ref: 14/07833/LIPN)

We live in residential premises above the retail outlet for which an application to sell alcohol is being made.

In the first instance, this application is for the premises to be transformed into a deli and eatery, this is the same arrangement as Carluccio's have two doors down and we cannot see why this is not clearly identified as a restaurant business. It clearly states you can eat on the premises, it would be selling food and alcohol and be open from 7am in the morning until 12 pm. So we believe on the description of this business it should require the reclassification from retail into restaurant use as was proposed by Bills. And we are concerned by what we believe to be a lack of transparency in these proposals. Are the applicants trying to get around stricter regulations, guidelines or standards required by attempting not to reclassify the unit? We would object both to the license to sell alcohol and also to any reclassification, as we did to the Bills proposal for the following reasons:

- The commercial outlets in this block already contain two restaurants, we consider this enough in such a short amount of space, the history of restaurant establishments in this block has already brought several difficulties over the years, which as residents we have had to deal with and bring to the attention of the restaurant owners, the landlords and in some cases we still continue to have difficulties with.
- In the first instance, we had many problems with restaurant smells from both Carluccio's and the restaurants in the unit now occupied by Cote coming into the building, into the corridors and even the residents' flats. We do not relish having to go through the whole procedure again trying to find out where the smells are emanating from, getting independent verifiers and putting in proper ventilation shafts through a process of trial and error.
- Both Unit 3 at 108 Westbourne Grove and Unit 7 at 98 Westbourne Grove (occupied by Carluccio's and Cote respectively) were designed to be restaurants when the building was constructed and we still had problems with the smells which took over a year in one instance and over 2 years in the other to be resolved. It must therefore be a reasonable concern that if the unit under consideration was never intended, designed or constructed to be a restaurant, (ie: to be a venue where food is prepared and served to customers) there are, at the very least, likely to be similar problems with smells; and there is a possibility that the problem could be worse than what we have already experienced. There is a strong possibility that Perfetto will have to engage in a process of trial and error which will take time and the resident's ability to enjoy a normal home environment could be affected for a year, two years or more.
- We repeat that the relevant unit was not classified as a restaurant and therefore not intended for the use of preparing and selling food and beverages. For all the reasons we

set out, we do not believe it should therefore be used for these purposes. We understand the commercial objectives of both the applicant and the landlord but these should not trump our right to enjoy our home environment. Any use of this unit for the purposes of selling food and alcohol will unnecessarily, as the unit was never intended, designed or constructed to be a restaurant, affect the balance of the building, which protects our right to enjoy our home environment. We already have two restaurants in the building which was thought to be a reasonable balance at the time of planning permission several years ago. We believe the Council got the balance right then and should maintain that decision now.

- Restaurants start working very early in the morning, and many neighbours, including ourselves have had to complain to Carluccio's that we could hear the bins being dragged out over the cobblestones at 5 or 6 in the morning (which still continues). Of course Perfetto might not produce this precise problem (or it might), but noise travels through buildings and building shafts in unexpected ways and starting so early in the morning is bound to cause noise, because members of staff are fully awake (understandably) and are not really concerned about doing things quietly.
- On the noise level, we already have two restaurants open until midnight, adding a third, which possibly may have two floors of capacity (ground and basement level), I don't know if they will be proposing to use the pavement also, in addition with alcohol being served, it is inevitable that this would be a late night eatery and drinking venue. We are very concerned about the noise level this would generate. In short, we are concerned that our right as residents to enjoy a peaceful home environment will be curtailed both at night (we all have jobs to go to the next day and do not have the luxury of staying up every night until 12 due to noise) and in the mornings, being woken too early.
- We are very concerned about increased restaurant waste being left on the premises overnight. This will create an even bigger pest (mice) problem than the one we already have in the building. We already have a serious pest control issue with the two existing restaurants leaving their food rubbish in the building overnight, with mice regularly seen on the terraces and even in apartments. A third restaurant in the building will only exacerbate this problem, further reducing our ability and right to enjoy our home environment.
- Further, the commercial unit has two entrances into the unit, one is on Westbourne Grove, while the other is on Chepstow Rd. The increased volume of people milling around, very near the bus stop and also the late night closing pizzeria nearby on the next corner on Chepstow Rd would all be occurring right outside the door by which we enter and exit the building. This is not very reassuring for security reasons to have such a thoroughfare of people milling about outside our door, some of whom are likely to be disruptive at times, due to alcohol consumption at the premises. This would jeopardise the safety and security of residents entering and leaving the building, especially in the evening and at night, with the restaurant door on Chepstow Road being within a couple of meters of our entry door. It may even be that customers would be queuing up to gain entrance to the restaurant and so block our entry to the building.
- Already with Cote, we have ongoing issues with them for security reasons as their staff do not shut the bin doors (used by council refuse collectors) properly or at all, and even when going in and out for their cigarette breaks, do not bother to close doors properly, leaving full access to the building, compromising security. We have had several burglaries in these blocks due to outsiders accessing the building. While the management at Cote are always very reassuring and understanding about these matters and say they will tell their staff, unfortunately they cannot control individual staff members, who do not take these matters seriously and it is the residents who suffer through burglaries and the compromised security of the building. We strongly feel

another restaurant outlet would increase our security risk, which we consider is unreasonable.

- The building security is not a minor issue for us. Several apartments have been broken into, and there have been burglaries and attempted break-ins over the years and even this year. The police will have records of all the break-ins and attempted break-ins. Over the years our building has been and continues to be targeted by criminals on a regular basis. Security of the building and personal security within the building is a continuous matter of great concern for us and all residents are very mindful of this. Some of the attempted break-ins have involved residents being confronted with burglars at their front doors. The porter only works during the day and not in the evenings or at night and weekends.
- We would ask also that you consider that this building has been carefully constructed to comply with the Listed Buildings Act, it is inside the Listed Buildings and Conservation Areas, it was never intended to contain more than two restaurant outlets which keeps a good retail experience balance and we would question whether opening a further restaurant in this building is really in keeping with conserving the peaceful, delightful neighbourhood which attracts people to both visit and want to live in this area. We would argue that another late night drinking venue on this corner does not, and that this space is much better suited to a retail outlet, with regular working hours, of which there are many suitable candidates.
- Furthermore, we request that the Council takes into consideration the longer term implications of allowing the retail unit in question to be turned into a restaurant. If Perpetto subsequently decides to vacate the premises, another restaurant business would be able to take over the premises without requiring the Council's permission. This could impact the character of our building as there would be no control over the type of restaurant that becomes the subsequent occupier. This could further diminish the rights of residents to enjoy our home environment.

Finally, we would like to finish by saying that we bought our home in this block in good faith on the understanding that the council had determined that only two restaurant units would be beneath us and we considered that this was reasonable, though actually we have already had to deal with many matters as stated above, including fire alarms set off by the retail units at all hours of the night. When you buy a residential property you should be entitled to adequate peace and quiet, and also peace of mind. It is a regrettable experience for us to have to go through the stress and hassle of objecting to these types of proposals on a regular basis just to try and maintain our quality of life, which other homeowners take for granted.

Yours faithfully

Noel and Carmen Deans

## **Patterson, Susan**

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**From:** Claire Tallis [claire.tallis@googlemail.com]  
**Sent:** 23 October 2014 01:07  
**To:** Premises Licensing  
**Cc:** Sally Sampson; John Zamit SEBRA; bob annibale  
**Subject:** Re: Perfetto, 112 Westbourne Grove W2 5RU application for new preimises licence ref 14/07833/LIPN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sirs

We are writing on behalf of the Hereford Road Association and would ask you to please reject this application.

The area where this application is proposed is a designated stress area and we have been informed that, if the application is successful, it would lead to the establishment of a bar. There are many licenced premises already in this area and we believe that many of the consequences of another bar would not benefit the residents who live above and nearby.

Yours faithfully

Sally Sampson and Claire Tallis  
Co-chairs of the HRA



THE HEREFORD ROAD ASSOCIATION

Licensing Applications  
Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

By email only: [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

3 November 2014

Dear Sirs

**'Perfetto', Basement and Ground Floor, 112 Westbourne Grove, London W2 5RU**  
**Application for new premises licence ref: 14/07833/LIPN**

We write on behalf of the Hereford Road Association (HRA), to add to the initial representation HRA made by email dated 23 October 2014, objecting to the grant of this application.

The HRA has objected on the basis that the likely effect of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance and prevention of crime and disorder. It is also contrary to the City Council's 'Stress Area' policy.

### **Background**

The HRA is a local residents' association with approximately 100 fully paid up members predominantly living on Hereford Road, which crosses over Westbourne Grove. The immediate surrounding area has a number of licensed premises. The area has a history of noise and nuisance arising from the 'cumulative impact' of these establishments, which is reflected by the fact that it is within a designated 'Stress Area'.

The application seeks the grant of a premises licence to sell alcohol until 11pm Mon-Sat, 10.30pm Sun, both on and off the premises, with no requirement that food be consumed. We are concerned that the nature of the application as presented could lead to the establishment of a bar, with an entitlement to an unlimited number of 'private functions'. This is directly contrary to policy STR1 and PB2 in the City Council's Statement of Licensing Policy. The application raises a number of concerns which we detail below:

- The plans attached to the application do not seem to demonstrate what, if any, licensable activity is envisaged for the basement, although from the conditions proposed it seems that 'private functions' would be held here. We would be against the use of the basement.
- The commencement hour for opening is too early; it should be 10am Mon-Sat and midday on Sundays.

- The application as presented is contrary to the Council's Statement of Licensing Policy, in particular STR1 and PB2 in that it seeks permission to sell alcohol without food. The proposed condition that food simply be 'available' is manifestly insufficient.
- We note that the customers would at least be seated, but we note that there is no waiter/ess service proposed.
- We have not been able to find any information about the proposed operators on the internet. This raises the question of whether they are new operators and whether they have experience of operating premises within an area of cumulative impact.
- Proposed condition 26 should read 'The entrance doors' (our emphasis).
- Why does a delicatessen and cooking school require a licence until 11pm?
- The rather nebulous concept of a 'private function' causes particular concern. There is no proposed limit to the numbers per year, or the numbers of people able to attend.
- A number of months ago, an application was made for a new premises licence for this premises by 'Bill's'. We and others made representations on the basis of 'cumulative impact'. The application was withdrawn prior to the hearing.
- Although we are aware that it is not strictly relevant to the Licensing Sub-Committee's determination of a licensing application, it should be noted that the lawful planning use for the premises is A1 (it used to be a clothes shop). An application for change of use from A1 to A3 was refused in September 2014.

### **Stress Area Policy**

The application is contrary to policies STR1 and PB2, the relevant 'Stress Area' policies. These policies create a rebuttable presumption against the grant of this application, unless the Applicant can demonstrate 'genuinely exceptional circumstances'.

We are concerned that granting an exception to Policy here would lead to a precedent being set. Of course, other premises would then seek to be able to sell alcohol without food, in line with the competition, on the basis that they, too, are an exception to Policy.

### **Conclusion**

We are against the application, notwithstanding our comments on the proposed conditions, on the basis that this is the appropriate step to promote the licensing objectives. We note that the Guidance issued by the Government under s182 Licensing Act 2003 states (9.36) that an application may be refused on the grounds that this is appropriate for the promotion of the licensing objectives. Para 9.40 states that the 'determination of whether an action or step is appropriate of the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end'. In this case 'that end' includes ensuring that there is no increase in cumulative impact. The fact that the Council's Policy mitigates against the grant of such applications strongly suggests that the logical step is to refuse the application in its current form.

We are aware that applications can be amended and would like to be kept updated if this transpires.

Yours faithfully,

Sally Sampson Co chair  
Flat 10, Hereford Mansions, Hereford Road, London, W2 5BA

Claire Tallis Co Chair  
49 Hereford Road, London, W2 5BB

On behalf of the Hereford Road Association

## Peermamode, Ryan

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**Subject:** FW: Perfetto - 14/07833/LIPN  
**Attachments:** Fw: Perfetto, 112 Westbourne Grove W2 5RU application for new premises licence ref 14/07833/LIPN

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**From:** Richard Brown [<mailto:licensing@westminstercab.org.uk>]  
**Sent:** 11 November 2014 15:11  
**To:** 'Patterson, Susan'  
**Cc:** 'claire tallis'; 'salvsamp@aol.com'; 'John Zamit'  
**Subject:** Perfetto - 14/07833/LIPN

Hi Sue,

Just to confirm, I am representing Hereford Road Association (HRA) and Sally Sampson at the hearing. Sally is co-chair of the HRA, but also submitted a representation in her capacity as a local resident.

HRA wish to submit the attached email from John Zamit of SEBRA in support of their own representation. HRA wish to call John to speak at the hearing in support of their representations.

Kind regards,

Richard

**Richard Brown**  
Licensing Advice Project  
Westminster Citizens Advice Bureau  
21a Conduit Place, London W2 1HS

[www.licensingadvice.org](http://www.licensingadvice.org)



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1HS

T: 020 7706 6026  
F: 020 7706 6039

E: [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)



**Peermamode, Ryan**

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**Subject:** FW: Perfetto, 112 Westbourne Grove W2 5RU application for new premises licence ref 14/07833/LIPN

**From:** [John Zamit, Chairman, SEBRA](#)

**Sent:** Friday, October 24, 2014 3:13 PM

**To:** [Premises Licensing](#)

**Subject:** Fw: Perfetto, 112 Westbourne Grove W2 5RU application for new premises licence ref 14/07833/LIPN

We fully support objection from our SEBRA member.

Premises are in a WCC Stress Area and we do not need another premises with a 'bar' in Westbourne Grove.

We do not believe style of operation needs a licence where persons can drink without eating and wine tasting and cooking school do not need such late hours

We believe licence application should be refused as if allowed would cause nuisance to local residents and may result in an increase in crime and loss of amenity etc.

Another drink establishment would have a detrimental cumulative effect on the neighbourhood

John Zamit  
Chairman  
SEBRA (South East Bayswater Residents' Association)  
(& Bayswater Resident's Association Committee Member)  
2 Claremont Court  
Queensway  
LONDON  
W2 5HX

Tel: 020 7727 6104  
Mobile: 07768 068277

Email: [Chairman@SEBRA.org.uk](mailto:Chairman@SEBRA.org.uk)  
Website: [www.sebra.org.uk](http://www.sebra.org.uk)











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City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/08128/LIPN</b>
Date:	<b>20 November 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Jamaica Patty Basement and Ground Floor 26 New Row London, WC2N 4LA</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Bina Patel, Environmental Health Case Officer (Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 2125 E-mail: bpatel@westminster.gov.uk</b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Jamaica Patty Co Limited	<b>Date Application Received:</b>	23.09.2014
<b>Premises Name and Address:</b>	Jamaica Patty Basement and Ground Floor 26 New Row London WC2N 4LA		
<b>Ward Name:</b>	St James's	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	<p>The premises are to operate as a shop selling hot food and beverages to eat in and take away.</p> <p>The premises comprises of a Basement Floor with 12 covers and Ground Floor with some seating.</p> <p><b>Note: These premises do not benefit from a private a forecourt and there has been no application for a Tables and Chairs Licence</b></p>		
<p><i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i></p>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<p><b><u>1.1 Late Night Refreshment: Indoors and Outdoors</u></b></p> <p>Monday to Saturday 23:00 to 00:00</p> <p><b><u>1.2 Opening Hours:</u></b></p> <p>Monday to Saturday 09:00 to 00:00 Sunday 11:00 to 19:00</p> <p><i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i></p>			
	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>	
<b>1A</b>	The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and impact on Public Safety area.	<b>Environmental Health Service Representation</b>	

1B	<p>The Metropolitan Police Service has made an adverse representation to this application stating that the application as presented undermines the Licensing Objectives. The police are seeking Core Hours and have proposed conditions to the applicants for their consideration.</p>	<p><b>Metropolitan Police Service representation</b></p>
1C	<p>3 local residents have made adverse representations to this application. Their concerns relate as follows:</p> <ul style="list-style-type: none"> <li>• This will result in additional noise at a time when customers are to be consuming alcohol or less likely to consider local residents.</li> <li>• Music has been played from these premises causing a nuisance. The premises appear to leave the doors open to attract passing trade.</li> <li>• New Row is already suffering from late night noise caused by people frequenting the White Swan pub, The Roundhouse, Benito's Hat and The Juice Place in bedfordbury. Adding other premises would make life for residents more miserable.</li> </ul>	<p><b>3 residential representations</b></p>
1D	<p>The Covent Garden Trust, Burleigh Residents Association and Covent Garden Community Association have made adverse representations to this application. Their concerns relate as follows:</p> <ul style="list-style-type: none"> <li>• There are no conditions in the operating schedule.</li> <li>• A licence which runs later than Core Hours will encourage people to stay in the area rather than disperse and effect public nuisance.</li> <li>• The unit has wide doors which fold back to the width of the café with two tables and four chairs in the narrow New Row. There are residents who live directly opposite this shop and basement unit who would be disturbed by this late night use.</li> <li>• Should the licence be granted to Core Hours, a condition is sought requiring the shop doors to be closed after 23:00 on Friday and Saturday. In addition to restricting consumption of food on the premises.</li> </ul>	<p><b>The Covent Garden Trust, Burleigh Residents Association and Covent Garden Community Association representations</b></p>
1E	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1)  Public Safety (PS1)  Prevention of public nuisance (PN1)  Protection children from harm (CH1)  Stress Area (STR1)  Hours (HRS1)  Fast Food premises within the Stress Area (FFP2)</p>	<p><b>Policies applicable</b></p>
1F	<p><b>Policy STR1 applies:</b> (i)It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; late night refreshment premises offering hot food and drink to take-away and premises offering facilities for music and dancing other than applications to vary hours within the Core Hours under Policy HRS1  (ii)Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p>	

<p><b>1G</b></p> <p><b>1H</b></p> <p><b>1I</b></p>	<p><b>Policy HRS1 applies:</b> (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p> <p><b>Policy FFP2:</b> It is the Licensing Authority's policy to refuse applications in the Stress Area, other than applications to vary the hours within the core hour's policy.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	<p><b>Summary</b></p>
<p><b>Current Licensing Position</b></p>	<p>These premises previously held a premises licence 11/08994/LIPN. This licence lapsed by virtue of the licensees, Spud Ltd entering into voluntary liquidation on 06/03/14. Please refer to <b>Appendix A</b></p>	
<p><b>Residential Density:</b></p>	<p>216 of the 458 units within a 75m radius of the premises are residential or proposed residential, (47%), refer to <b>Appendix C</b>.</p>	
<p><b>List of Appendices:</b></p>	<p>A – Premises Licence History  B - Conditions  C – Residential Map and list of premises in the vicinity</p>	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (Oct 2014)
- Application form
- Plans
- Representations received
- Photos

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date determined</b>	<b>Decision</b>
New 11/08994/LIPN	Application for a new premises licence made by <b>Spud Ltd</b> to permit alcohol on Monday to Saturday 11:00 to 21:00 Sunday 12:00 to 21:00	27.10.2011	Granted by a Licensing Sub Committee  <i><b>Licence lapsed on 6<sup>th</sup> March 2014</b></i>

**There is no appeal history**

### 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.

#### **Mandatory Conditions**

None

#### **Conditions consistent with the operating schedule:**

1. The maximum number of persons accommodated in the basement shall be 12.

#### ***\*Alternative condition proposed by Environmental Health;***

- 1a. *The maximum number of persons permitted inside the premises (inclusive of staff) at any one time shall not exceed:-*

*Basement 10 persons*

*Ground Floor 8 persons*

*With no more than 16 persons at any one time.*

#### **Conditions proposed by Police Licensing Team:**

2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. – Also proposed by the Metropolitan Police Service
3. 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. – Also proposed by the Metropolitan Police Service
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:



- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

5. There shall be no sales of hot food or hot drink for consumption on the premises after  
 Monday to Thursday 23:30  
 Friday to Saturday 00:00  
 Sunday 19:00

6. There shall be no sales of hot food or hot drink for consumption off the premises (after 23:00)

***\*Alternative condition proposed by Environmental Health;***

6a. *There shall be no take-away of hot food or hot drink after 23.00 hours daily.*

***\*Alternative condition proposed by Amenity Society;***

6b. *All food shall be consumed on the premises.*

7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly

***\*Alternative condition proposed by Environmental Health;***

7a. *Notices shall be prominently displayed at exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*

**Conditions proposed by Environmental Health Service; additional to those outlined above:**

8. After 23.00 hours the consumption of food inside the premises shall only be by customers seated.

9. A waiter/waitress service shall be provided.

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

11. After 22.00 hours the entrance doors shall be kept closed except for immediate access and egress.

***\*Alternative condition proposed by Amenity Society;***

11a. *The premises shall keep its doors closed after 23:00 on Friday and Saturday.*

12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

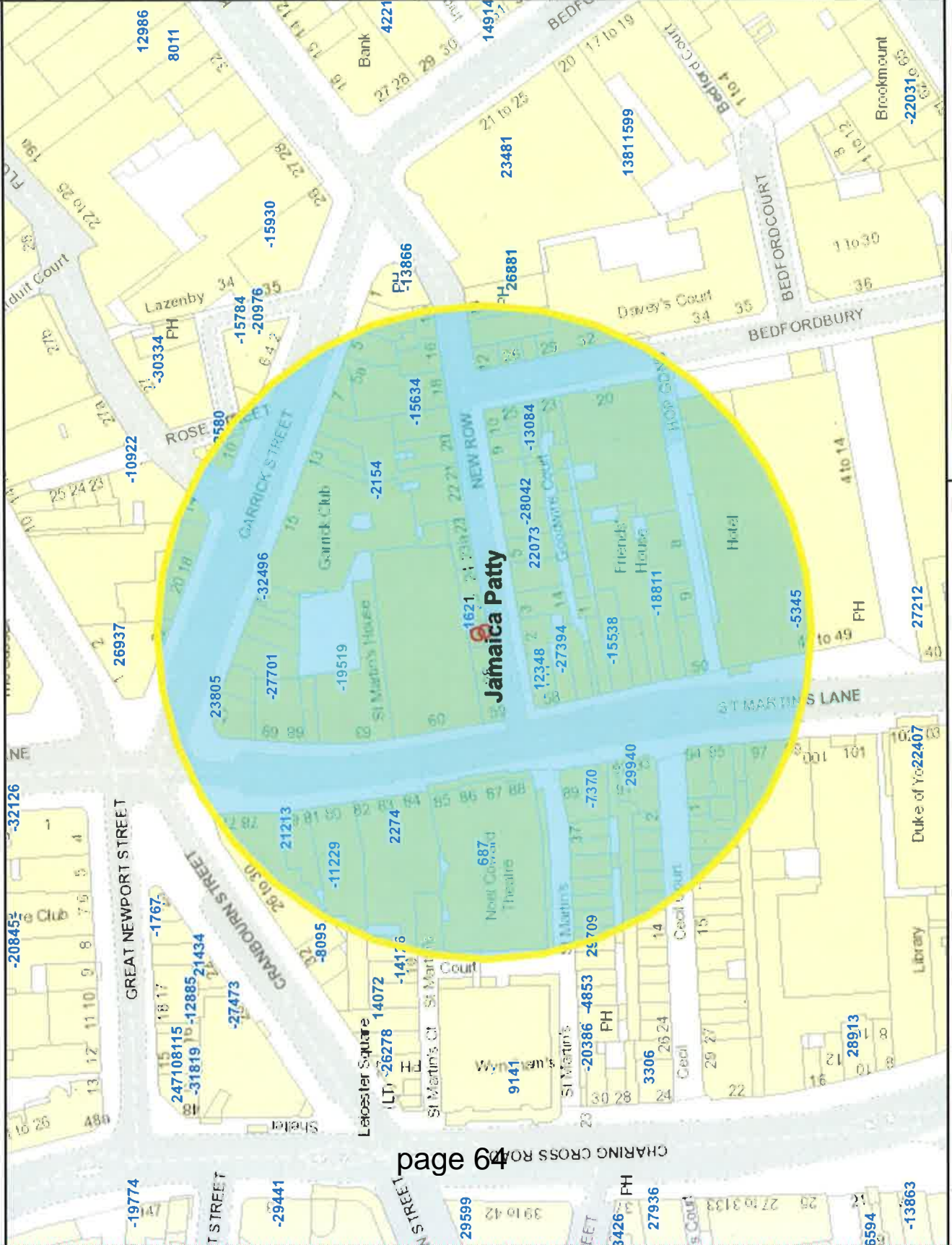
13. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.



# Jamaica Patty, Basement And Ground Floor, WC2N 4LA

City of Westminster



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# Appendix C

Residential / Proposed Residential	216
Under Construction	
Other Uses	242
Proportion Residential of all Uses	47%

Data Source: Uniform Database  
Date: 05/11/2014

**Premises within 75 metres of: Jamaica Patty, Basement And Ground Floor, 26 New Row, WC2N 4LA**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
-32496	Simurg	17 Garrick Street WC2E 9AX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-27394	Pepe Restaurant	57 St Martin's Lane WC2N 4EA	Monday to Thursday 11:00 - 00:00 Friday to Saturday 11:00 - 01:00 Sunday 11:00 - 22:30
-19519	Tarantino	Garrick House 63 - 66 St Martin's Lane WC2N 4JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-18811	Cote	Ground Floor 51 St Martin's Lane WC2N 4EA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-15634	Benito's Hat	Ground 19 New Row WC2N 4LA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-13084	Giovanni's Restaurant	10 Goodwin's Court WC2N 4LL	Monday to Saturday 10:00 - 15:00 Monday to Saturday 18:00 - 00:30 Sunday 12:00 - 15:00 Sunday 18:00 - 00:00
-5345	St Martin's Lane Hotel	Ground Floor 42 - 49 St Martin's Lane WC2N 4ER	Monday to Sunday 00:00 - 00:00
687	Noel Coward Theatre	Noel Coward Theatre 85-89 St Martin's Lane WC2N 4AU	Monday to Sunday 09:00 - 01:00
2274	Brown's Restaurant	82-84 St Martin's Lane WC2N 4AG	Monday to Sunday 08:00 - 00:00 Thursday to Saturday 08:00 - 01:30 Sunday to Wednesday 08:00 - 00:30
12348	The Angel & Crown	58 St Martin's Lane WC2N 4EA	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sunday 12:00 - 22:50 Sundays before Bank Holidays 12:00 - 00:00 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
21213	Steak & Co	Ground Floor 79 St Martin's Lane WC2N 4AA	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
22073	Cafe Nuvo	4 New Row WC2N 4LH	Monday to Sunday 08:00 - 23:00
23805	Bella Italia	70 St Martin's Lane WC2N 4JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29940	Chipotle Mexican Grill	92-93 St Martin's Lane WC2N 4AP	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-28042	Grand Indian 1 Restaurant	6 New Row WC2N 4LH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-27701	McDonald's	68-69 St Martin's Lane WC2N 4JS	Sunday to Thursday 23:00 - 00:00 Friday to Saturday 23:00 - 01:00
-15538	Green Man & French Horn	54 St Martin's Lane WC2N 4EA	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:00
-11229	Pizza Express	Ground Floor 80-81 St Martin's Lane WC2N 4AA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-7370	The Salisbury Public House	The Salisbury Public House 90 St Martin's Lane WC2N 4AP	Monday to Thursday 07:00 - 23:30 Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Wednesday 07:00 - 00:00 Thursday 07:00 - 00:30 Friday to Saturday 07:00 - 01:00 Sunday 07:00 - 23:30
-2154	Garrick Club	15 Garrick Street WC2E 9AY	Monday to Sunday 07:00 - 01:30
-1621	Spud	Basement And Ground Floor 26 New Row WC2N 4LA	Monday to Sunday 08:00 - 23:00
2580	Le Garrick	Ground Floor And Basement 10 - 12 Garrick Street WC2E 9BH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

\* required information

### Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

JPC NEW ROW

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes

No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

ANDREW

\* Family name

ROBERTS

\* E-mail

AJROBERTS550@GMAIL.COM

Main telephone number

07788 432627

Include country code.

Other telephone number

0203 155 1117

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

\* Is your business registered in the UK with Companies House?

Yes

No

\* Registration number

08381373

\* Business name

JAMAICA PATTY CO LIMITED

If your business is registered, use its registered name.

\* VAT number

-

178468847

Put "none" if you are not registered for VAT.

\* Legal status

Private Limited Company

Continued from previous page...

\* Your position in the business DIRECTOR

Home country United Kingdom

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name 25

\* Street HARLEY STREET

District

\* City or town LONDON

County or administrative area

\* Postcode W1G 9BR

\* Country United Kingdom

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name SHOP AND BASEMENT 26

Street NEW ROW

District WESTMINSTER

City or town LONDON

County or administrative area

Postcode WC2N 4LA

Country United Kingdom

**Further Details**

Telephone number 0207 8363334

Non-domestic rateable value of premises (£) 29,000

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Shop selling hot food and beverages eat in and takeaway in New Row Covent Garden.No alcohol being sold. Shop is on ground floor level with 12 covers in basement and some seating on ground floor.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?



Continued from previous page...

Yes

No

### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Sale of hot food and beverages after 23:00

State any seasonal variations

**Continued from previous page...**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor  
 As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Conditions to be agreed with responsible authorities

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
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**Continued from previous page...**

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

*Continued from previous page...*

Add another signatory

Once you're finished you need to do the following:





1. Save this form to your computer by clicking file/save as...

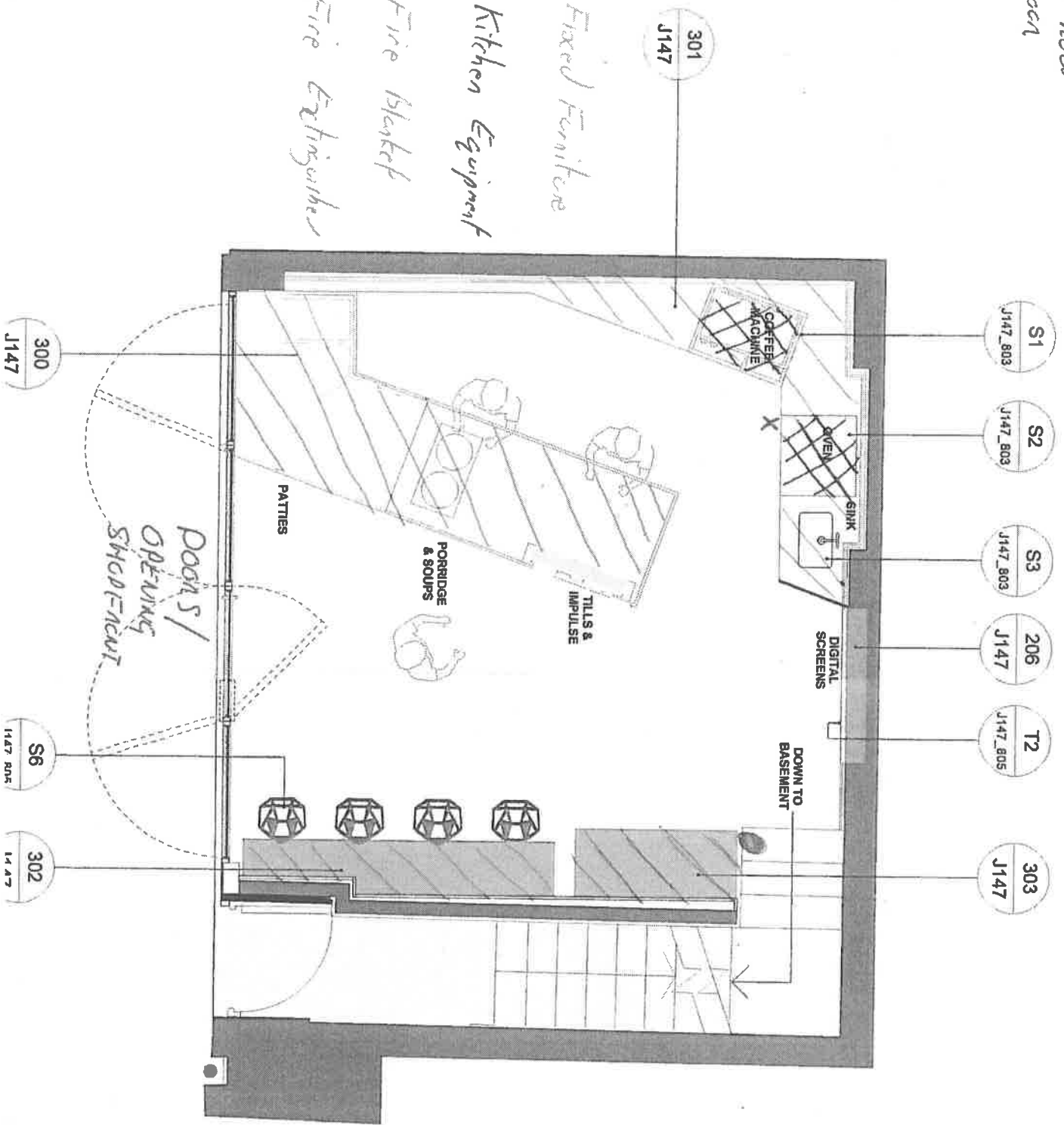
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.





**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

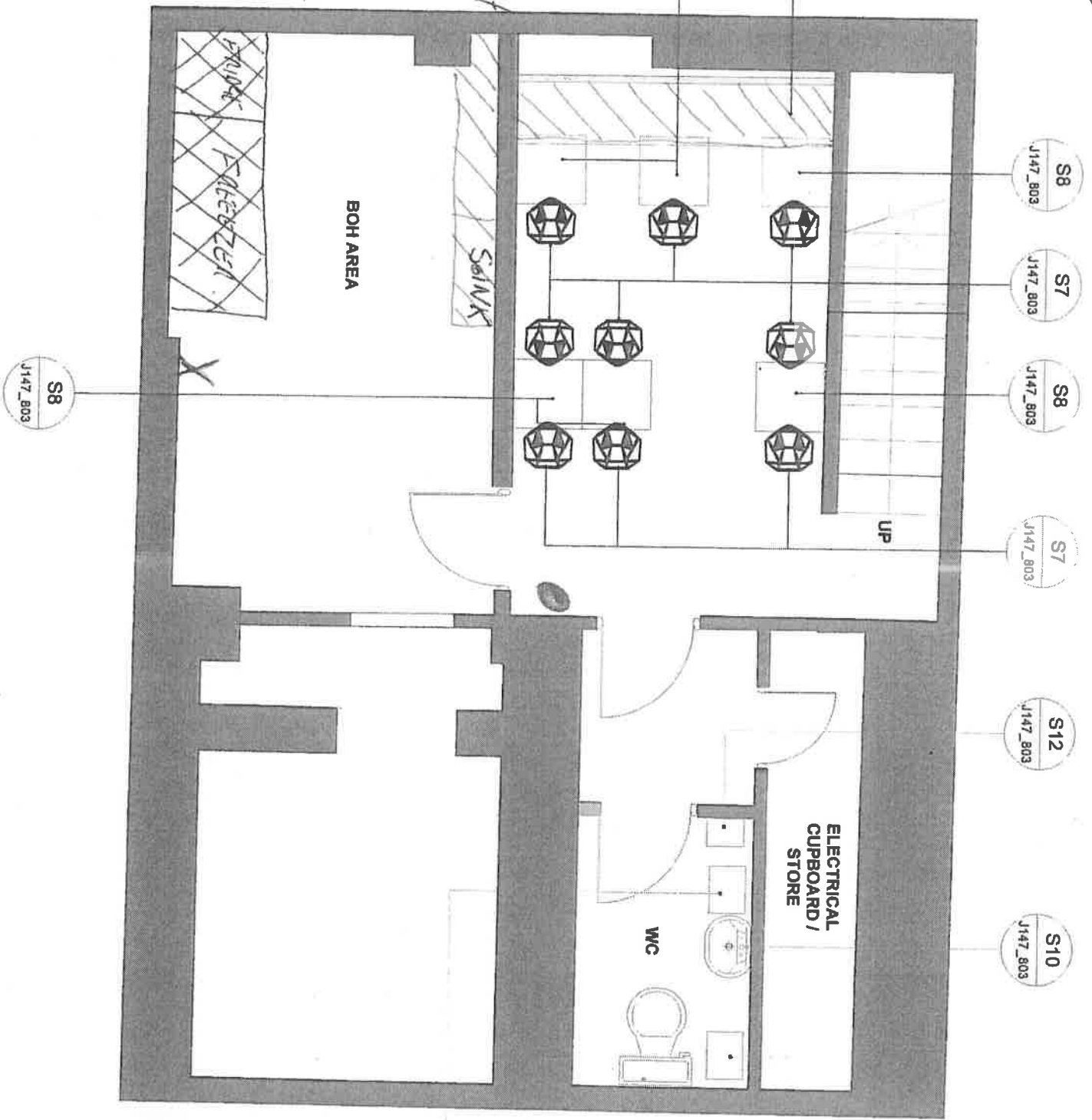
JAMAICA PARTY CO  
 26 New Now  
 Ground Floor

-  = Fixed Furniture
-  = Kitchen Equipment
-  = Fire Blanket
-  = Fire Extinguisher



JAMICA PARTY CO  
 26 NEW NEW  
 BASEMENT

 = Fixed Furniture  
 = Kitchen Equipment  
 = Fire Marked  
 = Fire Extinguisher



BLACK SAI  
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S9  
 J147\_803

BLACK WA  
 HAFELE.5C



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TO Licensing Officer

REFERENCE 14/08128/LIPN

---

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 20th October 2014

---

**The Licensing Act 2003**

**Jamaica Patty, 26 New Row, WC2**

I refer to the application for a New Premises Licence.

**The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.**

The applicant has submitted a floor plan of the ground floor and basement.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Saturday between 23.00 and 00.00 hours.

I wish to make the following representation

1. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.

The applicant has not provided any conditions in support of the application.

The application is contrary to Westminster Licensing policy FFP2.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

TO Licensing Officer

REFERENCE 14/08128/LIPN

---

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 12th November 2014

---

**The Licensing Act 2003**

**Jamaica Patty, 26 New Row, WC2**

I refer to the application for a New Premises Licence.

**The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.**

The following conditions are proposed by Environmental Health to support the licensing objectives if the application is granted.

1. There shall be no take-away of hot food or hot drink after 23.00 hours daily.
2. After 23.00 hours the consumption of food inside the premises shall only be by customers seated.
3. A waiter/waitress service shall be provided.
4. The maximum number of persons permitted inside the premises (inclusive of staff) at any one time shall not exceed
  - Basement 10 persons
  - Ground Floor 8 persons
  - With no more than 16 persons at any one time.
5. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. After 22.00 hours the entrance doors shall be kept closed except for immediate access and egress.
7. Notices shall be prominently displayed at exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

8. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
9. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
10. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

TO Licensing Officer

REFERENCE 14/08128/LIPN

---

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 12th November 2014

---

**The Licensing Act 2003**

**Jamaica Patty, 26 New Row, WC2**

I refer to the application for a New Premises Licence.

**The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.**

Noise history

Saturday 6<sup>th</sup> September 2014 @ 21.50 hours. Complaint of loud music from the Jamaica Patty Co restaurant. Ongoing all day. Complainant contacted @ 22.06 hours no answer left message will drive by. Visited @ 00.10 hours and no noise at the time.

Tuesday 16<sup>th</sup> September 2014 @ 23.09 hours. Loud music coming from the Jamaica Patty goes on every night for past two weeks. Complainant contacted @ 23.27 hours and noise had stopped but shop still open. Visited @ 23.45 hours and no noise heard at time of visit. Spoke to shop assistance who did not give his name, says Teresa Roberts is the manager and can be contacted on 0207 836 xxxx. email is info@jamaicapatty.co.uk. Will speak to Teresa regarding complaint and give advice.

Wednesday 17<sup>th</sup> September 2014 @ 22.27 hours. Take away food place playing music in premises which is disturbing the resident. Coming from vicinity of Jamaica Patty Co. Complainant contacted @ 22.53 hours and in bed and music was on earlier. Now stopped. Advice given on EPA 90 etc, complainant unwilling to allow NT visit.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

Your

Our 14/08128/LIPN

Date: 26<sup>th</sup> September 2014

**METROPOLITAN POLICE  
SERVICE**

**Constable Chris Marriott 3540CW**  
Westminster Police Licensing Unit  
**Westminster City Hall**  
Fourth Floor  
64 Victoria Street  
London  
SW1E 6QP

Telephone: 020 7641 1705

mob

Facsimile: 020 7641 4236

Email: cmarrriott2@westminster.gov.uk

**Application for a New Premises Licence: Jamaica Patty, 26 New Road, WC2**

Dear Mr Roberts,

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.

Below are the conditions police require. Should you agree to them being added to the operating schedule, we may be in a position to withdraw our representation.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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 are

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.

3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
  
4. There shall be no sales of hot food or hot drink for consumption on the premises after:  
Monday – Thursday 23:30 hours  
Friday – Saturday 00:00 hours  
Sunday 1900 hours
  
5. There shall be no sales of hot food or hot drink for consumption off the premises (after 23.00).
  
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Should you wish to discuss the matter further please contact me on **0207 641 3179** or via email [cmarriott2@westminster.gov.uk](mailto:cmarriott2@westminster.gov.uk)

Yours sincerely

Chris Marriott.

# Comments for Licensing Application 14/08128/LIPN

## Application Summary

Application Number: 14/08128/LIPN

Address: Basement And Ground Floor 26 New Row London WC2N 4LA

Proposal: Premises Licence - New

Case Officer: Miss Bina Patel

## Customer Details

Name: Mr Steven Fairbrother

Address: Apartment 1 23A New Row London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:4:44 PM on 22 Oct 2014 22nd October 2014

I wish to object to the extension proposed. This application will result in additional noise at a time when customers are likely to have been consuming alcohol and less likely to consider local residents. The design of these premises are a shop front that opens completely onto the street making an extension even more unsuitable in my opinion. Noise will not be contained within. In addition these premise have small benches outside for customers to sit on which they do not have permission for.

Many Thanks - Steven Fairbrother

# Comments for Licensing Application 14/08128/LIPN

## Application Summary

Application Number: 14/08128/LIPN

Address: Basement And Ground Floor 26 New Row London WC2N 4LA

Proposal: Premises Licence - New

Case Officer: Miss Bina Patel

## Customer Details

Name: Ms Abigail Hedderwick

Address: Flat 3 12 Goodwins Court London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:4:14 PM on 20 Oct 2014 I strongly object to this licence application on the grounds of public nuisance. I live diagonally opposite this premises with my bedroom windows looking out onto New Row.

This summer, despite having double glazing in my closed bedroom windows, I was repeatedly disturbed by music played by Jamaica Patty around 23.00. The shop appeared to play music with the doors wide open in order to attract late night passing trade.

I contacted your noise officers and made a complaint twice, but this was after several weeks of disturbance. Your licensing officer did contact me about this, but I was on holiday so couldn't speak to him.

I believe that granting this licence will cause further disturbance to my neighbours and my household even later at night when we have a right to expect relative peace and quiet and should therefore not be granted.



**Patel, Bina**

---

**From:** Tanja Howarth [tanja.howarth@btinternet.com]  
**Sent:** 09 October 2014 19:25  
**To:** Premises Licensing  
**Cc:** Meredith Whitten  
**Subject:** Jamaica Patty, 26 New Row, London WC2N 4LA - ref.: 14/08128/LIPN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

For the attention of Steve Harrison

As a resident for over 30 years at 19 New Row, I strongly object to the Council granting the licensable activities listed in the application.  
New Row is already suffering from late-night noise caused by people frequenting THE WHITE SWAN pub, THE ROUNDHOUSE, BENITO'S HAT and THE JUICE PLACE in Bedfordbury. To add another late-night eatery would really make life for residents even more miserable than it is already. This license would cause immense public nuisance and disorder and I hope Westminster Council will not grant it.

Yours sincerely  
Tanja Howarth  
19 New Row  
London WC2N 4LA  
Tel: 0207 2405553

Sent from my iPad

# Comments for Licensing Application 14/08128/LIPN

## Application Summary

Application Number: 14/08128/LIPN

Address: Basement And Ground Floor 26 New Row London WC2N 4LA

Proposal: Premises Licence - New

Case Officer: Miss Bina Patel

## Customer Details

Name: Mrs Sarah Lane

Address: First Floor 13 New Row, London, City of Westminster WC2N 4LF

## Comment Details

Commenter Type: Local Group

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 1:05 PM on 21 Oct 2014 This application is for Late Night Refreshment on 6 days per week from 23:00-00:00 (every day except Sunday). There are no conditions listed in the Operating Schedule which merely states "Conditions to be agreed with responsible authorities". The Trust believes that a licence for LNR which runs later than the core hours will encourage people to stay in the area rather than disperse and so will harm the licensing objective of the prevention of public nuisance. This is particularly the case because the product sold on the premises is easy to eat "on the go" and so will be eaten on the street. We are also concerned for the potential for a hot food takeaway to attract people to New Row in the late evening. There are residents in many of the buildings at above ground floor level and the noise of people in what is otherwise a relatively quiet street is likely to cause a nuisance. The fact that the street is narrow and bounded by high buildings also has the effect of causing a "funnel" of noise, thereby amplifying it. For these reasons we ask that the Licence is refused. If the Licensing Authority chooses to grant a licence up until core hours we would ask that they impose a condition requiring the openable doors of the shopfront are kept closed except for the entry/exit of customers after 23:00 on Friday and Saturday (when core hours are until 00:00); if the Licensing Authority chooses to grant the licence hours completely then in addition to the condition above we ask that the premises be restricted to serve hot food for consumption on the premises only after the end of core hours.

*Covent Garden Trust*

**Patel, Bina**

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**From:** Selwyn Hardy [selwyn.hardy@clara.co.uk]  
**Sent:** 07 October 2014 16:23  
**To:** Jackie Dickens; Premises Licensing  
**Subject:** 26 New Row Jamaican Patty

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**BURLEIGH MANSIONS RESIDENTS' ASSOCIATION**  
as from 42 Burleigh Mansions

96 St. Martin's Lane

London WC2H 0HU

6<sup>th</sup> October 2014

Licensing Service

4<sup>th</sup> Floor City Hall

64 Victoria Street

London SW1P 6QP

Dear Sirs,

26 NEW ROW, LONDON WC2N 4LA JAMAICAN PATTY

We read your notice in West End Extra. We are surprised that have not been notified by your staff despite the fact that many of our residents live well within 100 yards of these premises.

We object to this application which seems to seek to serve food late until midnight Monday to Saturday. The applicant does not appear to ask for a license to sell alcohol. If we have misunderstood and he does wish to serve alcohol, we would object to such a request.

This unit has wide doors which fold back to the width of the café and two tables and four chairs in the narrow New Row. We do not agree that permission should have been granted for this shop front or the tables and chairs. There are local residents who live directly opposite this shop and basement unit. We fear that they would be disturbed by this late night use.

Our particular fear in St. Martin's Lane is that late night revellers would hang about in the street after the pubs have closed and purchase take away food from this café. They would then hang about in the street eating the food which would encourage them to delay moving on to late night buses or tubes.

We are already very disturbed by late night noise in St. Martin's Lane after the pubs close, then again after 3.30 am when some local clubs close and once more as revellers from clubs some way away which close at 4.00 am. What we want is for people to go home quickly and quietly.

There seems little chance of the "quietly" but we oppose anything that would encourage late night revellers to hang about in the street. If the proposal is to serve food inside the café with the doors closed after 11 pm. and not on the tables and chairs on the pavement after 11 pm we would withdraw our objection.

Yours faithfully,

Selwyn Hardy

Chairman BMRA

copy secretary BMRA

# Comments for Licensing Application 14/08128/LIPN

## Application Summary

Application Number: 14/08128/LIPN

Address: Basement And Ground Floor 26 New Row London WC2N 4LA

Proposal: Premises Licence - New

Case Officer: Miss Bina Patel

## Customer Details

Name: Mr David Kaner

Address: 21 Mercer Street London

## Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:43 PM on 29 Sep 2014 This representation is being made on behalf of the Covent Garden Community Association.

This application is for Late Night Refreshment on 6 days per week from 23:00-00:00 (every day except Sunday).

There are no conditions listed in the Operating Schedule which merely states "Conditions to be agreed with responsible authorities".

We believe that a licence for LNR which runs later than the core hours will encourage people to stay in the area rather than disperse and so will harm the licensing objective of the prevention of public nuisance. This is particularly the case because this type of product is easy to eat "on the go" and so will be eaten on the street.

We are also concerned for the potential for a hot food takeaway to attract people to New Row in the late evening. There are residents in many of the buildings at above ground floor level and the noise of people in what is otherwise a relatively quiet street is likely to cause a nuisance.

For these reasons we ask that the Licence is refused.

If the Licensing Authority chooses to grant a licence up until core hours we would ask that they impose a condition requiring the doors/shopfront are kept closed except for the entry/exit of customers after 23:00 on Friday and Saturday (when core hours are until 00:00)

if the Licensing Authority chooses to grant the licence hours completely then in addition to the condition above we ask that the premises be restricted to service hot food for consumption on the

premises only after the end of core hours.

Yours sincerely

David Kaner  
CGCA Licensing Committee

If the

# JAMAICA PATTY CO.



  
FREE BLUE MOUNTAIN  
CAPPUCCINO OR LATTE  
WITH EVERY SLICE  
OF TORTUOLA RASA  
CAKE PURCHASED  
£2.60 TAKE AWAY  
£3.10 EAT IN  
JAMAICA PATTY CO. LTD.  
JAMAICA PATTY CO. UK



14/MO/2014 15:51:30







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City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/08158/LIPN</b>
Date:	<b>20 November 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Lower Ground Floor To Fourth Floor 12 Hay Hill London W1J 6DQ</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Mr Ryan Peermamode Environmental Health Case Officer (Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 1879 E-mail: rpeeramode@westminster.gov.uk</b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Cabinet Lounge UK Ltd	<b>Date Application Received:</b>	24 September 2014 (valid on 25 Sept)
<b>Premises Name and Address:</b>	Lower Ground Floor To Fourth Floor 12 Hay Hill London W1J 6DQ		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	No
<b>Description of Premises:</b>	The premises propose to operate as serviced offices with licensable facilities, consisting of 7 levels from basement to 4 <sup>th</sup> floor. Lounge areas are sought within lower ground (including external terrace) and 4 <sup>th</sup> floor.		

*Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.*

### **Proposed Licensable Activities, Proposed Hours:**

#### **1.1 Late Night Refreshment: Indoors**

Monday to Thursday 23:00 to 00:00  
Friday to Saturday 23:00 to 01:30

#### **1.2 Sale of Alcohol: On the premises**

Monday to Thursday 10:00 to 23:30  
Friday to Saturday 10:00 to 01:00  
Sunday 12:00 to 22:00

#### **1.3 Seasonal Variations and Non-Standard Timings:**

None

#### **1.4 Opening Hours:**

Monday to Thursday 08:00 to 00:00  
Friday to Saturday 08:00 to 01:30  
Sunday 08:00 to 22:30

*(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)*

	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>
<b>1A</b>	An adverse representation has been received from the Police Licensing Team stating that the application if granted would undermine the crime prevention objective.	<b>Police; representation</b>
<b>1B</b>	An adverse representation has been received from the Environmental Health Service stating that the application if granted will have the likely effect of causing an increase to public nuisance and may impact upon public safety within the area.	<b>Environmental Health Service; representation</b>
<b>1C</b>	<p>Adverse representations have been received from the following interested parties:-</p> <ul style="list-style-type: none"> <li>• Managing Agent company for 18 Berkeley Street;</li> <li>• Managing Agent company for 4 Hay Hill;</li> <li>• 2 Residents of Berkeley House, 15 Hay Hill;</li> <li>• 17 Berkeley Street Residents Association;</li> <li>• Mayfair Residents Group.</li> </ul> <p>The concerns raised further to the licensing objectives, most notably, the prevention of public nuisance and of crime &amp; disorder, as well the cumulative impact of another licensed premises within the vicinity.</p> <p><i>Note: 2 conditions have been proposed jointly by the resident associations. These are shown within <b>Appendix B</b></i></p>	<b>6 Residential representations</b>
<b>1D</b>	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1) Public Safety (PS1) Prevention of public nuisance (PN1) Protection children from harm (CH1) Hours (HRS1) Combined use premises (COMB1)</p>	<b>Policies applicable</b>
<b>1E</b>	<p><b>Policy HRS1 applies:</b></p> <p>(i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy.</p>	
<b>1F</b>	<p><b>Policy COMB1 applies:</b></p> <p>(i) Where a premises proposes to operate as a 'combined use premises' applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1, CH1, STR1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours.</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1 &amp; PB2, FFP1 &amp; FFP2, MD1 &amp; MD2.</p>	

<b>1G</b>	<p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	<b>Summary</b>
<b>Current Licensing Position:</b>	This premises do not hold a premises licence. Please refer to <b>Appendix A</b>	
<b>Current Planning Position:</b>	This premises has long-established use as offices (Class B1) with ancillary support operations and catering facilities.	
<b>Residential Density:</b>	97 of the 222 units within a 75m radius of the premises are residential or proposed residential (44%). Please refer to <b>Appendix C</b>	
<b>List of Appendices:</b>	A – Premises Licence History B - Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)
- Application form
- Plans
- Representations received
- Photos

**Licence & Appeal History**

There are no previous Licensing Act 2003 applications for this 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 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.

#### **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.

**Conditions consistent with the operating schedule:**

9. The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of a Metropolitan Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a

minimum period of 31 days with date and time stamping. Recordings shall be immediately arranged by a member of staff for hand over to Police or authorised officer following their request, throughout the preceding 31 day period.

10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. There shall be no sales of alcohol for consumption off the premises.
13. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
16. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
17. Access to the premises will be limited to persons who are tenants or members of a private club ("the Club") and their bona fide guests save for persons attending pre booked events at the premises.
18. Alcohol may only be purchased by tenants or members of the Club save that persons attending pre booked events at the premises will be permitted to purchase alcohol.

**\*Alternative condition proposed by responsible authorities;**

- 18a. *Alcohol may only be sold for consumption by members of a private club/tenants and their bona fide guests (not exceeding (4) guests per member). No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.*
19. No person shall be admitted to be a tenant or member of the Club or be entitled to take advantage of any of the privileges of tenancy or membership without an interval of at least 48 hours between their nomination or application for tenancy or membership and their admission.

20. A list of the names and addresses of tenants and members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by tenants and members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
21. The outside terrace will have a capacity restricted to 60 persons excluding staff.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
27. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
28. A proof of age scheme, such as Challenge (21/25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

**\*Alternative condition proposed by responsible authorities;**

- 28a. *A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

**Conditions proposed by Environmental Health Service & Police Licensing Team; Additional to those outlined above (NOT agreed by applicant);**

29. The licensable activities are restricted to:
  - Lower Ground Floor
  - Ground Floor
  - First Floor
  - Second Floor
  - Third Floor
  - Fourth Floor
30. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: (*Capacity yet to be agreed by District Surveyor*).
  - Lower Ground Floor: 50
  - Ground Floor: 80
  - First Floor: 70
  - Second Floor Internal: 60
  - Second Floor External Terrace: 30
  - Third Floor: 55
  - Fourth Floor: 55

The maximum numbers are subject to final approval by the District Surveyor upon the removal of the works condition.

31. There shall be no internal service bars permitted on the First Floor, Second Floor, Third Floor and Fourth Floor.
32. The Ground floor shall only operate as a restaurant:-
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, and
  - (iv) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
33. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
34. There shall be no self service of alcohol on the premises.
35. Members/tenants of the private club must have taken out a 6 months office lease. This lease agreement must be available at the premises on request by Authorised Officer or the Council.
36. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
37. The Lower Ground Floor External area shall not be used after 22.00.
38. The Second Floor External Roof terrace shall not be used after 22.00.
39. No deliveries or collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.30 hours on the following day.
40. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
41. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
42. Provide an acoustic lobby to Ground Floor front entrance door to assist with noise control. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

**Conditions proposed by Residential representation; Not agreed by applicant:**

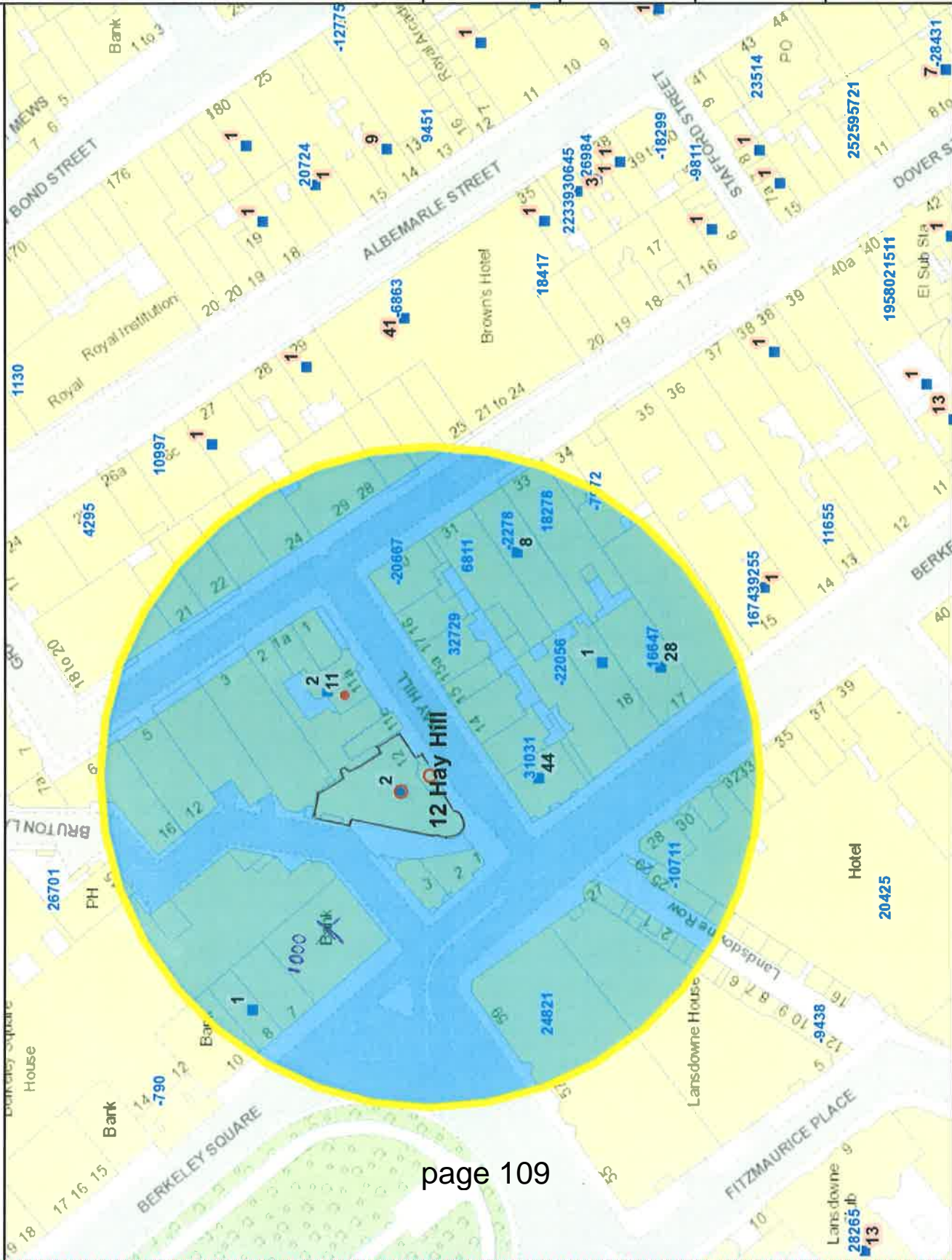
43. The licence holder will support any neighbourhood monitoring scheme that may exist (from time to time) including contributing financially to any paid for policing scheme on Berkeley Street.

44. The licensee shall operate the premises in accordance with a Berkeley Street Best Practice Policy which shall be created to promote the four licensing objectives. The best practice policy will be reviewed from time to time with the Licensing Authority and the local licensing police.



# Ground Floor To Fourth Floor, 12 Hay Hill, London, W1J

City of Westminster



Residential / Proposed Residential	97
Under Construction	0
Other Uses	125
Proportion Residential of all Uses	44%

Data Source: Uniform Database

Date: 30/10/2014

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<b>Premises within 75 metres of: 12 Hay Hill, London, W1J 6DQ</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
6811	Aubaine	Basement Ground Floor And Mezzanine Floor 31 Dover Street London W1S 4ND	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16647	Manray	Basement And Ground Floor 17 Berkeley Street London W1J 8EA	Monday to Sunday 07:00 - 06:00
18278	Automat	Basement And Ground Floor 33 Dover Street London W1S 4NF	Monday to Friday 07:00 - 03:00 Saturday 08:00 - 03:00 Sunday 10:00 - 23:30 Sundays before Bank Holidays 10:00 - 01:00
24821	Babble	59 Berkeley Square London W1S 4EA	Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 01:00
32729	Le Rififi Club	15A Hay Hill London W1J 8NX	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
31031	Cafe Pushkin	20 Berkeley Street London W1J 8EE	Monday to Wednesday 07:00 - 23:30 Thursday to Saturday 07:00 - 00:00 Sunday 08:00 - 23:00
-22056	Bocconcino	19 Berkeley Street London W1J 8ED	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 22:30
-20667	Chucs Bar & Grill	30B Dover Street London W1S 4NB	Monday to Thursday 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Sundays before Bank Holidays 07:00 - 00:00
-10711	Baku	22 - 24 Lansdowne Row London W1J 8QL	Monday to Thursday 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Sundays before Bank Holidays 07:00 - 00:00
-7972	Quattro Passi	Basement And Ground Floor Dover House 34 Dover Street London W1S 4NG	Monday to Saturday 09:00 - 01:00 Sunday 09:00 - 00:30
-2278	Wolf And Badger	32 Dover Street London W1S 4NE	Monday to Thursday 09:00 - 23:30 Friday to Saturday 09:00 - 00:00 Sunday 12:00 - 22:30
1000		4 Berkeley Square London W1J 6EB	Monday to Saturday 07:00 to 02:00 Sunday 08:00 to 01:00





Application for a premises licence to be granted  
under the Licensing Act 2003

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Cabinet Lounge UK Ltd

*(insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description 12 Hay Hill			
Post town	London	Post code	W1J 8NR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£1,489,000

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name Cabinet Lounge UK Ltd
Address 7 Bramham Gardens London SW5 0JQ
Registered number (where applicable) 8967861
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year			
2	3	1	0	2	0	1	4

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			
±	±	±	±	±	±	±	±

Please give a general description of the premises (please read guidance note1)

An office building with meeting room facilities situated at 12 Hay Hill, London, W1J 8NR.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u></b>	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here (please read guidance note 3)</u></b>	
Mon				
Tue				
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u></b>	
Thur				
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>	
Sat				
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**G**

Performances of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b>                  Standard days and timings (please read guidance note 6)</p>			<p><b><u>Please give a description of the type of entertainment you will be providing</u></b></p>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon	2300	2400						
Tue	2300	2400						
Wed	2300	2400				<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	2300	2400						
Fri	2300	0130				<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	2300	0130						
Sun								

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	1000	2330	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	1000	2330			
Wed	1000	2330			
Thur	1000	2330	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	1000	0100			
Sat	1000	0100			
Sun	1200	2200			

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor**

<b>Name</b> Anton Khmelnitskiy	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal Licence number (if known)</b> Awaiting	
<b>Issuing licensing authority (if known)</b> Awaiting	

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0800	2400	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Tue	0800	2400	
Wed	0800	2400	
Thur	0800	2400	
Fri	0800	0130	
Sat	0800	0130	
Sun	0800	2230	



**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

**b) The prevention of crime and disorder**

1. The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of a Metropolitan Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be immediately arranged by a member of staff for hand over to Police or authorised officer following their request, throughout the preceding 31 day period.
2. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. There shall be no sales of alcohol for consumption off the premises.
5. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

8. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
9. Access to the premises will be limited to persons who are tenants or members of a private club ("the Club") and their bona fide guests save for persons attending pre booked events at the premises.
10. Alcohol may only be purchased by tenants or members of the Club save that persons attending pre booked events at the premises will be permitted to purchase alcohol.
11. No person shall be admitted to be a tenant or member of the Club or be entitled to take advantage of any of the privileges of tenancy or membership without an interval of at least 48 hours between their nomination or application for tenancy or membership and their admission.
12. A list of the names and addresses of tenants and members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by tenants and members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
13. The outside terrace will have a capacity restricted to 60 persons excluding staff.

**c) Public safety**

1. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
2. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.

**d) The prevention of public nuisance**

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
2. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
3. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
4. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

**e) The protection of children from harm**

A proof of age scheme, such as Challenge (21/25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

**Please tick yes**

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	Winchworth Stenwood LLP
Date	23 September 2014
Capacity	Solicitors duly authorised on behalf of the Applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	

Capacity			
<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b> Winckworth Sherwood LLP (Ref: CVE/35059/1/RPB) Minerva House 5 Montague Close			
Post town	London	Post code	SE1 9BB
Telephone number (if any)	020 7593 0277		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> cedwards@wslaw.co.uk			

### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## Peermamode, Ryan

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**Subject:** FW: 12 Hay Hill

### **Basement**

Kitchens / storage / technical

### **Lower ground floor**

Lounge bar / deli / small external terrace area / Meeting room / technical rooms

### **Ground floor**

Reception area / restaurant / meeting rooms / hot desks

### **1<sup>st</sup> floor**

Offices / Gym

### **2<sup>nd</sup> floor**

Offices / meeting rooms / external terrace area

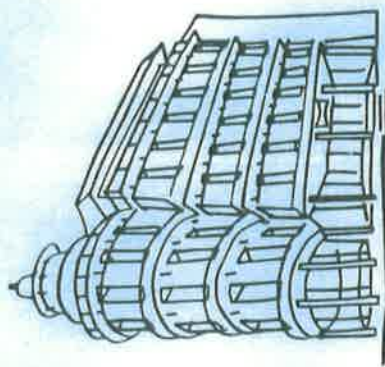
### **3<sup>rd</sup> floor**

Offices / meeting rooms

### **4<sup>th</sup> floor**

Meeting rooms / hot desks

Ⓒ



# 12 HAY HILL

Licensing Plans



Architects of Invention

08/09/2014

**AI** **GI** **HCB** **ERECT** **J.P. VETIS**

**Contractor's Details:**  
 Contract No: [Redacted]  
 Project Name: [Redacted]  
 Project Address: [Redacted]

**Client's Details:**  
 Client Name: [Redacted]  
 Client Address: [Redacted]

**Project Details:**  
 Project No: [Redacted]  
 Project Name: [Redacted]  
 Project Address: [Redacted]

**Drawings:**  
 Drawing No: [Redacted]  
 Drawing Title: [Redacted]

**Revision History:**

No.	Description	Date
1	Issue for Tender	12 May 2011
2	Issue for Construction	12 May 2011

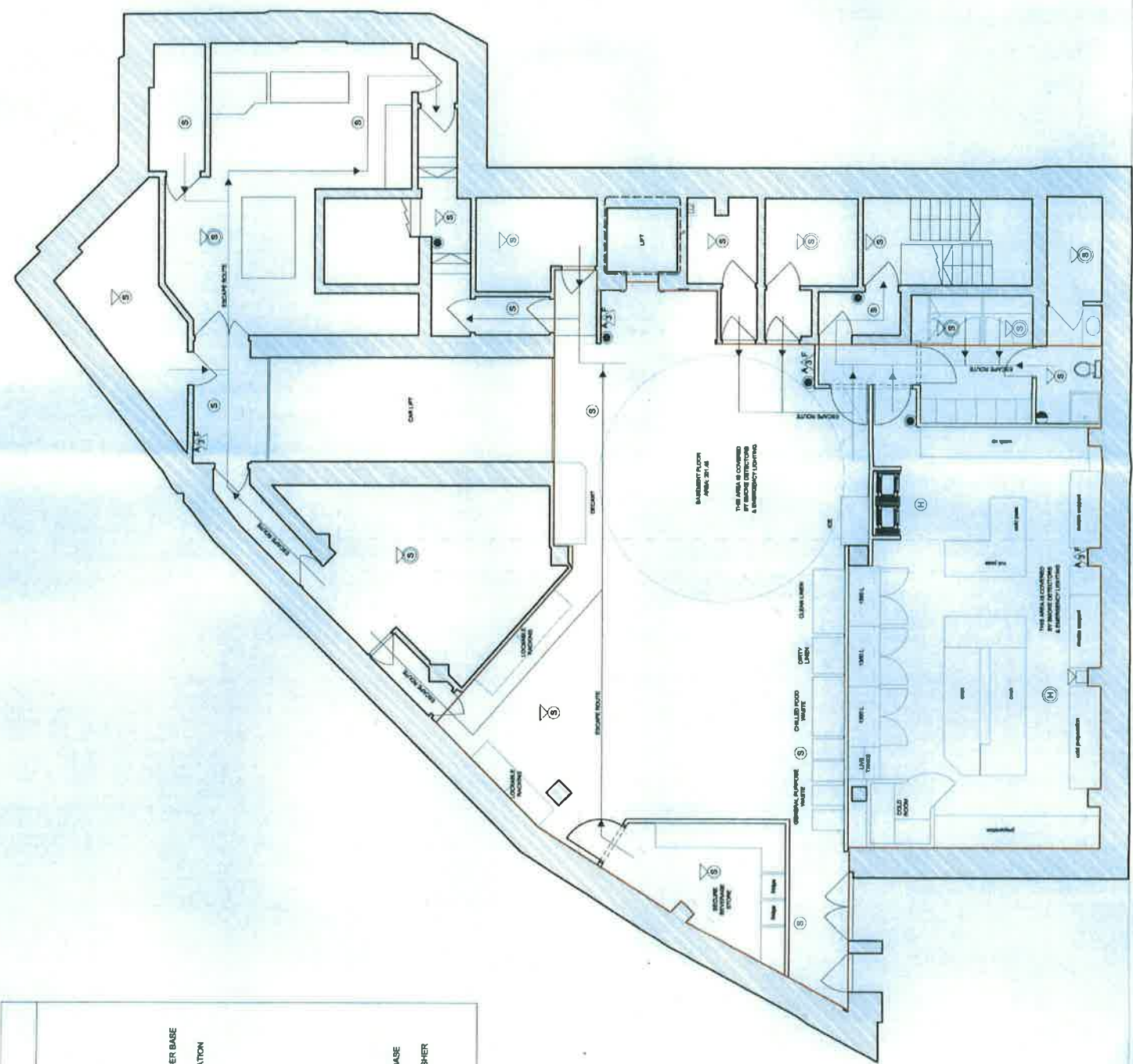
**Scale:** 1:100

**North Arrow:** [Symbol]

**Sheet No:** [Redacted]

**Total Sheets:** [Redacted]

Code	Description
1.00	SMOKE DETECTOR
1.01	HEAT DETECTOR
1.02	SMOKE DETECTOR WITH REMOTE LED INDICATION
1.03	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE
1.04	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE
1.05	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT
1.06	HEAT DETECTOR WITH REMOTE LED INDICATION
1.07	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE
1.08	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE
1.09	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT
1.10	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT
1.11	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT
1.12	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL
1.13	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL
1.14	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER
1.15	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER
1.16	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF
1.17	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF
1.18	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID
1.19	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID
1.20	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT
1.21	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT
1.22	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE
1.23	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE
1.24	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER
1.25	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER
1.26	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER AND FIRE ALARM PANEL
1.27	HEAT DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER AND FIRE ALARM PANEL



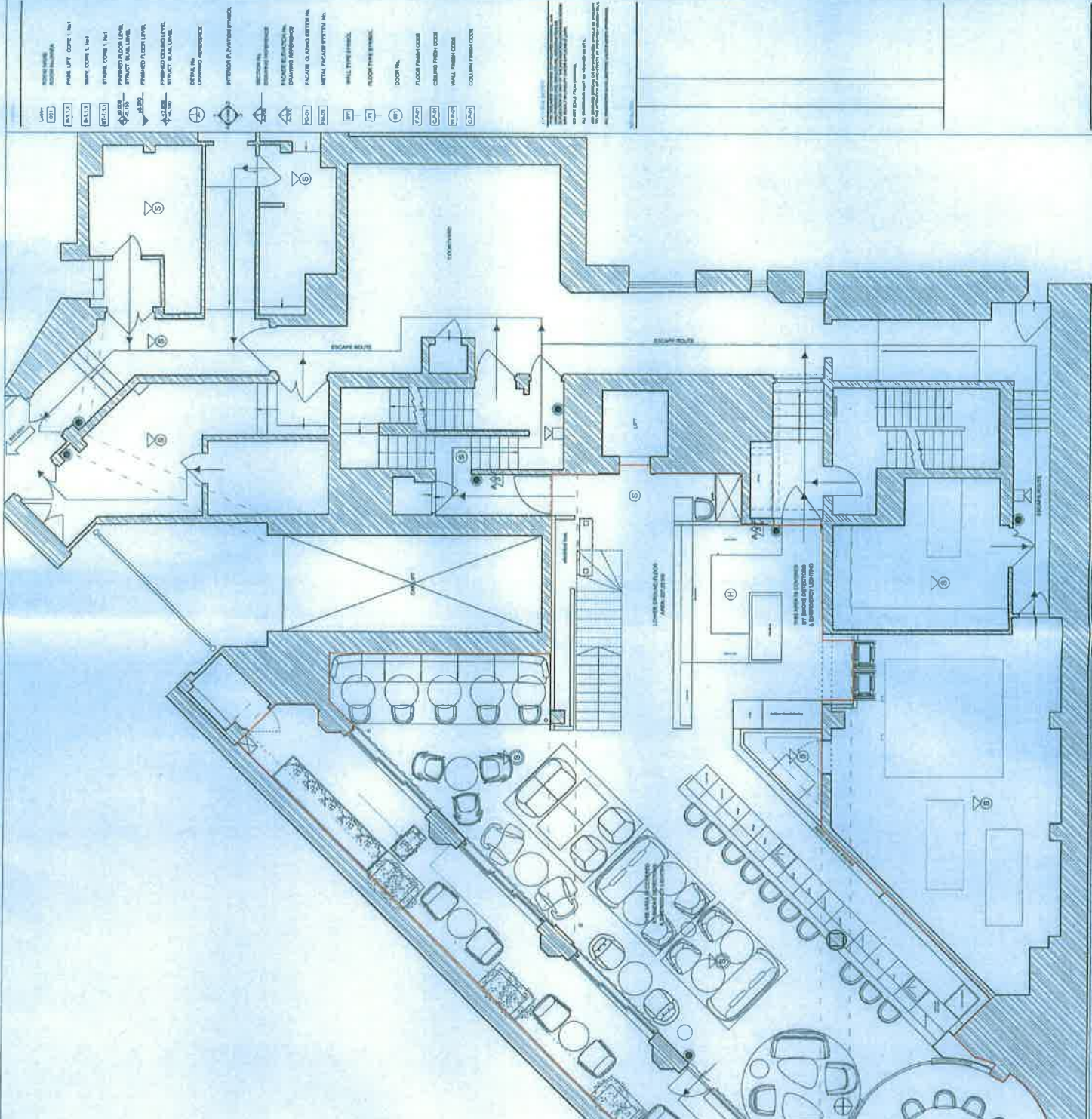
**SYMBOLS SCHEDULE**

[Symbol]	SMOKE DETECTOR
[Symbol]	HEAT DETECTOR
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL
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[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT
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[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER
[Symbol]	SMOKE DETECTOR WITH REMOTE LED INDICATION AND SOUNDER BASE AND NEON FLASHING BASE AND INTERCOM UNIT AND FIRE ALARM PANEL AND MULTIPURPOSE FIRE EXTINGUISHER AND WATERPROOF AND CEILING VOID AND REFUGE POINT INTERCOM UNIT AND ELECTRONIC SOUNDER WITH NEON BASE AND AFF MULTIPURPOSE FIRE EXTINGUISHER AND FIRE ALARM PANEL



**SYMBOLS SCHEDULE**

- (S) SMOKE DETECTOR
- (H) HEAT DETECTOR
- (X) DENOTES SOUNDER BASE
- (X) DENOTES NEON FLASHING BASE
- (X) DENOTES COMBINED NEON & SOUNDER BASE
- (X) DETECTOR WITH REMOTE LED INDICATION
- (S) LOOP SOUNDER
- (C) CALL POINT
- (S) ELECTRONIC SOUNDER
- WP WATERPROOF
- CV CEILING VOID
- (L) REFUGE POINT INTERCOM UNIT
- (X) ELECTRONIC SOUNDER WITH NEON BASE
- (X) AFFF MULTIPURPOSE FIRE EXTINGUISHER
- (X) FIRE ALARM PANEL



- (S) SMOKE DETECTOR
- (H) HEAT DETECTOR
- (X) DENOTES SOUNDER BASE
- (X) DENOTES NEON FLASHING BASE
- (X) DENOTES COMBINED NEON & SOUNDER BASE
- (X) DETECTOR WITH REMOTE LED INDICATION
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- (L) REFUGE POINT INTERCOM UNIT
- (X) ELECTRONIC SOUNDER WITH NEON BASE
- (X) AFFF MULTIPURPOSE FIRE EXTINGUISHER
- (X) FIRE ALARM PANEL

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- (X) FIRE ALARM PANEL

**AI**  
Architecture of Innovation  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.aiof.com

**CDM**  
Construction Documents  
Manufacturing  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.cdm.com

**HCD**  
HCD Group LLC  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.hcdgroup.com

**INTEGRAL**  
Integral Architecture  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.integral.com

**Blue Signaling**  
Blue Signaling  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.bluesignaling.com

**Dual Signal LLC**  
Dual Signal LLC  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.dualsignal.com

**TRUCK**  
TRUCK  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.truck.com

**WALL**  
WALL  
100 West 10th Street  
New York, NY 10011  
Tel: 212 904 5000  
www.wall.com

**Services Offices**  
12 Hwy Hill

12 Hwy Hill

**J.P. - Lower Capital Floor**  
**WORK IN PROGRESS**

12 Hwy Hill

HH-4-2101

**Legend:**

SMOKE DETECTOR  
HEAT DETECTOR  
DENOTES SOUNDER BASE  
DENOTES NEON FLASHING BASE  
DENOTES COMBINED NEON & SOUNDER BASE  
DETECTOR WITH REMOTE LED INDICATION  
LOOP SOUNDER  
CALL POINT  
ELECTRONIC SOUNDER  
WATERPROOF  
CEILING VOID  
REFUGE POINT INTERCOM UNIT  
ELECTRONIC SOUNDER WITH NEON BASE  
AFFF MULTIPURPOSE FIRE EXTINGUISHER  
FIRE ALARM PANEL



- NOTES:**
- 1. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 2. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 3. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 4. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 5. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 6. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 7. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 8. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 9. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
  - 10. ALL WORK TO BE COMPLETED BY 12 MAY 2011.

**GENERAL NOTES:**

1. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
2. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
3. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
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8. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
9. ALL WORK TO BE COMPLETED BY 12 MAY 2011.
10. ALL WORK TO BE COMPLETED BY 12 MAY 2011.

- SYMBOLS:**
- WP WATERPROOF
  - CV CEILING VOID
  - REFUGER POINT INTERCOM UNIT
  - ELECTRONIC SOUNDER WITH NEON BASE
  - A.F. AFF MULTIPURPOSE FIRE EXTINGUISHER
  - F.A.P. FIRE ALARM PANEL

**Service Offices 12 May Hill**

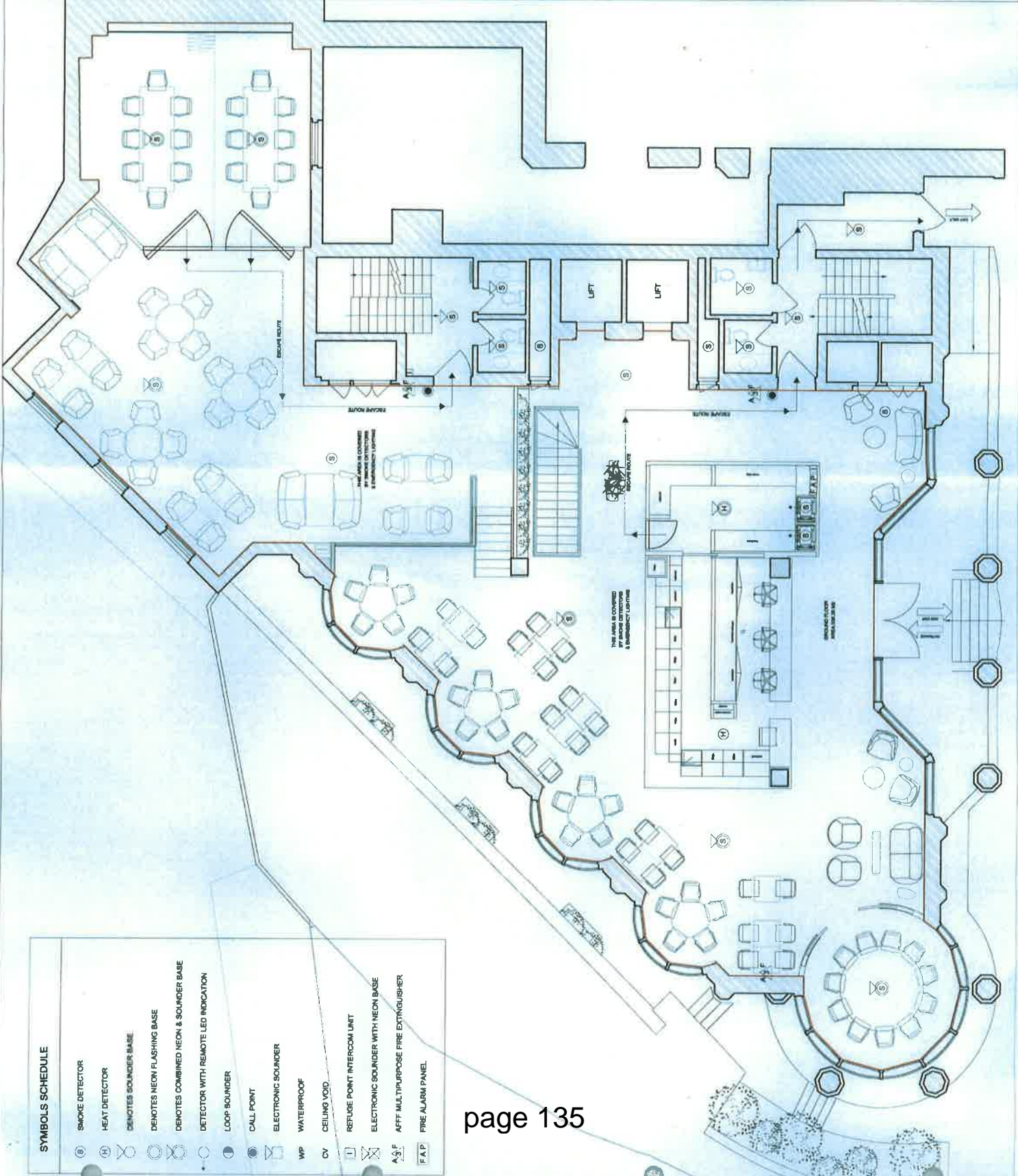
**LAP - Ground Floor**

**WORK IN PROGRESS**

DATE: 12 MAY 2011

PROJECT NO: 11/02 43

11/02/2011





**AI** **GC** **HCOB** **INVEST**

**Service Offices**  
12 May Hill

**LAP - 1ST Floor**

**WORK IN PROGRESS**

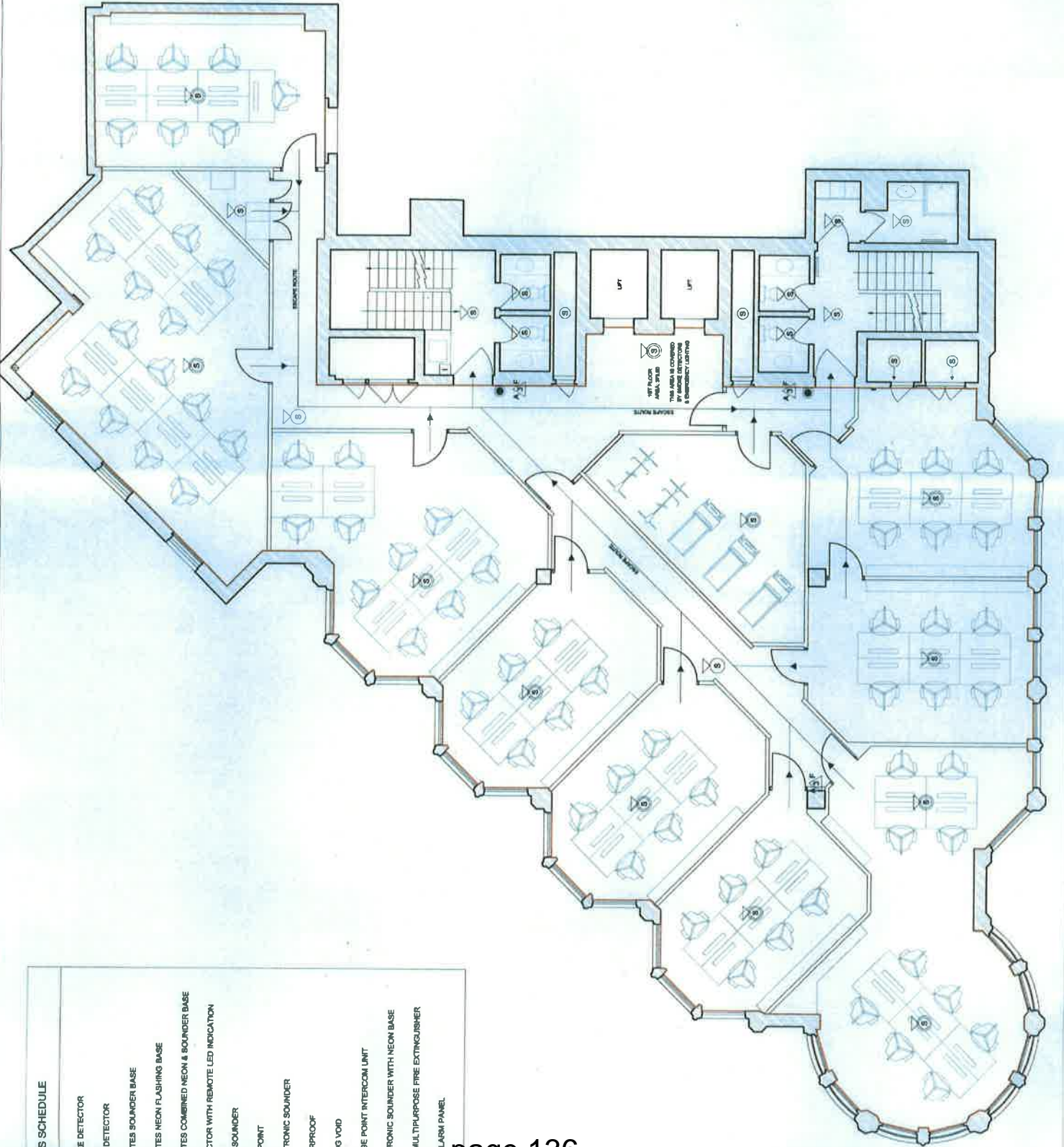
UPDOWN TYPED A2 140000

HH-L-2103

**SYMBOLS SCHEDULE**

ROOM NAME  
FLOOR FINISH CODE  
WALL TYPE SYMBOL  
FLOOR TYPE SYMBOL  
DOOR SW  
FLOOR FINISH CODE  
CEILING HIGH CODE  
WALL FINISH CODE  
COLUMN FINISH CODE

SMOKE DETECTOR  
HEAT DETECTOR  
DENOTES SOUNDER BASE  
DENOTES NEON FLASHING BASE  
DENOTES COMBINED NEON & SOUNDER BASE  
DETECTOR WITH REMOTE LED INDICATION  
LOOP SOUNDER  
CALL POINT  
ELECTRONIC SOUNDER  
WATERPROOF  
CEILING VOID  
REFUGE POINT INTERCOM UNIT  
ELECTRONIC SOUNDER WITH NEON BASE  
A&F AFF MULTIPURPOSE FIRE EXTINGUISHER  
F&P FIRE ALARM PANEL





**Address of Issuer:**  
AL

**Contract & Schedule:**  
HDD  
HDD

**INVESTOR:**  
InVESTOR

**Project Name:**  
Serviced Offices  
12 Hay Hill

**Drawn by:**  
12 Hay Hill

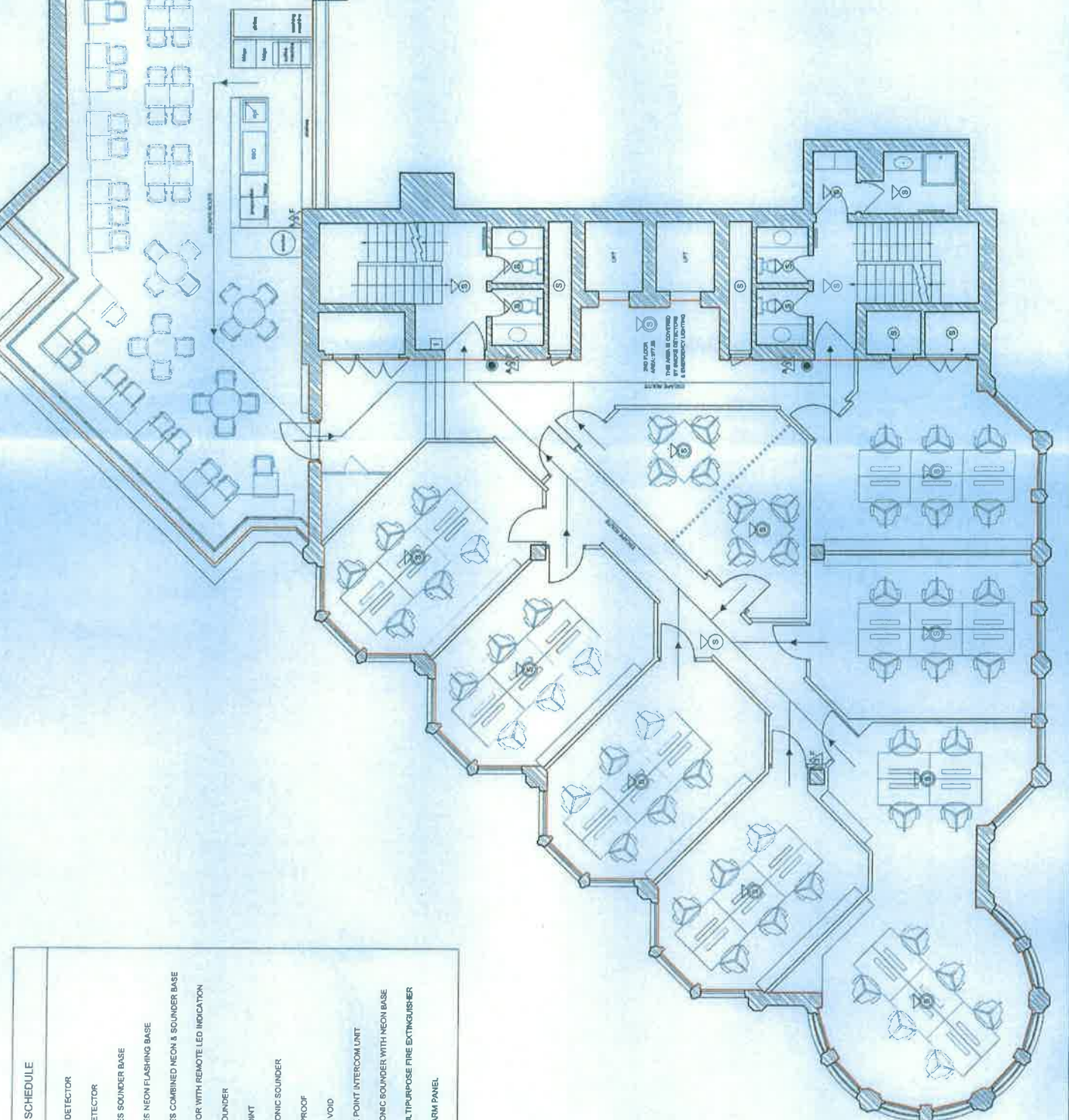
**Scale:**  
1:100

**Issue No.:**  
0100

**Issue Date:**  
2014

**Project No.:**  
HH-2104

ROOM NAME	ROOM No./AREA	PART. LFT. CODE	1, 104
STAIR	STAIR	STAIR CODE	1, 104
FRONT ENTRY	FRONT ENTRY	FRONT ENTRY CODE	1, 104
FRONT ENTRANCE	FRONT ENTRANCE	FRONT ENTRANCE CODE	1, 104
FRONT ENTRANCE	FRONT ENTRANCE	FRONT ENTRANCE CODE	1, 104
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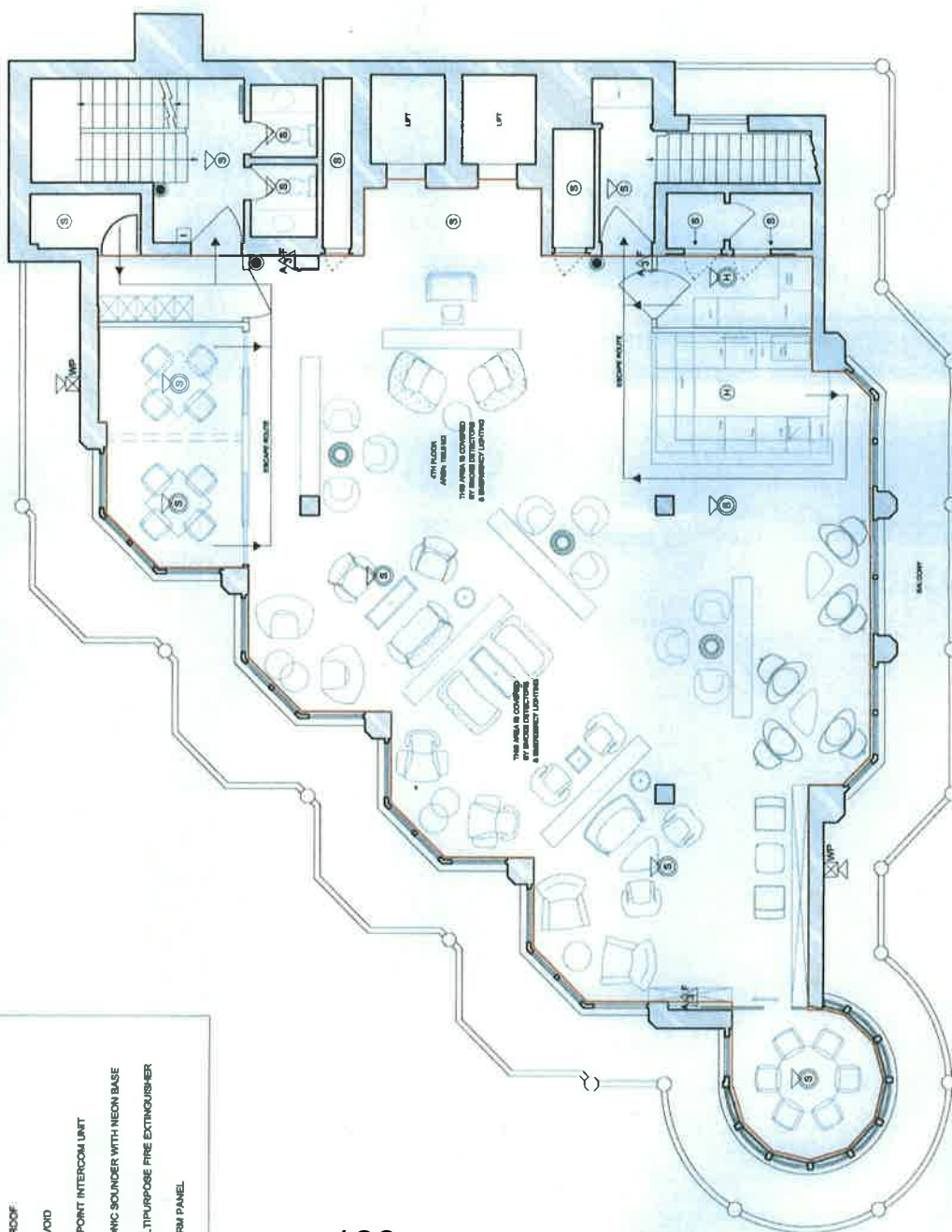
SYMBOLS SCHEDULE	
⊙	SMOKE DETECTOR
⊕	HEAT DETECTOR
⊘	DENOTES SOUNDER BASE
⊗	DENOTES NEON FLASHING BASE
⊙⊘	DENOTES COMBINED NEON & SOUNDER BASE
⊙⊗	DETECTOR WITH REMOTE LED INDICATION
⊙⊙	LOOP SOUNDER
⊙⊕	CALL POINT
⊙⊘	ELECTRONIC SOUNDER
WP	WATERPROOF
CY	CEILING VOID
□	REFUGE POINT INTERCOM UNIT
⊗⊕	ELECTRONIC SOUNDER WITH NEON BASE
⊗⊕⊘	AFF MULTIPURPOSE FIRE EXTINGUISHER
F.A.P.	FIRE ALARM PANEL





**SYMBOLS SCHEDULE**

- ① SMOKE DETECTOR
- ② HEAT DETECTOR
- ⊗ DENOTES SOUNDER BASE
- ⊙ DENOTES NEON FLASHING BASE
- ⊕ DENOTES COMBINED NEON & SOUNDER BASE
- ⊖ DETECTOR WITH REMOTE LED INDICATION
- ⊙ LOOP SOUNDER
- ⊙ CALL POINT
- ⊙ ELECTRONIC SOUNDER
- WP WATERPROOF
- CV CEILING VOID
- REFUGE POINT INTERCOM UNIT
- ⊗ ELECTRONIC SOUNDER WITH NEON BASE
- ⊗ AFFF MULTIPURPOSE FIRE EXTINGUISHER
- F.A.P. FIRE ALARM PANEL



**AI** Architects of Providence  
1200 North Main Street  
Providence, RI 02903  
Tel: 401.784.4000  
www.aiprov.com

**GS** General Services  
1200 North Main Street  
Providence, RI 02903  
Tel: 401.784.4000  
www.gsprov.com

**HEB** HEB  
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Providence, RI 02903  
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www.hebprov.com

**INVESTSI** INVESTSI  
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**Service Offices**  
12 Hay Hill

LAP - 4TH FLOOR

WORK IN PROGRESS

UNBORN 1:00 A2 1:00/02/04

HH-2108

**Your**

**Our** 14/08158/LIPN

**Date:** 14/10/2014



C Edwards  
Winckworth Sherwood  
Minerva House  
London SE1 9BB

**METROPOLITAN POLICE  
SERVICE**  
**Police Constable Reaz Guerra**  
Westminster Police Licensing Unit  
**Westminster City Hall**  
Fourth Floor  
64 Victoria Street  
London  
SW1E 6QP

Telephone: 020 7641 1705  
Facsimile: 020 7641 4236  
Email: [rguerra@westminster.gov.uk](mailto:rguerra@westminster.gov.uk)

**Application for a Premises Licence Variation**  
**12 Hay Hill, London W1J 6DQ– Ref 14/08158/LIPN**

Dear Ms Edwards ,

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing and Crime Prevention Objectives.

Should you wish to discuss the matter further please contact the Police Licensing Team on **0207 641 1709/1705** or via email, [rguerra@westminster.gov.uk](mailto:rguerra@westminster.gov.uk)

Yours sincerely.

Reaz Guerra  
Police Constable  
Westminster Police Licensing Team

**Peermamode, Ryan**

---

**Subject:** FW: 12 Hay Hill, London W1J 6DQ - 14/08158/LIPN

---

**From:** Guerra, Reaz  
**Sent:** 15 November 2014 02:39  
**To:** [cedwards@wslaw.co.uk](mailto:cedwards@wslaw.co.uk)  
**Cc:** Harman, Becky; Eaton, Sam  
**Subject:** RE: 12 Hay Hill, London W1J 6DQ - 14/08158/LIPN

Charlotte,

I note that the EHO has sent you some proposed conditions, I can confirm that the Police also support these conditions.

Kind Regards  
Reaz

**PC Reaz Guerra 1614CW**  
Westminster Police Licensing Team

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**TO  
REFERENCE****Ryan Peermamode, Licensing Officer  
14/08158/LIPN**

---

**FROM  
BEING DEALT WITH BY  
TELEPHONE  
DATE****EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
Becky Harman  
0207 641 5994  
22<sup>nd</sup> October 2014**

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**The Licensing Act 2003****RE: Cabinet, Ground Floor to Fourth Floor 12 Hay Hill London W1J 6DQ**

I refer to the application for a New Premises Licence for the above premises.

The applicant has submitted floor plans of the Basement (Ref: HH-I-2100), Lower Ground floor (Ref: HH-I-2101), Ground floor (Ref: HH-I-2102) and the First Floor (Ref: HH-I-2103), Second Floor (Ref: HH-I-2104), Third Floor (Ref: HH-I-2105) to Fourth Floor (Ref: HH-I-2106) dated 08<sup>th</sup> September 2014.

The operating schedule describes the premises as 'an office building with meeting room facilities situated at 12 Hay Hill, London, W1J 8NR'. However, the application also refers to 'members of a private club'.

Clarification is required regarding the description of the premises.

This representation is based on the plans and operating schedule submitted.

**The applicant is seeking the following**

1. To provide for the Supply of Alcohol 'On' the premises Monday to Thursday between 10.00 - 23.30 hours, Friday between 10.00 - 01.00 hours and 10.00 - 00.00 hours, Sunday between 00.00 - 01.00 hours and 12.00- 22.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Thursday between 23.00 - 00.00 hours, Friday to Saturday 23.00 - 01.30 hours.

**I wish to make the following representation**

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

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



The applicant has provided additional information along with proposed conditions with the application which are being considered but do not fully address the concerns of Environmental Health.

Should you wish to discuss the matter further please do not hesitate to contact me.

Becky Harman  
**Environmental Health Officer**  
**Environmental Health Consultation Team**

CC: [cedward@wslaw.co.uk](mailto:cedward@wslaw.co.uk)

**CITY OF WESTMINSTER MEMORANDUM**

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**TO** Ryan Peermamode

**REFERENCE** 14/08158/LIPN

---

**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall

**REFERENCE** 14/041885/EHCT

**BEING DEALT WITH BY** Ms Becky Harman

**TELEPHONE EXT.**

**DATE** 7 November 2014

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**12 HAY HILL, BASEMENT TO FOURTH FLOOR, 12 HAY HILL, LONDON**

I refer to the application for a new Premises Licence for the above premises.

**Proposed Environmental Health Conditions  
Based application and site visit on 07/11/14**

**The premises**

1. The licensable activities are restricted to:

Lower Ground Floor  
Ground Floor  
First Floor  
Second Floor  
Third Floor  
Fourth Floor

2. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Capacity yet to be agreed by District Surveyor.

Lower Ground Floor: 50  
Ground Floor: 80  
First Floor: 70  
Second Floor Internal: 60  
Second Floor External Terrace: 30  
Third Floor: 55  
Fourth Floor: 55

The maximum numbers are subject to final approval by the District Surveyor upon the removal of the works condition.

3. There shall be no internal service bars permitted on the First Floor, Second Floor, Third Floor and Fourth Floor.
4. The Ground floor shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
5. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
7. There shall be no self service of alcohol on the premises.
8. Alcohol may only be sold for consumption by members of a private club/tenants and their bona fide guests (not exceeding (4) guests per member). No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
9. Members/tenants of the private club must have taken out a 6 months office lease. This lease agreement must be available at the premises on request by Authorised Officer or the Council.
10. A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
11. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
12. The Lower Ground Floor External area shall not be used after 22.00.

13. The Second Floor External Roof terrace shall not be used after 22.00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
17. No deliveries or collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.30 hours on the following day.
18. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. Provide an acoustic lobby to Ground Floor front entrance door to assist with noise control. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

Ms Becky Harman  
Environmental Health Officer

Details of public representations relating to 14/08158/LIPN - 12 Hay Hill, W1J 6DQ

- **Mr Prakash Rajasekaran**  
**Director, Savile House Management Company (Mayfair) Limited**  
**Flat 11, Savile House, 18 Berkeley Street, London, W1J 8EB**  
*Received: 6 Oct 2014*  
**OBJECTION**

*(See attached letter)*

Flat11  
Savile House  
18 Berkeley Street  
Mayfair  
LONDON W1J 8EB

Licensing Team  
FAO: Steven Harrison  
Westminster City Hall  
64 Victoria Street  
LONDON SW1E 6QP

06 October 2014

Dear Sir/Madam

**RE REF 14/08158/LIPN**  
**New Premises Licence Application**  
**12 Hay Hill, London W1J 6DQ**

I wish to object to this licence renewal on behalf of Savile House Management Company (Mayfair) Limited (which represents the service company for all residents at 18 Berkeley Street) and myself.

- We live around the corner (15 metres) to the premises in question
- We would like to object on the following grounds

The objections are mainly on the grounds of:

1. Prevention of crime and disorder and
  2. Prevention of public nuisance
- The area around Berkeley Street has many clubs/ late night licensed premises and the area is now SATURATED with such establishments. Moreover, there are a number of premises in close proximity that three premises are trying to obtain late licences/renewals next door to each other 17 Park Chinois, 15 Berkeley Street (Funky Buddha, Mayfair Club) Nobu. There is a danger of "rise in crime and disorder or cause unreasonable detriment to local community" and "problems of disturbance to residential amenity and public disorder ...by the sheer number of premises and the hours of operation"
  - Noise generated from these premises are loud, especially in the early hours of the morning as patrons leave the premises Patrons maybe involved in anti social behaviour outside the premises
  - It is not uncommon to find the pavement and door steps littered with empty bottles, cigarette butts or vomit
  - The nearby surrounding areas outside these premises usually have a lot of litter (empty bottles, smokers litter and chewing gum)
  - Premises tend to attract the attention of illegal minicabs touting for business
  - Double parking results as patrons arrive and leave the premises
  - These type of premises create added congestion around this residential area

Yours faithfully



P Rajasekaran  
(Resident and Director of Savile House Management Company (Mayfair) Limited)

- **Mr Kenneth Clark**  
**66 Berkeley House, 15 Hay Hill, London, W1J 8NT**  
*Received: 11 Oct 2014*  
**OBJECTION**

*The granting of an all day, seven days a week alcohol drinking license to four or five floors of 12 Hay Hill would increase the public nuisance and potentially increase crime affecting the residents living and trying to sleep in Hay hill and Mayfair. We already suffer from a lot of noise caused by late night drinking from establishments already open into the early morning.*

- **Ms Sharon French**  
**Partner - Central London Property & Asset Management, Cushman & Wakefield LLP**  
**Capital House, 85 King William Street, London, EC4N 7BL**  
*Received: 17 Oct 2014*  
**OBJECTION**

*Dear Sirs*

*We act as managing agents for the property known as 4 Hay Hill and have been passed a copy of your letter dated 25th September 2014 in respect of the application that has been made to you for a new premises licence for 12 Hay Hill Ground Floor to Fourth Floor.*

*Having surveyed the premises and taken into account the use being applied for we have some concerns around noise and disturbance for our residential tenant at 4 Hay Hill and wish to make a representation.*

*12 Hay Hill adjoins 31 Grafton Street to the rear of the premises and on the side of which the residential apartment 4 Hay Hill is located. The Public Notice received dated 25th September refers to the premises Ground Floor to Fourth Floor and as a large balcony resides on the 4th floor of 12 Hay Hill with which appears to have sufficient space to host events (photographs attached) we feel this may have an adverse effect on the residential amenity of our tenant at 4 Hay Hill, by reason of noise and disturbance if the balcony is used for this reason. Having looked at the plans submitted for the variation they only refer to the ground floor and basement area. Therefore, we are looking for clarity around the application and that our tenant of 4 Hay Hill can continue to expect and receive quiet enjoyment of their premises.*

*We look forward to hearing from you  
Kind regards  
Sharon French*

*(See attached Photo's x3)*









- **Mr & Mrs Ken And Catherine McGrath**  
**46 Berkeley House, 15 Hay Hill, London, W1J 8NS**  
*Received: 20 Oct 2014*  
**OBJECTION**

*Dear Sirs*

*We wish to object to the above referenced licensing application for 12 Hay Hill, London W1J 6DQ. We live at Flat 46, 15 Hay Hill, London W1J 8NS which is just opposite for the premises in question.*

*Our grounds for objection are*

- o *Prevention of Public Nuisance, and*
- o *Prevention of Crime and Disorder*

*The prospect of having alcoholic beverages being served in what is a quiet Mayfair residential street is highly objectionable. We already have seen a large number of similar establishments open in the immediate area in recent months, and are fearful that yet another will accelerate the number of late night party goers and drunken revellers in the area.*

*Already, we note a much higher level of solicitation from late night establishments on Berkeley Street just across from Hay Hill and significant increase in loud noise as people emerge late at night. On Hay Hill, another licensed club open a few months ago and has resulted in a high increase in people traffic, late night noise and loitering in the steps of our building. The establishment in question has already installed a very large coloured neon sculpture which lights up the whole of Hay Hill all night, causing significant disturbance to residents.*

*We would ask that this application be rejected.*

*Many thanks*

*Ken and Catherine McGrath*  
*46 Berkeley House*  
*15 Hay Hill*  
*London W1J 8NS*

- **Ms Jaleh Zand**  
**17 Berkeley Street Residents Association**  
**Received: 22 Oct 2014**  
**OBJECTION**

Dear Sirs

17 Berkeley Street Residents' Association would like to make a representation in respect of the above application. We are concerned about the application on the basis of prevention of public nuisance. However, we have met with the applicant and proposed the following conditions which they are happy to accept, and this has somewhat eased our concerns, if the Sub-Committee are minded to impose them on the license:

Requested conditions accepted by the applicant:

The license holder will support any neighbourhood monitoring scheme that may exist (from time to time) including contributing financially to any paid for policing scheme on Berkeley Street.

The licensee shall operate the premises in accordance with a Berkeley Street Best Practice Policy which shall be created to promote the four licensing objectives. The best practice policy will be reviewed from time to time with the Licensing Authority and the local licensing police. We look forward to being kept informed of any developments.

Kind regards  
Jaleh Zand  
on behalf of 17 Berkeley Street Residents' Association

- **Mr Ron Whelan**  
**Chairman, Mayfair Residents Group, 29A Brook Street, London, W1K 4HE**  
**Received: 23 Oct 2014**  
**OBJECTION**

The Mayfair Residents Group wishes to make a representation in respect of the above application, in support of the representation already submitted by the 17 Berkeley Street Residents Association. We agree with The Association that if the applicant accepts the conditions itemised below then our concerns about this license application will be significantly reduced.

These conditions are;

- (a) The License Holder will support any neighbourhood monitoring scheme that may exist (from time to time) including financially to any paid-for policing policy on Berkeley Street;
- (b) The Licensee shall operate the premises in accordance with a Berkeley Street Best Practice Policy which shall be created to promote the four licensing objectives. The Best Practice Policy shall be reviewed from time to time with the Licensing Authority and the local licensing police.

Yours sincerely,

Ron Whelan  
Chairman  
Mayfair Residents Group  
29A Brook Street W1K 4HE





03/10/2014 14:54:45

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City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/07515/LIPN</b>
Date:	<b>20 November 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Vinyl Bar 36-38 Hanway Street London W1T 1UP</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Sharon Bamborough, Assistant Service Manager (EHCT &amp; Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 7824 E-mail: sbamborough@westminster.gov.uk</b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Vinyl Bars Limited	<b>Date Application Received:</b>	4 September 2014
<b>Premises Name and Address:</b>	Vinyl Bar 36-38 Hanway Street London W1T 1UP		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	The premises will be operated as a bar.  <b><i>Please note: The premises was previously licensed. The licence lapsed on 25.04.2014 following the liquidation of Net Bars Limited.</i></b>		
<b>Preliminary Note:</b>	<b>The applicant has provided a draft set of conditions which have been proposed by the Environmental Health Service and the Metropolitan Police Service. They have been included as Appendix B(i). Please note that these are in addition to the conditions which were proposed in the operating schedule found in Appendix B.</b>		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<p><b>1.1 REGULATED ENTERTAINMENT:</b></p> <p><b>Live Music</b>  <b>Performance of Dance</b>  <b>Anything similar to the above</b></p> <p>Monday – Saturday 09:00 – 02:00          Sunday 09:00 – 23.00</p> <p><b>Recorded Music</b>          Monday – Sunday 00:00 – 00:00 (24 hours)</p> <p><b>1.2 LATE NIGHT REFRESHMENT: INDOORS</b></p> <p>Monday to Saturday 23:00 to 02:00</p> <p><b>1.3 SALE OF ALCOHOL: ON AND OFF THE PREMISES</b></p> <p>Monday to Saturday 10:00 to 02:00          Sunday 12:00 to 22:30</p>			



## 1.4 SEASONAL VARIATIONS AND NON-STANDARD TIMINGS

### (i) Regulated Entertainment and Late Night Refreshment

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

### 1.5 Opening Hours:

Monday to Saturday 09:00 to 02:30

Sunday 09:00 to 23:00

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

*(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)*

	Relevant representations and policies applicable:	References / Notes
1A	The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and impact on Public Safety area. Conditions have been proposed and can be found in Appendix B(i)	<b>Environmental Health Service Representation &amp; Conditions</b>
1B	The Metropolitan Police Service had made an adverse representation to this application stating that the application if granted would undermine the Licensing Objectives. Conditions have been proposed and can be found in Appendix B(i).	<b>Metropolitan Police Service &amp; Conditions</b>
1C	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1)            Public Safety (PS1)            Prevention of public nuisance (PN1)            Protection children from harm (CH1)            Hours (HRS1)            Stress Area (STR1)            Restaurants inside the Stress Area (RNT2)            Public Houses and Bars within the Stress Area (PB2)</p> <p><b>Policy STR1:</b> (i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; late night refreshment premises offering hot food and drink to take-away and premises offering facilities for music and dancing other than applications to vary hours within the Core Hours under Policy HRS1            (ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p> <p><b>Policy HRS1 applies:</b> (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not</p>	<b>Policies applicable</b>

1D	<p>being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p> <p><b>Policy RNT2 applies:</b> Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Polices CD1, PN1, PS1 and CD1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Area.</p> <p><b>Policy PB2 applies:</b> It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	Summary
<b>Current Licensing Position</b>	The premises is not currently licence. However, the premises were previously licensed under reference 13/00605/LIPVM. The licence lapsed following the liquidation of Net Bars Limited.. Please refer to <b>Appendix A</b>	
<b>Residential Density:</b>	13 of the 104 units within a 75m radius of the premises are residential or proposed residential, (11.1%), refer to <b>Appendix C</b> .	
<b>List of Appendices:</b>	A – Premises Licence History (to follow) B - Proposed Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (October 2014)
- Former licence
- Application form / plan
- Operating schedule conditions
- Presentation
- Applicant Submissions - Statement From Director of Vinyl Bars Limited
- Representations received
- Photos

**Licence & Appeal History**

<b>APP REF</b>	<b>DETAILS</b>	<b>DETERMINATION</b>
05/08351/LIPC	CONVERSION OF LICENCE	GRANTED UNDER DELEGATED AUTHORITY 25.9.2005
<b>13/00605/LIPVM</b>	MINOR VARIATION TO CHANGE LAYOUT	GRANTED UNDER DELEGATED AUTHORITY 18.2.2013
<b>N/A</b>	<b>LICENCE LAPSES DUE TO INSOLVENCY</b>	<b>25.4.14</b>

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

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

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

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

### Mandatory Conditions

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

encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

#### **Conditions consistent with the operating schedule**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following

13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.
16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.
23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

#### Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.
  - (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 on the morning following, except that -
    - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
    - (ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;
  - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
    - (i) with the substitution of references to 03.00 for references to 02.00.
  - (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

### Sunday

26. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
- (b) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (c) 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, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;



- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

24. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

25. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) to take all other reasonable precautions for the safety of the children.

26. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

27. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed

timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

28. The premises hotline telephone number shall be made available to local residents.
29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
30. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
31. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
32. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
33. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar  
36-38 Hanway Street  
London

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## Draft Conditions

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All conditions are agreed between the Applicant, Police and EHO save for any amendments detailed below. Where the Applicant has not agreed to a condition proposed by the Police and EHO, it is detailed underlined and in italic. Where the Applicant proposes alternative conditions these are set out in their entirety in **bold**.

1. The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iii) which do not provide any take away service of food or drink for immediate consumption, and

(iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.

(v) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. Keith Roach and Jason Cook shall not be allowed on the premises

**Applicant's suggested Condition 2:**

**The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:**

- a. **Mr Keith Roach**
- b. **Ms Cheryl Denny**

**c. Mr Jason Cook**

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. 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.
5. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
6. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
7. *There shall be no new admittance to the premises after midnight.*

***Applicant's proposed Condition 7:***

***There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.***

8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. The licence holder shall ensure that any queue to enter the premises which form outside the premises and any area used by smokers is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

12. Patrons temporarily leaving the premises such as for the purposes of smoking shall not take any drinks with them and after 23:00 hours shall be limited to a maximum of 6 persons at any one time.
13. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
14. The number of persons accommodated (including staff) at any one time shall not exceed 60 in the basement and 20 on the ground floor.
15. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public. This does not prohibit the distribution of leaflets to persons within the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.
18. 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 are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
19. An incident log shall be kept at the premises, and made available on request to an authorized officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

20. No deliveries or collections shall be made to or from the premises between 23:00 and 08:00 hours.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

***Applicant's proposed Condition 24:***

***A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.***

25. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Council.
27. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
28. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
29. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

34. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
  - a. dry ice and cryogenic fog;
  - b. smoke machines and fog generators;
  - c. pyrotechnics including fireworks;
  - d. firearms;
  - e. lasers;
  - f. explosives and highly flammable substances;
  - g. real flame;
  - h. strobe lighting.

36. The certificates listed below, together with, if necessary, satisfactory details of remediation works identified, shall be submitted to the Environmental Health Consultation Team upon written request:
  - a. Any emergency lighting battery or system
  - b. Any electrical installation
  - c. Any fire alarm system.

37. At least one SIA registered door supervisor shall be employed at the premises from 22:00 hours until all patrons and staff have left the premises on Thursday to Saturday.
38. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff shall be clearly displayed and visible at all times.

39. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
40. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
41. (a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.

***Applicant's proposed Condition 41.(a):***

***(a) From 10pm each day, all drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne, wine or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne, wine and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles of drink from the table.***

(b) Notwithstanding 41(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.

42. All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.

***Applicant's proposed Condition 42:***

***From 10pm each day, all customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.***

43. All persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.



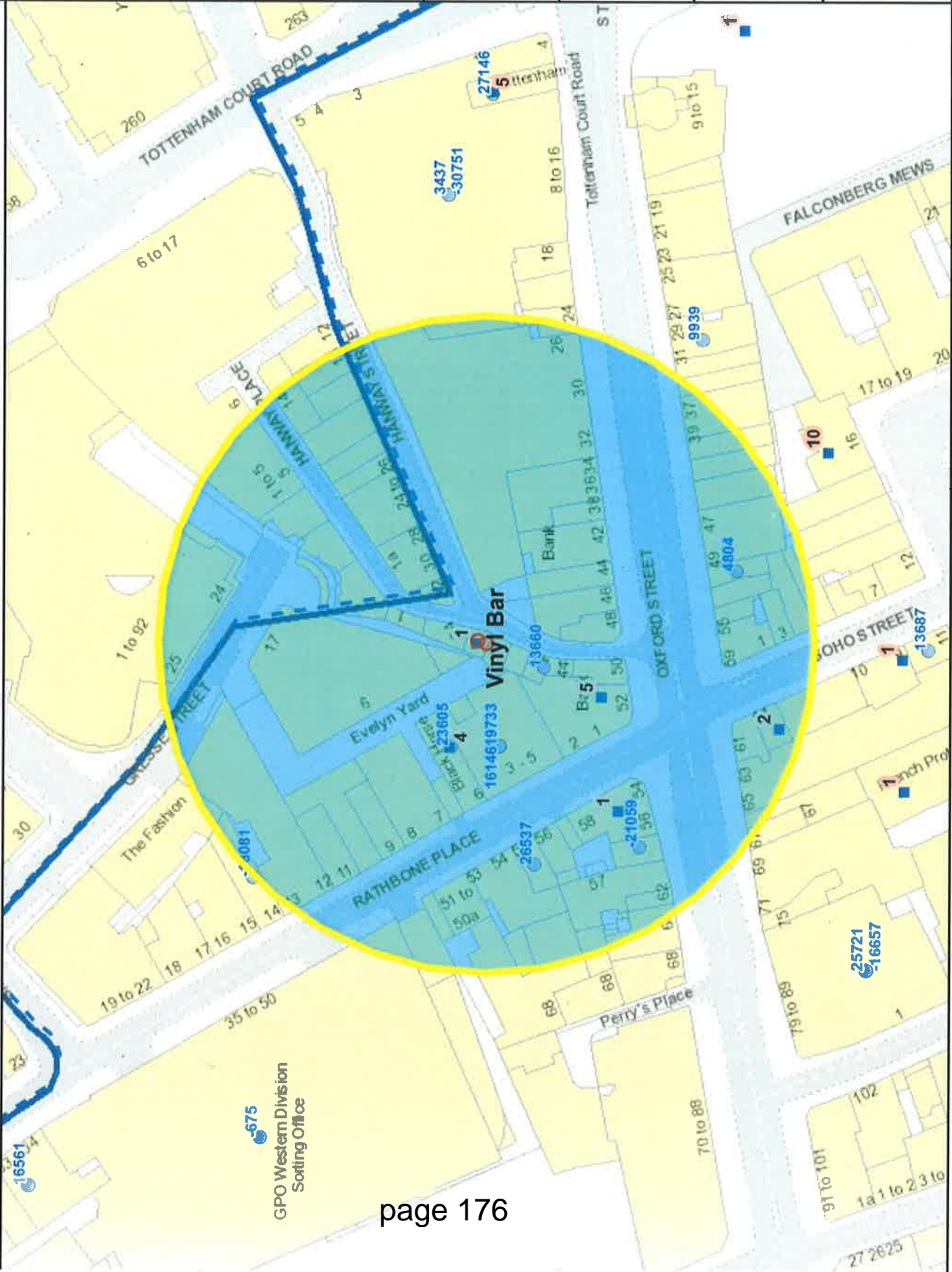
**From 10pm each day, all persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.**

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
45. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
46. There shall be no cooking on-site requiring the use of mechanical air extraction.



City of Westminster

# Vinyl Bar, 36-38 Hanway Street, London W1T 1UP



GPO Western Division  
Sorting Office

# APPENDIX C

Residential / Proposed Residential	13
Under Construction	0
Other Uses	104
Proportion Residential of all Uses	11.1%

Data Source: Uniform Datab:  
Date: 31/10/2014

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**Premises within 75 metres of: Vinyl Bar, 36-38 Hanway Street, London W1T 1UP**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
-21059	Wasabi	58 Oxford Street London W1D 1BH	Friday to Saturday 11:00 - 00:00 Thursday 11:00 - 23:30
13660	Bradley's Spanish Bar	Ground Floor 42-44 Hanway Street London W1T 1U	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
16146	The Roxy	1st Floor Ashbrook House 3-5 Rathbone Place London W	Monday to Wednesday 09:00 - 03:30 Thursday 09:00 - 06:00 Friday to Saturday 09:00 - 09:00 Sunday 09:00 - 01:00
19733	Tampopo	1st Floor Ashbrook House 3-5 Rathbone Place London	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
23605	Byron @ The Black Horse	6 Rathbone Place London W1T 1HL	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
26537	Rathbone News	55 Rathbone Place London W1T 1JS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
4804	Londis	51 Oxford Street London W1D 2EF	Monday to Sunday 00:00 - 00:00

# **BACKGROUND PAPERS**



Schedule 12  
Part A

WARD: West End  
UPRN: 010033554813

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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

13/00605/LIPVM

**Original Reference:**

05/08351/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

The Net Bar  
36 - 38 Hanway Street  
London  
W1T 1UP

**Telephone Number:** 020 7580 9811

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for Dancing**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for making Music**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday: 09:00 to 02:00

Sunday:	09:00 to 23:00
<b>Playing of Recorded Music</b>	Unrestricted
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 03:00
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 02:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b> Unrestricted	
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 02:00
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

<b>The opening hours of the premises:</b>	
Monday to Saturday:	09:00 to 02:30
Sunday:	09:00 to 23:00

<b>Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:</b>	
Alcohol is supplied for consumption both on and off the Premises.	

## Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Net Bar Limited Gabel House 239 Regents Park Road London N3 3LF

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
03761535

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

**Name:** Ms Cheryl Denny

*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:** LN/0000/1342  
**Licensing Authority:** London Borough Of Haringey

**Date:** \_\_\_\_\_ 18<sup>th</sup> February 2013 \_\_\_\_\_

**Signed:** pp  
Operational Director - Premises Management

## 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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.



(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8. The responsible person shall ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

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

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

#### **Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

#### **Conditions relating to regulated entertainment**

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following
- 13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
- 14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
- 15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.

16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.

**Conditions for Sale of Alcohol**

23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

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

Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.
  - (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 on the morning following, except that -
    - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
    - (ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;
  - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
    - (i) with the substitution of references to 03.00 for references to 02.00.
  - (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

#### Sunday

26. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
- (b) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (c) 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, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

24. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

27. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children

attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) to take all other reasonable precautions for the safety of the children.

28. 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**

29. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

30. The premises hotline telephone number shall be made available to local residents.
31. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
32. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
33. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
34. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
35. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

**Annex 4 – Plans**

Attached





Schedule 12  
Part B

WARD: West End  
UPRN: 010033554813

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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

13/00605/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

The Net Bar  
36 - 38 Hanway Street  
London  
W1T 1UP

**Telephone Number:** 020 7580 9811

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for Dancing**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for making Music**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Playing of Recorded Music</b>	Unrestricted
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 03:00
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 02:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b> Unrestricted	
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 02:00
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

<b>The opening hours of the premises:</b>	
Monday to Saturday:	09:00 to 02:30
Sunday:	09:00 to 23:00

<b>Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:</b>
Alcohol is supplied for consumption both on and off the Premises.

<b>Name and (registered) address of holder of premises licence:</b>
Net Bar Limited Gabel House 239 Regents Park Road London N3 3LF

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
03761535

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

**Name:** Ms Cheryl Denny

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

Restricted

**Date:** 18<sup>th</sup> February 2013

**Signed:** pp  
Operational Director - Premises Management

\* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number   Put "none" if the applicant is not registered for VAT.

\* Legal status

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

company

**Address**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Contact Details**

E-mail   
Telephone number   
Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

bar

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend



Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

FRIDAY

Start 00:00

End 02:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 02:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 02:00

Start 09:00

End 23:00

Will the performance of live music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit.

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes       No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit.

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the performance of dance take place indoors or outdoors or both?

Indoors                       Outdoors                       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit.

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Give a description of the type of entertainment that will be provided

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

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and

Continued from previous page...

with a view to profit.

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

Start

End

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End



Continued from previous page...

FRIDAY

Start 00:00

End 02:00

Start 10:00

End 00:00

SATURDAY

Start 00:00

End 02:00

Start 10:00

End 00:00

SUNDAY

Start 00:00

End 02:00

Start 12:00

End 22:30

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End   
Start  End

WEDNESDAY

Start  End   
Start  End

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

Please see presentation and conditions attached.

b) The prevention of crime and disorder

Please see presentation and conditions attached.

c) Public safety

Please see presentation and conditions attached.

d) The prevention of public nuisance

Please see presentation and conditions attached.

e) The protection of children from harm

Please see presentation and conditions attached.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment

**Continued from previous page...**

where the entertainment is provided by and at the school or college and for the purposes of the school or college.  
If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Jeffrey Green Russell Limited

\* Capacity

Authorised solicitors acting for and on behalf of the applicant

\* Date

04 / 09 / 2014  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/apply-1> to upload this file and continue with your application.

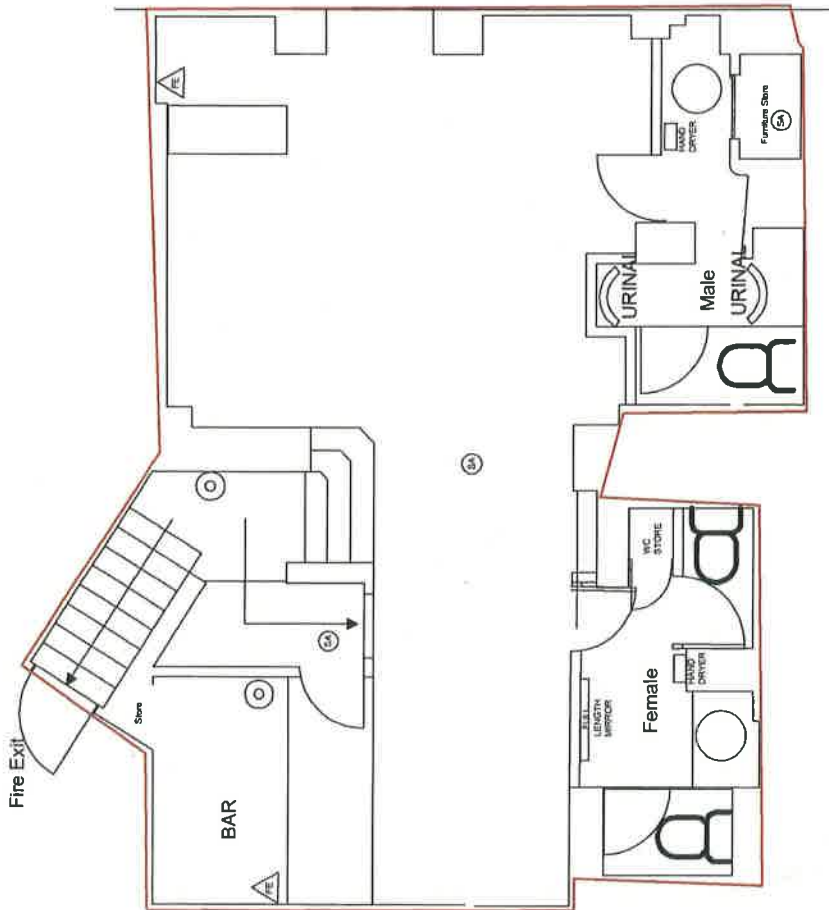
Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	SVS/Vinyl
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

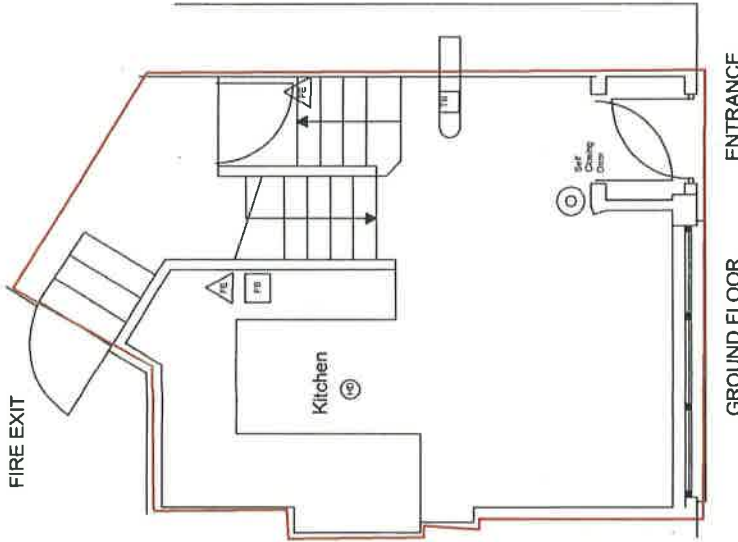
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >



BASEMENT PLAN

**Basement**  
scale 1:50

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.  
Dated: 24/09/2014



GROUND FLOOR

**Ground Floor Plan**  
scale 1:50

- ⊙ SMOKE ALARM
- ⊙ HEAT DETECTOR
- △ FIRE EXTINGUISHER
- FIRE BLANKET
- ⊙ BREAK GLASS FIRE ALARM

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer 31st July 2014

PROJECT TITLE: Vinyl	DRAWING NUMBER: LIC 1	DISCLAIMER: <small>The Client acknowledges and agrees that the drawings are prepared for the Client's use only and are not to be used for any other purpose without the written consent of GMP Design. The Client is responsible for ensuring that the drawings are used in accordance with the relevant regulations and standards. GMP Design is not liable for any loss or damage arising from the use of the drawings.</small>
DRAWING TITLE: Proposed Plan	DRAWN BY: HNTH	<b>GMP DESIGN</b> No. 10, South Park Tralee, Kerry, Ireland Tel: +353 (0) 52 932000 Fax: +353 (0) 52 932000
CLIENT:	APPROVED BY:	
SCALE: As shown @ A3	DATE: JULY 2014	

## **PROPOSED 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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to



condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

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

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. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment ceases on New Year's Day (or until

midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).

12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following
13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.
16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.
23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 on the morning following, except that -
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
- (i) with the substitution of references to 03.00 for references to 02.00.
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

### Sunday

26. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
- (b) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (c) 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, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

24. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

27. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
  - (c) to take all other reasonable precautions for the safety of the children.
28. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
29. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
30. The premises hotline telephone number shall be made available to local residents.
31. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

32. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
33. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
34. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
35. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

# VINYL BAR

36-38 Hanway Street, London W1T 1UP



PRESENTATION TO  
WESTMINSTER CITY COUNCIL

In reinventing this premises, the Vinyl Bar management team are seeking to bring something to the West End that has been missing for some time; a place for over-30s to socialise away from the usual offer of nightclubs and bars.

As information technology has developed, the phenomenon of on-line dating has seen attendances at premises historically associated with single customers looking to meet other single customers, drop. Many people today rely upon the internet to be their gateway to the world, meeting many of their friends for the first time on-line.

To challenge this, Vinyl Bar has developed a presence in the world of on-line dating and social networking. This allows the management team to target the older crowd, looking for a fun night out that doesn't involve crowding a bar and jostling for position amongst younger club-goers looking for a less sophisticated night out.



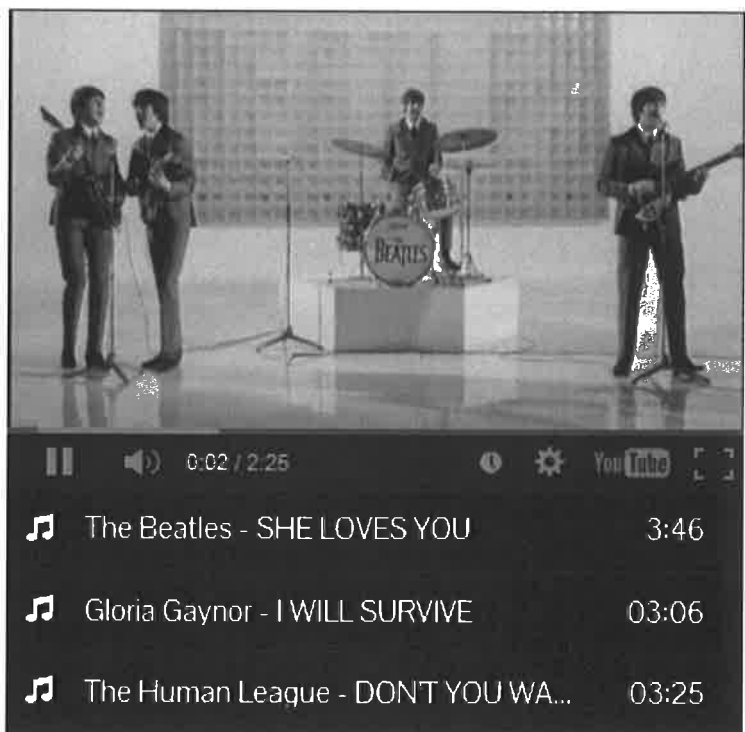
Vinyl Bar will offer table service throughout the premises, ensuring that customers can enjoy that higher level of service the over 30s expect.

## Our Music is our Customers' Music

To give our targeted crowd a sense of real ownership of Vinyl Bar, our specialist equipment will be made available to customers for the playing of their own prized vinyl music collection.



Vinyl Bar will also provide a curated soundtrack unique to our venue, tailored to our over 30s clientele.



Images of the Premises



Images of the Premises

As Proposed









## Eaton, Sam

---

**From:** Marcus Lavell [mcl@jgriaw.co.uk]  
**Sent:** 11 November 2014 15:38  
**To:** Eaton, Sam  
**Subject:** FW: Vinyl Bar - Hanway Street  
**Attachments:** Apollo\_4836122\_1.DOCX; Apollo\_4834197\_1.DOCX; RE: Vinyl Bar - Conditions; RE: Vinyl Bar - Conditions; Re: Vinyl Bar, 36-38 Hanway Street W1

**Importance:** High

Dear Sam

I refer to Sharon's earlier email. Please find attached Applicant's submissions and agreed conditions.

Should you have any questions please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



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**From:** Marcus Lavell  
**Sent:** 11 November 2014 15:36  
**To:** Bamborough, Sharon ([sbamborough@westminster.gov.uk](mailto:sbamborough@westminster.gov.uk))  
**Cc:** [adrayan@westminster.gov.uk](mailto:adrayan@westminster.gov.uk); Janes, Toby ([tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)); [jsollars@westminster.gov.uk](mailto:jsollars@westminster.gov.uk); Mary Hennessy  
**Subject:** Vinyl Bar - Hanway Street  
**Importance:** High

Dear Sharon

Please find attached statement from Les Richards, Director of Vinyl Bars Limited. The statement details the nature of the operation and the steps being taken, in partnership with the police and EHO, to develop appropriate conditions for the promotion of the Licensing Objectives.

With the exception of the "Restaurant" condition (MC66) and a number of conditions that go further than the officers have requested, the Applicant, police and EHO have agreed all conditions and these have been compiled into the attached Draft Appendix D (Annex A of the Statement).

Please note that I have also proposed a small correction to Condition 12 as the prohibition on drinks being taken from the venue has been duplicated and can be found within Condition 13. I have also added "bottles of wine" to the

exceptions detailed in Condition 41(a). Given that the exception already includes bottles of champagne and spirits I do not foresee a problem with this but have copied the officers into this email for their comment.

You will see that conditions 41, 42 and 43 now come into effect after 10pm each day. This modification was agreed with the Police and EHO in correspondence earlier today and I attach copies of said correspondence to this email. Jim Sollars, in his response to my email asking for confirmation of the police position, has replied that the requested amendments are agreed. The agreement only extends to the 10pm commencement for conditions 41, 42 and 43 and not the request that said conditions only apply Thursday to Saturday. The Applicant is happy to agree this.

The statement also refers to correspondence (Annex B) between Julian, Toby Janes of the police and Francis Keegan of Westminster Licensing Enforcement. This correspondence is attached above as "Re: Vinyl Bar, 36-38 Hanway Street W1".

Should you have any questions or require anything further please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



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In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar  
36-38 Hanway Street  
London

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### **STATEMENT OF LES RICHARDS**

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My name is Les Richards and I am the Director of Vinyl Bars Limited. I make this statement in support of the application for a new Premises Licence for 36-38 Hanway Street. I will begin by dealing with my personal history, setting out my experience in the licensed hospitality trade. I will then cover the recent history of the premises before moving on to the vision I have for the Vinyl Bar concept. Following on from, this I will summarise the productive discussions that my team has had with the Environmental Health Officer and the police before summarising the outcome of those discussions.

#### **Personal History**

I have worked in the Licensed trade for the past 12 years.

My first management role was with Luminar (1998-2002), working as a General/Operations Manager covering three separate sites. I have also managed Time & Envy in Romford, Skydome in Coventry and Jumpin Jaks in Swansea.

When I took charge of Jumpin Jaks in Swansea, this 1200 capacity single room venue was trading on 4 nights a week with income levels of £30K per week and developed to trading on

5 nights a week with an income of over £55K. I also took operational profit levels from £750K to £1.2M through the implementation of management and operational best practice. Jumpin Jaks also won a BEDA award for “Bar Of The Year, South”.

I was responsible for the launch of Time & Envy in Romford, sourcing staff, suppliers and ensuring works were completed on time. This project opened on time, achieving a weekly income following launch of £125K.

At the Skydome, I was responsible for the organisation of the opening and the delegation of duties to the visiting management team. Once operational, I was also responsible for the day to day running of Ikon & Diva nightclubs, Bonds pre club bar & Jumpin Jaks (Combined capacity 3625). The sites total weekly income averaged £185K.

Over the next 4 years, I moved on to a management position at First Leisure and then to run the Evolution/Baja Site in Bristol. Both of these appointments focussed on the successful operation and control of high capacity venues (1800 to 2400), whilst maintaining excellent relationships with Local Authorities and Police.

From July 2006 to October 2009, I was the General Manager of Q Bar in Reading. This was Reading’s largest licensed premises trading 6 nights a week and turning over £45K a week. I was brought in to create a new brand and re-launch the venue. This included devising and implementing quarterly marketing & promotional plans, the recruitment, training & development of all the junior management, bar staff, door supervisors and DJ’s.

After Q Bar, I moved on to open the largest restaurant in the UK, Za Za Bazaar on the Bristol Harbourside. This involved input into the design of the premises to ensure that the available space was optimised whilst designing-out problem areas and pinch points.

Once Za Za’s was up and running, I moved to Genting Casinos. Working as the General Manager of Genting Club Westcliff, I was responsible for all operational aspects of this major

leisure site. Of particular importance to my role at the time was the identification of prospective and lapsed customers and converting them to active customers. Market research and customer identification was key to achieving this goal.

Now, working as a Director of Vinyl Bars Limited, I have been tasked with identifying locations suitable for our new, vinyl-led concept.

### **Premises History**

The premises at 36-38 Hanway Street has previously traded as The Net Bar. I understand that there is an on-going dispute between the previous operator, Mr Roach and Westminster City Council as to the validity of the relevant Premises Licence. In order to avoid any issue with this matter going forward, I have instructed Vinyl Bars Limited's solicitors to apply for this new Premises Licence. The application had been made on identical terms to the previous licence, save for an update of the plans to accommodate the improvements that will be made to the premises. Prior to the application, my team met with the Environmental Health Officer (EHO) and Police to explain our proposed investment in the premises. Dialogue was maintained throughout the application process, resulting in additional conditions being drafted. A full schedule of the proposed conditions is attached to this statement at Annex A.

I note from the memorandum sent by the EH Consultation Team to Miss Sharon Bamborough, detailing the draft conditions proposed by both the EHO and police, reference is made to this application "resurrecting" licence 13/00605/LIPVM (the previous/current Premises Licence). If the Committee is minded to consider that licence lapsed, I would ask that consideration is given to paragraph 2.1.7 of Westminster's Statement of Licensing Policy:

"In cases where licences have lapsed through insolvency or death, the council will generally grant a new licence on similar terms to the lapsed licence as a replacement.

However the council will take into account the previous history of the premises, the

length of time the premises have been closed, and any problems at the premises, and will impose conditions that reflect current good practice for the type of business proposed at the premises.”

In light of the above, I would like to bring one condition in particular to the attention of the Committee. My solicitor has been in correspondence with Mr Toby Janes of the Police and Mr Francis Keegan of the Licensing Service on the matter of the previous operation trading from the premises. I attach copies of said correspondence at Annex B. By way of guarantee that the previous operator will have no involvement in the operation, I have proposed the following condition that I feel goes further than that proposed by the EHO and Police:

The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:

- a. Mr Keith Roach
- b. Ms Cheryl Denny
- c. Mr Jason Cook

Further, I would ask the committee to have regard to the size of the premises and the fact that there is not sufficient facility for the extraction of cooking fumes when considering this application. The imposition of a “restaurant” condition would effectively make this premises unviable for any hospitality operation, despite it being a lawful use of the premises.

### **The Vinyl Bar Concept**

At Vinyl, we want to be able to offer the more mature customer the chance to enjoy music the way we all used to. Vinyl will be home to some of the best record-playing equipment available and customers will be able to bring in their own collections to enjoy whilst spending

time with their friends. Rather than offering customers an endless digital playlist purchased through a third party with no connection to our venue, we wanted to make a visit to Vinyl Bar personal and nothing could be more personal than your own soundtrack. This is unlikely to be popular with the younger, chart music focussed audience but they are welcome to attend any of the other venues London has to offer.

The criteria that I have specified for the identification of potential Vinyl venues is as follows:

1. Suitable for a capacity no higher than 100.
2. Within 500 meters of a “retro” clothing shop.
3. Within 500 meters of a true “record” shop.

Hanway street fits perfectly within my criteria, benefitting from the close proximity of 2 record shops (Sister Ray on Berwick Street (450m) and Harold More’s Records on Great Marlborough Street (450m)) and the Beyond Retro clothing store on Great Marlborough Street (450m).

### **Discussions with Environmental Health Officer**

Mr Anil Drayan visited the premises and met with my solicitors. Given the problems with the existing extraction system Mr Drayan has asked that no primary cooking (although this is a difficult definition to pin down) takes place on the premises. I am happy to agree to this and have proposed the following condition:

46. There shall be no cooking on-site requiring the use of mechanical air extraction.

Mr Dryan also raised the issue of customer management outside of the premises. Given the mode of operation we propose, maintaining a queue as a marketing tool isn’t something we feel would be appropriate unlike many bars and clubs in the West End. To address any

remaining concerns Mr Drayan may have, I propose the following further condition dealing with the management of street level operations:

7. There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.

Further, Mr Drayan made the following comment in his Representation:

“Additionally it is proposed that there will be refurbishment of the premises which will have to be assessed for Public Safety on completion. Knowing the previous condition of the premises Environmental Health generally welcomes the proposed refurbishment.”

I am pleased that Mr Drayan welcomes the investment in the premises and propose the following works condition to ensure that he will have the final say as to the adequacy of our refurbishment:

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor’s Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.

45. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

My solicitors met with Mr Toby Janes on-site and engaged with him in correspondence.

In line with best practice promoted by the police, Mr Janes requested that the premises operates a “polycarbonate policy”. I am pleased to accept this and agree to the condition Mr Janes has proposed but would ask that bottles of wine are included along with champagne and spirits.

As to operating an age verification policy, I note that Mr Janes has asked for a Challenge 21 scheme to be enshrined in Condition 24. I am happy to go further than this and operate a Challenge 25 scheme to provide a greater safeguard and have proposed an amended condition in appropriate terms.

### **Conclusion**

Thanks to the EHO, Police and my legal team working in partnership, I believe that the application before the Committee represents the standard all premises in Westminster should be aiming for.

The Vinyl Bar concept will bring something new and unique to the West End, a concept that will attract a more mature crowd and revitalise a premises with a long trading history that is sorely in need of reinvestment and refurbishment.

The conditions proposed in support of this application have been considered at length and I commend them and this application as a whole to the committee. I would like to point out that, with the exception of the “restaurant” condition which I understand has been suggested as matter of policy and my request for bottles of wine to be added to Condition 41a, I have been able to agree all proposed conditions with the officers. However, in order to promote the very best practice at Vinyl Bar, I have also suggested a number of conditions that go further than those requested by the officers.

I will be in attendance at the hearing on 20 November and would be delighted to answer any questions the committee may have.

.....  
Les Richards

.....  
Date



# Annex A

In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar  
36-38 Hanway Street  
London

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**DRAFT APPENDIX D**

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All conditions are agreed between the Applicant, Police and EHO save for any amendments detailed below. Where the Applicant has not agreed to a condition proposed by the Police and EHO, it is detailed in ~~strikethrough~~. Where the Applicant proposes alternative conditions these are set out in their entirety in *italics*.

~~1. The premises shall only operate as a restaurant~~

~~(i) in which customers are shown to their table,~~

~~(ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,~~

~~(iii) which do not provide any take away service of food or drink for immediate consumption, and~~

~~(iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.~~

~~(v) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.~~

~~2. Keith Roach and Jason Cook shall not be allowed on the premises~~

*Applicant's suggested Condition 2:*

*The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:*

- a. Mr Keith Roach*
- b. Ms Cheryl Denny*

c. *Mr Jason Cook*

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. 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.
5. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
6. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- ~~7. There shall be no new admittance to the premises after midnight.~~

*Applicant's proposed Condition 7:*

*There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.*

8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. The licence holder shall ensure that any queue to enter the premises which form outside the premises and any area used by smokers is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

12. Patrons temporarily leaving the premises such as for the purposes of smoking ~~shall not take any drinks with them~~ and after 23:00 hours shall be limited to a maximum of 6 persons at any one time.
13. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
14. The number of persons accommodated (including staff) at any one time shall not exceed 60 in the basement and 20 on the ground floor.
15. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public. This does not prohibit the distribution of leaflets to persons within the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.
18. 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 are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
19. An incident log shall be kept at the premises, and made available on request to an authorized officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

20. No deliveries or collections shall be made to or from the premises between 23:00 and 08:00 hours.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. ~~A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.~~

*Applicant's proposed Condition 24:*

*A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

25. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Council.
27. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
28. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
29. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

34. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
  - a. dry ice and cryogenic fog;
  - b. smoke machines and fog generators;
  - c. pyrotechnics including fireworks;
  - d. firearms;
  - e. lasers;
  - f. explosives and highly flammable substances;
  - g. real flame;
  - h. strobe lighting.

36. The certificates listed below, together with, if necessary, satisfactory details of remediation works identified, shall be submitted to the Environmental Health Consultation Team upon written request:

- a. Any emergency lighting battery or system
- b. Any electrical installation
- c. Any fire alarm system.

37. At least one SIA registered door supervisor shall be employed at the premises from 22:00 hours until all patrons and staff have left the premises on Thursday to Saturday.

38. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff shall be clearly displayed and visible at all times.

39. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
40. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
41. ~~(a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.~~

*Applicant's proposed Condition 41.(a):*

*(a) From 10pm each day, all drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne, wine or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne, wine and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles of drink from the table.*

*(b) Notwithstanding 41(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.*

42. ~~All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.~~

*Applicant's proposed Condition 42:*

*From 10pm each day, all customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.*

43. ~~All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.~~

*From 10pm each day, all persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.*

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
45. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
46. There shall be no cooking on-site requiring the use of mechanical air extraction.



# Annex B

**Eaton, Sam**

---

**From:** Trish Barber [TXB@jgrlaw.co.uk] on behalf of Julian Skeens [JMS@jgrlaw.co.uk]  
**Sent:** 23 October 2014 13:03  
**To:** Keegan, Francis; Janes, Toby; Drayan, Anil  
**Cc:** Marcus Lavell; Julian Skeens  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

**Importance:** High

Dear Francis,

I confirm that we used to act for Keith Roach and he was represented by my colleague Gareth Hughes in relation to a Review of the premises licence. We ceased acting for him around the end September 2012 beginning of 2013.

We act for Vinyl Bars Limited whose sole director is Les Richards.

In relation to the application for a new Licence we shall be offering a condition that neither Mr. Roach nor Mr. Cook will be allowed on the premises. Vinyl Bars Limited's only association with the premises is that it has a contractual arrangement with Mr. Roach for the sale of these premises to them. Mr. Richards and has made it quite clear to me from the outset that Mr. Roach would not be allowed onto the premises following the acquisition. In view of Toby's email we will be inviting the Licensing Committee to impose a condition on the Licence that neither Mr Roach nor Mr. Cook nor their present DPS will be allowed on the premises.

When we attended the premises for a site visit, first of all with Mr Anhil Drayan and then Mr. Toby Janes we discussed the state of the premises with both of them. I told the officers that I had checked the fridges and it would not surprise me if the premises were still trading. Mr. Janes indicated that he would visit the premises at the weekend when he was on duty, and it comes as no surprise that the premises were still trading.

Essentially I raised the issue, if Mr. Roach was involved with my client I could not have done so, as I am required to act in my client's best interests.

I don't know if it helps, but Mr. Richards can confirm that during the acquisition process of the premises he told Mr. Roach that in his view the license had lapsed and he should stop trading.

If you would like to meet with Mr. Richards I am sure that he will be pleased to make himself available.

Regards,

**JULIAN SKEENS**

DIRECTOR  
HEAD OF LICENSING DEPT  
JEFFREY GREEN RUSSELL LIMITED

Direct Tel: ++44 - (0)20 7339 7018  
Direct Fax: ++44 - (0)20 7307 0245  
Mobile: 07836 275095

---

**From:** Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]  
**Sent:** 21 October 2014 12:59  
**To:** Janes, Toby; Marcus Lavell  
**Cc:** Drayan, Anil; Bamborough, Sharon; Ferrer, Daniel; Julian Skeens  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

Mr Janes – as discussed, can I have a formal statement about your visit?

Mr Lavell – can you confirm who Jason Cook is, whether you act for him, and if you can provide his home address?

Thank you both.

**Francis Keegan**  
**WCC Premises Licensing Inspector Team Manager**

Tel: 020 7641 3385

---

**From:** Janes, Toby  
**Sent:** 21 October 2014 11:58  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Keegan, Francis; Drayan, Anil; Bamborough, Sharon  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus,

Thank you for meeting with me on Thursday and discussing the application for 36- 38 Hanway Street.

As you are aware police have concerns over the history of the venue.  
I was led to believe that the new operator if the licence is granted would not be connected to the previous one.

On Saturday 18<sup>th</sup> October 2014 at 2355 I visited 36-38 Hanway Street as I had reason to believe they were trading without a premises licence.  
Our records show that the company 'Net Bar Limited' went into liquidation on 25/04/14 and the premises licence lapsed.

On attending the venue was open for business and had security on the door. I entered the venue and witnessed alcohol being sold at the bar. I requested to speak with the DPS, but was informed by the manager Jason Cook that the DPS Keith Roach was on holiday.

On speaking with Jason he stated that he believed the licence was still valid and informed me that they were going to refurbish the bar soon. I asked if the bar would be under new management when it reopened and he informed me it would be the same group of individuals that included Keith Roach and himself.

I explained the situation and asked for the venue to be closed immediately. He agreed to a voluntary closure and was informed that the venue could not open until a valid premises licence was in place.

In light of this information and the fact that the venue is situated in the 'West End' stress area police will be maintaining our representation.

If you would like to discuss the matter further please do not hesitate to contact me.

Kind regards

Toby.

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 15 October 2014 17:40  
**To:** Janes, Toby  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

Dear Toby

1300 sounds good. It will just be me and Julian Skeens (Director of JGR) along with Anil Drayan the EHO.

See you there.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



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**From:** Janes, Toby [<mailto:tjanes@westminster.gov.uk>]  
**Sent:** 15 October 2014 16:07  
**To:** Marcus Lavell  
**Cc:** idoxlicensing  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus

I have just returned from holiday so am sorry for the late reply.

I know it is late notice, but I will be available tomorrow from 1300 hours if your client is available.

Kind regards,

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 10 October 2014 10:35  
**To:** Janes, Toby  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

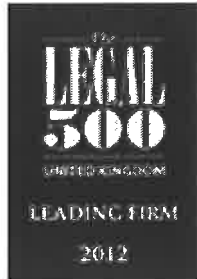
Dear Toby

I have now been able to take instructions and my client would be delighted to meet with you to discuss this matter. I recall you mentioning that you would be on leave, possibly next week. My client can be available on Wednesday or Thursday of next week; would this be possible?

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



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**From:** Janes, Toby [<mailto:tjanes@westminster.gov.uk>]  
**Sent:** 06 October 2014 11:29  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Patterson, Susan  
**Subject:** Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Sir,

Thank you for your update this morning. I look forward to hearing from you once you have had time to consult with your client.

I understand you will be looking for the new licence to mirror the old licence. However, due to the history of the premises and Westminster licensing policy, police would be seeking a fully conditioned restaurant within core hours.

Below are some of the conditions we would expect to see proposed by you.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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.
3. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
4. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

I look forward to hearing from you

Kind regards

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

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Your SVS/Vinyl

Our

Date: 29/09/14



**METROPOLITAN POLICE  
SERVICE  
PC 1275CW Toby Janes**

Westminster Police Licensing Unit  
Westminster City Hall  
Fourth Floor  
64 Victoria Street  
London  
SW1E 6QP

Telephone: 020 7641 3179

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

Dear Sir,

**Application 14/07515/LIPN – Vinyl Bar, 36-38 Hanway Street, W1.**

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the West End Stress Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

Should you wish to discuss the matter further please contact Toby Janes on 0207 641 3179 or via email, [tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)

Yours sincerely,

Toby Janes

Westminster Police Licensing Team



## Bamborough, Sharon

---

**From:** Janes, Toby  
**Sent:** 06 October 2014 11:29  
**To:** 'mcl@jgrlaw.co.uk'  
**Cc:** idoxlicensing; Patterson, Susan  
**Subject:** Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Sir,

Thank you for your update this morning. I look forward to hearing from you once you have had time to consult with your client.

I understand you will be looking for the new licence to mirror the old licence. However, due to the history of the premises and Westminster licensing policy, police would be seeking a fully conditioned restaurant within core hours.

Below are some of the conditions we would expect to see proposed by you.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
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  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
4. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any

faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

I look forward to hearing from you

Kind regards

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

## Bamborough, Sharon

---

**From:** Janes, Toby  
**Sent:** 21 October 2014 11:58  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Keegan, Francis; Drayan, Anil; Bamborough, Sharon  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus,

Thank you for meeting with me on Thursday and discussing the application for 36- 38 Hanway Street.

As you are aware police have concerns over the history of the venue.  
I was led to believe that the new operator if the licence is granted would not be connected to the previous one.

On Saturday 18<sup>th</sup> October 2014 at 2355 I visited 36-38 Hanway Street as I had reason to believe they were trading without a premises licence.  
Our records show that the company 'Net Bar Limited' went into liquidation on 25/04/14 and the premises licence lapsed.

On attending the venue was open for business and had security on the door. I entered the venue and witnessed alcohol being sold at the bar. I requested to speak with the DPS, but was informed by the manager Jason Cook that the DPS Keith Roach was on holiday.

On speaking with Jason he stated that he believed the licence was still valid and informed me that they were going to refurbish the bar soon. I asked if the bar would be under new management when it reopened and he informed me it would be the same group of individuals that included Keith Roach and himself.

I explained the situation and asked for the venue to be closed immediately. He agreed to a voluntary closure and was informed that the venue could not open until a valid premises licence was in place.

In light of this information and the fact that the venue is situated in the 'West End' stress area police will be maintaining our representation.

If you would like to discuss the matter further please do not hesitate to contact me.

Kind regards

Toby.

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [mailto:mcl@jgrlaw.co.uk]  
**Sent:** 15 October 2014 17:40  
**To:** Janes, Toby

---

**TO** Miss Susan Patterson

**REFERENCE** 14/07515/LIPN

---

**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
**REFERENCE** 14/038519/EHCT  
**BEING DEALT WITH BY** Anil Drayan  
**TELEPHONE EXT./E-mail** 02076411774/adrayan@westminster.gov.uk  
**DATE** 2 October 2014

---

**VINYL BAR, 36-38 HANWAY STREET, LONDON, W1T 1UP**

I refer to the application for a new Premises Licence for the above. The premises are located in the West End Stress area as defined in City of Westminster's Statement of Licensing policy.

The applicant has provided Basement and Ground Floor plans of the premises; drawing no LIC 1, dated 4/9/14

**The applicant is seeking the following licensable activities:**

1. The following Regulated Entertainments Indoors on Monday to Saturday between 09:00 to 02:00 hours and Sunday between 09:00 to 23:00 hours
  - Performance of Dance
  - Performance of Live Music
  - Provision of facilities for entertainment of a similar description to making music or dancing
2. Playing of Recorded Music indoors on Monday to Sunday from 00:00 to 00:00 hours
3. Provision of Late Night Refreshment on Monday to Saturday between 23:00 to 02:00 hours
4. Sale by Retail of Alcohol for both On and Off the premises on Monday to Saturday between 09:00 to 02:00 hours and on Sunday between 09:00 to 23:00 hours
5. Non Standard Timings: the above licensing activities allowed from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day and Unrestricted Private Entertainment consisting of dancing or music or other entertainment of a like kind for consideration and with a view to profit.

**I wish to make the following representations in number order as above:**

1. The Regulated Entertainments and for the hours requested will cause Public Nuisance in the West End Stress area.
2. The provision of Recorded Music and for the hours requested will cause Public Nuisance in the West End Stress area.
3. The provision of Late Night Refreshment and for the hours requested will cause Public Nuisance in the West End Stress area
4. The Supply of Alcohol 'On' and 'Off' the premises and for the hours requested will cause Public Nuisance in the West End Stress area.
5. The non- standard timings for the licensable activities requested will cause Public Nuisance in the West End Stress area.

The premises previously operated under Premises Licence 13/00605/LIPVM which I now understand has lapsed and has not been transferred.

However the premises are in the West End Stress Area and Environmental Health considers this to be a new application in the Stress area. Licensing policy considerations will therefore apply which Environmental Health shall ask for the Licensing Sub-Committee to consider for determination. The operation of the previous licence did cause concerns and a synopsis of these shall be provided in due course for information.

This applicant seeks the same licensable activities and offers the same extensive list of conditions as the lapsed licence. However Environmental Health would wish to change some of these conditions and may propose additional conditions to allay its concerns. The applicant is therefore asked to contact the undersigned to discuss these and to arrange a site visit.

Additionally it is proposed that there will be refurbishment of the premises which will have to be assessed for Public Safety on completion. Knowing the previous condition of the premises Environmental Health generally welcomes the proposed refurbishment.

**Representations are made on grounds of Prevention of Public Nuisance, promoting Public Safety and for being against policy in the West End Stress area.**

Please contact me if you require further information or clarification on any of the above.

**Anil Drayan  
Environmental Health Officer**

## Eaton, Sam

---

**From:** Drayan, Anil  
**Sent:** 12 November 2014 09:36  
**To:** Eaton, Sam  
**Cc:** Janes, Toby; Sollars, Jim; Mary Hennessy; Bamborough, Sharon; Marcus Lavell  
**Subject:** RE: Vinyl Bar - Hanway Street

### FAO Sam Eaton, Licensing Officer

Hi Sam

Environmental Health agrees to all the conditions and changes (save for condition 1) in the draft appendix D file: *Apollo\_4836122\_1.DOCX*, submitted by the applicant.

If the Licensing Sub Committee regards this as a new application in the stress area then condition 1 should also apply as well as 'core' hours for licensable activities

regards

Anil Drayan  
Environmental Health Officer  
Environmental Health Consultation Team  
tel/mob 0207 641 1774  
fax 0207 641 3436  
[adrayan@westminster.gov.uk](mailto:adrayan@westminster.gov.uk)  
[www.westminster.gov.uk](http://www.westminster.gov.uk)

**Premises Management  
Westminster City Council  
4F, City Hall  
64 Victoria Street  
London SW1E 6QP**



---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 11 November 2014 15:36  
**To:** Bamborough, Sharon  
**Cc:** Drayan, Anil; Janes, Toby; Sollars, Jim; Mary Hennessy  
**Subject:** Vinyl Bar - Hanway Street  
**Importance:** High

Dear Sharon

Please find attached statement from Les Richards, Director of Vinyl Bars Limited. The statement details the nature of the operation and the steps being taken, in partnership with the police and EHO, to develop appropriate conditions for the promotion of the Licensing Objectives.

With the exception of the "Restaurant" condition (MC66) and a number of conditions that go further than the officers have requested, the Applicant, police and EHO have agreed all conditions and these have been compiled into the attached Draft Appendix D (Annex A of the Statement).

Please note that I have also proposed a small correction to Condition 12 as the prohibition on drinks being taken from the venue has been duplicated and can be found within Condition 13. I have also added "bottles of wine" to the exceptions detailed in Condition 41(a). Given that the exception already includes bottles of champagne and spirits I do not foresee a problem with this but have copied the officers into this email for their comment.

You will see that conditions 41, 42 and 43 now come into effect after 10pm each day. This modification was agreed with the Police and EHO in correspondence earlier today and I attach copies of said correspondence to this email. Jim Sollars, in his response to my email asking for confirmation of the police position, has replied that the requested amendments are agreed. The agreement only extends to the 10pm commencement for conditions 41, 42 and 43 and not the request that said conditions only apply Thursday to Saturday. The Applicant is happy to agree this.

The statement also refers to correspondence (Annex B) between Julian, Toby Janes of the police and Francis Keegan of Westminster Licensing Enforcement. This correspondence is attached above as "Re: Vinyl Bar, 36-38 Hanway Street W1".

Should you have any questions or require anything further please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
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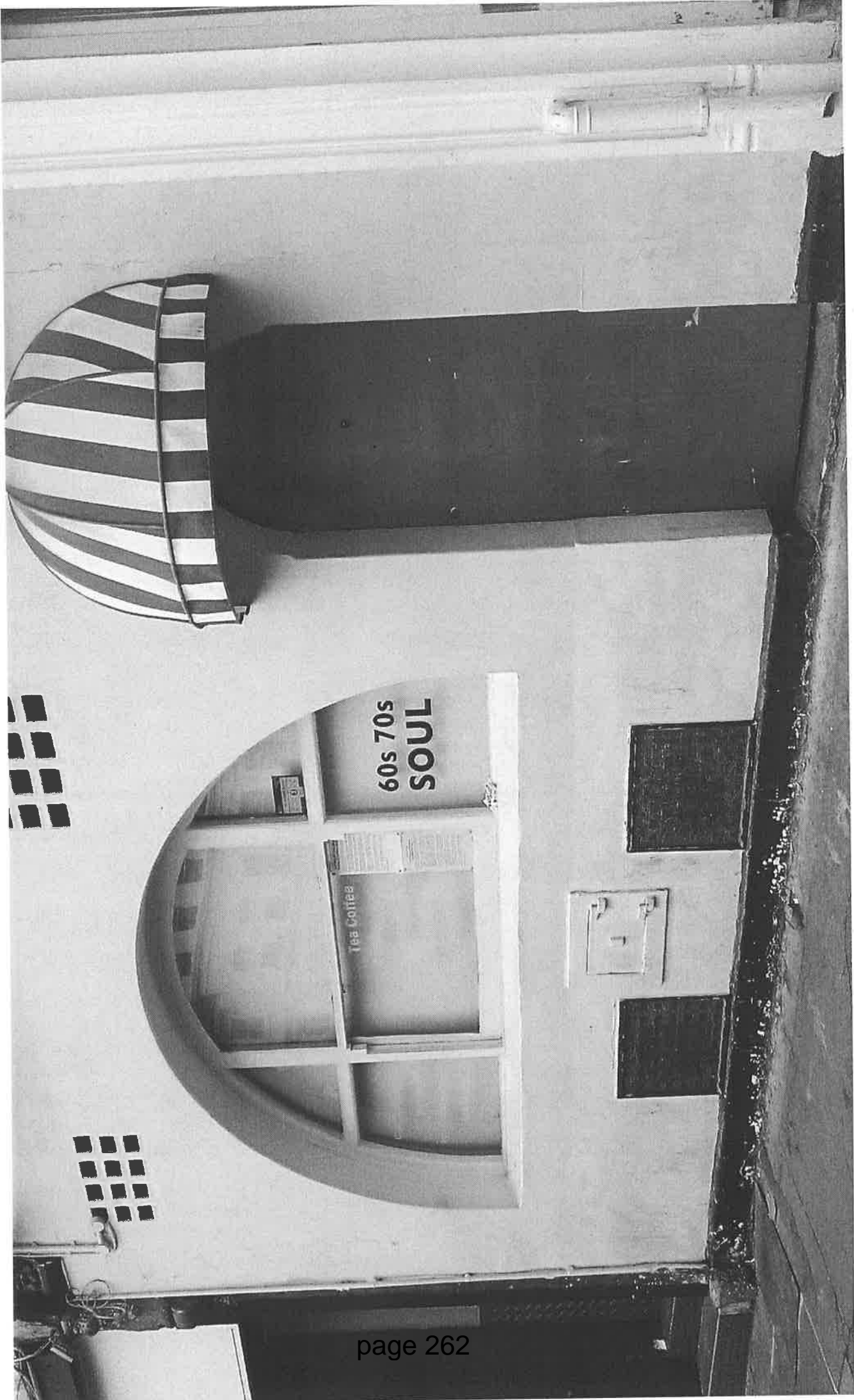


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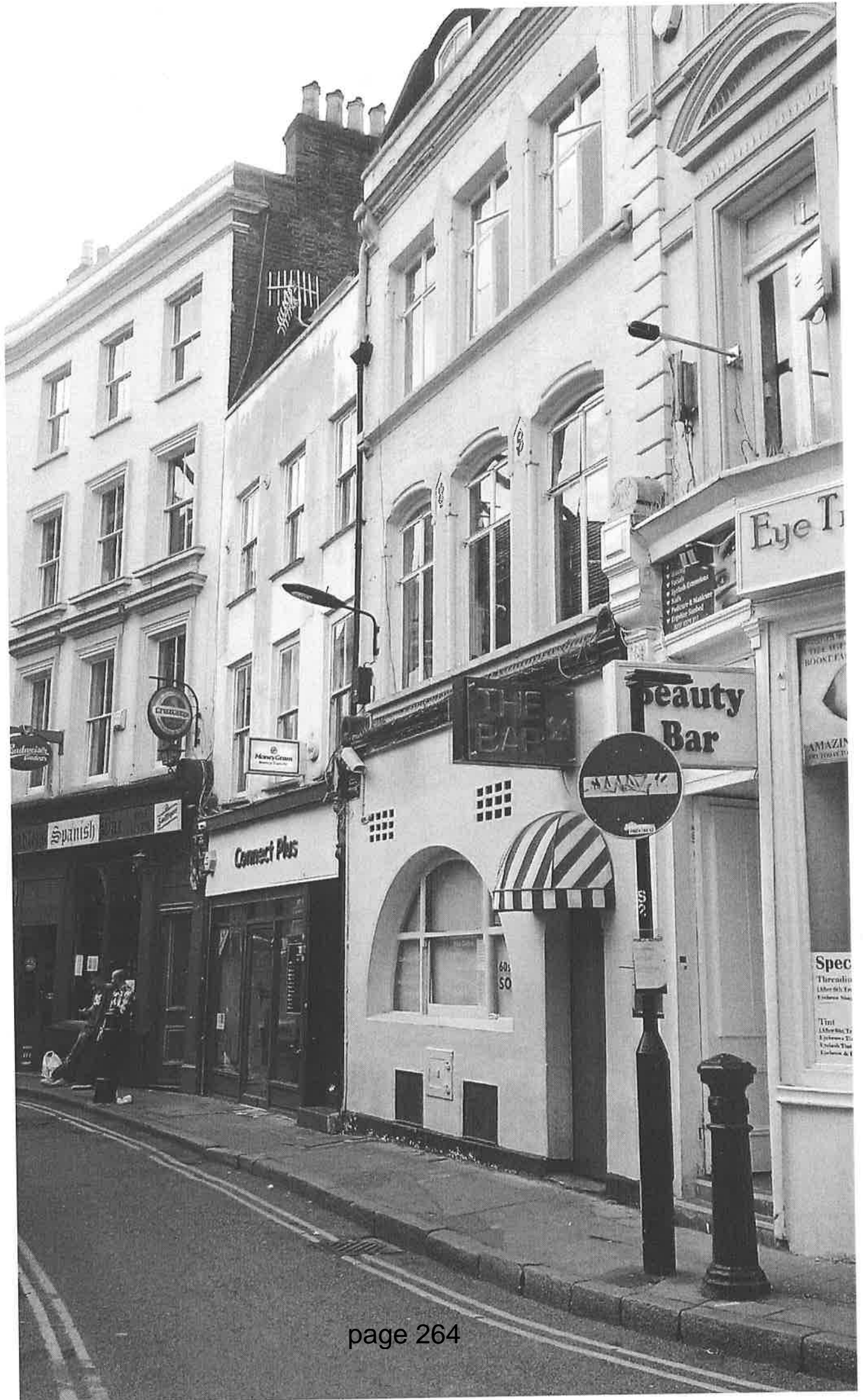
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# Agenda Item 5

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# Agenda Item 6

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