



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 9th November, 2017**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Melvyn Caplan (Chairman)  
Susie Burbridge  
Aziz Toki



**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 via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. 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 Director of Law in advance of the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

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

#### 1. SOHO HOUSE, 40 GREEK STREET, W1

(Pages 1 - 40)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Cumulative Impact Area	Soho House, 40 Greek Street, W1	New Premises Licence	17/09916/LIPN

#### 2. SOHO KITCHEN AND BAR, 19-21 OLD COMPTON STREET, W1

(Pages 41 - 80)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	West End Ward / West End Cumulative	Soho Kitchen And Bar, 19-21 Old	New Premises Licence	17/09943/LIPN

	Impact Area	Compton Street, W1		
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**3. KETTNERS TOWNHOUSE, 29 ROMILLY STREET, W1**

**(Pages 81 - 114)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	Kettners Townhouse, 29 Romilly Street, W1	New Premises Licence	17/09956/LIPN

**4. CAFE BOHEME, BASEMENT AND GROUND FLOOR, 13-17 OLD COMPTON STREET, W1**

**(Pages 115 - 162)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	Cafe Boheme, Basement and Ground Floor, 13-17 Old Compton Street, W1	Premises Licence Variation	17/09953/LIPV

**5. LIBERTY, 25 GREAT MARLBOROUGH STREET, W1**

**(Pages 163 - 194)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number

5.	West End Ward / West End Cumulative Impact Area	Liberty, 25 Great Marlborough Street, W1	Premises Licence Variation	17/10271/LIPV
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**6. KARAOKE BOX, 12-14 MADDUX STREET, W1**

**(Pages 195 - 238)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
6.	West End Ward / West End Cumulative Impact Area	Karaoke Box, 12-14 Maddox Street, W1	New Premises Licence	17/08548/LIPN

**Charlie Parker  
Chief Executive  
2 November 2017**

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.

### **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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Item No:	
Date:	9 November 2017
Licensing Ref No:	17/09916/LIPN - New Premises Licence
Title of Report:	Soho House 40 Greek Street London W1D 4ED
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Yolanda Wade Senior Licensing Officer
Contact details	Telephone: Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	6 September 2017		
<b>Applicant:</b>	Soho House UK Limited		
<b>Premises:</b>	Soho House		
<b>Premises address:</b>	40 Greek Street London W1D 4ED	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a private members club authorising the sale of alcohol and refreshment and the provision of pubic and private entertainment. A new licence application has been applied for to take into account a large scale refurbishment and reconfiguration of the premises. This involves a 2 year refurbishment schedule which involves the premises been shut in the interim.		
<b>Premises licence history:</b>	The premises currently benefits from a premises licence (12/03369/LIPVM) found at Appendix 5 of the report. The full details of the premises licence history can be found at Appendix 2.  The current licence (12/03369/LIPVM) will be surrendered if the application is granted		
<b>Applicant submissions:</b>	None		
<b>Plan</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

The Applicant has amended the terminal hour being applied for in relation to the sale of alcohol and regulated entertainment from 03:30 to 03:00 Monday to Saturday.

1-B Proposed licensable activities and hours							
<b>Regulated Entertainment:</b>							
<b>Exhibition of a Film, Performance of live music, Playing of recorded music, Performance of Dance, Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>							
					<b>Indoors, outdoors or both</b>		Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	10:00	10:00
<b>End:</b>	03:00	03:00	03:00	03:00	03:00	03:00	23:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to						



	British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day (2) one hour before and one hours after a live broadcast of the annual (American) Oscars event.

<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b>	<b>Indoors, outdoors or both</b>	Indoors
<b>Days:</b>	<b>Monday- Sunday</b>	Unrestricted

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day (2) one hour before and one hours after a live broadcast of the annual (American) Oscars event.						

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			On
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	10:00	10:00
<b>End:</b>	03:00	03:00	03:00	03:00	03:00	03:00	23:00
<b>Seasonal variations</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day (2) one hour before and						

	one hours after a live broadcast of the annual (American) Oscars event.
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<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	10:00	10:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	23:00
<b>Seasonal variations</b>		On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00					
<b>Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year’s Eve through to the commencement time for those activities on New Year’s Day (2) one hour before and one hours after a live broadcast of the annual (American) Oscars event.					

## 2. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy CIA1 applies:	<p>(i) It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy MD2 applies:	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours

Policy PB2 applies:	<p>within the Core Hours, under Policy HRS1.</p> <p>It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p>
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### 3. Representations

3-A Responsible Authorities	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	4th October 2017
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	
<b>Responsible Authority:</b>	The Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	15 <sup>th</sup> September 2017
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>I have been through the operating schedule and note your conditions.</p>	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	4 <sup>th</sup> October 2017
<p>I write in relation to the application submitted for a new premises licences for Kettners Townhouse, Soho House and Cafe Boheme.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how</p>	

the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered. The applicants will need to justify how the premises, if granted to will not add to the cumulative impact CIP1. The Licensing Authority has met with the applicant, and other relevant authorities to promote the licensing objectives and address policy concerns. The applications seek to offer a range of licensing activities and times which will replace existing licences which have not traded for 2 years.

We look forward to working with the applicant to add conditions and amend the applications where appropriate.

### 3-B Other Persons

<b>Received:</b>	3 <sup>rd</sup> October 2017
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I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance and prevention of crime and disorder in the West End Cumulative Impact Area.

#### **About The Soho Society**

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

#### Application summary

Film: 08.00 - 03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-03.30 Sun

Live music: 08.00-03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-23.00 Sun

Recorded music: 08.00-03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-23.00 Sun

Performance of Dance: 08.00-03.30 Mon-Fri. 08.00-03.00 Sat. 10.00-23.00 Sun

Anything similar: 08.00-03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-23.00 Sun

Supply of alcohol: 08.00-03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-23.00 Sun

Hours open to the public: 08.00-03.30 Mon-Fri. 10.00-03.30 Sat. 10.00-23.00 Sun

## **The Application**

Firstly, it is not clear from the face of the application what the changes are with respect to the current licence, it would have been helpful if the applicant had given an indication of the net effect of the application rather than interested parties having to determine this themselves, and furthermore the lack of plans on the website makes it difficult to determine layout and especially in relation to increases in capacity which is directly relevant to 'cumulative impact'.

With reference to the current premises licence, the overall effect of the new application is as follows,

- o increase in hours for sale of alcohol from 03.00 to 03.30
- o increase in hours for regulated activity on the ground floor from 01.00 to 03.30
- o and 03.00 elsewhere to 03.30

A condition on the current licence states the supply of alcohol on the roof terrace is only waiter/ess service to persons seated. The new application only mentions waiter service.

The current licence has a condition that there be no access to 19-21 Old Compton Street, this is not mentioned in the new application.

There is no mention of the overall capacity following extensive refurbishment.

There are private homes in nearby buildings, and residents in the surrounding area already subject to noise and general nuisance every night of the week. Greek Street / Old Compton Street is at the heart of Soho's late night economy with numerous restaurants, bars and entertainment establishments, the area is densely populated at night with people drinking on the street creating loud levels of noise, disturbance and anti social behaviour this is compounded by pedicabs parked outside premises playing amplified music adding to the noise nuisance. Over the past few years Soho has seen a significant increase in crime and disorder and in particular drug dealing and drug taking on the streets. The Greek Street intersection with Romilly Street is the favoured position for drug dealers to loiter and sell drugs, these and the surrounding streets are at the centre of criminal activity which is attracted by the night time economy and high numbers of intoxicated people. The proposed extended terminal hour will fail to promote the licensing objectives and therefore we feel it is necessary to keep to the current licensed operating hours and conditions with no increase in capacity.

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the

community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application.

<b>Received:</b>	4 <sup>th</sup> October 2017
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3:37 PM on 04 Oct 2017 I would object to any extension of hours beyond those in the previous licence. These premises are within the cumulative impact zone. This area already has problems with crime and disorder, including but not limited to antisocial behaviour associated with drug dealing/use, robbery, etc. It is a residential area, and there is noise associated with people leaving premises, pedicabs (playing music) who position themselves outside licensed premises.

<b>Received:</b>	1 <sup>st</sup> October 2017
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4:59 PM on 01 Oct 2017 I wish to object to this application in the strongest possible terms. Granting this licence will vastly and adversely affect my quality of life. Their old licence was bad enough, this will be intolerable. It is not just the time to which they can serve but afterwards the egress of customers onto the street and the assoc noise, the pedicabs this attracts ( usually with amplified sound system attached) and the probable increase in street crime and drug dealing which I have witnessed as prevalent outside late venues in Soho. The noise pollution from this premise historically was invasive and sleep affecting, when they return I had hoped for conditions limiting this ( prohibition of open windows etc) not for a proposed even longer exposure.

#### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Pre- Application Report
<b>Appendix 5</b>	Copy of Existing Licence (12/03369/LIPVM)
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Ms Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 1872 email: ywade@westminster.gov.uk

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

<b>Background Documents – Local Government (Access to Information) Act 1972</b>		
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Application Form	6 <sup>th</sup> September 2017
<b>5</b>	The Metropolitan Police Service- Representation	15 <sup>th</sup> September 2017
<b>6</b>	The Environmental Health Service - Representation	4 <sup>th</sup> October 2017
<b>7</b>	The Licensing Authority- Representation	4 <sup>th</sup> October 2017
<b>8</b>	The Soho Society- Representation	3 <sup>rd</sup> October 2017
<b>9</b>	Representation	4 <sup>th</sup> October 2017
<b>10</b>	Representation	1 <sup>st</sup> October 2017

**Applicant Supporting Documents**  
(None)

Appendix 1



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
<b>05/06896/LIPCV</b>	Conversion application	30.09.2005	Granted by Licensing Sub-Committee
<b>09/03297/LIPDPS</b>	Application for a variation of the DPS	03.06.2009	Granted under delegated authority
<b>09/05218/LIPV</b>	Application to vary the layout of the premises	01.09.2009	Granted under delegated authority
<b>10/03679/LIPDPS</b>	Application for a variation of the DPS	23.07.2010	Granted under delegated authority
<b>12/02194/LIPDPS</b>	Application for a variation of the DPS	11.04.2012	Granted under delegated authority
<b>12/03369/LIPVM</b>	Application for a minor variation to vary existing condition 73 of the premises licence	11.05.2012	Granted under delegated authority

**There is no appeal history**

**Temporary Event Notices**

<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
Temporary Event Notice	26.04.2012	Notice allowed

**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 premises 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

### **Conditions proposed by Applicant as part of the operating schedule**

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
11. A 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.
12. There shall be a personal licence holder on duty on the premises, Thursday to Saturday from 9pm until close, when the premises are authorised to sell alcohol.
13. 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.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Loudspeakers shall not be located outside the premises building.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

17. 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.
18. 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 upon request.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting

25. 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
26. 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.
27. 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.
28. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
33. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime
34. Alcohol may only be sold for consumption by (a) members of a private club and their bona fide guests, not exceeding 4 guests per member, and / or (b) by persons attending any private pre-booked event, by invitation only, organised by a member with a guest list provided in advanced which will be retained for a period of 31 days following the event and be made available for inspection by the relevant authorities.
35. No persons 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. A member's guest(s) may not enter the club without the member being present.
36. 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/electronic record showing the names and dates of attendance of any guests introduced by members. Both the list and the book/electronic record shall be produced on demand for inspection by the police or an authorised officer of the Council.

37. 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.
38. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1) the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day (2) one hour before and one hours after a live broadcast of the annual (American) Oscars event.
39. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
40. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
41. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
42. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.
43. All deliveries shall take place either at the Greek Street entrance or via the fire exit on Old Compton Street.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
45. Waiter / waitress service shall be available throughout the whole of the premises.
46. Members of any private club operated by Soho House UK Ltd. must comply with the Soho House membership rules applicable at Soho House Greek Street, a current version of which must be kept on the premises at all times and be made available for immediate inspection by the responsible authorities.
47. The licensable activities authorised by this licence can only be carried on at this premises by Soho House UK Ltd.
48. The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment **at all times.**  
**(Amended following meeting with EH/Police)**



49. The reception desk on the ground floor shall be staffed at all times the premises are in operation.
50. 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.
51. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
52. All windows and external doors shall be kept closed after 23:00 hours or at any time when regulated entertainment takes place, or except for the immediate access and egress of persons or in case of an emergency.  
**(Amended following meeting with EH/Police)**
53. The supply of alcohol on the terraces shall be by waiter or waitress service only.
54. There shall be no regulated entertainment permitted on the 4<sup>th</sup> floor terrace.
55. No licensable activities shall take place at the premises until premises licence xxxx/xxxxxx/xxxx (or such other number subsequently issued for the premises) has been surrendered.
56. The Licence will have no effect until the Licensing Authority are satisfied that the premises are 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.
57. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.



**City of Westminster**

Officer Name: Dave Nevitt  
 Designation: EHO  
 Date: 5.9.2017  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
  
 Uniform Reference: 16/05872/PREAPM

Trading name of business and Address: <b>SOHO HOUSE, 40 Greek Street</b>		
Licence: 12/03369/LIPMV	Applicant: Lana Tricker lana@lflaw.co.uk	Cumulative Impact Area: <b>WEST END</b>
Type of Business: <b>PRIVATE MEMBERS CLUB</b>		
<p><b><u>PROPOSED:</u></b></p> <p>The original pre-app advice was for:</p> <p><i>'Current licence for Soho House is 12/03369/LIPMV                  The client has also acquired the premises licence for Kettners (11/06536/LIPDPS) next door and this licence will be surrendered as the Kettners space will be incorporated into the new Soho House scheme.                  Operation will not change as a result of this application- it will remain as a private members club. Discussion as to a new licence application, to take into account a large scale refurbishment and reconfiguration of the premises- 2 year refurbishment schedule is planned and premises is shut in the interim.'</i></p> <p><b><u>EH COMMENTS:</u></b></p> <p>This is a major refurbishment scheme which involves the following Licensed premises:</p> <p><b>SKB, 19-21 Old Compton Street                  Café Boheme, 13-17 Old Compton Street                  Kettners, 29 Romilly Street                  Soho House, 40 Greek Street</b></p> <p>The applicant has sought detailed advice from EH, District Surveyor, and LFB (David Doyle). A Public Safety/Fire Strategy scheme for each of the affected premises has been discussed and agreed. This has resulted in a set of floor plans for each premises which are acceptable to EH, District Surveyor, and London Fire Brigade.</p> <p>The applicant wishes to make applications for <u>New Premises Licenses</u> and <u>Variations</u> to replace current and existing Licenses:</p> <p><b>Café Boheme – <u>variation</u> as we are only tidying up the conditions                  SKB – demise is slightly changed so it will need to be a <u>new application</u>                  Kettners and Soho House – <u>new applications</u></b></p>		

From an EH perspective, this is an opportunity to improve the physical build and internal arrangements of each of the premises and to bring the public safety arrangements up to modern standards. It is also an opportunity for better regulation as more up to date Model Conditions are brought to bear and existing Licences are tidied up.

The applicant will submit the recently agreed floor plans for each premises and a number of proposed Conditions for each Licence application.

It will be for the applicant to show that there will be no increase in Cumulative Impact in the West End CIA. In this regard, it is noted that the current Licences already allow for many licensable activities to take place well beyond the Core Hours as defined in the City Council's Licensing Policy. It will be for the applicant to explain in detail to the Licensing Committee the comparison between the existing permitted hours and what is sought by way of New Applications or Variations.

The applicant has submitted a list of Proposed Conditions for each of the premises and these are broadly acceptable to EH. Some of the existing conditions have been repeated in the proposals and some new Model Conditions have been added. It should be noted that the Police are likely to seek additional conditions, for example for age verification. Again, this will be the subject of discussion at the Committee Hearing.

**THE APPLICATIONS WILL BE ADJUDICATED AT A HEARING OF THE LICENSING SUB COMMITTEE THE APPLICATION WILL BE DETERMINED IN RELATION TO THE CITY COUNCIL'S LICENSING POLICIES AND IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.**

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.



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

Schedule 12  
Part A

WARD: West End  
UPRN: 200001888645

**Premises licence**

Regulation 33, 34

<b>Premises licence number:</b>	12/03369/LIPVM
<b>Original Reference:</b>	05/06896/LIPCV

**Part 1 – Premises details**

<b>Postal address of premises:</b>  Soho House 40 Greek Street London W1D 5JJ
<b>Telephone Number:</b> 020 7734 5188

<b>Where the licence is time limited, the dates:</b>  Not applicable
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<b>Licensable activities authorised by the licence:</b>  Performance of Dance Provision of facilities for Dancing Exhibition of a Film 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
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<b>The times the licence authorises the carrying out of licensable activities:</b>	
<b>Performance of Dance</b>	
Monday to Saturday:	09:00 to 01:00 (Ground Floor)
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 23:00
Sundays before Bank Holidays:	09:00 to 00:00
Non-standard Timings: See condition 85	
<b>Provision of facilities for Dancing</b>	
Monday to Saturday:	09:00 to 01:00 (Ground Floor)
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 23:00
Sundays before Bank Holidays:	09:00 to 00:00
Non-standard Timings: See condition and 81	

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00 (Third Floor)  
 Sunday: 09:00 to 18:00 (Third Floor)  
 Non-standard Timings: See condition 85

**Provision of facilities for making Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
 Monday to Saturday: 09:00 to 03:00  
 Sunday: 09:00 to 23:00  
 Sundays before Bank Holidays: 09:00 to 00:00  
 Non-standard Timings: See condition 85

**Performance of Live Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
 Monday to Saturday: 09:00 to 03:00  
 Sunday: 09:00 to 23:00  
 Sundays before Bank Holidays: 09:00 to 00:00  
 Non-standard Timings: See condition 85

**Playing of Recorded Music**

Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
 Monday to Saturday: 09:00 to 03:00  
 Sunday: 09:00 to 23:00  
 Sundays before Bank Holidays: 09:00 to 00:00  
 Non-standard Timings: See condition 85

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
 Monday to Saturday: 09:00 to 03:00  
 Sunday: 09:00 to 23:00  
 Sundays before Bank Holidays: 09:00 to 00:00  
 Non-standard Timings: See condition 85

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30  
 Non-standard Timings: See condition 85

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00  
 Sunday: 12:00 to 22:30  
 Non-standard Timings: See condition 85

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 & 3*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
 Sunday: 09:00 to 23:00  
 Sundays before Bank Holidays: 09:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho House UK Ltd  
72 - 74 Dean Street  
London  
W1D 3SG

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

2864389

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

**Name:** Mr Joseph Eva

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** Pers 373  
**Licensing Authority:** London Borough of Lambeth

**Date:** 18<sup>th</sup> May 2012

**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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
5. (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.
6. 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).

7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
8.
  - (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.
9. 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

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

**Conditions relating to Public 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 ground floor of the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 1am on the day following and the first to fourth floors of the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following.
13. There shall be no internal public access between the ground floor (and basement) of 19-21 Old Compton Street W1 and the remainder of the premises, except in the event of an emergency.
14. An attendant shall be stationed in the vicinity of the cloakroom situated adjacent to the first floor landing on the main staircase (leading to the upper floors).
15. All open fires shall be enclosed by a fire guard approved by the Council whilst the premises are in use under this licence.
16. No amplified musical instruments or voices to be employed.



17. All window frames and glazing shall be repaired, leaving them in sound well fitting order. The windows shall then be sealed so as to be airtight.
18. Live music (provided by a group comprising no more than five musicians) shall only be provided one floor of the premises at a time.
19. No noise nuisance is to be caused to the occupants of any other premises in the locality.
20. The floors of the premises are to be suitably adapted so as to avoid transmission of structure-borne sound and vibration to the external walls.
21. Silence notices shall be placed by the exits warning patrons that the premises are in the proximity of residential premises and requesting them to make an orderly exit.
22. The existing sound system shall not be altered or modified without approval of the Environmental Health Officer.
23. A sound limiter device shall be fitted to the sound system shall be set to the levels agreed by the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
24. No additional sound generation equipment shall be used on the premises without being routed through the sound limiter device.
25. All staff, including those used for the supervision of toilets and door supervisors, shall receive in-house training in drug misuse issues.
26. Signage to be placed prominently in the reception area and in the toilets indicating a zero tolerance to drug use or supply at the premises and stating that offenders will be handed over to the Police.
27. Drug identification material to be displayed in all staff areas.
28. A letter to be sent to all members each year advising them of the rules of membership in regards to drugs.
29. No more than one person at a time to be allowed into each toilet cubicle.
30. Random handbag searches to be conducted at the entrance to the premises.
31. All toilets are to be renovated so that all flat surfaces are eradicated. This work is to be approved by a Crime Prevention Officer prior to work being carried out and cleared within three months of completion.
32. Each toilet section to be visited and monitored by a dedicated valet at least once every fifteen minutes during the hours the premises are in operation.
33. Membership of Soho House to include zero tolerance policy on drugs misuse.
34. All children's functions on the premises are to take place in a room or rooms designated for the particular function and so dedicated for the duration of the function during which it/they will be supervised by a member of staff whose sole responsibility will be to oversee guests attending the function in question.
35. A toilet is to be reserved for the sole use of children (and accompanying adults) being the single toilet on the fourth floor or such other toilet as may from time to time be agreed in writing by the Police.

36. All external windows shall be fixed shut after 11pm on any day of the week.
37. All external doors shall remain closed, except for immediate access and egress, after 11pm on any day of the week.
38. The number of persons accommodated (excluding staff) at the premises shall not exceed: Ground Floor - 120, First Floor - 90, Second Floor - 180, Third Floor - 100, Fourth Floor - 70.

**Conditions relating to Exhibition of Films**

39. This licence (or certificate) will be subject to any restrictions imposed on the use of the premises by any of the provisions contained in the former Cinematograph (Safety) Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.
40. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from midnight on each of the days Monday to Saturday to 3am on the day following.
41. The Sunday films permission shall not extend beyond 6pm.
42. The use of the premises under this licence shall remain as an ancillary part of the lawful private members club use.
43. An attendant shall be stationed in the vicinity of the cloakroom situated adjacent to the first floor landing on the main staircase (leading to the upper floors).
44. All open fires shall be enclosed by a fire guard approved by the Council whilst the premises are in use under this licence.
45. No amplified musical instruments or voices to be employed.
46. All window frames and glazing shall be repaired, leaving them in sound well fitting order. The windows shall then be sealed so as to be airtight.
47. No noise nuisance is to be caused to the occupants of any other premises in the locality.
48. The floors of the premises are to be suitable adapted so as to avoid transmission of structure-borne sound and vibration to the external walls.
49. Silence notices shall be placed by the exits warning patrons that the premises are in the proximity of residential premises and requesting them to make an orderly exit.
50. The existing sound system shall not be altered or modified without the approval of the Environmental Health Officer.
51. A sound limiter device shall be fitted to the sound system shall be set to the levels agreed by the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
52. No additional sound generation equipment shall be used on the premises without being routed through the sound limiter device.
53. All staff, including those used for the supervision of toilets and door supervisors, shall receive in-house training in drug misuse issues.

54. Signage to be placed prominently in the reception area and in the toilets indicating a zero tolerance to drug use or supply at the premises and stating that offenders will be handed over to the Police.
55. Drug identification material to be displayed in all staff areas.
56. A letter to be sent to all members each year advising them of the rules of membership in regards to drugs.
57. No more than one person at a time to be allowed into each toilet cubicle.
58. Random handbag searches to be conducted at the entrance to the premises.
59. Each toilet section to be visited and monitored by a dedicated valet at least one every fifteen minutes during the hours the premises are in operation.
60. Membership of Soho House to include zero tolerance policy on drug misuse.
61. All children's functions on the premises are to take place in a room or rooms designated for the particular function and so dedicated for the duration of the function during which it/they will be supervised by a member of staff whose sole responsibility will be to oversee guests attending the function in question.
62. A toilet is to be reserved for the sole use of children (and accompanying adults) being the single toilet on the fourth floor or such other toilet as may from time to time be agreed in writing by the Police.
63. All external windows shall be fixed shut after 11pm on any day of the week.
64. All external doors shall remain closed, except for immediate access and egress, after 11pm on any day of the week.
65. During the whole time that children are on the premises (a) a trained able-bodied attendant shall be stationed in the vicinity of each exit from any level of the auditorium occupied by children; (b) the minimum number of trained able-bodied attendants within the auditorium shall be either as required by special condition 58(a) above or as follows, whichever is the greater number; (1) Floor of auditorium which is the lowest level and of which no part is more than 10 feet above or below the level of any street into which the exits from such floor discharge; One attendant to every 100 children or part of 100 children. (2) Other floors : One attendant to every 50 children or part of 50 children.
66. No child shall be permitted in the front row of the balcony.
67. Standing shall not be permitted during the exhibitions.
68. No person shall be employed at the premises by any employer on any Sunday in connection with film entertainment or any other entertainment or exhibition given therewith who has been employed on each of the six previous days either by that employer in any occupation or by any other employer in connection with similar entertainments or exhibitions. For the purposes of this condition 'employed' shall include service voluntarily given or duties gratuitously performed.
69. A notice to the effect of the foregoing condition shall be prominently displayed in a position or positions in which it can be easily seen and read by all the staff engaged at the premises.

#### **Conditions for Sale of Alcohol**

70. 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.
71. No striptease, no nudity and all persons on the premises to be decently attired.
72. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
73. In respect of the premises, alcohol will not be sold or supplied to persons admitted to the premises, other than to:
  - a) Members of the club and their bona fide guests meeting at the premises. A legible list of members who have attended will be kept at reception for 31 days and shall be available for inspection by any of the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between nomination or application for membership and admission. It shall be a requirement of membership that Members shall be able to identify their bona fide guests by name at all times and names of guests shall be able to be provided to the responsible authorities within reasonable time of any request for details being given to the premises.
  - b) Artistes and persons employed on the premises.
  - c) Any person attending a private function at the premises, a list of whom will be held at reception for inspection by any of the relevant authorities.
74. A copy of the club rules will be lodged with both the police and Licensing Justices. Any substantial changes to the said rules will be subject to approval from the police and the Licensing Justices.
75. There shall be no internal public access between the premises on the first, second, third and fourth floors (presently known as Soho House) and the ground floor and basement (presently known as Boheme Kitchen and Bar) at 19-21 Old Compton Street, W1 except in the event of an emergency.
76. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority.
77. On the roof terrace, intoxicating liquor shall only be sold and supplied by waiter/waitress service to those persons seated at tables.
78. A barrier is to be constructed and maintained to prevent objects falling from the roof terrace.
79. The maximum number of persons, including staff, to be present on the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified (including staff) are: 1st floor - 122, 2nd floor - 208, 3rd floor - 108 and 4th floor - 32.

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

##### **Conditions for Sale of Alcohol**

**Monday to Saturday:**

80. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 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 03.00, 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 04.00 for references to 03.00.
  - (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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:**

81. Alcohol may be sold or supplied:

- (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).
- (a) during the first thirty 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.

82. 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 the premises licence:
- (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.
83. 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**

84. The venue 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 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 made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

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

85. On no more than 15 occasions per calendar year (and in lieu of Temporary Event Notices), following 10 working days notice to the Licensing Authority and the Police (or such lesser time as may be agreed with the police), where the hour for the provision of licensable activities is restricted, the hours currently provided at the premises may be extended to such a time as may be agreed with the Police, the Police having power to veto any such occasions.
86. Children under 16 shall be permitted on the premises subject to being accompanied by an adult, being off the premises by 21:00 or by 21:30 if taking a table meal
87. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises directly off the street.
89. When payment is made by credit card, customers are to be presented with an itemised bill showing the details of all alcoholic drinks.



**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 200001888645

Premises licence  
summary

Regulation 33, 34

Premises licence number:

12/03369/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Soho House  
40 Greek Street  
London  
W1D 5JJ

**Telephone Number:** 020 7734 5188

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Exhibition of a Film  
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 01:00 (Ground Floor)
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 23:00
Sundays before Bank Holidays:	09:00 to 00:00

Non-standard Timings: See condition 85

**Provision of facilities for Dancing**

Monday to Saturday:	09:00 to 01:00 (Ground Floor)
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 23:00
Sundays before Bank Holidays:	09:00 to 00:00

Non-standard Timings: See condition and 81

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00 (Third Floor)  
Sunday: 09:00 to 18:00 (Third Floor)

Non-standard Timings: See condition 85

**Provision of facilities for making Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: See condition 85

**Performance of Live Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: See condition 85

**Playing of Recorded Music**

Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: See condition 85

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: See condition 85

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30

Non-standard Timings: See condition 85

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00  
Sunday: 12:00 to 22:30

Non-standard Timings: See condition 85

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1& 3*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
Sunday: 09:00 to 23:00  
Sundays before Bank Holidays: 09:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Soho House UK Ltd  
72 - 74 Dean Street  
London  
W1D 3SG

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

2864389

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

**Name:** Mr Joseph Eva

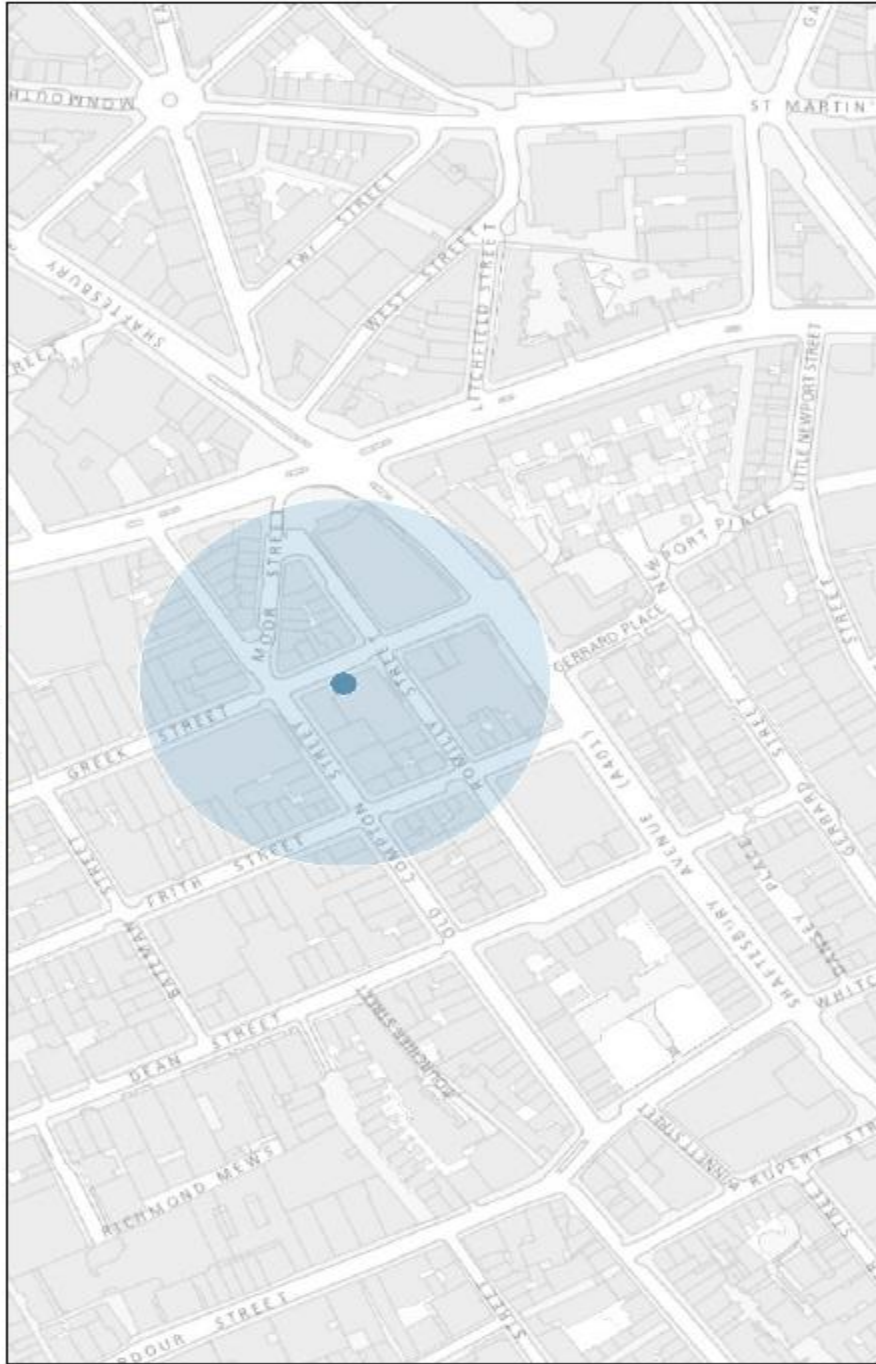
**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 18<sup>TH</sup> May 2012

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

Soho House 40 Greek Street



October 26, 2017

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**Resident Count: 95**

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Item No:	
Date:	9 November 2017
Licensing Ref No:	17/09943/LIPN - New Premises Licence
Title of Report:	Soho Kitchen And Bar 19-21 Old Compton Street London W1D 5JJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 76411872 Email: ywade@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	6 September 2017		
<b>Applicant:</b>	Soho House UK Limited		
<b>Premises:</b>	Soho Kitchen And Bar		
<b>Premises address:</b>	19-21 Old Compton Street London W1D 5JJ	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a diner/bar. A new licence application has been applied for to take into account a large scale refurbishment and reconfiguration of the premises. This involves a 2 year refurbishment schedule which involves the premises been shut in the interim.		
<b>Premises licence history:</b>	The premises benefits from a premises (15/04634/LIPDPS) which can be found at Appendix 6 of the report. The licence will be surrendered if the application is granted.		
<b>Applicant submissions:</b>	None		
<b>Plans:</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

1-B Proposed licensable activities and hours							
<b>Exhibition of Films, Playing of recorded music</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	03:00	03:00	03:00	03:00	03:00	03:00	23:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day						

<b>Performance of live music, Performance of dance, anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00



<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	23:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day						

<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b>	<b>Indoors, outdoors or both</b>	Indoors
<b>Days:</b>	<b>Monday- Sunday</b>	Unrestricted

<b>Late Night Refreshment:</b>	<b>Indoors, outdoors or both</b>							Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	01:00	01:00	01:00	03:00	03:00	03:00	00:00	
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00							
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day							

<b>Sale by retail of alcohol</b>	<b>On or off sales or both:</b>							Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	
<b>Start:</b>	09:00 10:00	09:00 10:00	09:00 10:00	10:00 10:00	10:00 10:00	10:00 10:00	11:00	
<b>End:</b>	01:00(on) 01:00(off)	01:00(on) 01:00(off)	01:00(on) 01:00(off)	03:00(on) 01:00(off)	03:00(on) 01:00(off)	03:00(on) 01:00(off)	23:30 (on and off)	
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00							
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on							

	New Year's Eve through to the commencement time for those activities on New Year's Day
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Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	24:00
<b>Seasonal variations:</b>		On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00					
<b>Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	4 <sup>th</sup> October 2017
<p>I write in relation to the application submitted for a new premises licence.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered. The policy states at MD2 that it is the Licensing Authorities to refuse applications unless they are to vary to within core hours. This applications seeks to go beyond core hours as defined at HRS1 and as such an exemption to policy needs to be given. We are concerned that the conditions offered do not appropriately address the concern around vertical drinking in the cumulative impact area.</p>	

<b>Responsible Authority:</b>	The Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	21 <sup>st</sup> September 2017

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.

The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	4 <sup>th</sup> October 2017

I wish to make Representations on the following grounds:  
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety

<b>2-B Other Persons</b>	
<b>Received:</b>	4 <sup>th</sup> October 2017
<p>3:32 PM on 04 Oct 2017 I would object to any extension of hours beyond those in the previous licence. These premises are within the cumulative impact zone. This area already has problems with crime and disorder, including but not limited to antisocial behaviour associated with drug dealing/use, robbery, etc. It is a residential area, and there is noise associated with people leaving premises, pedicabs (playing music) who position themselves outside licensed premises. I would ask that the application for the extra hours be refused.</p>	
<b>Received:</b>	1 <sup>st</sup> October 2017
<p>5:02 PM on 01 Oct 2017 I wish to object to this application in the strongest possible terms. Granting this licence will vastly and adversely affect my quality of life. Their old licence was bad enough, this will be intolerable. It is not just the time to which they can serve but afterwards the egress of customers onto the street and the assoc noise, the pedicabs this attracts ( usually with amplified sound system attached) and the probable increase in street crime and drug dealing which I have witnessed as prevalent outside late venues in Soho. The noise pollution from this premise historically was invasive and sleep affecting, when they return I had hoped for conditions limiting this (prohibition of open windows etc) not for a proposed even longer exposure.</p>	

**Received:**

4<sup>th</sup> October 2017

I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.

### ***About The Soho Society***

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

#### Application summary

The application is described in Westminster Licensing News (September 2017) as follows:

Film: 09.00 - 03.00 Mon -Sat. 0.9.00 - 23.00 Sun

Live music: 09.00 - 01.00 Mon -Sat. 0.9.00 - 23.00 Sun

Recorded music: 09.00 - 03.00 Mon -Sat. 0.9.00 - 23.00 Sun

Performance of dance: 09.00 - 01.00 Mon -Sat, 0.9.00 - 23.00 Sun

Anything similar: 09.00 - 01.00 Mon -Sat. 0.9.00 - 23.00 Sun

Late night refreshment: 23.00 - 01.00 Mon - Wed. 23.00 - 03.00 Thurs - Sat.

23.00 - 00.00 Sun

Supply of alcohol: 09.00 - 01.00 (on), 10.00 - 01.00 (off) Mon - Weds. 10.00 - 03.00 (on), 10.00 - 01.00 (off) Thurs - Sat. 11.00 - 23.30 (on and off) Sun

### ***The Application***

Firstly, it is not clear from the face of the application what the changes are with respect to the current licence, it would have been helpful if the applicant had given an indication of the net effect of the application rather than interested parties having to determine this themselves, and furthermore the lack of plans on the website makes it difficult to determine layout and especially in relation to increases in capacity which is directly relevant to 'cumulative impact'.

With reference to the current premises licence, the overall effect of the new application is a significant extension of hours in the basement this being,

- 1am Mon-Weds (currently midnight)
- 3am Thurs-Sat (currently midnight)
- there are similar increases for regulated entertainment and late night refreshment

A condition on the current licence states that in the basement after 11pm alcohol is ancillary to a table meal, this is not replicated in the new application.

A condition on the current licence states there will be an admission fee of £5 Mon -Thurs and £7 Fri - Sat for music and dance, this is not replicated in the new application.

The current licence has a condition that there be no access to 19-21 Old Compton Street,

this is not mentioned in the new application.

There is no mention of the capacity in the basement.

There are private homes in nearby buildings, and residents in the surrounding area already subject to noise and general nuisance every night of the week. Old Compton Street is at the heart of Soho's late night economy with numerous restaurants, bars and entertainment establishments, the area is densely populated at night with people drinking on the street creating loud levels of noise, disturbance and anti social behaviour this is compounded by pedicabs parked outside premises playing amplified music adding to the noise nuisance. Over the past few years Soho has seen a significant increase crime and disorder and in particular drug dealing and drug taking on the streets, Old Compton Street is at the centre of this and other criminal activity which is attracted by the night time economy and high numbers of intoxicated people. The proposed extended terminal hour in the basement and in general will fail to promote the licensing objectives and therefore we feel it is necessary to keep to the current licensed operating hours and conditions with no increase in capacity.

### ***Licensing policy***

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application.

### **3. Policy & Guidance**

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

Policy CIA1 applies:

- (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in

Policy HRS1 applies:	the Cumulative Impact Areas.  (i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy MD2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

#### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Copy of Pre -Application Report
<b>Appendix 5</b>	Copy of Existing Licence
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017

<b>4</b>	Application Form	6 <sup>th</sup> September 2017
<b>5</b>	The Metropolitan Police Service Representation	21 <sup>st</sup> September 2017
<b>6</b>	The Licensing Authority Representation	4 <sup>th</sup> October 2017
<b>7</b>	The Environmental Health Service Representation	
<b>8</b>	Representation	1 <sup>st</sup> October 2017
<b>9</b>	Representation	4 <sup>th</sup> October 2017
<b>10</b>	The Soho Society Representation	4 <sup>th</sup> October 2017

**Applicant Supporting Documents**  
(None)

Appendix 1



## Premises History

## Appendix 2

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
<b>05/06824/LIPCV</b>	Conversion application	28.09.2005	Granted by Licensing Sub-Committee
<b>07/00242/LIPDPS</b>	Application for a variation of the DPS	24.01.2007	Granted under delegated authority
<b>07/04260/LIPDPS</b>	Application for a variation of the DPS	31.05.2007	Granted under delegated authority
<b>07/06976/LIPV</b>	Application seeking to vary the premises: 1. To extend the permitted hours for the retail of alcohol until 03:00 Thursday, Friday & Saturday.  2. To extend the permitted hours for regulated entertainment including live music, dance, anything of a similar nature and facilities for music and dancing until 03:00 Thursday, Friday & Saturday. 3. To extend the permitted hours for late night refreshment until 03:00 on Thursday, Friday & Saturday  4. To vary conditions 8 & 39 to reflect the change in hours. 5. To remove conditions 40 & 41 and replace with "no unaccompanied children in the premises after 21:00"	23.07.2010	Granted under delegated authority
<b>09/02213/LIPDPS</b>	Application for a variation of the DPS	16.04.2009	Granted under delegated authority

<b>10/04743/LIPDPS</b>	Application for a variation of the DPS	13.08.2010	Granted under delegated authority
<b>10/07147/LIPDPS</b>	Application for a variation of the DPS	20.10.2010	Granted under delegated authority
<b>14/08220/LIPDPS</b>	Application for a variation of the DPS	28.10.2014	Granted under delegated authority
<b>15/04634/LIPDPS</b>	Application for a variation of the DPS	20.06.2015	Granted under delegated authority

**There is no appeal history**

**Temporary Event Notices**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/03236/LITENP	Temporary Event Notice	28.05.2014	Notice allowed
14/03239/LITENP	Temporary Event Notice	28.05.2014	Notice allowed
14/03240/LITENP	Temporary Event Notice	28.05.2014	Notice allowed

### **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 premises 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

10. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting
11. 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.
12. 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.
13. 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.
14. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
15. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

16. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
17. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
18. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
19. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime
20. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
21. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
24. 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.
25. 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, 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.
26. Signage to be placed prominently in the reception and staff areas and in the toilets indicating a zero tolerance to drug use or supply at the premises and stating that offenders will be handed over to the Police.

27. Each toilet section to be visited and monitored by a dedicated valet at least hourly during the hours the premises are in operation.
28. 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
29. The number of persons accommodated (excluding staff) at the premises shall not exceed: Ground Floor 120.
30. 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.
31. 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.
32. 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.
33. 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 entire 31 day period.
34. 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.
35. 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. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
36. No unaccompanied **person under the age of 18** shall be permitted in the premises after 21:00.  
**(Amended following meeting with EH/Police)**



37. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.
38. All deliveries shall take place on Old Compton Street and Greek Street only.  
**(Additional condition following meeting with EH/Police)**
39. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
40. 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.
41. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
42. The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment **at all times**.  
**(Amended following meeting with EH/Police)**
43. No licensable activities shall take place at the premises until premises licence xxxx/xxxxxx/xxxx (or such other number subsequently issued for the premises) has been surrendered.
44. The Licence will have no effect until the Licensing Authority are satisfied that the premises are 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. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
46. 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, 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.

**(Additional condition following meeting with EH/Police)**

47. All windows and external doors shall be kept closed after 23:00 hours or at any time when regulated entertainment takes place, or except for the immediate access and egress of persons or in case of an emergency.

**(Additional condition following meeting with EH/Police)**

48. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. **Additional condition following meeting with EH/Police**

49. The premises holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. **(Additional condition following meeting with EH/Police)**

50. 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.

**(Additional condition following meeting with EH/Police)**



Officer Name: Dave Nevitt  
 Designation: EHO  
 Date: 5.9.2017  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
 Uniform Reference: 16/05872/PREAPM

Trading name of business and Address: <b>SOHO HOUSE, 40 Greek Street</b>		
Licence: 12/03369/LIPMV	Applicant: Lana Tricker lana@lrlaw.co.uk	Cumulative Impact Area: <b>WEST END</b>
Type of Business: <b>PRIVATE MEMBERS CLUB</b>		
<p><b><u>PROPOSED:</u></b></p> <p>The original pre-app advice was for:</p> <p><i>'Current licence for Soho House is 12/03369/LIPMV                  The client has also acquired the premises licence for Kettners (11/06536/LIPDPS) next door and this licence will be surrendered as the Kettners space will be incorporated into the new Soho House scheme.                  Operation will not change as a result of this application- it will remain as a private members club. Discussion as to a new licence application, to take into account a large scale refurbishment and reconfiguration of the premises- 2 year refurbishment schedule is planned and premises is shut in the interim.'</i></p> <p><b><u>EH COMMENTS:</u></b></p> <p>This is a major refurbishment scheme which involves the following Licensed premises:</p> <p><b>SKB, 19-21 Old Compton Street                  Café Boheme, 13-17 Old Compton Street                  Kettners, 29 Romilly Street                  Soho House, 40 Greek Street</b></p> <p>The applicant has sought detailed advice from EH, District Surveyor, and LFB (David Doyle). A Public Safety/Fire Strategy scheme for each of the affected premises has been discussed and agreed. This has resulted in a set of floor plans for each premises which are acceptable to EH, District Surveyor, and London Fire Brigade.</p> <p>The applicant wishes to make applications for <u>New Premises Licenses</u> and <u>Variations</u> to replace current and existing Licenses:</p> <p><b>Café Boheme – <u>variation</u> as we are only tidying up the conditions                  SKB – demise is slightly changed so it will need to be a <u>new application</u>                  Kettners and Soho House – <u>new applications</u></b></p>		

From and EH perspective, this is an opportunity to improve the physical build and internal arrangements of each of the premises and to bring the public safety arrangements up to modern standards. It is also an opportunity for better regulation as more up to date Model Conditions are brought to bear and existing Licences are tidied up.

The applicant will submit the recently agreed floor plans for each premises and a number of proposed Conditions for each Licence application.

It will be for the applicant to show that there will be no increase in Cumulative Impact in the West End CIA. In this regard, it is noted that the current Licences already allow for many licensable activities to take place well beyond the Core Hours as defined in the City Council's Licensing Policy. It will be for the applicant to explain in detail to the Licensing Committee the comparison between the existing permitted hours and what is sought by way of New Applications or Variations.

The applicant has submitted a list of Proposed Conditions for each of the premises and these are broadly acceptable to EH. Some of the existing conditions have been repeated in the proposals and some new Model Conditions have been added. It should be noted that the Police are likely to seek additional conditions, for example for age verification. Again, this will be the subject of discussion at the Committee Hearing.

**THE APPLICATIONS WILL BE ADJUDICATED AT A HEARING OF THE LICENSING SUB CTEE THE APPLICATION WILL BE DETERMINED IN RELATION TO THE CITY COUNCILS LICENSING POLICIES AND IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.**

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.



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

Schedule 12  
Part A

**WARD: West End**  
**UPRN: 100023472087**

**Premises licence**

Regulation 33, 34

**Premises licence number:**

15/04634/LIPDPS

**Original Reference:**

05/06824/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Soho Kitchen And Bar  
19-21 Old Compton Street  
London  
W1D 5JJ

**Telephone Number:** 020 7734 5656

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
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 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Playing of Recorded Music**

Unrestricted

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:30 (Basement)  
Monday to Wednesday: 23:00 to 01:00 (Ground Floor)  
Thursday to Saturday: 23:00 to 03:00 (Ground Floor)  
Sunday: 23:00 to 00:00 (Basement & Ground)

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00 (Basement)  
Monday to Wednesday: 10:00 to 01:00 (Ground Floor)  
Thursday to Saturday: 10:00 to 03:00  
(Ground Floor, from 01:00 'On' sales only)  
Sunday: 12:00 to 23:30  
(Basement & Ground Floor)

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho House UK LTD  
72 - 74 Dean Street  
London  
W1D 3SG

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

2864389

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

**Name:** Antoine Marc Bodhant Melon

*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:** 15-167265-1

**Licensing Authority:** The Royal Borough Of Kensington And Chelsea

**Date:** 11 November 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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



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

7. The responsible person must ensure that—

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

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

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

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

**Conditions relating to regulated entertainment**

11. 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.
12. 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).
13. Notwithstanding the provisions of Rule of Management No. 6 the ground floor of the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Wednesday to 01:00 on the day following; from 23:00 on each of the days Thursday to Friday to 03:00 on the day following and from 23:00 on Sunday to 00:00.
14. There shall be no internal public access between the ground floor (and basement) of 19-21 Old Compton Street W1 and the remainder of the premises, except in the event of an emergency.

15. All open fires shall be enclosed by a fire guard approved by the Council whilst the premises are in use under this licence.
16. No amplified musical instruments or voices to be employed.
17. All window frames and glazing shall be repaired, leaving them in sound well fitting order. The windows shall then be sealed so as to be airtight.
18. Live music is to take place on only one floor at a time. One group musicians only, comprising of not more than 5 musicians in total shall perform at any one time.
19. No noise nuisance is to be caused to the occupants of any other premises in the locality.
20. The floors of the premises are to be suitably adapted so as to avoid transmission of structure-borne sound and vibration to the external walls.
21. Silence notices shall be placed by the exits warning patrons that the premises are in the proximity of residential premises and requesting them to make an orderly exit.
22. The existing sound system shall not be altered or modified without approval of the Environmental Health Officer.
23. A sound limiter device shall be fitted to the sound system shall be set to the levels agreed by the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
24. No additional sound generation equipment shall be used on the premises without being routed through the sound limiter device.
25. All staff, including those used for the supervision of toilets and door supervisors, shall receive in-house training in drug misuse issues.
26. Signage to be placed prominently in the reception area and in the toilets indicating a zero tolerance to drug use or supply at the premises and stating that offenders will be handed over to the Police.
27. Drug identification material to be displayed in all staff areas.
28. A letter to be sent to all members each year advising them of the rules of membership in regards to drugs.
29. No more than one person at a time to be allowed into each toilet cubicle.
30. Random handbag searches to be conducted at the entrance to the premises.
31. Each toilet section to be visited and monitored by a dedicated valet at least one every fifteen minutes during the hours the premises are in operation.
32. Membership of Soho House to include zero tolerance policy on drugs misuse.
33. All children's functions on the premises are to take place in a room or rooms designated for the particular function and so dedicated for the duration of the function during which it/they will be supervised by a member of staff whose sole responsibility will be to oversee guests attending the function in question.
34. All External windows shall be fixed shut after 11pm on any day of the week.

35. All external doors shall remain closed, except for immediate access and egress, after 23:00 on any day of the week.
36. The number of persons accommodated (excluding staff) at the premises shall not exceed: Ground Floor 120.

**Conditions for Sale of Alcohol**

**Such parts of the basement and ground floor as are shown more particularly coloured and edged red on the deposited plans.**

37. 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.
38. On any evening where the premises or part of the premises are open for the purpose of music, dance or entertainment and a Section 77 Special Hours Certificate is in operation, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 11pm, other than to: 2.1 Persons who have paid a minimum admission fee of at least £5 Monday to Thursday and £7 Friday & Saturday for music, dancing and entertainment (Not to be credited against consumables). 2.2 Artistes and persons employed on the premises; 2.3 Bona fide guests of the proprietor, a list of whom shall be kept at reception for inspection by the appropriate authorities; 2.4 Persons taking a full table meal, a list of whom shall be kept at reception for inspection by any relevant authority. 3. No striptease, no nudity and all persons on the premises to be decently attired.
39. No striptease, no nudity and all persons on the premises to be decently attired.
40. CCTV will be installed in the whole of the licensed areas and in particular cameras to be placed to cover the toilet entrance to the dancers changing room. All cameras will continually record whilst the premises are open to the public. The tapes will be retained for a period of 28 days, time/date stamped, and made available to the statutory authorities upon request (all areas are to be sufficiently lit, in order that the recorded images are of reasonable quality).
41. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
42. There is to be no internal public access between the premises on the first, second and third floors (presently known as Soho House) and the ground floor and basement (presently known as Boheme Kitchen & Bar) at 19-21 Compton Street, London, W1 except in the event of an emergency.
43. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority.

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

**Permitted hours for the Sale of Alcohol**

44. (i) For the Ground Floor
  - (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend on Monday to Wednesday to 01.00 on the morning following and on Thursday to Saturday to 03:00 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 01.00, the permitted hours shall end when the music and dancing end;
- (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

**(ii) For the Basement and Sunday only for the Ground Floor**

**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 weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00.
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
  - (c) On Good Friday, 12:00 to 22:30
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30
  - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (iii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the permitted 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 for the Basement and on Sunday only for the Ground Floor 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.

- 45. 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**

None

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

46. No unaccompanied children shall be permitted in the premises after 9.00pm.
47. The Sale of Alcohol on Thursday to Saturday between 01:00 to 03:00 shall be for consumption 'On' the premises only.



**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023472087

Premises licence  
summary

Regulation 33, 34

Premises licence number:

15/04634/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Soho Kitchen And Bar  
19-21 Old Compton Street  
London  
W1D 5JJ

**Telephone Number:** 020 7734 5656

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
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 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Playing of Recorded Music**

Unrestricted

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 01:00 (Ground Floor)  
Sunday: 09:00 to 23:00 (Ground Floor)

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:30 (Basement)  
Monday to Wednesday: 23:00 to 01:00 (Ground Floor)  
Thursday to Saturday: 23:00 to 03:00 (Ground Floor)  
Sunday: 23:00 to 00:00 (Basement & Ground)

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00 (Basement)  
Monday to Wednesday: 10:00 to 01:00 (Ground Floor)  
Thursday to Saturday: 10:00 to 03:00  
(Ground Floor, from 01:00 'On' sales only)  
Sunday: 12:00 to 23:30  
(Basement & Ground Floor)

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Soho House UK LTD  
72 - 74 Dean Street  
London  
W1D 3SG

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

2864389

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

**Name:** Antoine Marc Bodhant Melon

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

Restricted

**Date:** 11 November 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -  
Public Protection and Licensing.**

Soho Kitchen And Bar 19-21 Old Compton Street



Resident Count: 104

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## Licensing Sub-Committee Report

Item No:	
Date:	9 November 2017
Licensing Ref No:	17/09956/LIPN - New Premises Licence
Title of Report:	Kettners Townhouse 29 Romilly Street London W1D 5HP
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	6 September 2017		
<b>Applicant:</b>	Soho House UK Limited		
<b>Premises:</b>	Kettners Townhouse		
<b>Premises address:</b>	29 Romilly Street London W1D 5HP	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a hotel with restaurant and bar		
<b>Premises licence history:</b>	The premises benefits from a premises licence (16/11756/LIPT) found at Appendix 6 of the report. A new application has been sought as the premises will be incorporated into the new Soho House scheme. The current licence will be surrendered.		
<b>Applicant submissions:</b>	None		
<b>Plans</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

1-B Proposed licensable activities and hours							
Exhibition of Films				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Further details</b>	<p>There shall be no cinema style showing of films.</p> <p>The exhibition of film is permitted in the hotel bedrooms and as an ancillary to other licensable activities throughout the premises, subject to the condition above.</p>						
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day						



<b>Performance of Live Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	08:00	08:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:00
<b>Seasonal variations:</b>		On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00					
<b>Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day					

<b>Playing of recorded Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	08:00	08:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:00
<b>Seasonal variations:</b>		On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00					
<b>Non-standard timings:</b>		The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day					

<b>Playing of recorded Music (Hotel Residents):</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:00
<b>Seasonal variations:</b>		On the morning that Greenwich Mean Time changes to					

	British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	08:00	08:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day						

<b>Sale by retail of alcohol (Hotel residents):</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time						

for those activities on New Year's Day

Opening times for restaurant and Bar to patrons							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	08:00	08:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:00

## 2. Policy & Guidance

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

Policy CIA1 applies:

(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.

Policy HRS1 applies:

(i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.

Policy HOT1 applies:

Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:

(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.

(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,

(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.

Policy PB2 applies:

It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to

Policy RNT2 applies:	<p>vary hours within the Core Hours under Policy HRS1.</p> <p>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 Cumulative Impact Areas.</p>
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### 3. Representations

3-A Responsible Authorities	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	4th October 2017
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	
<b>Responsible Authority:</b>	The Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	15 <sup>th</sup> September 2017
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>I have been through the operating schedule and note your conditions.</p>	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	4th October 2017
<p>I write in relation to the application submitted for a new premises licences for Kettners Townhouse, Soho House and Cafe Boheme.</p> <p>As a responsible authority under section 100(1) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have</p>	

considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered. The applicants will need to justify how the premises, if granted to will not add to the cumulative impact CIP1. The Licensing Authority has met with the applicant, and other relevant authorities to promote the licensing objectives and address policy concerns. The applications seek to offer a range of licensing activities and times which will replace existing licences which have not traded for 2 years.

We look forward to working with the applicant to add conditions and amend the applications where appropriate.

3-B Other Persons	
<b>Received:</b>	4 <sup>th</sup> October 2017
<p>3:42 PM on 04 Oct 2017 I would object to any extension of hours beyond those in the previous licence. These premises are within the cumulative impact zone. This area already has problems with crime and disorder, including but not limited to antisocial behaviour associated with drug dealing/use, robbery, etc. It is a residential area, and there is noise associated with people leaving premises, pedicabs (playing music) who position themselves outside licensed premises.</p> <p>I would ask that any application beyond core hours be refused.</p>	
<b>Received:</b>	3 <sup>rd</sup> October 2017
<p>I write to make a relevant representation to the above application on behalf of The Soho Society.</p> <p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.</p> <p><b>About The Soho Society</b></p> <p>The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.</p>	
<p>Application summary <span style="float: right;">page 87</span>            Live music: 07.00-01.30 Mon-Sat. 08.00-00.00 Sun</p>	

Recorded music: 07.00-01.30 Mon-Sat. 08.00-00.00 Sun. For residents 00.00-00.00  
Late night refreshment: 23.00-01.30 Mon-Sat. 23.00-00.00 Sun  
Supply of alcohol: 07.00-01.30 Mon-Sat. 08.00-00.00 Sun  
Hours open to the public: 00.00-24.00 Mon-Sun  
Restaurant and Bar to patrons: 07.00-01.30 Mon-Fri. 08.00-01.30 Sat. 08.00-00.00 Sun

### **The Application**

Firstly, it is not clear from the face of the application what the changes are with respect to the current licence, it would have been helpful if the applicant had given an indication of the net effect of the application rather than interested parties having to determine this themselves, and furthermore the lack of plans on the website makes it difficult to determine layout and especially in relation to increases in capacity which is directly relevant to 'cumulative impact'.

With reference to the current premises licence issued to Soho House UK Ltd on 23rd January 2017, the overall effect of the new application is as follows,

- increase in hours for sale of alcohol by 30mins to 01-30
- addition of live music to 01.30

There is no mention of the restaurant capacity.

Issues of concern relate to the extension of hours.

There are private homes in nearby buildings, and residents in the surrounding area already subject to noise and general nuisance every night of the week. Greek Street / Old Compton Street is at the heart of Soho's late night economy with numerous restaurants, bars and entertainment establishments, the area is densely populated at night with people drinking on the street creating loud levels of noise, disturbance and anti social behaviour this is compounded by pedicabs parked outside premises playing amplified music adding to the noise nuisance. Over the past few years Soho has seen a significant increase in crime and disorder and particularly drug dealing and drug taking on the streets. The Greek Street intersection with Romilly Street is the favoured position for drug dealers to loiter and sell drugs, these and the surrounding streets is at the centre of criminal activity which is attracted by the night time economy and high numbers of intoxicated people. The proposed extended terminal hour will fail to promote the licensing objectives and therefore we feel it is necessary to keep to the current licensed operating hours and conditions with no increase in capacity.

### **Licensing policy**

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems

with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application.

#### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Copy of Pre-App Report
<b>Appendix 5</b>	Copy of Existing Licence
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Application Form	6 <sup>th</sup> September 2017
<b>5</b>	The Metropolitan Police Representation	15 <sup>th</sup> September 2017
<b>6</b>	The Environmental Health Service Representation	4th October 2017
<b>7</b>	The Licensing Authority	4th October 2017
<b>7</b>	Representation <b>page 89</b>	4th October 2017
<b>8</b>	The Soho Society Representation	3 <sup>rd</sup> October 2017

**Applicant Supporting Documents**

(None)

Appendix 1



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
<b>05/07325/LIPCV</b>	Conversion application	01.10.2005	Deemed decision
<b>10/10103/LIPDPS</b>	Application for a variation of the DPS	20.12.2010	Granted under delegated authority
<b>11/04157/LIPDPS</b>	Application for a variation of the DPS	06.07.2011	Granted under delegated authority
<b>11/06536/LIPDPS</b>	Application for a variation of the DPS	29.07.2011	Granted under delegated authority
<b>16/11756/LIPT</b>	Application for a transfer of the premises licence from PizzaExpress (Restaurants) Ltd to Soho House UK Limited	23.01.2017	Granted under delegated authority

**There is no appeal history**

**Temporary Event Notices**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/00798/LITENP	Temporary Event Notice	12.02.2013	Notice allowed
13/03371/LITENP	Temporary Event Notice	11.07.2013	Notice allowed
13/03377/LITENP	Temporary Event Notice	28.05.2013	Notice allowed

14/00957/LITENP	Temporary Event Notice	27.02.2014	Notice allowed
14/01701/LITENP	Temporary Event Notice	02.07.2014	Notice allowed
14/02664/LITENP	Temporary Event Notice	16.04.2014	Notice allowed
14/04003/LITENP	Temporary Event Notice	03.07.2014	Notice allowed
14/06764/LITENP	Temporary Event Notice	09.09.2014	Notice allowed
15/05386/LITENP	Temporary Event Notice	14.08.2015	Notice allowed
15/10305/LITENP	Temporary Event Notice	24.11.2015	Notice allowed

## **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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

#### **Conditions proposed by applicant and consistent with the operating schedule**

10. The premises shall only operate as a restaurant *in the area hatched and labelled 'Kettner's restaurant' on the ground floor*
- (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.

11. (i) Notwithstanding the condition [10] above alcohol may be supplied and consumed prior to their meal in the bar area (**cross hatched on the plan**), by up to a maximum at any one time, of 14 persons dining at the premises.
- (ii) Notwithstanding condition [10] and 11(i) above alcohol can be supplied and consumed to patrons not seated, who are attending a pre-booked private event where a written guest list shall be held at reception for the event, and will be retained for 31 days after the event for inspection by the police and responsible authorities upon request.
12. The supply of alcohol shall be by waiter or waitress service only in the Champagne Bar.
13. Alcohol may be supplied to persons residing in the premises for consumption by such persons and their bona fide guests at anytime without restrictions. A list of

residents shall be kept at reception and available for inspection by the authorities.

14. Each resident shall be permitted no more than four bona fide quests at any one time.
15. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.
16. 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 entire 31 day period.
17. 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.
18. 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.
19. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.

**Above condition being amended following a discussion with EH to:**

20. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.
21. All deliveries shall take place on Old Compton Street and Greek Street only.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which give rise to public nuisance.
23. 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.

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. Persons temporarily leaving the premises onto the public highway for the purposes of smoking shall not take any drinks with them.
26. 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.
27. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
28. 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.
29. The reception desk on the ground floor shall be staffed at all times the premises are in operation.
30. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
31. The exhibition of film is permitted in the hotel bedrooms and as an ancillary to other licensable activities throughout the premises.
32. 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. 42. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided."
33. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting
34. 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.

35. 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.
36. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
40. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
41. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
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 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.
44. 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. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
45. The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment at all times.
46. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
47. The premises may remain open for the sale of alcohol, regulated entertainment and the

provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

48. The licensable activities authorised by this licence can only be carried on at this premises by Soho House UK Ltd.
49. No licensable activities shall take place at the premises until premises licence xxxx/xxxxxx/xxxx (or such other number subsequently issued for the premises) has been surrendered.
50. The Licence will have no effect until the Licensing Authority are satisfied that the premises are 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.
51. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
52. There shall be no direct access to the Champagne Bar by patrons from the street at any time.
53. 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.



**City of Westminster**

Officer Name: Dave Nevitt  
 Designation: EHO  
 Date: 5.9.2017  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
 Uniform Reference: 16/05872/PREAPM

Trading name of business and Address: <b>SOHO HOUSE, 40 Greek Street</b>		
Licence: 12/03369/LIPMV	Applicant: Lana Tricker lana@lrlaw.co.uk	Cumulative Impact Area: <b>WEST END</b>
Type of Business: <b>PRIVATE MEMBERS CLUB</b>		
<p><b><u>PROPOSED:</u></b></p> <p>The original pre-app advice was for:</p> <p><i>'Current licence for Soho House is 12/03369/LIPMV                  The client has also acquired the premises licence for Kettners (11/06536/LIPDPS) next door and this licence will be surrendered as the Kettners space will be incorporated into the new Soho House scheme.                  Operation will not change as a result of this application- it will remain as a private members club. Discussion as to a new licence application, to take into account a large scale refurbishment and reconfiguration of the premises- 2 year refurbishment schedule is planned and premises is shut in the interim.'</i></p> <p><b><u>EH COMMENTS:</u></b></p> <p>This is a major refurbishment scheme which involves the following Licensed premises:</p> <p><b>SKB, 19-21 Old Compton Street                  Café Boheme, 13-17 Old Compton Street                  Kettners, 29 Romilly Street                  Soho House, 40 Greek Street</b></p> <p>The applicant has sought detailed advice from EH, District Surveyor, and LFB (David Doyle). A Public Safety/Fire Strategy scheme for each of the affected premises has been discussed and agreed. This has resulted in a set of floor plans for each premises which are acceptable to EH, District Surveyor, and London Fire Brigade.</p> <p>The applicant wishes to make applications for <u>New Premises Licenses</u> and <u>Variations</u> to replace current and existing Licenses:</p> <p><b>Café Boheme – <u>variation</u> as we are only tidying up the conditions                  SKB – demise is slightly changed so it will need to be a <u>new application</u>                  Kettners and Soho House – <u>new applications</u></b></p>		

From an EH perspective, this is an opportunity to improve the physical build and internal arrangements of each of the premises and to bring the public safety arrangements up to modern standards. It is also an opportunity for better regulation as more up to date Model Conditions are brought to bear and existing Licences are tidied up.

The applicant will submit the recently agreed floor plans for each premises and a number of proposed Conditions for each Licence application.

It will be for the applicant to show that there will be no increase in Cumulative Impact in the West End CIA. In this regard, it is noted that the current Licences already allow for many licensable activities to take place well beyond the Core Hours as defined in the City Council's Licensing Policy. It will be for the applicant to explain in detail to the Licensing Committee the comparison between the existing permitted hours and what is sought by way of New Applications or Variations.

The applicant has submitted a list of Proposed Conditions for each of the premises and these are broadly acceptable to EH. Some of the existing conditions have been repeated in the proposals and some new Model Conditions have been added. It should be noted that the Police are likely to seek additional conditions, for example for age verification. Again, this will be the subject of discussion at the Committee Hearing.

**THE APPLICATIONS WILL BE ADJUDICATED AT A HEARING OF THE LICENSING SUB COMMITTEE THE APPLICATION WILL BE DETERMINED IN RELATION TO THE CITY COUNCIL'S LICENSING POLICIES AND IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.**

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.



**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: West End  
UPRN: 100023472517

Premises licence

Regulation 33, 34

Premises licence number:

16/11756/LIPT

Original Reference:

05/07325/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Kettners  
29 Romilly Street  
London  
W1D 5HP

**Telephone Number:**

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
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:**

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 01:30  
Sunday: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 23:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 01:30  
Sunday: 12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho House UK Limited  
Basement  
72-74 Dean Street  
London  
W1D 3SG  
c/o LT Law, 18 Soho Square, London W1D 3QL  
*Business Phone Number: c/o 020 3755 5138*  
*E-mail: c/o lana@ltlaw.co.uk*

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

02864389

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

**Name:** Winston Matthews

*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:** 005251  
**Licensing Authority:** Slough Borough Council

**Date:** 23<sup>rd</sup> January 2017

This licence has been authorised by Mr Daniel Ferrer on behalf of the Director - Public Protection and Licensing.

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person 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.

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

**Conditions related to the Sale of Alcohol**

9. (i) 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 weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00, and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

(ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

Monday to Saturday only:

- (iii) (a) Alcohol may be sold or supplied until 01:00 in the morning following weekdays to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.



(b) That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.

(c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

(d) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight or less than half an hour before the entertainment is due to end, except in accordance with condition number 9 (ii) above.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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.

10. 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.

- 11. 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**

None

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

None

**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023472517

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/11756/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

Kettners  
29 Romilly Street  
London  
W1D 5HP

**Telephone Number:**

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
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:**

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 01:30  
Sunday: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 23:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 01:30  
Sunday: 12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Soho House UK Limited  
Basement  
72-74 Dean Street  
London  
W1D 3SG  
c/o LT Law, 18 Soho Square, London W1D 3QL

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

02864389

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

**Name:** Winston Matthews

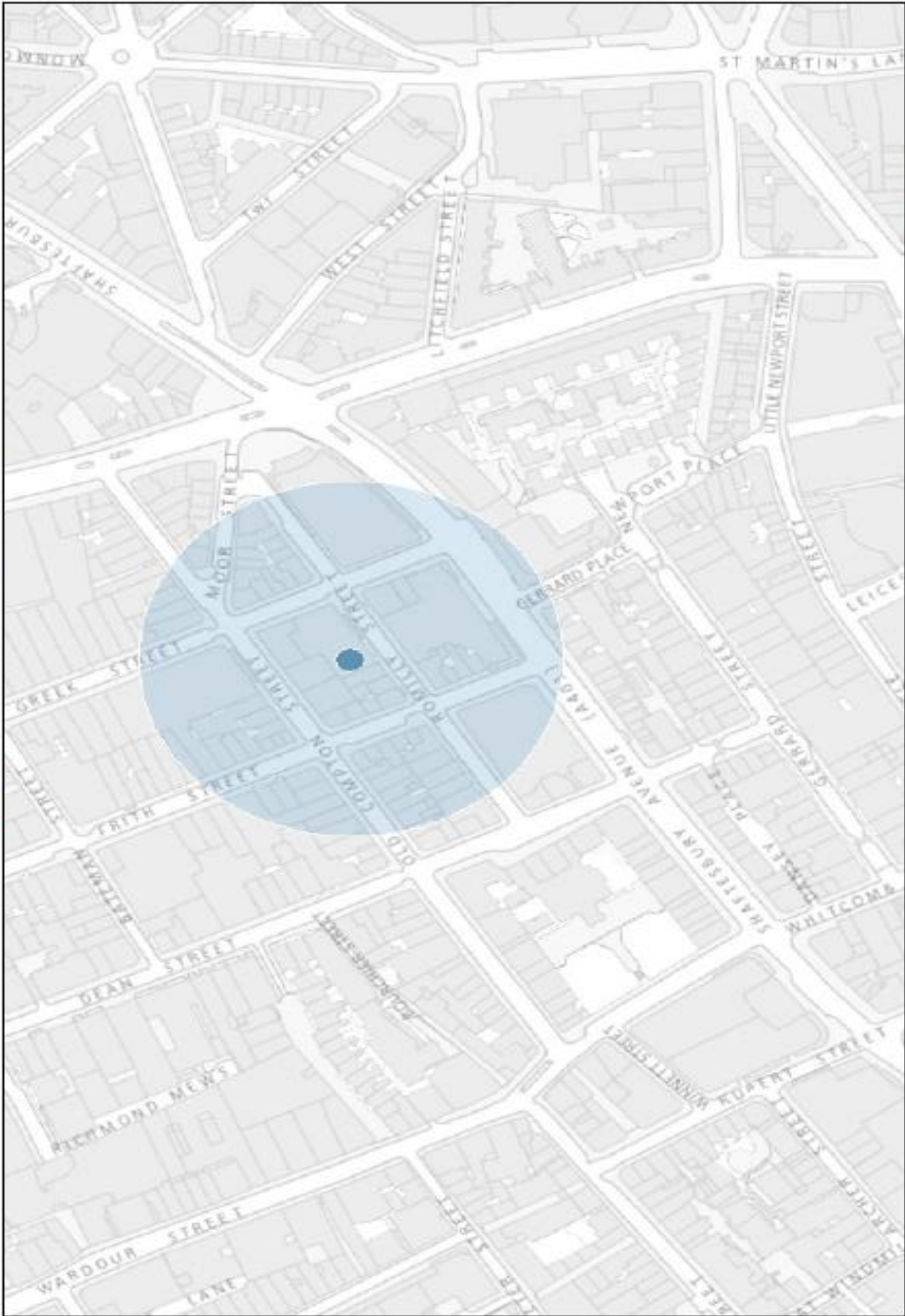
**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 23<sup>rd</sup> January 2017

This licence has been authorised by Mr Daniel Ferrer on behalf of the Director - Public Protection and Licensing.

Kettners Townhouse 29 Romilly Street



October 28, 2017

Resident count: 74



# Licensing Sub-Committee Report

## Agenda Item 4

City of Westminster

Item No:	
Date:	2 November 2017
Licensing Ref No:	17/09953/LIPV - Premises Licence Variation
Title of Report:	Cafe Boheme Basement and Ground Floor 13 - 17 Old Compton Street London W1D 5JH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	6 September 2017		
<b>Applicant:</b>	Soho House UK Ltd		
<b>Premises:</b>	Cafe Boheme		
<b>Premises address:</b>	Basement and Ground Floor 13 - 17 Old Compton Street London W1D 5JH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a restaurant.		
<b>Variation description:</b>	<p>According to the application, the variation seeks:</p> <p>1) To vary the plans to reflect the changes to the proposed plans. The full details of these changes can be found at Section 1C of this report.</p> <p>2) To delete conditions 10, 11, 12, 17 and 18</p> <p>4) To amend condition 14</p> <p>5) To add a number of conditions</p>		
<b>Premises licence history:</b>	The premises has been licensed since 2001. The full details of the premises licence history can be found at Appendix 2.		
<b>Applicant submissions:</b>	None		
<b>Plans:</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

**1-B Current and proposed licensable activities, areas and hours**

**Exhibition of films**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	09:00	05:00	No change		Basement and Ground Floor	No change
<b>Tuesday</b>	09:00	05:00				
<b>Wednesday</b>	09:00	05:00				
<b>Thursday</b>	09:00	05:00				
<b>Friday</b>	09:00	05:00				
<b>Saturday</b>	09:00	05:00				
<b>Sunday</b>	12:00	23:30				
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b> Please see condition 17			<b>Proposed:</b> Please see condition 34 and condition 40	

**Performance of dance**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	09:00	05:00	No change		Basement and Ground Floor	No change
<b>Tuesday</b>	09:00	05:00				
<b>Wednesday</b>	09:00	05:00				
<b>Thursday</b>	09:00	05:00				
<b>Friday</b>	09:00	05:00				
<b>Saturday</b>	09:00	05:00				
<b>Sunday</b>						
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b> Please see condition 17			<b>Proposed:</b> Please see condition 34 and condition 40	

**Performance of live music**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	09:00	05:00	No change		Basement and Ground Floor	No change
<b>Tuesday</b>	09:00	05:00				
<b>Wednesday</b>	09:00	05:00				
<b>Thursday</b>	09:00	05:00				
<b>Friday</b>	09:00	05:00				
<b>Saturday</b>	09:00	05:00				
<b>Sunday</b>						
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b> Please see condition 17			<b>Proposed:</b> Please see condition 34 and condition 40	

Playing of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Basement and Ground Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 17			Please see condition 34 and condition 40	

Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Basement and Ground Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 17			Please see condition 34 and condition 40	

Anything of a similar description to live music, recorded music or performance of dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	05:00	No change		Basement and Ground Floor	No change
Tuesday	09:00	05:00				
Wednesday	09:00	05:00				
Thursday	09:00	05:00				
Friday	09:00	05:00				
Saturday	09:00	05:00				
Sunday						
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 17			Please see condition 34 and condition 40	

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Basement and Ground Floor	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 17			Please see condition 34 and condition 40	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No change		Basement and Ground Floor	No change
Tuesday	10:00	03:00				
Wednesday	10:00	03:00				
Thursday	10:00	03:00				
Friday	10:00	03:00				
Saturday	10:00	03:00				
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 17			Please see condition 34 and condition 40	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	09:00	05:00	No change		Basement and Ground Floor	No change
<b>Tuesday</b>	09:00	05:00				
<b>Wednesday</b>	09:00	05:00				
<b>Thursday</b>	09:00	05:00				
<b>Friday</b>	09:00	05:00				
<b>Saturday</b>	09:00	05:00				
<b>Sunday</b>	12:00	00:00				
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>			<b>Proposed:</b>	
		Please see condition 17			Please see condition 34 and condition 40	

1-C Layout alteration
To vary the plans to reflect the changes to the proposed plans as follows
<ul style="list-style-type: none"> <li>a) Reconfiguration of fire exits on ground floor to the left of the plans as a result of refurbishment works to Soho House itself (approved by LFEPA and DS)</li> <li>b) Reconfiguration of seating on ground floor (fixed and loose)</li> <li>c) Moving of kitchen from ground floor to the basement of the premises</li> <li>d) Reconfiguration of toilets in the basement floor</li> <li>e) Reconfiguration of back of house/staff areas/office</li> </ul>

1-D CONDITIONS BEING DELETED
<p><b>Condition 10</b></p> <p>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.</p>
<p><b>Condition 11</b></p> <p>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).</p>
<p><b>Condition 12</b></p> <p>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 5am on the day following.</p>

### Condition 17

17. (i) Monday to Saturday
- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 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 03.00, 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 04.00 for references to 03.00.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

(ii) Sundays

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 Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
  - (c) On New Year's Eve on a Sunday, 12.00 to 22.30.
  - (d) 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).
- (iii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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.

**Condition 18**

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

**1-E CONDITIONS BEING VARIED**

**Condition**

**Proposed variation**

**Condition 14**

The number of persons accommodated (excluding staff) shall not exceed the following:

Basement - 100

Ground Floor - 125.

The number of persons accommodated (excluding staff) shall not exceed the following:

Ground Floor - 125

**1-F CONDITIONS BEING ADDED**

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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

- dry ice and cryogenic fog
- smoke machines and fog generators
- pyrotechnics including fireworks
- firearms
- lasers
- explosives and highly flammable substances.
- real flame.
- strobe lighting

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

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.

<p>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.</p>
<p>All emergency doors shall be available at all material times without the use of a key, code, card or similar means.</p>
<p>All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.</p>
<p>The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.</p>
<p>Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.</p>
<p>All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.</p>
<p>Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.</p>
<p>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.</p>
<p>The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.</p>
<p>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.</p>
<p>There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.</p>
<p>No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.</p>
<p>All deliveries shall take place on Old Compton Street and Greek Street only.</p>
<p>No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 06:00 hours or as in compliance with Westminster City Council's own waste contractor collection hours.</p>
<p>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities/and or closing hour for the premises ends after 01:00.</p>

The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment at all times.

The Licence will have no effect until the Licensing Authority are satisfied that the premises are 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.

Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.

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, 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.

All windows and external doors shall be kept closed after 23:00 hours or at any time when regulated entertainment takes place, or except for the immediate access and egress of persons or in case of an emergency.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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 driving licence, passport or proof of age card with the PASS Hologram.

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	15 September 2017
<p>I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p>	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	4 October 2017
<p>I write in relation to the application submitted for a new premises licences for Kettners Townhouse, Soho House and Cafe Boheme.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered. The applicants will need to justify how the premises, if granted to will not add to the cumulative impact CIP1. The Licensing Authority has met with the applicant, and other relevant authorities to promote the licensing objectives and address policy concerns. The applications seek to offer a range of licensing activities and times which will replace existing licences which have not traded for 2 years.</p> <p>We look forward to working with the applicant to add conditions and amend the applications where appropriate.</p>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	4 October 2017
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	

## 2-B Other Persons

**Name:** The Soho Society

**Received:** 3 October 2017

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.

### **About The Soho Society**

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

### **Application summary**

Firstly, it is not clear from the face of the application what the changes are with respect to the current licence, it would have been helpful if the applicant had given an indication of the net effect of the application rather than interested parties having to determine this themselves, and furthermore the lack of plans on the website makes it difficult to determine layout and especially in relation to increases in capacity which is directly relevant to 'cumulative impact'.

- Reconfigure fire exits on Ground floor to the left of the plans
- Reconfigure seating ground floor (fixed and loose)
- Moving kitchen from ground to basement
- Reconfigure toilets in basement
- Reconfigure back of house/ staff areas/ office
- Delete condition 12,17,18 replace with - premises may remain open for sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour of those activities on New Years Eve through to commencement time for those activities in New Years Day
- To replace condition 11 with - number of persons accommodated (ex staff) shall not exceed ground floor 125
- No changes to the licensable activities

The existing licence has a condition on capacity for the ground floor of 125 and basement 100, however, as the plans are not available it is difficult to ascertain what if any effect the new layout changes will have. It is impossible to know if the kitchen will occupy the entire basement or whether part of it will still be open to the public and if so what the capacity will be. We object to any increase in capacity.

There are private homes in nearby buildings, and residents in the surrounding area already subject to noise and general nuisance every night of the week. Old Compton

Street is at the heart of Soho's late night economy with numerous restaurants, bars and entertainment establishments, the area is densely populated at night with people drinking on the street creating loud levels of noise, disturbance and anti social behaviour this is compounded by pedicabs parked outside premises playing amplified music adding to the noise nuisance. Over the past few years Soho has seen a significant increase crime and disorder and in particular drug dealing and drug taking on the streets, Old Compton Street is at the centre of this and other criminal activity which is attracted by the night time economy and high numbers of intoxicated people. Any increase in capacity will fail to promote the licensing objectives.

### **Licensing policy**

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application with any increase in capacity if granted, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject the application.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy CIA1 applies:</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</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 Cumulative Impact Areas.

## 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity
<b>Appendix 5</b>	Existing premises licence
<b>Appendix 6</b>	Pre-application advice report

<b>Report author:</b>	Ms Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Representation Metropolitan Police Service	15 September 2017
<b>5</b>	Representation Licensing Authority	4 October 2017
<b>6</b>	Representation Environmental Health	4 October 2017
<b>7</b>	Representation The Soho Society	3 October 2017
<b>8</b>	Pre-application advice report	5 September 2017



None

## Licence &amp; Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/06819/LIPCV	This is the converted licence.	20.09.2005	Granted by Licensing Sub Committee
06/00225/LIPDPS	This was a request to vary the DPS.	08.12.2005	Granted under Delegated Authority
06/06838/LIPDPS	This was a request to vary the DPS.	04.08.2006	Granted under Delegated Authority
07/00737/LIPV	This was an application for a variation. The variation sought: 1. To remove condition 9 being "no person under the age of 18 shall be permitted entry to the premises" 2. To remove condition 13.	28.02.2007	Granted under Delegated Authority
07/04664/LIPDPS	This was a request to vary the DPS.	12.06.2007	Granted under Delegated Authority
06/07257/WCCMAP	This is the master copy of the licence.	13.02.2008	Granted under Delegated Authority
07/07706/LIPDPS	This was a request to vary the DPS.	12.09.2007	Granted under Delegated Authority
08/01000/LIPDPS	This was a request to vary the DPS.	19.02.2008	Granted under Delegated Authority
08/08439/LIPDPS	This was a request to vary the DPS.	30.09.2008	Granted under Delegated Authority
09/01051/LIPCHD	This was a request for a change of details on the licence.	16.04.2009	Granted under Delegated Authority
09/03724/LIPDPS	This was a request to vary the DPS.	07.10.2009	Granted under Delegated Authority

10/05171/LIPDPS	This was a request to vary the DPS.	26.07.2010	Granted under Delegated Authority
12/06905/LIPDPS	This was a request to vary the DPS.	10.09.2012	Granted under Delegated Authority
13/03432/LIPDPS	This was a request to vary the DPS.	02.07.2013	Granted under Delegated Authority
14/04417/LIPDPS	This was a request to vary the DPS.	23.06.2014	Granted under Delegated Authority
14/05913/LIPVM	<p>This was an application for a minor variation. The variation sought: To add conditions to Annex 2 of the premises licence as follows, so as to promote the licensing objectives.</p> <p>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 made available immediately upon the request of Police or authorised officer throughout the proceeding 31 day period.</p> <p>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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay, when requested.</p> <p>3. An incident log shall be kept at</p>	28.07.2014	Granted under Delegated Authority

	<p>the premises, and made available on request to an authorised officer of the City Council or the Police, which will records the following:</p> <ul style="list-style-type: none"> <li>a. all crimes reported to the venue</li> <li>b. any complaints received regarding crime disorder</li> <li>c. any incidents of disorder</li> <li>d. any faults in the CCTV system</li> <li>e. any refusal of the sale of alcohol</li> <li>f. any visit by the relevant authority or emergency service.</li> </ul>		
15/04626/LIPDPS	This was a request to vary the DPS.	20.06.2015	Granted under Delegated Authority

#### Temporary Event Notice history

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/09360/LITENP	This was an application for a Temporary Event Notice.	04.12.2013	Notice granted
14/00923/LITENP	This was an application for a Temporary Event Notice.	14.04.2014	Notice granted
14/00924/LITENP	This was an application for a Temporary Event Notice.	14.04.2014	Notice granted
14/00925/LITENP	This was an application for a Temporary Event Notice.	14.04.2014	Notice granted
14/00927/LITENP	This was an application for a Temporary Event Notice.	14.04.2014	Notice granted
14/10070/LITENP	This was an application for a Temporary Event Notice.	24.11.2014	Notice granted

15/12101/LITENP	This was an application for a Temporary Event Notice.	07.03.2016	Notice granted
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**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

#### **Conditions: On Current Licence -**

##### **Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and



- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

**Conditions 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.

**The applicant has proposed that Condition 10 be deleted**

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).

**The applicant has proposed that Condition 11 be deleted**

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 5am on the day following.

**The applicant has proposed that Condition 12 be deleted**

13. A personal licence holder shall be present at all times the premises are open.

14. The number of persons accommodated (excluding staff) shall not exceed the following:  
Basement - 100  
Ground Floor - 125

**The applicant has proposed that Condition 14 be varied to the following:**

The number of persons accommodated (excluding staff) shall not exceed the following:  
Ground Floor - 125

15. All doors and windows shall be kept shut after 11pm except entry and egress of customers

**Conditions for Sale of Alcohol**

16. 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.

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

17. (i) Monday to Saturday
- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 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 03.00, 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 04.00 for references to 03.00.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

(ii) Sundays

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 Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
  - (c) On New Year's Eve on a Sunday, 12.00 to 22.30.
  - (d) 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).
- (iii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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.

**The applicant has proposed that Condition 17 be deleted**

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

**The applicant has proposed that Condition 18 be deleted**

**Annex 2 – Conditions consistent with the operating schedule**

- 19. There shall be no persons under the age of 18 years on the premises after 21.30.
- 20. 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.
- 21. 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. The staff member must be able to show a Police or authorised council recent footage with the absolute minimum of delay when requested.

22. An incident log shall be kept at the premises and made available upon request to an authorised Officer of the 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 regarding crime and disorder;
  - d) Any incidents of disorder;
  - e) Seizure of drugs or weapons;
  - f) Any faults in the CCTV system;
  - g) Any refusal of the sale of alcohol;
  - h) Any visit by a relevant authority or Emergency Service.

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

None

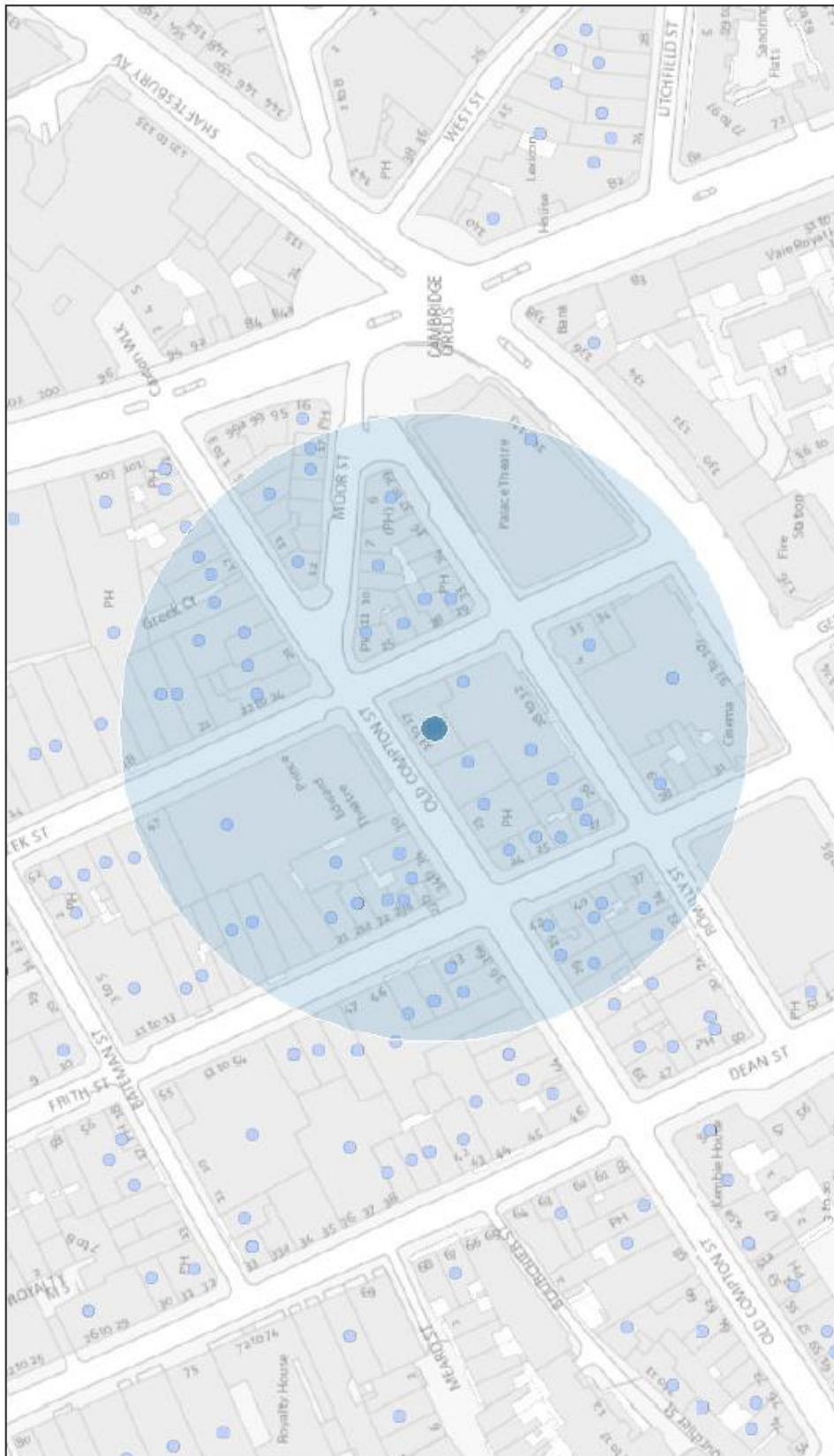
#### **Conditions proposed by the applicant**

23. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting
24. 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
25. 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.
26. 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.

27. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible.
32. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
33. 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.
34. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
35. 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.
36. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
37. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.
38. All deliveries shall take place on Old Compton Street and Greek Street only.
39. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 06:00 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
40. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities/and or closing hour for the premises ends after 01:00.

41. The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment at all times.
42. The Licence will have no effect until the Licensing Authority are satisfied that the premises are 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.
43. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
44. 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, 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.
45. All windows and external doors shall be kept closed after 23:00 hours or at any time when regulated entertainment takes place, or except for the immediate access and egress of persons or in case of an emergency.
46. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
47. 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 driving licence, passport or proof of age card with the PASS Hologram.

Cafe Boheme



October 26, 2017

● Live Licensing Act

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Resident count = 109





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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033554563

Premises licence

Regulation 33, 34

Premises licence number:

15/04626/LIPDPS

Original Reference:

05/06819/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Cafe Boheme  
Basement And Ground Floor  
13 - 17 Old Compton Street  
London  
W1D 5JH

**Telephone Number:** 020 7734 0623

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
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:**

<b>Performance of Dance</b>	
Monday to Saturday:	09:00 to 05:00
<b>Exhibition of a Film</b>	
Monday to Saturday:	09:00 to 05:00
Sunday:	12:00 to 23:30
<b>Performance of Live Music</b>	
Monday to Saturday:	09:00 to 05:00
<b>Playing of Recorded Music</b>	
	Unrestricted
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 05:00

**Late Night Refreshment**

Monday to Saturday: 23:00 to 05:00  
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00  
Sunday: 12:00 to 23:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 05:00  
Sunday: 12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho House UK Ltd  
72-74 Dean Street  
London  
W1D 3SG

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

2864389

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

Name: Antoine Marc Bodhant Melon

*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: 15-167265-1

Licensing Authority: The Royal Borough Of Kensington And Chelsea

Date: 11 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

#### Annex 1 – Mandatory conditions

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

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
- 7. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -
 
$$P = D + (D \times V)$$
 Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

**Conditions 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 5am on the day following.
- 13. A personal licence holder shall be present at all times the premises are open.
- 14. The number of persons accommodated (excluding staff) shall not exceed the following: Basement - 100, Ground Floor - 125.
- 15. All doors and windows shall be kept shut after 11pm except entry and egress of customers

#### Conditions for Sale of Alcohol

16. 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.

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

17. (i) Monday to Saturday
- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 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 03.00, 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 04.00 for references to 03.00.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

(ii) Sundays

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 Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
  - (c) On New Year's Eve on a Sunday, 12.00 to 22.30.
  - (d) 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).
- (iii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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.



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

## Annex 2 – Conditions consistent with the operating Schedule

19. There shall be no persons under the age of 18 years on the premises after 21.30.
20. 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.
21. 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. The staff member must be able to show a Police or authorised council recent footage with the absolute minimum of delay when requested.
22. A incident log shall be kept at the premises and made available upon request to an authorised Officer of the 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 regarding crime and disorder;
  - d) Any incidents of disorder;
  - e) Seizure of drugs or weapons;
  - f) Any faults in the CCTV system;
  - g) Any refusal of the sale of alcohol;
  - h) Any visit by a relevant authority or Emergency Service.

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

None



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

Schedule 12  
Part B

WARD: West End  
UPRN: 010033554563

Premises licence  
summary

Regulation 33, 34

Premises licence number:

15/04626/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Cafe Boheme  
Basement And Ground Floor  
13 - 17 Old Compton Street  
London  
W1D 5JH

**Telephone Number:** 0207 734 0623

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
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:**

<b>Performance of Dance</b>	
Monday to Saturday:	09:00 to 05:00
<b>Exhibition of a Film</b>	
Monday to Saturday:	09:00 to 05:00
Sunday:	12:00 to 23:30
<b>Performance of Live Music</b>	
Monday to Saturday:	09:00 to 05:00
<b>Playing of Recorded Music</b>	Unrestricted

<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 05:00
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 00:00
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted</b>	
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 03:00
Sunday:	12:00 to 23:30
<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 05:00
Sunday:	12:00 to 00:00

<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>
Soho House UK Ltd 72-74 Dean Street London W1D 3SG

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
2864389

<b>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>
<b>Name:</b> Antoine Marc Bodhant Melon

<b>State whether access to the premises by children is restricted or prohibited:</b>
Restricted

Date: 11 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -  
Public Protection and Licensing.



Officer Name: Dave Nevitt  
 Designation: EHO  
 Date: 5.9.2017  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
 Uniform Reference: 16/05872/PREAPM

Trading name of business and Address: <b>SOHO HOUSE, 40 Greek Street</b>		
Licence: 12/03369/LIPMV	Applicant: Lana Tricker lana@tlaw.co.uk	Cumulative Impact Area: <b>WEST END</b>
Type of Business: <b>PRIVATE MEMBERS CLUB</b>		
<p><b><u>PROPOSED:</u></b></p> <p>The original pre-app advice was for:</p> <p><i>'Current licence for Soho House is 12/03369/LIPMV        The client has also acquired the premises licence for Kettners (11/06536/LIPDPS) next door and this licence will be surrendered as the Kettners space will be incorporated into the new Soho House scheme.        Operation will not change as a result of this application- it will remain as a private members club. Discussion as to a new licence application, to take into account a large scale refurbishment and reconfiguration of the premises- 2 year refurbishment schedule is planned and premises is shut in the interim.'</i></p> <p><b><u>EH COMMENTS:</u></b></p> <p>This is a major refurbishment scheme which involves the following Licensed premises:</p> <p><b>SKB, 19-21 Old Compton Street        Café Boheme, 13-17 Old Compton Street        Kettners, 29 Romilly Street        Soho House, 40 Greek Street</b></p> <p>The applicant has sought detailed advice from EH, District Surveyor, and LFB (David Doyle). A Public Safety/Fire Strategy scheme for each of the affected premises has been discussed and agreed. This has resulted in a set of floor plans for each premises which are acceptable to EH, District Surveyor, and London Fire Brigade.</p> <p>The applicant wishes to make applications for <u>New Premises Licenses</u> and <u>Variations</u> to replace current and existing Licenses:</p> <p><b>Café Boheme – <u>variation</u> as we are only tidying up the conditions        SKB – demise is slightly changed so it will need to be a <u>new application</u>        Kettners and Soho House – <u>new applications</u></b></p>		

From an EH perspective, this is an opportunity to improve the physical build and internal arrangements of each of the premises and to bring the public safety arrangements up to modern standards. It is also an opportunity for better regulation as more up to date Model Conditions are brought to bear and existing Licences are tidied up.

The applicant will submit the recently agreed floor plans for each premises and a number of proposed Conditions for each Licence application.

It will be for the applicant to show that there will be no increase in Cumulative Impact in the West End CIA. In this regard, it is noted that the current Licences already allow for many licensable activities to take place well beyond the Core Hours as defined in the City Council's Licensing Policy. It will be for the applicant to explain in detail to the Licensing Committee the comparison between the existing permitted hours and what is sought by way of New Applications or Variations.

The applicant has submitted a list of Proposed Conditions for each of the premises and these are broadly acceptable to EH. Some of the existing conditions have been repeated in the proposals and some new Model Conditions have been added. It should be noted that the Police are likely to seek additional conditions, for example for age verification. Again, this will be the subject of discussion at the Committee Hearing.

**THE APPLICATIONS WILL BE ADJUDICATED AT A HEARING OF THE LICENSING SUB COMMITTEE THE APPLICATION WILL BE DETERMINED IN RELATION TO THE CITY COUNCIL'S LICENSING POLICIES AND IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.**

**Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.**





City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 5

Item No:	
Date:	9 November 2017
Licensing Ref No:	17/10271/LIPV - Premises Licence Variation
Title of Report:	Liberty 25 Great Marlborough Street London W1F 7HH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	15 September 2017		
<b>Applicant:</b>	Liberty Retail Limited		
<b>Premises address:</b>	25 Great Marlborough Street London W1F 7HH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operate as a café within a department store.		
<b>Variation description:</b>	<p>The application seeks to vary the part of the Premises Licence known as Café Liberty. The application seeks to vary Condition 11(ii) of the premises which currently reads as:</p> <p><i>The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:</i></p> <p style="padding-left: 40px;"><i>(i) by waiter services only</i> <i>(ii) be ancillary to a substantial table meal.</i></p> <p>The applicant seeks to vary this condition to the following:</p> <p><i>The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:</i></p> <p style="padding-left: 40px;"><i>(i) by waiter services only</i> <i>(ii) to no more than 20 persons who may consume alcohol without taking a substantial table meal. All other supplies of alcohol to be ancillary to a table meal.</i></p>		
<b>Premises licence history</b>	The premises has been licensed since 2006. The full details of the premises licence history can be found at Appendix 2.		
<b>Applicant submissions:</b>	None		
<b>Plans:</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

**1-B Current and proposed licensable activities, areas and hours**

**Performance of dance**

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
<b>Monday</b>	10:00	23:00	No change		No change
<b>Tuesday</b>	10:00	23:00			
<b>Wednesday</b>	10:00	23:00			
<b>Thursday</b>	10:00	23:00			
<b>Friday</b>	10:00	23:00			
<b>Saturday</b>	10:00	23:00			
<b>Sunday</b>	12:00	22:30			
<b>Seasonal variations: Non-standard timings:</b>	<b>Current:</b> No change			<b>Proposed:</b> None	

**Performance of live music**

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
<b>Monday</b>	10:00	23:00	No change		No change
<b>Tuesday</b>	10:00	23:00			
<b>Wednesday</b>	10:00	23:00			
<b>Thursday</b>	10:00	23:00			
<b>Friday</b>	10:00	23:00			
<b>Saturday</b>	10:00	23:00			
<b>Sunday</b>	12:00	22:30			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> None			<b>Proposed:</b> No change	

<b>Playing of recorded music</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>	10:00	23:00	No change		No change
<b>Tuesday</b>	10:00	23:00			
<b>Wednesday</b>	10:00	23:00			
<b>Thursday</b>	10:00	23:00			
<b>Friday</b>	10:00	23:00			
<b>Saturday</b>	10:00	23:00			
<b>Sunday</b>	12:00	22:30			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	None			No change	

<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>	10:00	23:00	No change		No change
<b>Tuesday</b>	10:00	23:00			
<b>Wednesday</b>	10:00	23:00			
<b>Thursday</b>	10:00	23:00			
<b>Friday</b>	10:00	23:00			
<b>Saturday</b>	10:00	23:00			
<b>Sunday</b>	12:00	22:30			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	None			No change	

Sale by Retail of Alcohol					
On or off sales			Current :		Proposed:
			Both		No change
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	10:00	23:00	No change		No change
Tuesday	10:00	23:00			
Wednesday	10:00	23:00			
Thursday	10:00	23:00			
Friday	10:00	23:00			
Saturday	10:00	23:00			
Sunday	12:00	22:30			
Seasonal variations/ Non-standard timings:		Current:			Proposed:
		None			No change

Hours premises are open to the public					
	Current Hours		Proposed Hours		Premises Area
	Start:	End:	Start:	End:	
Monday	10:00	23:00	No change		No change
Tuesday	10:00	23:00			
Wednesday	10:00	23:00			
Thursday	10:00	23:00			
Friday	10:00	23:00			
Saturday	10:00	23:00			
Sunday	12:00	22:30			
Seasonal variations/ Non-standard timings:		Current:			Proposed:
		No change			No change

1-C CONDITIONS BEING VARIED	
Condition	Proposed variation
<p><b><u>Condition 11</u></b></p> <p>The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:</p> <p>i. by waiter services only ii. be ancillary to a substantial table meal</p>	<p>The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:</p> <p>i. by waiter services only ii. to no more than 20 persons who may consume alcohol without taking a substantial table meal. All other supplies of alcohol to be ancillary to a table meal.</p>

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	5 October 2017
<p>I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>The venue is situated in the West End cumulative impact 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.</p> <p>Police would like you to add the following conditions to your operating schedule as we believe they address our concerns in relation to crime and disorder.</p> <ol style="list-style-type: none"> <li>1. 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. It must be completed within 24 hours of the incident and 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, (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.</li> <li>2. 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.</li> </ol>	

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	13 October 2017
<p>I write in relation to the application submitted for a variation of a Premises Licence.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered. The applicants seeks to allow 20 persons to consume alcohol without the need to be taking substantial table meal. The alcohol will still be served by waiters or waitress but we are concerned how this will operate as the licence currently permits sales of alcohol on the premises until 23:00hrs. 2.4.22 of the Westminster Licensing Policy clarifies that in the C.I.A alcohol should usually be sold only as ancillary to food. We would also draw the applicants attention to considering whether the alcohol sales as proposed could be limited to 20:00hrs.</p> <p>Please accept this as formal representation and we look forward to hearing from the applicants in relation the above policy considerations.</p>	

<b>2-B Other Persons</b>	
<b>Name:</b>	The Soho Society
<b>Received:</b>	12 October 2017
<p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.</p> <p><b>About The Soho Society</b></p> <p>The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.</p> <p><b>Application summary</b></p> <p>The application is described as follows:</p> <p><b>We apply to vary Annex 2 Condition 11(ii) of the premises licence to permit the</b></p>	

**sale of alcohol for consumption within Cafe Liberty to no more than 20 persons who may consume alcohol without taking a substantial table meal. All other supplies of alcohol to be ancillary to a table meal.**

### **Licensing policy**

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). This application seeks to license alcohol consumption for a maximum of 20 persons within the café of this retail premises without the alcohol being ancillary to a table meal. This directly contravenes policy 2.5.3 which states: 'The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as 'vertical drinking' premises where customers consume alcohol standing throughout the evening.' The immediate area surrounding Liberty is rich in bars and public houses where alcohol can easily be obtained so it is hard to understand why the shop café wishes to begin operating as a bar.

We believe that the application, if granted in its present form, would merely add to cumulative impact in the West End Cumulative Impact Area, as well as set an unwelcome precedent for shops wishing to sell alcohol to customers. I respectfully urge the Licensing Sub-Committee to reject this application.



### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIA1 applies:</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy PB2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

## 4. Appendices

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

<b>Report author:</b>	Ms Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
<b>4</b>	Representation Metropolitan Police Service	5 October 2017
<b>5</b>	Representation Licensing Authority	13 October 2017
<b>6</b>	Representation The Soho Society	12 October 2017

None

## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
06/09353/LIPN	This was an application for a new premises licence.	02.11.2006	Granted under Delegated Authority
07/02798/LIPDPS	This was an application to vary the DPS.	06.05.2007	Granted under Delegated Authority
08/01274/LIPDPS	This was an application to vary the DPS.	27.11.2008	Granted under Delegated Authority
08/02340/LIPN	This was an application for a new premises licence.	29.05.2008	Granted by Licensing Sub Committee  Following the grant of a new premises licence in respect of Liberty, this licence was surrendered on 10 October 2011.
11/07982/LIPN	This was an application for a new premises licence.	28.09.2011	Granted under Delegated Authority
12/03966/LIPDPS	This was an application to vary the DPS.	10.07.2012	Granted under Delegated Authority
12/06011/LIPDPS	This was an application to vary the DPS.	08.08.2012	Granted under Delegated Authority
13/07231/LIPV	This was an application to vary the premises licence. The variation sought to include within the area licensed for "off" sales that area of the premises adjacent to the Central Atrium and East Atrium on the 4th Floor as shown on the deposited plans. To remove from the premises licence Annex 2 Condition 10 (a) (ii) - "The tea Room on the Ground Floor"	25.10.2013	Granted under Delegated Authority

14/06580/LIPDPS	This was an application to vary the DPS.	05.09.2014	Granted under Delegated Authority
16/01005/LIPVM	This was an application for a minor variation.	28.01.2016	<p>Refuse Licence.</p> <p>The Licensing Authority rejected this minor variation as they did not consider that varying the licence to add the whole premises to sell and supply alcohol would promote the Licensing Objectives and therefore a full variation application would need to be submitted.</p>
16/02393/LIPV	<p>This was an application to vary the premises licence.</p> <p>This application was made to vary the current Premises Licence to enable greater flexibility regarding the location within store from which the sale and supply of alcohol can be made for consumption off the premises. The existing licence restricted the sale and supply of alcohol to members of the public as follows:</p> <p>Annex 2 Condition 11</p> <p>The sale and supply of alcohol to members of the public shall be restricted to:</p> <p>(b) for consumption off the premises within:-</p> <p>i. the off sale area known as the Carnaby Room on the Ground Floor;</p> <p>ii. the West Atrium and West Atrium Annex on the Third Floor; and</p> <p>iii. the Central Atrium and East Atrium on the Fourth Floor.</p> <p>The proposed amendment was to permit the sale and</p>	30.03.2016	<p>Application withdrawn.</p> <p>It was the Licensing Authority's opinion that this was a substantial change and therefore this application was invalid.</p>

	supply of alcohol to members of the public for consumption off the premises from anywhere within the store whilst still limiting the overall sales area to be used at any one time to no more than 15% in accordance with condition 15 of the Premises Licence.		
16/02548/LIPN	This was an application for a new premises licence.	10.05.2016	Granted under Delegated Authority
17/10269/LIPV	This was an application to vary the premises licence. The application sought to vary the Cafe Liberty licensed area in accordance with plans deposited with this application, to include installation of fixed seating as shown on the plan, replacement service counter with seating, and extension to the restaurant seating area (note: removal of kitchen from the licensed area).	23.10.2017	Granted under Delegated Authority.

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
15/09695/LITENP	This was an application for a Temporary Event Notice.	04.11.2015	Notice granted
15/09838/LITENP	This was an application for a Temporary Event Notice.	10.12.2015	Notice granted
15/10224/LITENP	This was an application for a Temporary Event Notice.	17.12.2015	Notice granted
15/10233/LITENP	This was an application for a Temporary Event Notice.	17.12.2015	Notice granted

**There is no appeal history**

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

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

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

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

#### **Conditions: On Current Licence -**

##### **Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the

- period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—



- (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the operating Schedule**

9. The sale of alcohol shall be ancillary to the premises remaining a Departmental Store.

10. The sale and supply of alcohol to members of the public shall be restricted to:

(a) for consumption "On" the premises within:-

(i) The Margareth Dabbs Spa on the Lower Ground Floor,

(ii) Café Liberty on the Second Floor and

(iii) The Heritage Suite on the Third Floor

(b) When persons are attending 'tastings' by ticket or invitation, alcohol may be sold or supplied for consumption 'On' the premises within:-

(i) The Carnaby Room on the Ground Floor;

(ii) The West Atrium and West Atrium Annex on the Third Floor;

(iii) The Central Atrium and East Atrium on the Fourth Floor.

(c) Persons attending a pre-arranged event by ticket or prior invitation (in the entirety of) the Lower Ground Floor, Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor subject to the capacity not exceeding 500 persons (excluding staff)

(d) For consumption "Off" the premises anywhere within the Lower Ground Floor to 4th Floor

11. The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:
  - i. by waiter services only
  - ii. be ancillary to a substantial table meal

**The applicant has proposed to vary condition 11 to the below:**

The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:

- i. by waiter services only
  - ii. to no more than 20 persons who may consume alcohol without taking a substantial table meal. All other supplies of alcohol to be ancillary to a table meal.
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available at the Café Liberty on the Second Floor and The Heritage Suite on the Third Floor where alcohol is sold or supplied for consumption "On" the premises.
13. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption "On" the premises.
14. No more than 10% of the sales area is to be used at any one time for the sale or display of alcohol for consumption "Off" the premises.
15. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
16. All sales of alcohol for consumption "Off" the premises shall be in sealed containers only, and shall not be consumed on the premises.
17. Alcohol may only be sold for consumption in the Margaret Dabbs Spa on the Lower Ground Floor to customers having booked and receiving a treatment.
18. No drinks shall be served in glass containers at any time in the Margaret Dabbs Spa on the Lower Ground Floor.
19. When licensable activities are carried out at pre-arranged events throughout the Lower Ground Floor, Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor of the premises, the maximum number of persons accommodated at any one time shall not exceed 500 persons (excluding staff). Attendance at these events to be by pre-booked ticket or invitation only.
20. 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 31 day period.

21. 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.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
24. No regulated entertainment shall take place in the entrance areas on the ground floor.
25. All windows and external doors on the ground floor shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
26. 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
27. Save for members of staff, all persons shall depart from the premises by 23:30 hours Monday to Saturday and 22:30 hours on Sundays.
28. 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.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. 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.
31. 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.
32. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

33. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
35. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

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

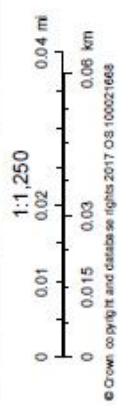
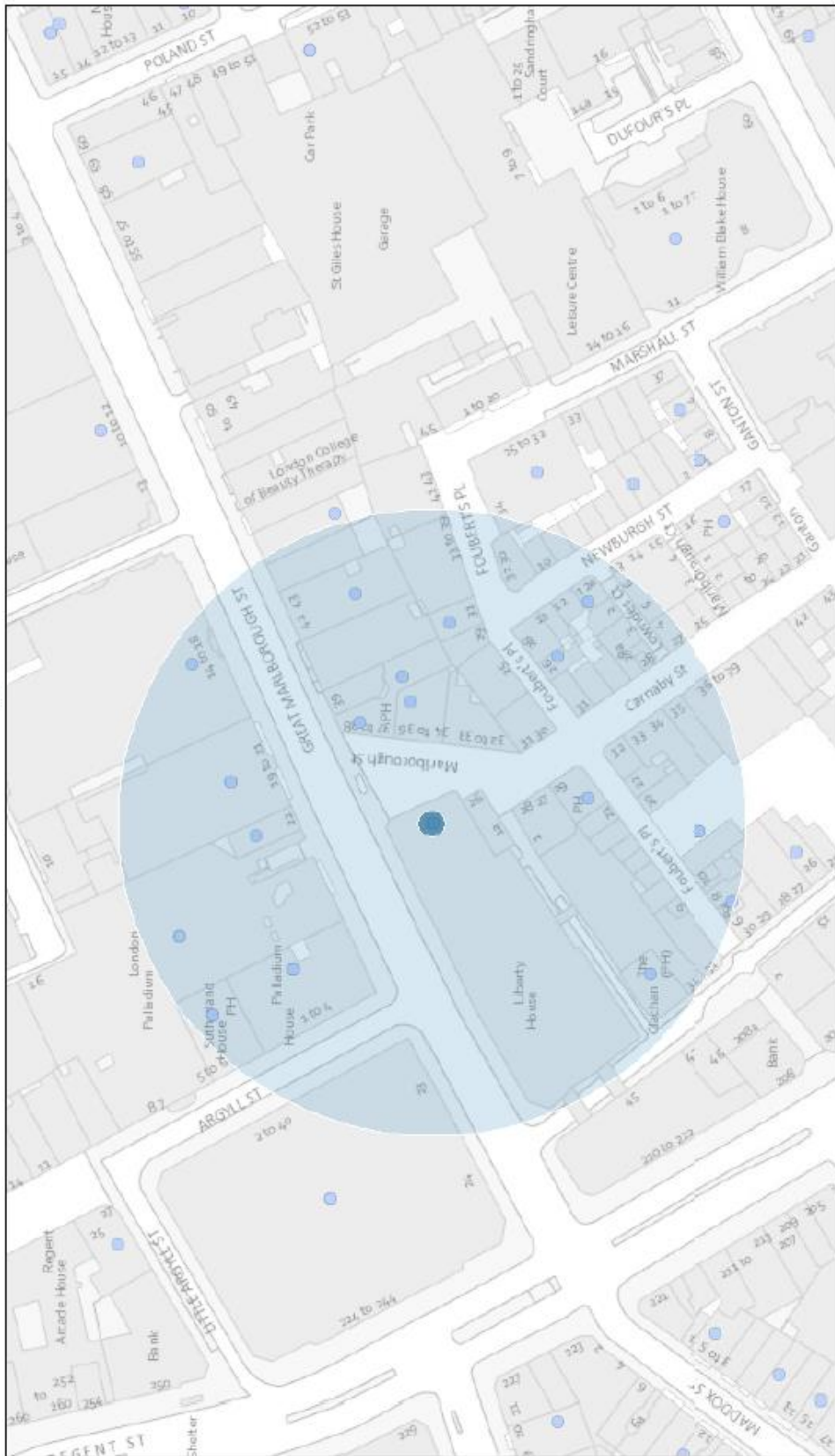
None

### **Conditions proposed by the Police and agreed with the applicant**

36. 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. It must be completed within 24 hours of the incident and 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,
  - f) any refusal of the sale of alcohol, and
  - g) any visit by a relevant authority or emergency service.
37. 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.

# Residential Map and List of Premises in the Vicinity Appendix 4

Liberty



October 23, 2017  
 ● Live Licensing Act

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Resident count = 31



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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033549093

Premises licence

Regulation 33, 34

Premises licence number:	16/02548/LIPN
Original Reference:	16/02548/LIPN

Part 1 – Premises details

Postal address of premises:

Liberty  
25 Great Marlborough Street  
London  
W1F 7HH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
Sale by Retail of Alcohol

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

<b>Performance of Dance</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30
<b>Performance of Live Music</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30
<b>Playing of Recorded Music</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Liberty Retail Limited  
Liberty House  
214-222 Regent Street  
Westminster  
London  
W1B 5AH  
Electronic Mail : r.rodriquez@liberty.co.uk  
Telephone Number : 02077341234

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

03967671

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

Name: Mr Robert Rodriguez

*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: 12/04849/LIPERS  
Licensing Authority: City of Westminster Council

Date: 29<sup>th</sup> June 2016

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director - Public Protection and Licensing.



#### Annex 1 – Mandatory conditions

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

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

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

## Annex 2 – Conditions consistent with the operating Schedule

9. The sale of alcohol shall be ancillary to the premises remaining a Departmental Store.
10. The sale and supply of alcohol to members of the public shall be restricted to:
  - (a) for consumption "On" the premises within:-
    - (i) The Margareth Dabbs Spa on the Lower Ground Floor,
    - (ii) Café Liberty on the Second Floor and
    - (iii) The Heritage Suite on the Third Floor
  - (b) When persons are attending 'tastings' by ticket or invitation, alcohol may be sold or supplied for consumption 'On' the premises within:-
    - (i) The Camaby Room on the Ground Floor;
    - (ii) The West Atrium and West Atrium Annex on the Third Floor;
    - (iii) The Central Atrium and East Atrium on the Fourth Floor.
  - (c) Persons attending a pre-arranged event by ticket or prior invitation (in the entirety of) the Lower Ground Floor, Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor subject to the capacity not exceeding 500 persons (excluding staff)
  - (d) For consumption "Off" the premises anywhere within the Lower Ground Floor to 4th Floor
11. The supply of alcohol for consumption "On" the premises within Café Liberty on the Second Floor and the Heritage Suite on the Third Floor shall be:
  - i. by waiter services only
  - ii. be ancillary to a substantial table meal
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available at the Café Liberty on the Second Floor and The Heritage Suite on the Third Floor where alcohol is sold or supplied for consumption "On" the premises.
13. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption "On" the premises.
14. No more than 10% of the sales area is to be used at any one time for the sale or display of alcohol for consumption "Off" the premises.
15. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
16. All sales of alcohol for consumption "Off" the premises shall be in sealed containers only, and shall not be consumed on the premises.
17. Alcohol may only be sold for consumption in the Margaret Dabbs Spa on the Lower Ground Floor to customers having booked and receiving a treatment.
18. No drinks shall be served in glass containers at any time in the Margaret Dabbs Spa on the Lower Ground Floor.
19. When licensable activities are carried out at pre-arranged events throughout the Lower Ground Floor, Ground Floor, First Floor, Second Floor, Third Floor and Fourth Floor of the premises, the maximum number of persons accommodated at any one time shall not exceed 500 persons (excluding staff). Attendance at these events to be by pre-booked ticket or invitation only.
20. 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 31 day period.

21. 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.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
24. No regulated entertainment shall take place in the entrance areas on the ground floor.
25. All windows and external doors on the ground floor shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
26. 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
27. Save for members of staff, all persons shall depart from the premises by 23:30 hours Monday to Saturday and 22:30 hours on Sundays.
28. 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.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. 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.
31. 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.
32. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
35. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

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

None



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

Schedule 12  
Part B

WARD: West End  
UPRN: 010033549093

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/02548/LIPN

Part 1 – Premises details

Postal address of premises:

Liberty  
25 Great Marlborough Street  
London  
W1F 7HH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Performance of Live Music**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Playing of Recorded Music**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Liberty Retail Limited  
Liberty House  
214-222 Regent Street  
Westminster  
London  
W1B 5AH

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

03967671

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

**Name:** Mr Robert Rodriguez

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

Restricted

**Date:** 29<sup>th</sup> June 2016

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director  
- Public Protection and Licensing.



Item No:	
Date:	9 November 2017
Licensing Ref No:	17/08548/LIPN - New Premises Licence
Title of Report:	Karaoke Box 12-14 Maddox Street London W1S 1PH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	31 July 2017		
<b>Applicant:</b>	Karaoke Box Ltd		
<b>Premises address:</b>	12-14 Maddox Street London W1S 1PH	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises intends to operate as a karaoke club.		
<b>Premises licence history:</b>	The premises has been licensed since 2000. The premises does benefit from an existing premises licence which can be found at Appendix 6 of the report. The full details of the premises licence history can be found at Appendix 2.		
<b>Applicant submissions:</b>	None		
<b>Plans:</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	23:30	01:30	01:30	04:30	04:30	04:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			On
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:00	01:00	01:00	04:00	04:00	04:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Films:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	01:30	01:30	04:30	04:30	04:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Recorded music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	01:30	01:30	04:30	04:30	04:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Anything of a similar description to live music or recorded music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	01:30	01:30	04:30	04:30	04:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	00:00	02:00	02:00	05:00	05:00	05:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	17 August 2017
I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	28 August 2017

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 Objectives.

The venue is situated in the West End Cumulative Impact Area, a locality where there is traditionally high levels of crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	25 August 2017

I write in relation to the application submitted for a new premises licence

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The application seeks to go beyond Westminster's Core Hour Policy (HRS1) and the granting of any new premises within the C.I.A must consider and demonstrate it will not add to cumulative impact or demonstrate in the operating schedule and exemption. (CIP1i)

MD2 relates to premises that offer the provision of Music, dancing other similar entertainment as well as offering alcohol. It is the current policy to refuse applications for these premises unless they are to vary hours to within core hours. We do not believe the proposed conditions, or policy submitted as part of the application address the licensing objectives appropriately.

We look forward to receiving additional documents to address the concerns raised above, please accept this as a formal objection.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIA1 applies:</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, 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 Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy PB2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.
<b>Policy MD2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below 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 set out below in this policy will be considered on their merits, subject to other relevant policies.</p>

## 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity
<b>Appendix 5</b>	Policy proposed in condition 63
<b>Appendix 6</b>	Existing premises licence

<b>Report author:</b>	Miss Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Representation Environmental Health	17 August 2017
<b>5</b>	Representation Metropolitan Police Service	28 August 2017
<b>6</b>	Representation Licensing Authority	25 August 2017
<b>7</b>	Report by Adrian Studd	30 October 2017

**Karaoke Box, 12 – 14 Maddox Street, W1.**

**Report by Adrian Studd**

**Independent Licensing Consultant.**

**Introduction.**

1. I have been instructed in connection with the application for a licence at the above premises. The application seeks to extend permitted hours on Thursday, Friday and Saturday night while reducing the hours on other nights. The premises are currently licensed for alcohol sales until 01.00 and licensable activities until 02.00, with a closing time of 2 a.m. on 7 nights per week; it has benefitted from a number of Temporary Event Notices (TENs) over the last 5 years extending the hours to those requested by the application.
2. In connection with this application I have conducted observations at the premises and in the vicinity on two separate nights, Thursday 26<sup>th</sup> October and Friday 27<sup>th</sup> October 2017, when the premises was operating under the benefit of TENs permitting it to remain open for the proposed hours. I have previously conducted observations in 2016 on 4<sup>th</sup> and 5<sup>th</sup> March 2016 when the premises was operating by virtue of TENs and on 25<sup>th</sup> March 2016 when the premises was operating under the existing licence hours.

**Statement of expertise – Adrian Studd.**

3. I retired from the police service on 2<sup>nd</sup> November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games. In addition

to leading my team I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work.

4. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised Crime Command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity, providing both overt and covert support for policing problem licensed premises across London. My team worked with premises when licensing issues were identified in order to address these problems through the use of action plans in order to raise their standards. Where this failed I would support the boroughs with evidence for use at review hearings if required.
5. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process; together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
6. From 2004 until 2008 my role included representing the MPS and ACPO licensing lead both in London and nationally. In this role I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the Bill working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.



7. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs implement the initiative. I am a trained Purple Flag and Best Bar None assessor and until my retirement sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above I have attended a large number of internal MPS training and qualification courses, I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).
  
8. Following my retirement I established 'Clubsafe Services Ltd' to provide independent compliance support and advice for premises requiring a local authority licence. Since then I have provided evidence gathering services, advice and support to a broad range of licensed premises on a variety of issues, including crime and disorder, street drinking, rough sleepers and age related product issues. This work has involved premises that benefit from a variety of local authority licences including alcohol on and off licences, betting premises licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings on a number of occasions.

**Overview of location.**

9. The premises operates in the basement of the building in Maddox Street exclusively as a Karaoke bar and provides different sized rooms that are available for groups to carry out karaoke entertainment. In addition there is a bar area for those booked and waiting and waitress service of drinks and food to the rooms. The premises are small with a total capacity of 50 people across all the rooms.
  
10. There are a number of other licensed premises close by including a restaurant immediately above the premises with residential accommodation above that. A

short way along Maddox Street at the junction with Mill Street are No.4 Mayfair, a hostess and lap dancing bar open until 05.00 and Maddox Club open until 03.00. Opposite Karaoke Box is the entrance to No. 5 Maddox Street which operates as a boutique hotel and apartments.

11. 'No. 4 Mayfair' and 'Maddox Club' are very popular, busy late night venues. The junction of Mill Street with Maddox Street where they are located is busy and Maddox club in particular has crowds outside and queues of customers through the night. It was clear that a lot of the vehicle traffic making its way along Maddox Street from Regent Street was taxis and mini cabs dropping off or collecting at these two premises.

12. Maddox Street is a busy cut through for both vehicles and pedestrians through the night. There is public parking available in the street and this attracts parking by people using other premises in the area. There is a steady flow of pedestrians making their way North along Maddox Street to Regent Street to access buses and other transport throughout the night. The night tube runs from the nearby Oxford Street station on Friday and Saturday nights and night-buses run all week. The dominant noise audible through the night is from traffic in Regent Street.

13. Karaoke Box has a discrete entrance down a flight of steps into the basement premises. On entering the premises there is a bar area with seating, tables and chairs, then a corridor that leads off to the karaoke rooms. The furnishings are to a high standard and the appearance is up-market. There is a relaxed atmosphere in the bar which was well staffed. Food, soft drinks and tea and coffee is available throughout the full operating hours.

### **Observations.**

14. I conducted observations in connection with this application on Thursday the 26<sup>th</sup> October and Friday 27<sup>th</sup> October 2017 between 23.00 and 04.00 hours. On both nights a TEN was in place permitting the premises to operate as is proposed under this application. On Thursday night parts of Regent Street, including the junction with Maddox Street, were closed to facilitate the putting up of Christmas decorations. This reduced the amount of vehicle traffic in the street and also

made it impossible to get cabs, mini-cabs and Uber cars to collect from Maddox Street which is one way with the entrance at Regent Street. Most of the premises appeared to direct customers to walk to Regent Street for pick-up or to the Mill Street end at the junction with St George Street. This lasted until approximately 02.00 when the road was re-opened.

15. On Friday night traffic was running as usual in Regent Street and Maddox Street was busy through the night. This provided me with an opportunity to observe the operation of the premises and in particular the dispersal as proposed by the application. I left the area at about 04.00 when the premises closed; there was still considerable through traffic and pedestrians making their way along the road in both directions.
16. During the course of my observations customers arrived and left Karaoke Box in small groups throughout the evening. The nature of the premises, where there are different rooms that each get booked at different times and for different lengths of time, ensures that there is no queuing to gain access and no large dispersal at the end of the night. Many customers are regulars and book in advance. I would estimate an approximate 50/50 mix of male and female customers of diverse ethnic backgrounds and ages ranging from mid-twenties to 50's.
17. The entrance, stairs and smoking are controlled by door supervisor/s that move between the three areas. On Friday 27<sup>th</sup> October 2017 there were 2 door supervisors, one was outside the premises on the pavement and one who supervised the entrance and stairwell. Until about 02.00 there were a few smokers outside the premises on the pavement on occasion, however later in the evening the smokers used the outside area at the bottom of the stairwell. This arrangement worked well and is to be recommended on nights that the premises operate beyond 02.00.
18. The dispersal was staggered with bookings made ensuring at least 10 minutes between the closing of rooms, this gives time for the bill to be settled, cabs and Uber cars to be booked and customers to wind down before leaving the premises. The street is a popular cut through for taxis providing prompt service for customers leaving the premises before 01.00 who require a cab. However all

customers leaving after 01.00 were informed at the time of booking that they were required to book transport from the bar area and remain inside until the vehicle arrived. This minimised the time spent on the street when leaving and I saw no evidence of touts in the vicinity in stark contrast to Mill Street where the touts were evident all night.

19. During the evening I observed the dispersal from the street and from inside the premises. The procedure for customers booking cabs and remaining in the premises until it arrived was followed and worked well. I did not see any customers loitering outside the premises or waiting for transport during the evening and the customers I observed were happy to wait in the premises and were offered complimentary tea and coffee or soft drinks.

20. Vehicles arrived within 5-10 minutes during which time the bill was settled and customers had the opportunity to collect coats, wind down and prepare to leave. The door supervisor would then let them know that the vehicle was outside and the customers left the premises, went to the vehicle and left the area.

### **Conclusion.**

21. This application proposes a number of conditions in order to ensure that the premises is able to operate to later hours without adding to the cumulative impact in the area. It is a small premise with a capacity of 50 customers and the operation dictates that customers will arrive and leave in small numbers over the operating period. This is in contrast to a regular nightclub style premises that tends to attract a large number of customers arriving over a short period of time, often required to queue, and then dispersing together when the premises closes. In addition alcohol can only be sold to persons actually performing Karaoke or waiting to use the Karaoke facilities up to 30 minutes prior to the stated time of booking ensuring that the premises cannot be just another bar or nightclub.

22. The proposal includes ensuring that customers leaving after 01.00 agree to use a pre-booked cab and remain inside the premises until the vehicle arrives, minimising the time spent on the pavement and therefore the potential for noise or nuisance to be caused. The unique nature of the premises whereby customers

book the individual room for a set period ensures that staff are able to manage when customers finish their entertainment and can therefore manage a staggered dispersal ensuring large numbers do not leave together.

23. Potential for noise or nuisance to be caused is further reduced by conditions requiring bookings after midnight to be made at least 4 hours in advance and a last admission time of 02.30 which prevent migration from other premises or casual attendance after midnight. Use of door supervisor/s to manage entry, exit and smoking and a maximum of seven customers permitted to smoke at any one time ensures nuisance is not caused outside the premises.

24. When I conducted observations the premises was operating to the proposed hours by virtue of Temporary Event Notices. The overall operation and dispersal was well managed in accordance with the operating schedule and customers leaving after 01.00 went to vehicles waiting outside (subject to road closure on Thursday night). The evidence demonstrated that Karaoke Box does not add to cumulative impact in the area and taking account of all the proposed conditions and operating schedule it can be considered an exception to the presumption against granting a new licence beyond core hours.

**I understand that my duty is to the Sub-Committee and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the fact I state in this report to be honest and true and that the opinions I have expressed are correct to the best of my judgment. The fee for this report is not conditional on the outcome of the case in any way whatsoever.**

Adrian Studd

Independent licensing consultant.

30/10/17.

**KARAOKE BOX 12-14 MADDOX STREET**

**SUBMISSIONS OF APPLICANT**

1. Karaoke Box is a small, basement level, karaoke bar sectioned into seven karaoke rooms with a capacity of just 50 persons. Obviously, the venue is seated, with waiter and waitress service to the karaoke rooms.
2. It has a premises licence for 7 days per week (13/03894/LIPVM), permitting it to open, to provide late night refreshment, live and recorded music, dance performance and facilities for dancing and making music until 0200 and to supply alcohol until 0100.
3. Karaoke Box has a 'sister' premises in Frith Street, which has a last entry time of 0230, a terminal hour for licensed activity of 0430 and closing time of 0500.
4. Karaoke Box has a good record of operation, without crime and disorder or complaints of nuisance from local residents.<sup>1</sup> This is undoubtedly due to its style of operation, the seated nature of the venue, the customer base it attracts and the 53 conditions on its licence.
5. It has also operated temporary event notices for 5 years during November and December, permitting it to open until 0500. Such temporary event notices have not received objection from responsible authorities or any complaint from others, despite much later hours of operation. There have been 36 temporary event notices over the last 5 years, so it can safely be said that the venue can operate to later hours without harm to the licensing objectives.
6. The club's customers are in the 25-50 age bracket, predominantly UK and Asian. Over 90% of its clients are already known to it. Business clients are drawn from the private sector (including leading banks, property companies,

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<sup>1</sup> A recent issue of noise insulation at basement level was promptly resolved once raised.

Japanese corporations and broadcasting organisations) and also the public sector.

7. It has applied before for an extension of hours but has been refused on cumulative impact grounds. It therefore sought legal advice as to what further offers it could make to be able to demonstrate that extended hours would not add to cumulative impact in the area. It believes that the scheme it is offering is imaginative and possibly unique.
8. Before turning to that scheme, it is relevant to mention that while the applicant is seeking to extend its hours on Thursdays to Saturdays, if this is granted it proposes significantly to reduce its hours on Sundays to Tuesdays,<sup>2</sup> with Wednesdays unchanged. There is therefore an element of give and take.
9. It is also relevant that on no occasion has a temporary event notice resulted in harm to the licensing objectives.
10. Further, the absence of any objection by any neighbor or the environmental health authority to this application is indicative of the lack of impact of the venue, as is the report from Mr. Adrian Studd which recounts the results of his observations during recent temporary events.
11. However, the venue owner wished to do more, to give the Sub-Committee further assurance that the extension on Thursday to Saturday will not add to cumulative impact, so as to enable it to treat this as an exceptional case. The proposals are set out at new proposed conditions 55-67 in the Operating Schedule and in the nuisance policy which follows it. The most important elements are as follows.
12. First, there will be no “walk-up” to the venue. All clients booking karaoke rooms after midnight will be required to book at least 4 hours in advance (condition 65).
13. Second, to reinforce this, there will be no new entry to the venue at all after 2.30 a.m. (condition 61).

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<sup>2</sup> The terminal hour for alcohol on Tuesdays is intended to remain 1 a.m. as set out in section J of the application form, despite what is stated in proposed condition 54.

14. Third, the owner will ensure that people do not just walk away from the venue at the end of the night. The system will be that everybody leaving after 1 a.m. will be required to accept, at the time of the booking, and as a condition of the booking, that all members of the group using the room will leave by a pre-booked taxi. So, all customers coming to the venue know that this is the rule.
15. Fourth, during the night there will be further control over the exterior area. There is a new condition that an SIA door supervisor is employed after midnight on any night that the venue operates beyond 1 a.m. (condition 57) and no more than 7 smokers will be allowed outside at a time (condition 63). The door supervisor's functions also include ensuring that the taxi engine is switched off, notifying the inside staff when taxis have arrived, ensuring that clients leave quietly and generally ensuring that the exterior is peaceful (Policy).
16. Fifth, the venue is proposing a novel, controlled method of handling departing customers. On Thursdays to Saturdays, the booths will be closed at ten minute intervals from 3.30 to 4.30 a.m. Alcohol sale will cease for each booth 30 minutes before the closing time of the booth. When the customers leave the booth, and while they are settling their bill and awaiting their taxi, they will be offered free coffee, water or a soft drink, together with snacks. They will be held in the venue until their taxi arrives. The door supervisor will notify staff that the taxi has arrived and will then personally see the customers into the taxi, ensuring that they leave the venue quietly.
17. This novel means of handling the sensitive issue of closure has been observed by Mr. Adrian Studd, whose report is in the papers. Briefly, the system works and results in all late night customers being driven from the venue without any impact.
18. For all of the above reasons, the Sub-Committee is asked to grant this application as a justifiable exception to the policy.

**PHILIP KOLVIN QC**  
2<sup>nd</sup> November 2017

**Cornerstone Barristers**  
**London WC1**



## Appendix 2

### Licence & Appeal history

Application	Details of Application	Date Determined	Decision
05/10111/LIPN	This was an application for a new premises licence	24.11.2005	Granted by Licensing Sub Committee
06/00528/LIPDPS	This was a request to vary the DPS.	03.02.2006	Granted under Delegated Authority
06/03746/LIPDPS	This was a request to vary the DPS.	18.05.2006	Granted under Delegated Authority
06/04287/LIPT	This was an application to transfer the licence from 46 Kanaryia Limited to Tuong Vinh Dang.	29.05.2006	Granted under Delegated Authority
06/13644/LIPV	<p>This was an application to vary the licence.</p> <p>The variation sought to provide regulated entertainment, the sale of alcohol and late night refreshment until 3am the day following Monday to Saturday.</p> <p>Remove condition 22.</p> <p>Alter condition 23 so that the word "regulated" is deleted.</p> <p>Remove condition 26.</p> <p>Propose to add a further condition if the hours are extended that only staff, members and their guests will be admitted or readmitted to the premises between 20:00 hours and 03:00 hours each day.</p> <p>Change the wording of condition 34 so that "annually" is replaced by "on request"</p>	15.02.2007	Granted by Licensing Sub Committee

07/07998/LIPT	This was an application to transfer the licence from Tuong Vinh Dang to Andrew McKay.	13.09.2007	Granted under Delegated Authority
07/08002/LIPDPS	This was a request to vary the DPS.	13.09.2007	Granted under Delegated Authority
06/04545/WCCMAP	This is the master copy of the licence.	12.09.2007	Granted under Delegated Authority
10/09023/LIPT	This was an application to transfer the licence from Andrew McKay to Keith David Freedman.	28.02.2011	Granted under Delegated Authority
11/00635/LIPT	This was an application to transfer the licence from Keith David Freedman to Karaoke Box Ltd.	28.02.2011	Granted under Delegated Authority
11/05504/LIPDPS	This was a request to vary the DPS.	21.06.2011	Granted under Delegated Authority
11/07204/LIPV	This was an application to vary the licence. The variation sought to approve new plans, which are attached. Remove the conditions which require the premises to operate as a 'members club' only for the purpose of karaoke conditions 14 and 26. Increase the capacity from 52 to 62 so as to allow the full capacity of the karaoke rooms and a small number of people waiting to use one of the rooms.	01.12.2011	Granted by Licensing Sub Committee
12/04856/LIPV	This was an application to vary the licence. The variation sought to vary the existing premises licence as so to extend the terminal hour for all licensable activities by 1 hour to 02:00 am Monday to Sunday.	09.08.2012	Granted by Licensing Sub Committee
12/07528/LIPDPS	This was a request to vary the DPS.	08.10.2012	Granted under Delegated Authority
13/03894/LIPVM	This was an application for a variation. The variation sought to vary the existing premises licence so as to remove condition 11, which restricts access to the premises	20.06.2013	Granted under Delegated Authority

	by persons under the age of 18. No proposed changes to existing licensable activities or timings.		
15/01461/LIPV	This was an application to vary the premises licence. The application sought an extension of hours for each licensable activity on Thursdays, Fridays and Saturdays to 04:30 (save for alcohol to 04:00) with closing time of 05:00. Reduction of hours of other days of the week.	21.05.2015	Licence refused

### Temporary Event Notice history

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/07744/LITENP	This was an application for a Temporary Event Notice.	24.10.2013	Notice granted
13/08165/LITENP	This was an application for a Temporary Event Notice.	24.10.2013	Notice granted
13/08221/LITENP	This was an application for a Temporary Event Notice.	18.12.2013	Notice granted
13/08805/LITENP	This was an application for a Temporary Event Notice.	18.11.2013	Notice granted
13/08807/LITENP	This was an application for a Temporary Event Notice.	18.11.2013	Notice granted
13/09514/LITENP	This was an application for a Temporary Event Notice.	31.12.2013	Notice granted
13/09668/LITENP	This was an application for a Temporary Event Notice.	18.12.2013	Notice granted
14/07982/LITENP	This was an application for a Temporary Event Notice.	23.12.2014	Notice granted
14/07983/LITENP	This was an application for a Temporary Event Notice.	23.12.2014	Notice granted

14/09706/LITENP	This was an application for a Temporary Event Notice.	30.12.2014	Notice granted
14/09707/LITENP	This was an application for a Temporary Event Notice.	30.12.2014	Notice granted
14/10606/LITENP	This was an application for a Temporary Event Notice.	15.12.2014	Notice granted
14/10607/LITENP	This was an application for a Temporary Event Notice.	15.12.2014	Notice granted
15/10064/LITENP	This was an application for a Temporary Event Notice.	18.11.2015	Notice granted
15/10160/LITENP	This was an application for a Temporary Event Notice.	17.12.2015	Notice granted
15/10552/LITENP	This was an application for a Temporary Event Notice.	22.12.2015	Notice granted
15/10700/LITENP	This was an application for a Temporary Event Notice.	10.12.2015	Notice granted
15/10958/LITENP	This was an application for a Temporary Event Notice.	01.12.2015	Notice granted
15/11274/LITENP	This was an application for a Temporary Event Notice.	11.12.2015	Notice granted
15/11495/LITENP	This was an application for a Temporary Event Notice.	21.12.2015	Notice granted
16/01925/LITENP	This was an application for a Temporary Event Notice.	01.03.2016	Notice granted
16/11586/LITENP	This was an application for a Temporary Event Notice.	07.11.2016	Notice granted
16/12441/LITENP	This was an application for a Temporary Event Notice.	13.12.2016	Notice granted
16/12492/LITENP	This was an application for a Temporary Event Notice.	09.12.2016	Notice granted

16/12811/LITENP	This was an application for a Temporary Event Notice.	06.12.2016	Notice granted
16/13092/LITENP	This was an application for a Temporary Event Notice.	20.12.2016	Notice granted
16/13427/LITENP	This was an application for a Temporary Event Notice.	19.12.2016	Notice granted
16/13721/LITENP	This was an application for a Temporary Event Notice.	29.12.2016	Notice granted

### 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. 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**

11. Persons under the age of 16 shall not be present on the premises from 21:00 hours.
12. Films shall be background to other entertainment and as part of karaoke in private karaoke rooms.
13. Provision of food shall be by waiter/waitress service.
14. Every bottle of wine, spirits or champagne ordered by a customer shall be signed for by the customer on a form that clearly states the price of the bottle.
15. Customers shall be informed as soon as their bill reaches £200 and customers should sign at this point to confirm their agreement. This shall be repeated as the bill reaches £400, £600 and so on.
16. A full itemised list of all purchases made shall be presented on request and in any event when the bill reaches £200 or more. Customers' authorisation of all final bills over £200 shall be recorded on CCTV. (These figures may be adjusted by agreement with the Metropolitan Police and or Licensing Authority to take account of inflation).
17. The sale by retail of alcohol and the provision of regulated entertainment (as listed above) are to be permitted from 10:00 on 31 December until the beginning of permitted hours on the following day.

18. Late Night Refreshment are to be permitted from 23:00 on 31 December until 05:00 the following day.
19. A manager shall be present during operating hours.
20. Substantial food and suitable beverages other than alcohol (including drinking water) shall be equally available during the permitted hours.
21. No striptease, no nudity and all persons to be decently attired at all times.
22. Clearly worded notices requesting patrons to leave quietly shall be prominently displayed.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. A noise limited to control the volume 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's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limited shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limited cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limited shall not be altered without prior agreement with the Environmental Health Service.
25. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Services.
26. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
27. 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: This rule does not apply to exhibitions given under the provisions of section 2(1A) and 5 of the Hypnotism Act 1952.
28. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting 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. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority.

31. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
33. 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.
34. Staff with specific responsibilities in the event of fires or other emergencies, together with deputies, shall receive training and written instruction appropriate to their role.
35. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
36. 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 10 days' prior notice being given to the Licensing Authority 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.
37. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
38. After 23:00 hours on Monday-Saturday and after 22:30 hours on Sunday the supply of alcohol shall be ancillary to the provision of a table meal or the provision of entertainment.
39. The certificates listed below shall be submitted to the Licensing Authority on request:
  - a) Any emergency lighting battery of system;
  - b) Any electrical installation;
  - c) Any fire alarm system.
40. A member of staff will be on duty at the main entrance from 20:00.

41. The maximum number of persons accommodated at any one time (excluding staff) shall be 50 persons.
42. Alcohol shall only be sold to persons actually performing Karaoke or waiting to use Karaoke facilities during a period of up to 30 minutes prior to the stated time of a confirmed booking.
43. The provision of Late Night Refreshment and the Sale of Alcohol shall only be provided as ancillary to the use of Karaoke.
44. The venue shall install and maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored as per the 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 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 made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period and provided to Police in read only disc format.
45. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
46. There must be constant monitoring of the CCTV monitor screens by authorised trained personnel, during the hours the premises are open to the public. The toilet lobby area must be one of the areas constantly displayed on screen. There must be CCTV warning signage throughout the licensable area. The signage in the toilet lobby area will be prominent and clearly state this area is constantly monitored by CCTV.
47. 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) Any complaints received regarding crime and disorder
  - c) Any incidents of disorder
  - d) Any faults in the CCTV system
  - e) Any refusal of the sale of alcohol
  - f) Any visit by a relevant authority or emergency service.
48. All front of house staff shall receive a minimum of one training session per six months in respect of the 2003 Licensing Act. A record of the training provided should be kept on file.
49. The terminal hour for licensable activities on each Sunday and Monday will be 23:30 and the premises will close at 00:00.

50. The terminal hour for licensable activities on Tuesday and Wednesday will be 01:30 and the premises will close at 02:00.
51. On every Thursday, Friday and Saturday nights each of the karaoke booths will be closed, in turn, so as to require clients to leave, at 10-minute intervals up to 04:30, thus ensuring that between 7 and 10 people leave the premises at 10 minute intervals up to the closing time at 05:00. The first room will close at 03:30, the second at 03:40, the third at 03:50, the fourth at 04:00, the fifth at 04:10, the sixth at 04:20 and the seventh at 04:30.
52. The sale of alcohol will cease 30 minutes before the closure hour for each room on Thursday, Friday and Saturday, and at the times specified on the face of the licence on all other days.
53. An SIA door supervisor will be employed from 12 midnight until the terminal hour on every night that the premises operate beyond 01:00.
54. Every person leaving the premises after 01:00 will be required to accept, at the time of booking and as a condition of the booking, that all members of the group using the room will leave the premises by pre booked taxi(s).
55. Clients leaving the premises after 01:00 will be held inside the premises until they are 'called up' by the SIA door supervisor when their taxi is ready for them.
56. During the waiting period, clients will be offered free coffee, water or a soft drink while they settle their bill and until their taxi arrives and they are 'called up' by the door supervisor.
57. There will be no entry or re-entry to the premises after 02:30, save for persons leaving to smoke.
58. 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.
59. No more than seven people will be allowed to leave the premises to smoke at any one time.
60. The licence holder shall ensure that any clients leaving the premises for a smoke break will behave in an orderly manner. They will be supervised by the SIA door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
61. All clients booking karaoke rooms after 00:00 will be required to book at least four hours in advance.
62. 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.
63. A policy will be in place to ensure no public nuisance shall be caused by clients entering or leaving the premises (see Appendix 5).

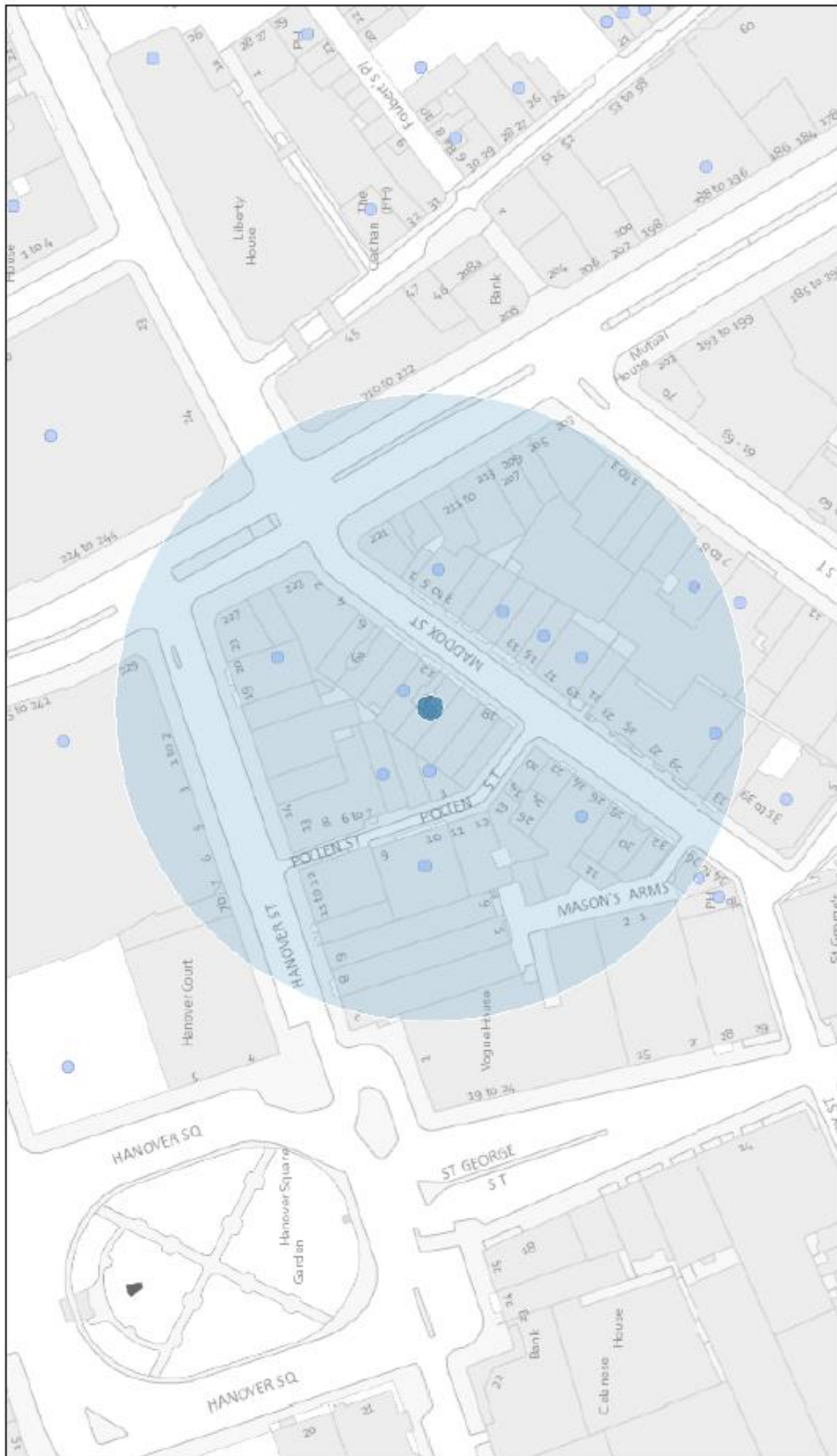
**Conditions proposed by the Environmental Health**

None

**Conditions proposed by the Police**

None

Karaoke Box



Resident count = 57

Policy to ensure that no public nuisance is caused by clients entering or leaving the premises.

An experienced door supervisor will be employed outside the premises, at street level to monitor and control those people who are entering or leaving the premises.

The door supervisor shall be on duty on every day the premises are open after 12 night, and until the premises are closed and all clients have left the premises.

The door supervisor will ensure (with the staff member inside the premises controlling the entrance) that no more than 7 people are allowed to stand on the street outside the premises to take a smoke break

The door supervisor will encourage all those who enter and leave the premises, and those taking a smoke break, to keep in mind that there are people sleeping in the vicinity, and to behave in a manner, which is considerate to those other people.

Clients leaving after 01.00 will be required to leave by taxi and that will be a condition of booking a karaoke room after 01.00.

The door supervisor will notify the inside staff when taxis arrive to pick up clients, and advise the taxi driver to switch off their engine whilst they wait for the passengers.

The door supervisor will ensure that clients leave the premises quietly and enter their taxis in an orderly way, so as not to cause a nuisance





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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033537723

Premises licence

Regulation 33, 34

<b>Premises licence number:</b>	13/03894/LIPVM
<b>Original Reference:</b>	05/10111/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Karaoke Box  
12-14 Maddox Street  
London  
W1S 1PH

**Telephone Number:** 0207 499 9596

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Exhibition of a Film  
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 or Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

<b>Performance of Dance</b>	
Monday to Sunday:	10:00 to 02:00
<b>Provision of facilities for Dancing</b>	
Monday to Sunday:	10:00 to 02:00
<b>Exhibition of a Film</b>	
Monday to Sunday:	10:00 to 02:00
<b>Provision of facilities for making Music</b>	
Monday to Sunday:	10:00 to 02:00
<b>Performance of Live Music</b>	
Monday to Sunday:	10:00 to 02:00

<b>Playing of Recorded Music</b>	
Monday to Sunday:	10:00 to 02:00
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Sunday:	10:00 to 02:00
<b>Anything of a similar description to Live Music or Recorded Music</b>	
Monday to Sunday:	10:00 to 02:00
<b>Late Night Refreshment</b>	
Monday to Sunday:	23:00 to 02:00
<b>Sale by Retail of Alcohol</b>	
Monday to Sunday:	10:00 to 01:00
<i>For times authorised for New Year see conditions at Annex 3</i>	

<b>The opening hours of the premises:</b>	
Monday to Sunday:	10:00 to 02:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Karaoke Box Limited  
4th Floor  
Hyde House  
Edgware Road  
London  
NW9 6LA

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

3128811

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

**Name:** Nobuaki Moriyama

*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:** 5870/050/LAPERS  
**Licensing Authority:** London Borough Of Sutton

**Date:** \_\_\_\_\_ 2<sup>nd</sup> July 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 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
- 10. 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.

**Annex 2 – Conditions consistent with the operating Schedule**

**None**

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

11. Persons under the age of 16 shall not be present on the premises from 21:00hours
12. Films shall be background to other entertainment and as part of karaoke in private karaoke rooms.
13. Live music shall be provided by not more than two musicians.
14. Live music may be performed as karaoke in private karaoke rooms.
15. Performance of dance shall be ancillary to performance of live music.
16. Facilities for dancing shall be ancillary to performance of karaoke in private karaoke rooms.
17. Provision of food shall be by waiter/waitress service.
18. Every bottle of wine, spirits or champagne ordered by a customer shall be signed for by the customer on a form that clearly states the price of the bottle.
19. Customers shall be informed as soon as their bill reaches £200 and customers should sign at this point to confirm their agreement. This shall be repeated as the bill reaches £400, £600 and so on.
20. A full itemised list of all purchases made shall be presented on request and in any event when the bill reaches £200 or more. Customers' authorisation of all final bills over £200 shall be recorded on CCTV. (These figures may be adjusted by agreement with the Metropolitan Police and or Licensing authority to take account of inflation).
21. The sale by Retail of Alcohol and the provision of regulated Entertainment (as listed above) are to be permitted from 10:00 on 31 December until the beginning of permitted hours on the following day.
22. Late Night Refreshment are to be permitted from 23:00 on 31 December until 05:00 the following day.
23. A manager shall be present during operating hours.
24. Substantial food and suitable beverages other than alcohol (including drinking water) shall be equally available during the permitted hours.
25. No striptease, no nudity and all persons to be decently attired at all times.
26. Clearly worded notices requesting patrons to leave quietly shall be prominently displayed.
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. A noise limiter to control the volume 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's Community Protection Department 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 to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

29. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Services.
30. Any addition sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
31. 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: This rule does not apply to exhibitions given under the provisions of section 2(1A) and 5 of the Hypnotism Act 1952.
32. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
33. 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.
34. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority.
35. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. 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.
38. Staff with specific responsibilities in the event of fires or other emergencies, together with deputies, shall receive training and written instruction appropriate to their role.
39. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
40. 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 10 days' prior notice being given to the Licensing Authority 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.
41. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).



42. After 23:00 hours on Monday-Saturday and after 22:30 hours on Sunday the supply of alcohol shall be ancillary to the provision of a table meal or the provision of entertainment.
43. The certificates listed below shall be submitted to the Licensing Authority on request:
  - (a) any emergency lighting battery or system;
  - (b) any electrical installation;
  - (c) any fire alarm system;
44. A member of staff will be on duty at the main entrance from 20:00
45. The number of persons accommodated at any one time (excluding staff) shall be 50 persons.
46. Alcohol shall only be sold to persons actually performing Karaoke or waiting to use Karaoke facilities during a period of up to 30 minutes prior to the stated time of a confirmed booking.
47. The provision of Late Night Refreshment and the Sale of Alcohol shall only be provided as ancillary to the use of Karaoke.
48. The venue shall install and maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored as per the 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 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 made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period and provided to Police in read only disc format.
49. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
50. There must be constant monitoring of the CCTV monitor screens by authorised trained personnel, during the hours the premises are open to the public. The toilet lobby area must be one of the areas constantly displayed on screen. There must be CCTV warning signage throughout the licensable area. The signage in the toilet lobby area will be prominent and clearly state this area is constantly monitored by CCTV.
51. 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) any complaints received regarding crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
52. All front of house staff shall receive a minimum of one training session per six months in respect of the 2003 Licensing Act. A record of the training provided should be kept on file.
53. There shall be no entry or re-entry to the premises after 01:00.



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

**Schedule 12  
Part B**

**WARD: West End  
UPRN: 010033537723**

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

13/03894/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Karaoke Box  
12-14 Maddox Street  
London  
W1S 1PH

**Telephone Number:** 0207 499 9596

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Exhibition of a Film  
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 or Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

<b>Performance of Dance</b>	
Monday to Sunday:	10:00 to 02:00
<b>Provision of facilities for Dancing</b>	
Monday to Sunday:	10:00 to 02:00
<b>Exhibition of a Film</b>	
Monday to Sunday:	10:00 to 02:00
<b>Provision of facilities for making Music</b>	
Monday to Sunday:	10:00 to 02:00
<b>Performance of Live Music</b>	
Monday to Sunday:	10:00 to 02:00

**Playing of Recorded Music**

Monday to Sunday: 10:00 to 02:00

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Sunday: 10:00 to 02:00

**Anything of a similar description to Live Music or Recorded Music**

Monday to Sunday: 10:00 to 02:00

**Late Night Refreshment**

Monday to Sunday: 23:00 to 02:00

**Sale by Retail of Alcohol**

Monday to Sunday: 10:00 to 01:00

*For times authorised for New Year see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Sunday: 10:00 to 02:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Karaoke Box Limited  
4th Floor  
Hyde House  
Edgware Road  
London  
NW9 6LA

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

3128811

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

Name: Nobuaki Moriyama

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

Prohibited

Date: \_\_\_\_\_ 2<sup>nd</sup> July 2013 \_\_\_\_\_

Signed: pp      Operational Director - Premises Management