



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** held on **Thursday 17th May, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Angela Harvey (Chairman) and Louise Hyams

Apologies for Absence:

1 MEMBERSHIP

There were no changes to the Membership

2 DECLARATIONS OF INTEREST

There were no declarations of interest

1 GROUND FLOOR, 13 HEREFORD ROAD, W2

LICENSING SUB-COMMITTEE No. 1

Thursday 17th May 2018

Membership: Councillor Angela Harvey (Chairman) and Councillor Louise Hyams

Legal Adviser: Barry Panto

Policy Adviser: Chris Wroe

Committee Officer: Jonathan Deacon

Presenting Officer: Steve Rowe

Relevant Representations: 1 Amenity Society and 3 x local residents.

Present: Mr John Milton (representing the Applicant), Mr Mohammad Torfinejad (Applicant), Mr Richard Brown (Solicitor, Citizens Advice Bureau Licensing Advice Project, representing South East Bayswater Residents' Association) and Mr John Zamit (Chairman, South East Bayswater Residents' Association).

**Ground Floor, 13 Hereford Road, W2
18/03002/LIPN**

1. Late Night Refreshment (Indoors)

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

Amendments to application advised at hearing:

The Applicant amended the application so that Late Night Refreshment (Indoors) was no longer being sought on Sundays. This was in keeping with the fact that the premises would be closed to the public at 23:00 on Sundays.

Decision (including reasons if different from those set out in report):

Mr Rowe, in his capacity as the Presenting Officer, advised the Sub-Committee that the Applicant had further amended the proposed hours for Late Night Refreshment (Indoors) so that it was no longer being sought on Sundays. This was in keeping with the fact that the premises would be closed to the public at 23:00 on Sundays. He also advised that the Police were no longer requesting two proposed conditions to be added to the premises licence which had been agreed by the Applicant. These related to alcohol not being accessed by staff or customers outside the hours authorised for the sale of alcohol and an additional CCTV condition. The Police had withdrawn their representation.

Mr Milton, representing the Applicant, stated that the premises would in the future operate as a tapas restaurant and that a capacity of 30 was sought. Mr Torfinejad informed the Sub-Committee that he owned the restaurant directly opposite at 4 Hereford Road. Any cooking would take place at 4 Hereford Road. There would be no primary cooking at 13 Hereford Road. Mr Torfinejad had previously run the premises at 13 Hereford Road as a café.

Mr Milton commented that the Applicant had taken steps to address any concerns of the objectors, including agreeing conditions with Environmental Health in respect of rubbish collections and deliveries. Environmental Health had withdrawn their representation. Mr Milton also referred to the terminal hours for licensable activities and the opening hours having been reduced by the Applicant.

The Sub-Committee heard from Mr Zamit. Mr Zamit said that Hereford Street is a residential street with a parade of shops. He had been keen to see the plans at the hearing which were not available on the website due to security reasons.

Mr Zamit explained that he was looking for a condition to be attached to the licence that there was no primary cooking on the premises as the premises had an A1 planning use and a fixed shop front. The members of SEBRA had concerns that food might be carried across the road from Mr Torfinejad's premises at 4 Hereford Road to 13 Hereford Road which it was felt was not

ideal.

Mr Zamit requested that as Hereford Road was a residential street and the Applicant used the Council's contractor, Veolia, there was no collection of waste or recycling materials (including bottles) or deliveries to the premises after 20:00. He also requested that on Sundays and Bank Holidays, these activities did not take place before 10:00.

In respect of tables and chairs, Mr Zamit was asking for tables and chairs to be rendered unusable by 22:30 on Sundays and Bank Holidays. This was in keeping with the terminal hour for the sale of alcohol. On other days he was content for them to be rendered unusable by 23:00 which was also in keeping with the terminal hour for the sale of alcohol.

Mr Zamit had no objections to the two Police conditions being withdrawn (as set out in Mr Rowe's presentation) as he was satisfied that the premises would be a restaurant and not an off licence and that CCTV was covered with the Council's model CCTV conditions having already been proposed.

Mr Zamit clarified in response to a question from the Sub-Committee that he was content for collections of waste or recycling materials and deliveries to commence at 07:00 Monday to Saturday. This was due to Veolia's collections being earlier than 08:00 in the morning. Mr Torfinejad responded that he was content for collections of waste or recycling materials and deliveries to be limited to 07:00 to 20:00.

Mr Milton had expressed some initial concerns about his client being required to render the tables and chairs unusable at 22:30 on Sundays and Bank Holidays, particularly if it was a summer's day and the inside of the premises was full at this time. However, Mr Torfinejad decided on reflection that he was willing to agree to Mr Zamit's request.

Mr Wroe referred to condition 27 in the report that 'the number of persons seated in the premises consuming alcohol at any one time (excluding staff) shall not exceed 20 persons'. This was a proposed condition agreed between the Applicant and Environmental Health. He made the point that technically this condition put a restriction on the number of customers consuming alcohol but did not restrict the overall capacity. This would make it difficult for licensing inspectors to assess the number of people drinking alcohol and the numbers not drinking alcohol. The Applicant was seeking a capacity of 30. Mr Zamit requested a capacity of 20 for the premises particularly as he believed this had been agreed between Environmental Health and the Applicant and a higher capacity may have potentially influenced other representations. He did accept that the premises could cope with 30 people for the inside and outside area and did not object if this number was imposed by the Sub-Committee.

The Sub-Committee granted the amended application, subject to conditions as set out below, which reflect that this is a significantly residential area. Members considered that the Applicant had taken steps to address the concerns of the parties who had made representations. The steps taken by the Applicant included reducing the terminal hours for on and off sales, late night refreshment (including withdrawing this licensable activity on Sundays) and the opening

	<p>hours to the public. The proposed hours were in keeping with the Council's Core Hours policy. The Applicant had also agreed to a number of conditions proposed by the objectors to the application. These included Mr Zamit's request during the hearing to render the tables and chairs unusable at 22:30 on Sundays and Bank Holidays and limit collections of waste or recycling materials and deliveries to 07:00 to 20:00. The Sub-Committee was satisfied that the hours and conditions attached to the premises licence would not undermine the licensing objectives.</p> <p>Proposed conditions 9 to 21 were not added to the premises licence as they were superseded by the conditions agreed between the Applicant and the parties who had made representations. The wording for proposed condition 24 (condition 11 below) was amended so that the supply of alcohol for consumption on the premises (rather than at the premises) would only be to a person seated and ancillary to that person consuming substantial food.</p> <p>The Sub-Committee attached a condition that there would be no primary cooking on the premises and replaced proposed condition 27 with a slightly amended version of the Council's model capacity condition, MC90. The capacity would be determined by Environmental Health but would not exceed 30 (condition 14 below) which included the external seating area. The Applicant would need to contact Environmental Health to agree a date for the inspection.</p>				
2.	Sale by retail of alcohol (On and Off)				
	<table> <tr> <td>Monday to Saturday:</td> <td>10:00 to 23:00</td> </tr> <tr> <td>Sunday:</td> <td>12:00 to 22:30</td> </tr> </table>	Monday to Saturday:	10:00 to 23:00	Sunday:	12:00 to 22:30
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Sunday:	12:00 to 22:30				
	<p>Amendments to application advised at hearing:</p> <p>None.</p>				
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1).</p>				
3.	Hours premises are open to the public				
	<table> <tr> <td>Monday to Saturday:</td> <td>10:00 to 23:30</td> </tr> <tr> <td>Sunday:</td> <td>10:00 to 23:00</td> </tr> </table>	Monday to Saturday:	10:00 to 23:30	Sunday:	10:00 to 23:00
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Sunday:	10:00 to 23:00				
	<p>Amendments to application advised at hearing:</p> <p>None.</p>				
	<p>Decision (including reasons if different from those set out in report):</p>				

Granted, subject to conditions as set out below (see reasons for decision in Section 1).

Conditions attached to the Licence

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.

Additional Conditions

9. 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.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
11. The supply of alcohol for consumption on the premises shall only be to a person seated and ancillary to that person consuming substantial food. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
12. The supply of alcohol shall be by waiter or waitress service only.
13. 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.
14. 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 including the external seating area so determined not to exceed 30 covers.
15. There shall be no self-service of alcohol.
16. There shall be no draught beer sold at the premises.
17. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card

with the PASS Hologram.

18. 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
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
19. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
20. 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.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
23. Sales of alcohol for consumption 'Off' the premises shall only be supplied with, and ancillary to a substantial take-away meal.
24. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
25. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
26. All outside tables and chairs shall be rendered unusable by 23:00 hours Monday to Saturday and 22:30 hours on Sundays and Bank Holidays.
27. 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.
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No collections of waste or recycling materials (including bottles) from the

premises shall take place between 20:00 hours and 07:00 hours on the following day.

30. No deliveries to the premises shall take place between 20:00 hours and 07:00 hours on the following day.

31. There shall be no primary cooking on the premises.

2 MARKS & SPENCER, WATERSIDE HOUSE, 35 NORTH WHARF ROAD, W2

LICENSING SUB-COMMITTEE No. 1

Thursday 17th May 2018

Membership: Councillor Angela Harvey (Chairman) and Councillor Louise Hyams

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Steve Rowe

Relevant Representations: 2 amenity societies.

Present: Mr Jon Wallsgrove (Solicitor, representing the Applicant), Mr Steve Mawer (Store Launch Manager, Applicant Company), Mr Richard Brown ((Solicitor, Citizens Advice Bureau Licensing Advice Project, representing South East Bayswater Residents' Association and Paddington Waterways and Maida Vale Society) and Mr John Zamit (Chairman, South East Bayswater Residents' Association).

**Marks & Spencer (Retail Shop on Lower Ground Floor), Waterside House, 35 North Wharf Road, W2
18/02988/LIPN**

1. Sale by retail of alcohol (Off)

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

The Sub-Committee heard from Mr Wallsgrove, representing the Applicant. He stated that the application was for off sales in the Food Hall on the lower ground floor within Marks & Spencer's Head Office. The store was next to the staff café which was not accessible to the general public. He clarified that the existing licence at the premises was for the 7th Floor and was for on sales for staff only.

Mr Wallsgrove commented that whilst the Food Hall would be open to the public, it was expected by the Applicant that the vast majority of people using it would be Marks & Spencer staff. Mr Moore provided the information that the entrance of the premises faced the canal side.

The Sub-Committee asked the parties to set out where they believed the nearest residential properties were. Mr Moore said that the nearest existing residential properties were over 100 yards away. Mr Zamit explained that the premises would be surrounded by hundreds of residential units within 50 yards. This was in particular as a result of developments currently being constructed.

Mr Wallsgrove referred to the proposed conditions which had been agreed with Environmental Health. Environmental Health had subsequently withdrawn their representation. There were two remaining representations from the South East Bayswater Residents' Association ('SEBRA') and the Paddington Waterways and Maida Vale Society ('PWMVS'). Mr Wallsgrove advised that the Applicant was willing to agree PWMVS's requested condition preventing spirit miniatures of less than 20cl being sold at the premises, save for mixed spirits (spirits mixed with a non-alcoholic beverage). The Applicant was also willing to agree SEBRA's request that the terminal hour for the sale of alcohol would match the closing time to the public. This had been the case Monday to Saturday and the Applicant was amending the closing time on Sundays to 22:30. Mr Wallsgrove added that the current intention was only to open the food hall on Monday to Friday. Saturdays and Sundays had been applied for to take into account seasonal variations such as Christmas when the Applicant would potentially choose to open the store.

Mr Wallsgrove briefly spoke about the compliance measures which the Applicant utilised, such as Challenge 25 and the specific training of staff. Mr Wallsgrove drew Members' attention to the tills being programmed so that any alcohol being scanned outside of the permitted hours for off-sales would not be processed.

Mr Wallsgrove requested that conditions were not imposed requiring alcohol to be kept in lockable cabinets outside of the permitted hours for off-sales or for spirits to be kept behind a counter. This was because it was felt it would not be practical when it was intended that the Applicant would display a limited amount of alcohol and the display area would be small. There would be self service tills which would be supervised by members of staff at all times. There would be no

physical counter.

Mr Wallsgrove wished to assure the Sub-Committee that members of staff would not be able to purchase alcohol from the shop and go to the staff café or outside the offices in Merchant Square and consume it.

In response to a question from the Sub-Committee as to how the sale of alcohol would take place via the tills, Mr Wallsgrove explained that the alcohol was displayed immediately opposite the tills. There would be supervisors there at all times. The sale of alcohol would not proceed at any time at the tills unless the staff supervising authorised the sale, verifying the person's age.

The Sub-Committee asked whether security managed the Merchant Square area. Members were keen that people did not hang around the seating there late at night, making a noise. Mr Wallsgrove replied that there were a number of restaurants and bars along the canal side with licences which permitted off sales. There was also a Tesco in the vicinity with few restrictions on its licence. He made the point that there was no existing problem with drinking and anti-social behaviour at Merchant Square. The site around the rear of Merchant Square was managed by security. He believed it was no more likely that there would be problems arising from off sales being purchased in the Food Hall than from other establishments.

The Sub-Committee heard from Mr Brown, representing SEBRA and PWMVS. He shared the Sub-Committee's view that the plans had been confusing in terms of what had been applied for. He had found it useful that the plans had been explained by Mr Wallsgrove during the hearing, including that off sales were sought from the food hall only.

Mr Brown stated that the two Amenity Societies had concerns regarding the application given the residential nature of premises in the vicinity of Merchant Square which would only increase in the near future. They accepted that the Applicant is a reputable company. However, there were some convenient seating areas where people could congregate and consume alcohol outside the store. He did believe it to be curious, given the residential nature of the area, that the Applicant was expecting the majority of off sales from the Food Hall to be from staff of Marks and Spencer rather than the local community.

Mr Brown advised that the approach the Amenity Societies had taken in respect of the application was to have similar safeguards in terms of conditions on the premises licence as the Co-op at Merchant Square. He welcomed that the Applicant had agreed a condition as proposed by PWMVS that there would be no miniature bottles of spirits of 20 cl or below sold from the premises, save for mixed spirits.

It was accepted by the Amenity Societies that there was no longer a need for the alcohol to be kept in lockable cabinets. This, Mr Brown explained, was because the premises would close at the same hours as the terminal hours for off-sales. Mr Brown did request that the Council's Model Condition 27 (which had been agreed between the Applicant and Environmental Health) that 'all tills shall automatically prompt staff to ask for age verification identification when

presented with an alcohol sale' was extended to refer to alcohol not being permitted to be sold until 08:00. He also requested that there was no self service of spirits.

Mr Wallsgrove clarified in respect of the requested 'no self service of spirits' condition that customers could go to the shelf and pick up a bottle of alcohol. However, they could not buy it at the till without staff supervision.

The Sub-Committee was also addressed by Mr Zamit. He made the point that it should be remembered that it was the premises that was being licensed and not the Applicant Company. The licence could potentially be transferred. Another licence holder could have a different set of till arrangements. He welcomed that the premises would not be open late at night so lockable cabinets were not required. Mr Zamit expressed the view that notices setting out the hours of off sales would be useful. He added that the freeholder at this location, European Land, had good security arrangements and they had informed him previously that they would address any issues of anti-social behaviour caused by drinking.

The Sub-Committee granted the application, subject to conditions as set out below. Members considered that the conditions the Applicant had agreed and the measures that the Applicant would take would mean that the licensing objectives would not be undermined. It was also noted that the operating hours were within the Council's core hour's policy. The Applicant was a reputable company was considered to have systems in place so as to ensure that off sales from its premises would not be likely to cause or add to street drinking, anti-social behaviour and public nuisance outside the premises. The agreed conditions included the Council's Model Conditions with Environmental Health and no spirit miniatures of less than 20cl being sold at the premises, save for mixed spirits (spirits mixed with a non-alcoholic beverage) being agreed with PWMVS. The Sub-Committee noted that Environmental Health and the Metropolitan Police had withdrawn their representations as their concerns had been addressed in relation to the potential for public nuisance and crime and disorder.

The Sub-Committee took into account in granting the application Mr Wallsgrove's clarification that no sales of alcohol would be able to take place at any time at the tills unless the staff supervising authorised the sale, verifying the person's age. The Sub-Committee attached two conditions to the premises licence that 'all payment systems shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale and require staff to complete a sale' and that 'no payment system shall permit the sale of alcohol outside of the hours permitted by this licence'.

In view of the fact that there was an existing licence for these premises, albeit restricted to the 7th floor of the premises, it was considered that this licence should specify that it applied to the Retail Shop on the Lower Ground Floor of the premises. The title of the heading to this decision has been amended to reflect that instruction.

2. Hours premises are open to the public

	Monday to Sunday: 07:00 to 23:00
	Amendments to application advised at hearing: The Applicant amended the closing time on Sundays to 22:30.
	Decision (including reasons if different from those set out in report): The Sub-Committee granted the amended hours, subject to conditions as set out below.

Conditions attached to the Licence	
<u>Mandatory Conditions</u>	
2.	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 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.
5(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.

- 5(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.
- 5(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.
- 5(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.

Additional Conditions

6. The premises shall install and maintain a comprehensive CCTV system to at least the minimum requirements agreed with a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
8. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
9. Staff training will be given to ensure that in the case of any doubt whether a purchase is over the age of 18 to refuse the sale of alcohol unless valid ID is produced.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
11. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
12. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. All payment systems shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale and require staff to complete the sale.
14. No payment system shall permit the sale of alcohol outside of the hours permitted by this licence.
15. No miniature bottles of spirits of 20 cl or below shall be sold from the premises save for mixed spirits with an ABV (Alcohol By Volume) of 5.5% or less.

3 ME HOTEL, 335 STRAND, WC2

LICENSING SUB-COMMITTEE No. 1

Thursday 17th May 2018

Membership: Councillor Angela Harvey (Chairman) and Councillor Louise Hyams

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Steve Rowe

Relevant Representations: 2 x local residents.

Present: Mr Craig Baylis (Solicitor, representing the Applicant).

Declarations: Councillor Angela Harvey declared that she had previously chaired a Licensing Sub-Committee hearing where Members had been required to consider a review application of the premises licence for ME Hotel. This had been in relation to the playing of music on the 10th Floor Roof Terrace. The hearing had taken place in October 2014. She did not believe that this affected her ability in any way to consider the application impartially.

Councillor Louise Hyams declared that she is a ward councillor for St James's Ward where ME Hotel is located. She did not believe that this affected her ability in any way to consider the application impartially. Mr Baylis was asked whether he had any objection to Councillor Hyams being a Member of the Sub-Committee for this hearing and he replied that he had no objections whatsoever.

ME Hotel, 335 Strand, WC2 18/03239/LIPV	
1.	Playing of Recorded Music
From	To
In Basement function rooms only	Basement Function rooms (unrestricted)
Monday to Sunday 00:00 to 00:00	and
	Ground Floor Restaurant and Bar (STK)
	Monday to Wednesday 23:00 to 00:00 Thursday to Saturday 23:00 to 01:00 Sunday 23:00 to 00:00

	<p>Amendments to application advised at hearing:</p> <p>The Applicant withdrew the aspect of the application relating to the playing of recorded music in the basement function rooms as it was already permitted there under the existing premises licence.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Mr Baylis, representing the Applicant, addressed the Sub-Committee with a query. He had in error included in the current application that his client was seeking the playing of recorded music in the basement function rooms when it was actually the case that it was already permitted there under the existing premises licence. The application actually involved recorded music from a DJ being played in the Ground Floor Restaurant and Bar (STK). Mr Baylis referred to the two representations from residents which objected in particular to allowing entertainment in the basement. He asked whether they were therefore valid representations. There were no other representations objecting to the application.</p> <p>The Sub-Committee and Mr Panto were of the view that there was a more general point being made by the residents in their representations including in relation to people leaving the premises. Mr Panto also advised that the basement had been included in the application prior to it being withdrawn by the Applicant. It was therefore felt that the representations were valid.</p> <p>Mr Baylis explained during the hearing that the DJ currently played recorded music until midnight Sunday to Wednesday and 01:00 Thursday to Saturday in the Ground Floor Restaurant and Bar (STK). The playing of recorded music was exempt as a licensable activity until 23:00. Mr Baylis had advised his client that the music was ancillary to the main activity at ME Hotel. However, he conceded that there was potentially an argument that people go to STK because of the DJ and the playing of the music would then be a primary activity. He wished to take a cautious approach and the Applicant had therefore submitted the application for a variation of the premises licence. Mr Baylis was not aware of any complaints with regard to the music being played. The Police and Environmental Health had withdrawn their representations.</p> <p>In response to a question from Mr Panto, Mr Baylis clarified that the application was only for the Ground Floor Restaurant and Bar (STK) and the Marconi Bar was separate from it. He was content for the conditions agreed with the Police and Environmental Health to be amended so that they did not refer to the Marconi Bar.</p> <p>Mr Panto also asked Mr Baylis about the condition agreed between the Responsible Authorities and the Applicant that 'the supply of alcohol in the STK Restaurant and Marconi bar shall only be to a person seated and by waiter or waitress service only except for up to 75 persons allowed to use the bar area coloured red and hatched black' on the plan. Mr Baylis replied that a capacity had been requested by the Metropolitan Police for the area around the bar.</p>

Customers were able to stand in the bar area coloured red on the plans whilst they waited for a table to become available. Mr Panto said in response to this that the capacity appeared to be granting the Applicant more than what was permitted on the existing premises licence. Conditions 41 and 42 on the existing licence required the Applicant after 01:00 to ensure that the sale of alcohol in the ground floor restaurants and the Marconi Bar was consumed by seated customers.

Mr Wroe suggested that the condition only apply prior to 01:00. Mr Baylis agreed this amendment. Mr Baylis also agreed Mr Panto's suggestion that a correction was made to the heading for condition 43 and 44 as it had erroneously referred to the Ground Floor Reception Area when the actual area was the First Floor Reception Area.

In response to a question from the Sub-Committee, Mr Baylis stated that his client was confident that music would not emanate from the premises as the DJ had been playing music in the Ground Floor Restaurant and Bar (STK) for a number of years without any issues arising.

Mr Wroe asked Mr Baylis whether he was content to amend the wording of the proposed condition, 'no promoted events', agreed between the Applicant and the Responsible Authorities to 'there shall be no events promoted by external promoters'. Mr Baylis responded that he was content with this amendment.

The Sub-Committee granted the application, subject to conditions as set out below. Members considered that the playing of recorded music by the DJ was already taking place in the Ground Floor Restaurant and Bar (STK) area. There were no known issues of public nuisance or crime and disorder arising from music being played in this area and it was therefore proportionate to remove condition 11 on the existing premises licence that 'the provision of regulated entertainment is restricted to the basement area only'. Environmental Health and Metropolitan Police had agreed conditions with the Applicant and they had subsequently withdrawn their representations. These conditions had been further amended by the Sub-Committee in order to ensure that the licensing objectives would not be undermined.

The Sub-Committee had found that the relevant areas of the premises had not been clearly defined in the plans. Mr Wroe requested that an updated plan was submitted to the Licensing Authority. The existing one for the STK Restaurant was acceptable but the current licence plan needed to be labelled with the various areas in the Hotel. Mr Wroe added that condition 66 (63 below) referred to a different plan for the external area and suggested that the external area was correctly labelled in the updated plan.

2. Conditions being varied, added or removed

Condition	Proposed variation
<u>Condition 11</u> The provision of regulated	Remove condition

	entertainment is restricted to the basement area only.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): This was granted by the Sub-Committee.

Conditions attached to the Licence	
<u>Mandatory Conditions</u>	
3.	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.	<p>(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.</p> <p>(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—</p> <p>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;</p> <p style="padding-left: 40px;">(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</p> <p style="padding-left: 40px;">(ii) drink as much alcohol as possible (whether within a time limit or otherwise);</p> <p>(b) provision of unlimited or unspecified quantities of alcohol free or for a</p>

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.

Additional Conditions

Basement Function Rooms

9. The number of persons accommodated at any one time within the basement area (excluding staff) shall not exceed 300 persons. (Subject to District Surveyor approval).

10. All activities shall be pre-booked and details of the event organiser and event shall be kept for a period of 21 days after the event.

11. 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.

12. 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.

13. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

14. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

15. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

16. Curtains and hangings shall be arranged so as not to obstruct emergency signs.

17. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or

inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.

18. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system.
19. 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 fire works
 - firearms
 - lasers
 - explosives and highly flammable substances
 - real flame
 - strobe lighting.
20. 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.
21. 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.
22. No striptease, no nudity and all persons to be decently attired at all times.
23. Licensable activity in this area will only be provided to hotel residents and their bona fide guests, persons attending a pre booked function, artists or performers at such functions.

10th Floor

24. The number of persons accommodated at any one time on the 10th Floor (including staff) shall not exceed 240 persons.
25. The supply of alcohol shall be by waiter or waitress service only.

26. There shall be no entry to the 10th floor of the premises after 01.00 except to the following persons:-
- Residents of the Hotel and/or their guests (maximum number of 4 bona fide guests).
 - A list of the persons on the guest list to be held at the Hotel reception.
 - Persons attending a pre-booked function - a list of the persons attending the private function to be available at the Hotel reception.
 - Persons employed by the Hotel proprietor including artistes.
27. Alcohol shall not be supplied to non-residents on the rooftop bar area after 02.00 Hours.
28. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents 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.
29. The premises licence holder shall ensure that any patrons drinking and/or smoking on the external terrace area do so in an orderly manner and are supervised by sufficient staff so as to ensure that there is no public nuisance.
30. After 22:30 the area marked Terrace 1 on the licence plan shall not be used except in an emergency and for access to and from the Penthouse Suite.

First Floor Fine Dining Restaurant (Cucina Assellina Restaurant)

31. Intoxicating liquor in the fine dining restaurant area shall not be sold or supplied on the premises otherwise than to a person seated taking table meals there and for consumption by any such person as an ancillary to their meal.
32. Notwithstanding the above condition, alcohol may be supplied and consumed prior to their meal in the designated bar area.
33. The supply of alcohol shall be by waiter or waitress service only in the fine dining restaurant.

Ground Floor Restaurant and Bars (STK Restaurant and Marconi Bar and Restaurant)

34. Where licensable activity is permitted on the ground floor, the supply of alcohol may only be permitted to non-residents (save for guests of residents and persons attending a pre-booked function) between 08.00 and 02.00 on the day following.
35. On the ground floor where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at all entrances to the premises from 22.00.
36. There shall be no new entry for non-residents after 00:30.
37. The maximum number of persons (excluding staff) within the ground floor licensed areas between 01.00 hours and 02.00 hours shall not exceed STK Restaurant 200 persons; Marconi Bar and Lounge 60 persons.
38. After 1.00am, the sale of alcohol in the ground floor restaurants will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
39. After 1.00am, the sale and consumption of alcohol in the Marconi bar will be to seated persons, supplied by waiter / waitress.

First Floor Reception Area

40. Supply of alcohol to the first floor reception area shall only be to hotel residents and their bona fide guests.
41. No regulated entertainment is permitted in the first floor reception area.

All Areas

42. 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.
43. Notwithstanding the permitted hours, alcohol may be supplied to persons residing in the premises for consumption by such persons and their bona fide guests at anytime without restrictions.
44. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
45. Patrons temporarily leaving the premises on the ground floor for the purposes of smoking shall not take any drinks of any kind with them outside the premises.
46. All deliveries shall be to the service road leading to the basement delivery area.
47. No loudspeakers shall be located in the entrance area/corridor or external to the building, including the external terrace area on the 10th Floor.

48. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00 hours.
49. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
50. 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 recordings with the absolute minimum of delay when requested.
51. All refuse will be stored internally prior to collection.
52. Any 'off' sales of alcohol are to be in sealed containers only and for consumption off the premises.
53. There will be no self-service of alcohol except for in the guest bedrooms.
54. Notices shall be prominently displayed at all exits and on the 10th Floor external roof terraces requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
55. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
56. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
57. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
58. There shall be at least one SIA registered door supervisor employed at the entrance to the Hotel at all times.
59. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
60. 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.

- 61. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
- 62. CCTV will be provided to cover the external area used for tables and chairs.
- 63. All service of alcohol within the external area (edged in red) on the Aldwych as shown on plan A-SKT-CT-120523-001 shall be by waiter or waitress and to person seated only.
- 64. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

STK Restaurant and Marconi Bar only

- 65. Prior to 01:00, the supply of alcohol in the STK Restaurant and Marconi Bar shall only be to a person seated and by waiter or waitress service only except for up to 75 persons allowed to use the bar area coloured red and hatched black on plan number A-H0-2020 revision 9.
- 66. There shall be no events promoted by external promoters.
- 67. The provision of regulated entertainment is restricted to the Basement area and Ground Floor STK Restaurant.

The Meeting ended at 2.00 pm

CHAIRMAN: _____

DATE _____