



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	2 March 2017
Licensing Ref No:	16/13620/LIPV - Premises Licence Variation
Title of Report:	The Playhouse 91 Jermyn Street London SW1Y 6JB
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	7 December 2016		
Applicant:	PLH Bars Limited		
Premises:	The Playhouse		
Premises address:	91 Jermyn Street London SW1Y 6JB	Ward:	St James's
		Cumulative Impact Area:	None
Premises description:	<p>The premises is intending to operating as a 'Gentleman's Club'.</p> <p><i>N.B An application for a new Sexual Entertainment Venue has also been made for this premises which is to be determined with this application as they are dependent on one another and reflect the proposals of a lifestyle venue incorporating a restaurant (public), meeting rooms, private members facilities with entertainment (including some nudity, cigar tasting and a cocktail bar).</i></p>		
Variation description:	<p>This application is to:</p> <ul style="list-style-type: none"> • vary the layout plans in accordance with those attached to the application and the attached schedule of works. • vary, delete and update conditions as set out in the attached schedule of conditions to add model conditions. 		
Premises licence history:	<p>The premises has been Licensed since 2005.</p> <p>The premises has been previously known as Abracadabra, Hide and Ormonds Restaurant.</p> <p>Please refer to Appendix 3 for further details.</p>		
Applicant submissions:	Schedule of alternations		

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

Regulated Entertainment

Performance of Dance, Performance of Live Music, Anything of a similar description,

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:30	No variation applied for		Basement and Sub Basement	No change in licensable area but alterations being carried as per the schedule at Appendix 2.
Tuesday	09:00	03:30				
Wednesday	09:00	03:30				
Thursday	09:00	03:30				
Friday	09:00	03:30				
Saturday	09:00	03:30				
Sunday	09:00	03:30				
Seasonal variations:	Current:				Proposed:	
Non-standard timings:	Please see condition 11 and 35 attached at Appendix 4.				No Change.	

Regulated Entertainment: Private Entertainment and Recorded Music

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No variation applied for		Basement and Sub Basement	No change in licensable area but alterations being carried as per the schedule at Appendix 2.
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Please see condition 11 and 35 attached at Appendix 4.				No change.	

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	23:30	03:30	No variation applied for		Basement and Sub Basement	No change in licensable area but alterations being carried as per the schedule at Appendix 2.
Tuesday	23:30	03:30				
Wednesday	23:30	03:30				
Thursday	23:30	03:30				
Friday	23:30	03:30				
Saturday	23:30	03:30				
Sunday	23:30	03:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 11 and 38 attached at Appendix 4.			No Change.	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			On and Off			No change.
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No variation applied for		Basement and Sub Basement	No change in licensable area but alterations being carried as per the schedule at Appendix 2.
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	00:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Please see condition 11 and 35 attached at Appendix 4.			No Change.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:30	No variation applied for		Basement and Sub Basement	No change in licensable area but alterations being carried as per the schedule at Appendix 2.
Tuesday	09:00	03:30				
Wednesday	09:00	03:30				
Thursday	09:00	03:30				
Friday	09:00	03:30				
Saturday	09:00	03:30				
Sunday	09:00	03:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Please see condition 11 and 35 attached at Appendix 4				No change.	

1-C Layout alteration
As per the schedule attached at Appendix 2.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<p><u>Condition 10:</u></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><u>Condition 10 to be replaced with:</u></p> <ul style="list-style-type: none"> All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous. Curtains and hangings shall be arranged so as not to obstruct emergency signs. 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.

- 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.
- All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- Any special effects or mechanical installations shall be arranged, operated 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.
<p><u>Condition 11:</u></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><u>Condition 11 to be replaced with:</u></p> <p>The premises may remain open for regulated entertainment, the sale of alcohol 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><u>Condition 12:</u></p> <p>Notwithstanding the provisions of Rule of Management number 6, the premises may be kept open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3.30am on the day following.</p>	<p>To be removed</p>
<p><u>Condition 13:</u></p> <p>All entrance and exit doors shall be kept closed except when in use for immediate entrance and exit.</p>	<p><u>To be replaced with:</u></p> <p>The internal glass 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.</p>
<p><u>Condition 15:</u></p> <p>That the applicant will use best endeavours to ensure that patrons leave the premises via the Jermyn Street exit.</p> <p><u>Condition 16:</u></p> <p>When both parts of the premises are in use for the same private function, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to the patrons.</p>	<p><u>Replace conditions 15, 16, 17 and 18 to be replaced with:</u></p> <ul style="list-style-type: none"> • Patrons shall not enter or leave the premises from / by Ormond Yard, except in the event of an emergency. • Access to the premises by patrons shall be through the Jermyn Street entrance lobby area only. • The licence holder shall use reasonable endeavours to ensure

<p><u>Condition 17:</u></p> <p>When the premises are open solely to the public, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to patrons.</p> <p><u>Condition 18 :</u></p> <p>That the applicant will use best endeavours to ensure that the taxi and minicab companies collect and deliver patrons from the club from the Jermyn Street exit of the premises.</p>	<p>that customers do not cause any nuisance in Ormond Yard. Any customers that use Ormond Yard to gain access, smoke or leave the premises (whether by vehicle or on foot) shall be refused entry or subsequent re-entry to the premises. It shall be a condition of any membership at the premises that Members and/or any guests shall not cause any nuisance in Ormond Yard.</p>
<p><u>Condition 19:</u></p> <p>That the applicants shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard.</p>	<p>Condition 19 to be removed</p>
<p><u>Condition 20:</u></p> <p>That the sound limiting device installed at the premises shall be set and maintained at a level to be decided upon by the Environmental Health Officer.</p> <p><u>Condition 21:</u></p> <p>A noise limiting device located in a separate and remote lockable cabinet from the volume control 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. 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.</p>	<p><u>Replace conditions 20, 21, 22 and 23 with:</u></p> <p>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</p>

<p><u>Condition 22:</u></p> <p>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.</p> <p><u>Condition 23:</u></p> <p>Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.</p>	<p>through the sound limiter device.</p>
<p><u>Condition 24:</u></p> <p>No speakers shall be located in the entrance lobby or staircase area.</p>	<p><u>Condition 24 to be replaced with:</u></p> <p>Loudspeakers shall not be located in the entrance lobby, staircase area or outside the premises building.</p>
<p><u>Condition 25:</u></p> <p>Upon a request being made by local residents, the licensee shall provide such residents with telephone numbers to enable them to contact the premises, the management and the licensee.</p>	<p><u>Condition 25 to be replaced with:</u></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><u>Condition 26:</u></p> <p>The provision of music and dancing on the ground floor must remain ancillary to A3 restaurant use.</p>	<p>Condition 26 to be deleted.</p>
<p><u>Condition 27:</u></p> <p>The licensee will use a designated cab/taxi company to collect patrons from Jermyn Street and encourage patrons not to use illegal cabs by displaying such notices.</p>	<p><u>Condition 27 to be replaced with:</u></p> <ul style="list-style-type: none"> 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. It will be a condition of any agreement that patrons will not be collected from Ormond Yard

	<ul style="list-style-type: none"> The licence holder to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.
<p><u>Condition 28:</u></p> <p>The licensee to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.</p>	<p>Condition 28 to be removed.</p>
<p><u>Condition 29:</u></p> <p>The licensee to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard.</p>	<p><u>Condition 29 to be replaced with:</u></p> <p>The licence holder to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard. It shall be a condition of any membership at the premises that the vehicles Members and/or any guests use shall not use Ormond Yard.</p>
<p><u>Condition 30:</u></p> <p>Details of an adequate and dedicated refuse storage area are sent to Westminster City Council for approval within 28 days of the grant of any licence.</p>	<p>Condition 30 to be removed</p>
<p><u>Condition 31:</u></p> <p>The licensee to use the Jermyn Street address on all literature that advertises the public entertainment which will take place at the premises.</p>	<p><u>Condition 31 to be replaced with:</u></p> <p>The licence holder to use the Jermyn Street address on all literature relating to the premises.</p>
<p><u>Condition 32:</u></p> <p>The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Basement - 100, Ground Floor – 135.</p>	<p><u>Condition 32 to be replaced with:</u></p> <p>The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Sub Basement- 100</p>

	Basement- 135.
<p><u>Condition 33:</u></p> <p>Intoxicating liquor may only be sold or supplied to persons who have paid a minimum admission fee of £5.00 or persons who are dining at the premises at not less than £10.00 per head. Such fees not to be credited against consumables.</p>	<p>Condition 33 to be removed</p>
<p><u>Condition 34:</u></p> <p>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.</p>	<p><u>Condition 34 to be replaced with:</u></p> <p>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.</p>
<p><u>Condition 35:</u></p> <p>Alcohol shall not be sold or supplied except during permitted hours.</p> <p>(a) Subject to the following paragraphs, the permitted hours on weekdays (Monday to Saturday) shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -</p> <p>(i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and</p> <p>(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.</p> <p>(b) In relation to the morning on which summer time begins,</p>	<p><u>Condition 35 to be replaced with:</u></p> <ul style="list-style-type: none"> • The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment. • 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.

paragraph (a) of this condition shall have effect-

(i) with the substitution of references to 04.00 for references to 03.00.

(c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning, except that-

(i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;

(ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

(d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning, except that-

(i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;

(ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.

(e) The sale of alcohol must be ancillary to the use of the

premises for music and dancing and substantial refreshment.

- (f) 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

<p>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;</p> <p>(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.</p> <p>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.</p>	
<p><u>Condition 36:</u></p> <p>No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:</p> <p>(a) He is the child of the holder of the premises licence.</p> <p>(b) He resides in the premises, but is not employed there.</p> <p>(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.</p> <p>(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to</p>	<p>Condition 36 to be removed.</p>

<p>which the holding of the licence is ancillary.</p> <p>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.</p>	
<p><u>Condition 37:</u></p> <p>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 (or the holder of the club premises certificate):</p> <ul style="list-style-type: none"> (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. 	<p>Condition 37 to be removed</p>
<p><u>Condition 38:</u></p> <p>The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.</p>	<p>Condition 38 to be removed.</p>

<p><u>Condition 39:</u></p> <p>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.</p> <p><u>Condition 40:</u></p> <p>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested</p>	<p><u>Condition 39 and 40 to be replaced with:</u></p> <ul style="list-style-type: none"> • 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. • A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
<p><u>Condition 41:</u></p> <p>There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until closed, when the sub-basement 'club area' is open.</p>	<p><u>Condition 41 to be replaced with:</u></p> <p>There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until close, when the sub-basement is open to patrons</p>

Condition 43:

All persons entering the premises after 23:00 for the purpose of attending the sub-basement 'club area' shall be searched by an SIA trained member of staff using a 'wand' and monitored by the premises CCTV system.

Condition 43 to be removed.

Condition 45:

All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl by waiter/waitress service to tables. Staff will clear empty champagne and spirit bottles promptly.

Condition 45 to be removed.

Proposed Conditions to be added:

46. In the sub-basement, 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 a private or pre-booked event organised by a member with a guest provided in advance which will be retained for 31 days following the event and be available for inspection by the responsible authorities.

47. In the basement, after 23.00, 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 a private or pre-booked event organised by a member with a guestlist provided in advance which will be retained for 31 days following the event and be available for inspection by the responsible authorities.

48. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
49. A list of the names and addresses of members of the club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
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. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.
52. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system or searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.

53. 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.
54. 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.
55. There shall be waiter or waitress service available throughout the premises.
56. No collections of waste or recycling materials (including bottles) from the premises shall take place between **(23.00)** and **(08.00)** on the following day.
57. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.
58. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises.
59. Notices shall be prominently displayed at the Jermyn Street exit requesting patrons to respect the needs of local residents and

		<p>businesses and leave the area quietly.</p> <p>60. 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.</p> <p>61. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area on Jermyn Street.</p> <p>62. The premises licence holder shall ensure that any patrons 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.</p> <p>63. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.</p>
Adult entertainment:	Current position:	Proposed position:
	None	Dependant on the determination SEVN application

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	Sgt Paul Hoppe
Received:	23 rd December 2016
<p>As a responsible authority Westminster Police are objecting to the application for a variation to the premises licence at Playhouse 91 Jermyn Street SW1 reference 16/13620/LIPV. It is the view of Police that this application does not promote the licensing objectives Prevention of Crime and Disorder and Public Safety.</p>	

This application varies the current premises licence and the significant changes do not demonstrate promotion of the licensing objectives as referred to above. The applicant has also made another application for an SEVL at the same premises and in the cover letter states that the two licenses are dependant upon each other. Police have also currently objected to this SEVL.

Further Information:

I refer to the above application for the variation of the Premises License at 91 Jermyn Street London SW1Y 6JB. I wish to inform you that Police as a responsible authority are objecting to this application on the Grounds of Prevention of Crime and Disorder, Public Nuisance and that the hours requested are outside those prescribed by the City of Westminster Licensing Policy.

Although the venue is not in a Cumulative Impact Area as defined in the City of Westminster Licensing Policy 2016, the venue is located only one street away from the West End Cumulative Impact Area; an area which contains a high density of licensed premises which adversely impacts on the promotion of the Licensing Objectives.

History:

I am aware of the history of this venue and the very unfortunate circumstances which forced the previous closure of the venue. I have visited the venue and twice met with a representative of this applicant and their licensing solicitor and listened to two very good presentations made on the applicants future plans for the venue. I understand that this application is only part of a much larger confidential plan for the venue and as such I have regard for this when making this representation.

Future of the Venue:

As noted above, I am aware that this application is only a part of an overall plan for the venue. I feel the application does not fully explain the concept the applicant is trying to achieve and that it is for the applicant to explain to the Licensing sub-Committee their plans in more detail.

I would also encourage the applicant to canvass the local community over this application.

Objection:

I note that by making this full/major variation application, the applicant is seeking to remove two Conditions which promote the licensing objectives. Police always consider a full/major variation a new application and will spend considerable time reviewing the application.

The applicant is seeking to remove, without alternative:

Annex 2: Condition 33 - minimum admission and dining fees.

Annex 2: Condition 43 - searching for persons entering premises.

There is no commitment to the employment SIA door supervisors, how many, the hours they shall be working or the locations in the venue they shall be working to prevent crime and disorder.

There is no mention of how the venue is going to operate its membership scheme and

prevent non-members gaining access to the venue.

The new conditions are very vague regarding the appointed taxi company, but there is no mention of how this system is to operate to prevent public nuisance. 'Best endeavours' will not allay the fears of Police that there will be disturbance outside the venue.

In making this decision to object, I have considered the meetings and presentation the applicant has made. However I do not feel that the application references the information the applicant shared in these face to face meetings. I would like to believe that with some alterations, I would be able to view this application more favourably.

It is for the reasons above Police are objecting to the application vary the Premises License at the above venue.

Responsible Authority:	Licensing Authority
Representative:	David Sycamore
Received:	29 th December 2016

I write in relation to the application submitted for a new Premises Licence for the above premises.

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 premises are described as a 'Lifestyle Venue' with only a brief description of the facilities on offer. The substantial changes to the conditions could undermine the following licensing objectives.

- * Public Nuisance
- * Crime and Disorder
- * Public Safety

I would request a visit to the premises to discuss my concerns relating to Westminster Statement of Licensing Policy NS1. The location of the premises, operating as sexual entertainment, will conflict with this premises as it is highly residential and near to a place of worship.

Conditions mention private events which are non-specified dates in a calendar year, this could lead to unlimited events in the basement allowing non-members to attend. The Licensing Authority would also ask to see a copy of what requirements there are to become a member of the premises. There is no information to show how the premises will comply with the offered condition 'The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment'.

Please accept this formal objection to the application and I wish to visit the premises to discuss my concerns with the applicant.

2-B Other Persons			
Name:		Mr Zeljko Mislov	
Address and/or Residents Association:		Flat A 91 Jermyn Street London	
Status:	Valid	In support or opposed:	Support
Received:	14 th December 2016		
<p>I support this application.</p> <p>I believe the proposed changes modernise the old licence to promote the licensing objectives and to protect the residents, and also enable the people behind this business venture to operate the upmarket venue that they are proposing, which was discussed with me when the owners met with me to explain their proposed concept for this premises. I am also aware of the SEV application for the premises and I have already written in support of that application.</p>			
Name:		Ms Nicola-Jane Brooks	
Address and/or Residents Association:		4 th Floor Apartment 91 Jermyn Street London	
Status:	Valid	In support or opposed:	Support
Received:	23 rd December 2016		
<p>I would like to support this application, just like I have previously supported the SEV application for the same venue. I am not a lawyer or regulation specialist, but I have not discovered any changes that would adversely affect me or my peaceful enjoyment of my home. In fact, the proposed changes give me more certainty, which I welcome and support as a close neighbour to the premises. I hope the council will look at these applications favourably.</p>			
Name:		Details hidden as the individual as also made a representation to the new SEV licence application.	
Address and/or Residents Association:		Details hidden as the individual as also made a representation to the new SEV licence application.	
Status:	Valid	In support of opposed:	Opposed
Received:	19 th December 2016		
<p>I am writing to object to the above application/s for 91 Jermyn Street, St. James's, as above reference/s, on behalf of the XXXXX, a locally relevant organisation, established for nearly 17 years by locally concerned, resident and commercial XXXX. (The XXXX, Chairman of Trustees, Mr XXXXX, who worked in Jermyn Street for many years and</p>			

has been directly involved in the XXXX consistent, past opposition to inappropriate planning and licensing activities and applications at this site). As such the XXX wishes to have this statement of objection to the above proposed latest Premises Variation Licence application, apparently also incomplete online, with no readable attachment for **“schedule of works”** as Applicants answer on Application Form as Part 3 – Variation (a), but nonetheless registered, for the purpose of objections by the deadline stated for objections as : **4 January 2017.**

The XXXX considers this application for Variation of Premises Licence, is wholly inappropriate for this historic street in this most important heritage area of St. James’s, essentially on the same grounds of objection (and as the Applicants have linked the Variation Application to the New SEV application) as the then subcommittee accepted previously, in making their New SEV Licence Application refusal decision, as :

“...In reaching this [3/7/2014] decision, the Sub-Committee particularly took into account Policy LO1 of the Council’s Sexual Entertainment Venues Statement of Licensing Policy 2012, which refers to the character of the relevant locality. The Sub-Committee considered that it would be inappropriate, because of the effect that such an association would have on visitors and on the image of London and Westminster in particular, to locate a SEV in Jermyn Street which, as the [then and current, St. James’s Conservation Trust and other] objectors had stated, is a nationally and internationally renowned area with high profile retail shops. It was also the case that a church of historical significances and great value to the community, St James’s Church, Piccadilly was almost directly opposite from the entrance to 91 Jermyn Street which it was proposed would be used for the SEV....Policy LO2 of the Council’s SEV Statement of licensing Policy is also relevant as it stated in paragraph 2.4.17 that : “The Council considers that sexual entertainment venues, providing a particular type of entertainment for a particular adult clientele, may be inappropriate in the vicinity of other premises depending on their use. This may include premises I the vicinity used for religious worship...[and]...may also include sex establishments and other premises providing sexual entertainment where the council considers it inappropriate to create a cluster of such premises...”

The Applicants’ application form at Part 3 – Variation state :

“...Note : An application for a new SEV has also been made for this premises and the premises licence variation and SEV application are to be determined together as they are dependent on one another and reflect the proposal f a lifestyle venue incorporating a restaurant (public), meeting rooms, private members’ facilities with entertainment (including some nudity hence the SEV application, cigar tasting and cocktail bar)...”

The Trust is concerned to see in the Conditions No. 32 as proposed by the applicants to be retained is : The number of persons to be accommodated...: Sub Basement : 100, Basement : 135...” a total excluding staff of 235. The attached SEV/Premises variation Plan shows a layout and uses accommodating approx.. 161 seated- leaving a potential of vertical drinkers at approximately 74 persons. This remains and intensive use and number to manage both within and externally. The Applicants’ propose to “Add New conditions”, examples of which, the Trust considers also give rise to concern over negative impacts on the St. James’s Conservation and Special Policy Areas, relate to smoking externally as, for example no detail supplied of the “Notices” that : “...shall be prominently displayed at any area used for smoking...” and none of what the Trust

considers to be a viable/manageable : “designated smoking area on Jermyn Street...”

For all of these community concerns over negative impacts, not consistent with City Council and National Licensing policies and past refusal of related (and linked) applications to this site and with these proposals, the City Council is urged to refuse the application/s for Variations to the licence to be inter-dependant with the also unacceptable new SEV use/s and licence application.

Name:		Details hidden as the individual as also made a representation to the new SEV licence application.	
Address and/or Residents Association		Details hidden as the individual as also made a representation to the new SEV licence application.	
Status:	Valid	In support or opposed:	Opposed
Received:	2 nd January 2016		

5 December, 2016

Westminster City Council
Licensing Service
4th Floor Westminster City Hall
64 Victoria Street
LONDON SW1E 6QP

Dear Sirs / Madam,

OBJECTION TO:

- APPLICATION FOR SEX ESTABLISHMENT LICENCE (16/12363/LISEVN)
- APPLICATION FOR PREMISES LICENCE TRANSFER (16/13174/LIPT)
PROPERTY: THE PLAYHOUSE, 91 JERMYN STREET, LONDON SW1Y 6JB ("SEV")
APPLICANT: PLH BARS LIMITED

I refer to the above applications.

I advise I am the resident of [REDACTED] London and a member of the Jermyn Street Association.

I wish to formally object to the above applications on the basis that the applications are contrary to the objectives of the Sexual Entertainment Venues Statement of Licensing Policy 2012 ("SEV Licensing") pursuant to the Local Government (Miscellaneous Provisions) Act 1982 and the Statement of Licensing Policy pursuant to the Licensing Act 2003.

In this regard, I comment that:

- a. Improvement in the character and function of the city, or areas of it - Jermyn Street dates back to 1664 and its retail tenants are high end leather goods' suppliers, wine merchants, restaurants, hotels and art galleries. The retail tenants service a clientele that appreciate the highest quality British artistry and craftsmanship that it has become known for over the past 300 years. Jermyn Street's long illustrious history should be cherished and protected and the SEV is not in keeping with it nor appropriate for the area;
- b. Prevention of Public Nuisance & Public Safety -
 - i. The back entrance of the SEV opens on to Ormond Yard, right next to my apartment;

[REDACTED]

- ii. The Applicant has been undertaking building works to the SEV for the past few months. The works have been loud and constant and are often conducted outside of the permitted hours. As I am located next door to the SEV, the noise is unbearable. I can hear every nail, hammer, drill and yell of the contractors.
 - iii. The construction trucks and vans have also been illegally parking and blocking the alleyway and the local businesses;
 - iv. I have made numerous complaints to the Westminster Council about both the noise and the traffic and intend to continue to do so whilst both issues persists;
 - v. Once the SEV opens, I will expect the noise to be even worse;
 - vi. Attached are photos which show that the Applicant has installed large, bi-fold doors which can be opened up across the entire face of the back of the SEV;
 - vii. The Applicant has applied to open until 3:30am, seven nights a week. My apartment is located right next door so I and the other residents will hear music until 3:30am, seven nights a week;
 - viii. I will also have drunk people outside my front door and my windows until 3:30am, seven nights a week;
 - ix. Smoking is banned in all enclosed premises in the United Kingdom so the patrons will naturally drift outside to smoke and chat;
 - x. Any noise from the SEV will vibrate and bounce around the narrow Ormond Yard alleyway and will disturb all of its residents;
 - xi. There will also be traffic and safety issues. Once the SEV opens, there will no doubt be taxis and cars trying to drive down the Ormond Yard alleyway to pick up and drop off patrons. It is narrow so the cars will have to try and turn around, while trying to avoid hitting drunk patrons (noting that there is limited light in the alleyway at night) whilst also trying to navigate other cars that have backed up behind it.
- c. Prevention of Crime and Disorder – SEV's and similar types of businesses have a history of violence and gang related activity. Likewise, selling alcohol to 3:30am in the morning, seven nights a week, will lead to disorderly behaviour from its patrons.

I ask that you take into consideration the above points and deny the applications for the Property.

Yours faithfully

A handwritten signature in black ink, appearing to be a stylized 'S' or 'J' followed by a flourish, written over a blacked-out redacted area.

91 Jermyn Street, London SW1Y 6JB

Re: application under s34 Licensing Act 2003 for new premises licence ref: 16/13620/LPV

Application under Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 for new sexual entertainment venue licence ref: 16/12363/LISEVN

Additional and supporting comments of [REDACTED]

1 Introduction

- 1.1 I am a resident of [REDACTED] I have lived in this property for one and a half years. My flat occupies three (3) levels and is situated immediately next to 91 Jermyn Street.
- 1.2 I submitted an objection under para 8(15) of Sched 3 Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') on 5 December 2016 in respect of the application for a new 'sexual entertainment venue' ('SEV') licence in respect of 91 Jermyn Street.
- 1.3 I subsequently submitted a 'relevant representation' under s35 Licensing Act 2003 ('the 2003 Act') in respect of the application to vary the premises licence in respect of 91 Jermyn Street.
- 1.4 This document is intended to convey my further views on the two applications, having sought advice. I am aware that the default position under the 1982 Act is that my objection will be anonymised, but that under the 2013 Act my relevant representation will not be anonymised. In the circumstances, and as the applications as are clearly linked and admit of overlapping issues, I confirm that I waive my right to anonymity under the 1982 Act.

2 The 1982 Act application

- 2.1 It is unclear from the application how it is proposed that the premises would operate. I am aware that an SEV licence is required by a 'lap dancing' or 'table dancing' type of operation, but also that it may required for other types of use. It would be helpful if the applicant could clarify what exactly is proposed, as it is otherwise very difficult for residents to respond.
- 2.2 There is no record of a SEV licence ever being in force at this premises, and I am not aware that 'relevant entertainment' as defined in the 1982 Act has taken place in this location.
- 2.3 My objection referred to Westminster Council's Statement of Licensing Policy for Sexual Entertainment Venues and to its Statement of Licensing Policy for the 2003 Act. I set out a number of factors in these policies which are germane to the application in question. I would like to add to this some comments on the nature of the locality which I believe render the provision of relevant entertainment wholly unsuitable and inappropriate for this location.
- 2.4 In particular, the application should be refused because it is inappropriate, having regard to the character of the relevant locality; inappropriate, having regard to the use to which other

premises in the vicinity are put; and inappropriate, having regard to the layout, character or condition of the premises

2.5 Inappropriate, having regard to the character of the relevant locality: [set out why]

2.6 Inappropriate, having regard to the use to which other premises in the vicinity are put: [set out why e.g. residential, young families, children] Although there is a SEV licence in respect of the nearby Scotch of St James's on Masons Yard, I understand that the premises does not operate the SEV licence. I understand that it has not operated under an SEV licence or its predecessor licence for many years.

2.7 Inappropriate, having regard to the layout, character or condition of the premises: [set out why e.g. the bi-fold doors at the back]

2.8 The applicant has requested a condition that will permit an extension of the hours for 'relevant entertainment' on any day of the week when a Temporary Event Notice (TEN) is in force under the 2003 Act. Therefore, on up to 21 occasions per year 'relevant entertainment' could be provided throughout the night without residents having any knowledge of the events, or any ability to make their views known.

2.9 The 1982 Act was amended some years ago specifically to give residents more of a say in the licensing of such establishments. Such a condition would permit the premises to operate in a way entirely removed from the purposes of the legislation, as local residents will have no say over increased hours on up to 21 occasions per year. We would ask the licensing authority to consider is a) lawful; and b) appropriate.

3 The SEV Policy

3.1 Para 2.1.11 of the SEV Policy states that *'The Council will however apply this policy strictly where applications are made for premises at locations where sexual entertainment has not previously been provided, irrespective of the status of the applicant...'* (our emphasis). That is the case here.

3.2 Para 2.4.15 of the SEV Policy confirms the wide discretion of a licensing authority. It has made abundantly clear in a succession of High Court and Court of Appeal judgments¹ that the licensing authority has an extremely wide discretion in determining SEV renewal applications. In particular, the licensing authority is entitled to take into account not only the current nature of the locality in which the premises is situated but also future changes to the locality, when considering the 'character of the relevant locality' under Para 12(3)(d)(i) of the Act 1982.

¹ E.g. *Thompson v oxford city council* [2014] EWCA CIV 94 paras 46-52; *R (KVP ENT Limited) v. South Buckinghamshire District Council* [2013] EWHC 926 (Admin);

4 The 2003 Act application

- 4.1 As with the 1982 Act application, it is unclear from the application form how the proposed premises intends to operate. The proposed premises is described as a 'lifestyle venue', but this could cover a multitude of possibilities.
- 4.2 It appears that at least part of the premises would operate as a members' club, albeit with provision also for private functions (without limit) and guests of members.
- 4.3 I note that at present, the licence requires that sale of alcohol must be 'ancillary to the use of the premises for music and dancing and substantial entertainment'. There is a proposal to delete that condition. Would this lead to the premises becoming more drink led?
- 4.4 I am aware that the application does not propose an increase in the ultimate terminal hour, but does seek to amend many of the conditions. I expressed in my initial representation my concerns as to noise emanation from the premises, particularly in respect of the bi-fold doors to the rear. This does not seem to be addressed in the application.

5 Conclusion

- 5.1 For the above reasons, the Sub-Committee is respectfully asked to refuse the applications.
- 5.2 I am intending to attend the hearings. Richard Brown of Citizens Advice Westminster will also be in attendance to represent me.

A handwritten signature in black ink is written over a thick, solid black horizontal redaction bar. The signature is cursive and appears to be 'Richard Brown'.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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 MD1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Existing Licence

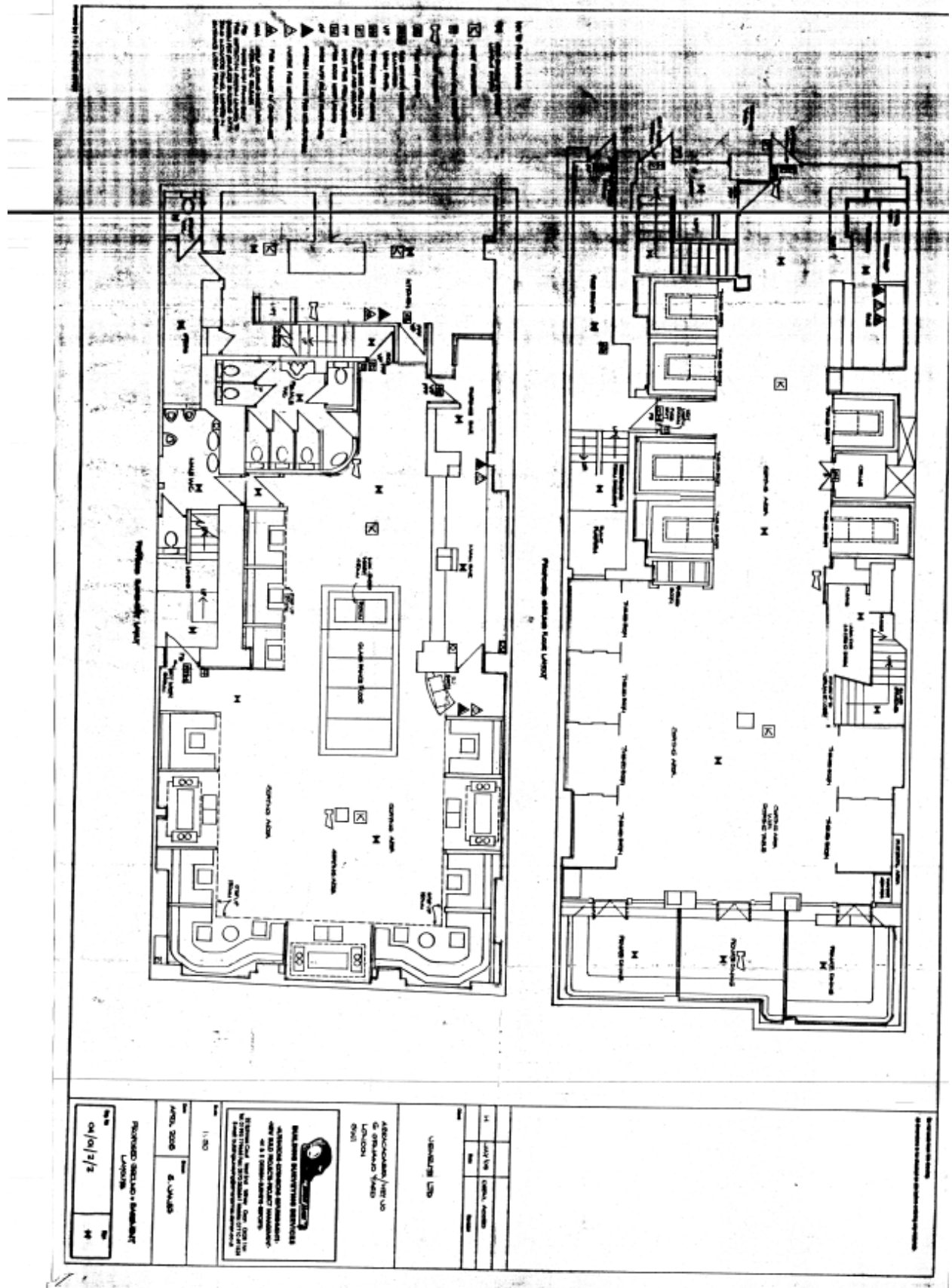
Report author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact:	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

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

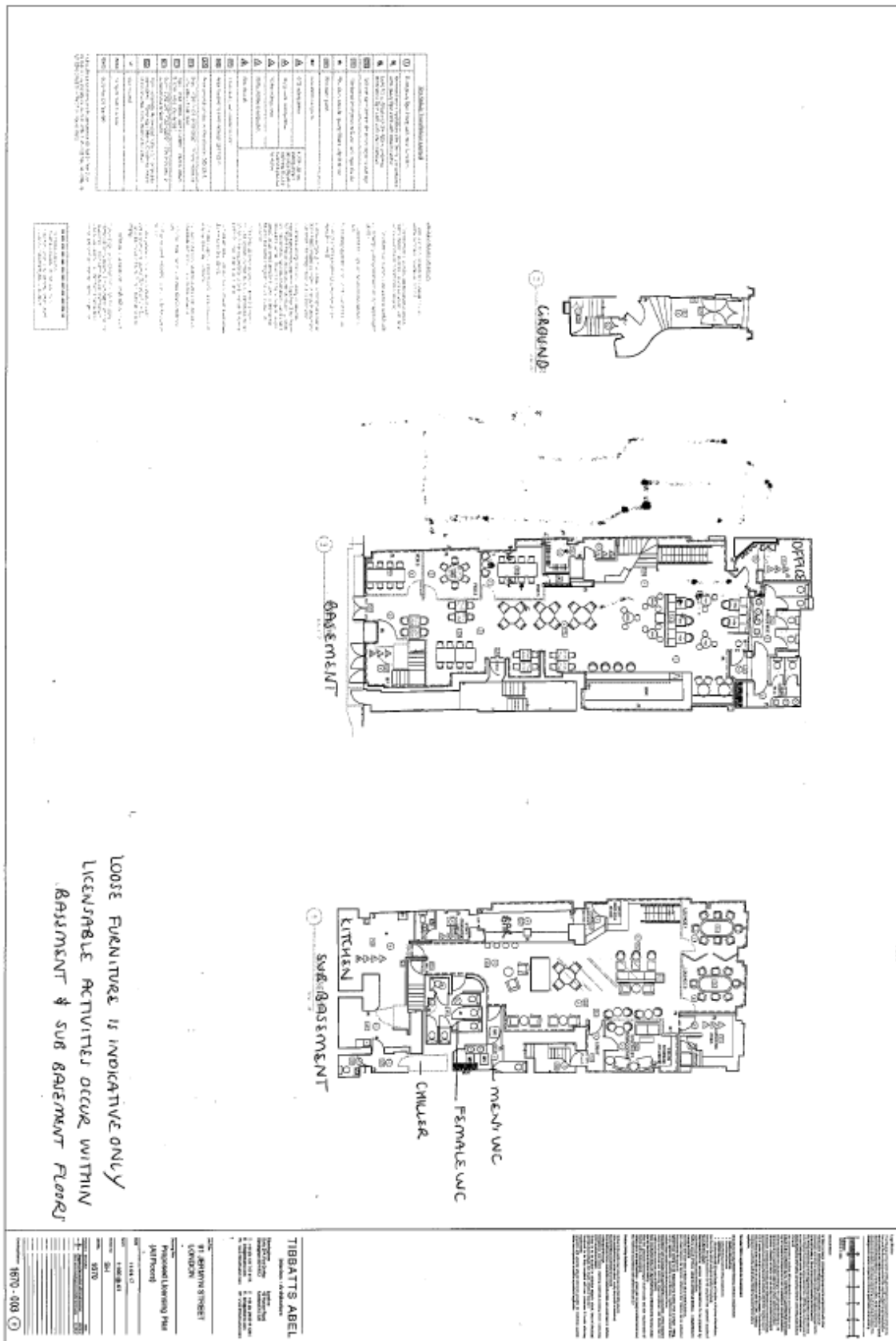
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form and Plans	7 th December 2014
5	Representation – MET Police Service	23 rd December 2016
6	Representation – WCC Licensing Authority	29 th December 2016
7	Representation – Mr Mislov	14 th December 2016
8	Representation – Ms Brooks	23 rd December 2016
9	2 x Representations	19 th December 2016 & 2 nd January 2017

Plans - Current



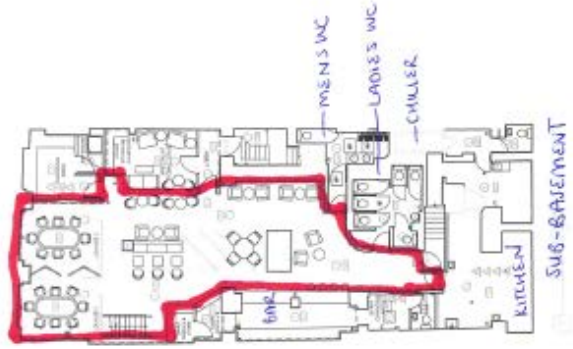
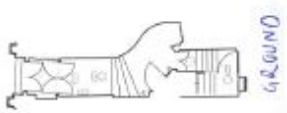
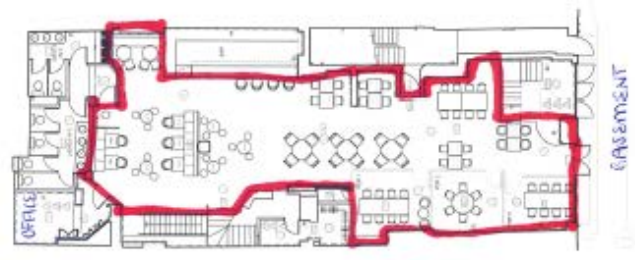
Plans – Propose:



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TIBBATT'S ABEL
 ARCHITECTS
 1000 WEST 10TH AVENUE
 DENVER, CO 80202
 TEL: 303.733.1100
 WWW.TIBBATT'SABEL.COM

1000 WEST 10TH AVENUE
 DENVER, CO 80202
 PROJECT LISTING PLAN
 (OFF FLOOR)
 DATE: 11.10.17
 DRAWN BY: TIBBATT'S ABEL
 SCALE: 1/8" = 1'-0"
 SHEET NO.: 1000-003



REGULATED SUB-BASEMENT
 All licensable activities occur within the basement and sub-basement floors. Loose furniture is indicative only.

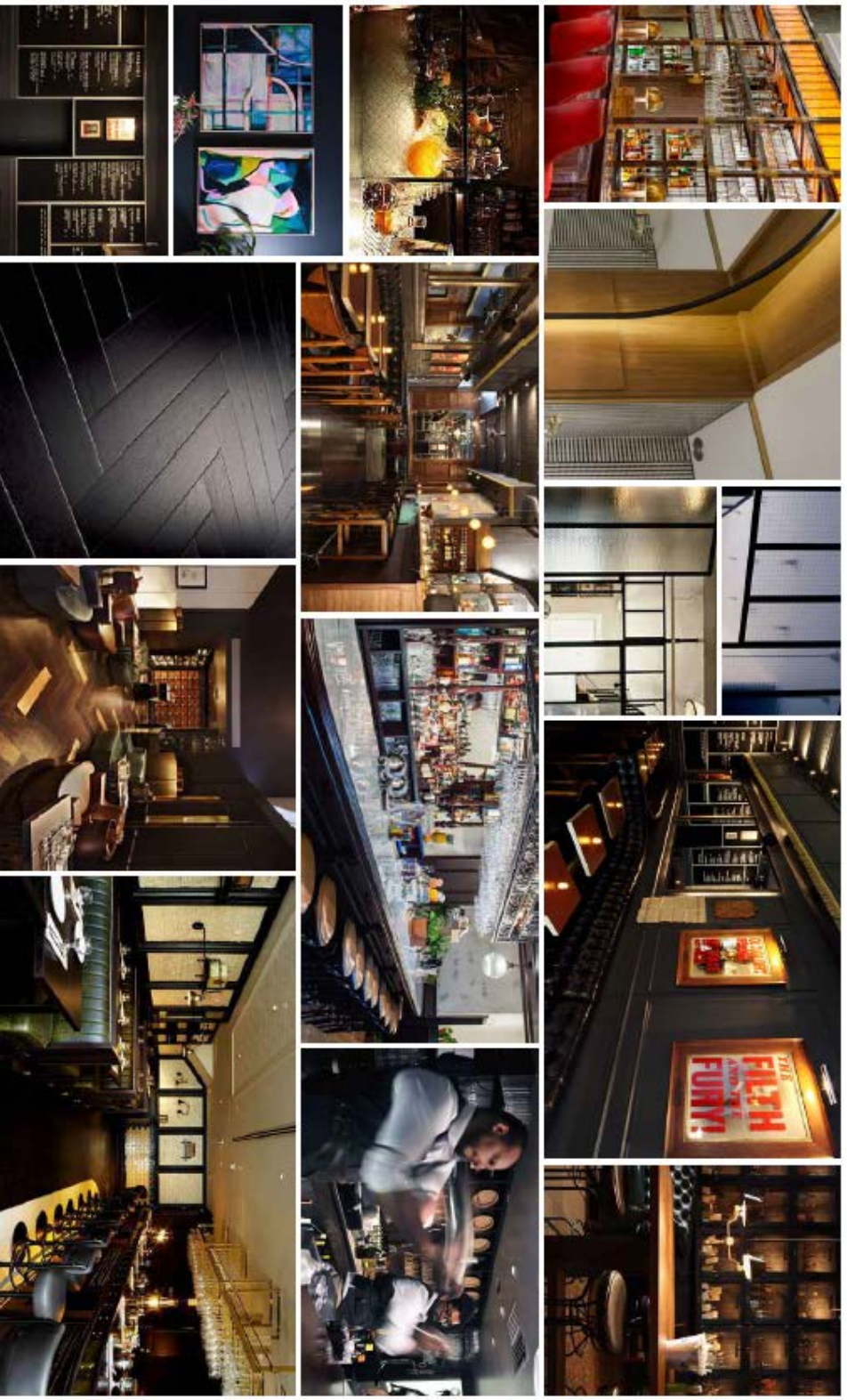
NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	11/10/17
2	ISSUED FOR PERMITTING	11/10/17
3	ISSUED FOR PERMITTING	11/10/17
4	ISSUED FOR PERMITTING	11/10/17
5	ISSUED FOR PERMITTING	11/10/17
6	ISSUED FOR PERMITTING	11/10/17
7	ISSUED FOR PERMITTING	11/10/17
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9	ISSUED FOR PERMITTING	11/10/17
10	ISSUED FOR PERMITTING	11/10/17

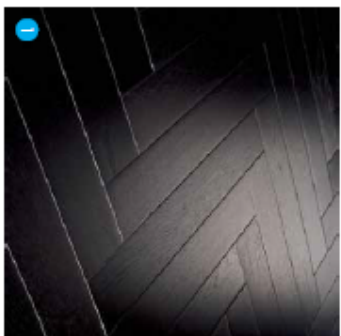
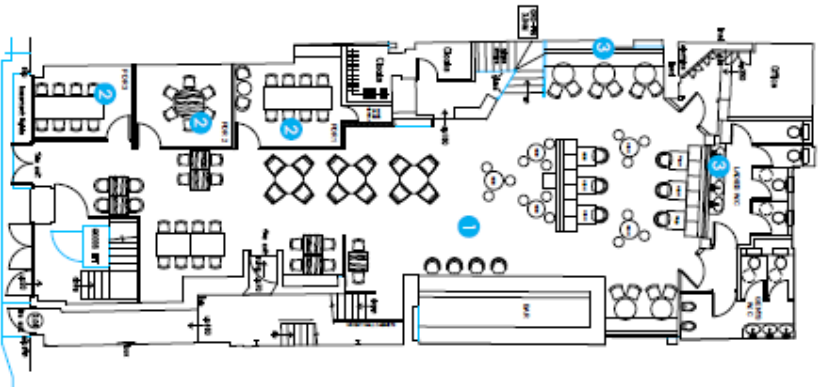
Applicants Submissions

7188 ATTS LABEL / JERMYN ST.
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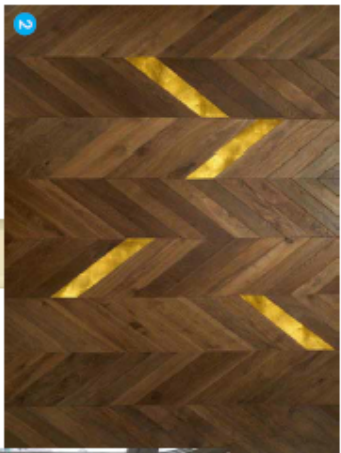
JERMYN ST.
-SCHEME PROPOSALS-

7188 ATTS LABEL / LONDON E1 5 2JS & BARNICKHAM B24 9TD
..... info@bbbw.com / 020 8919 4294 & 0121 747 1111
..... JOB NO. 1670



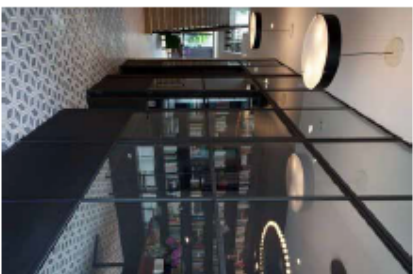


Ebony stained and lacquered herringbone floor



Chevron warm timber tone flooring with pops of metallic gold

Ebony stained timber wall panelling with reflective glossy tile inserts.



Private dining room - crystal style glass with option of electronic opaque option to provide privacy. Smoked glass another option to add colour and intrigue.



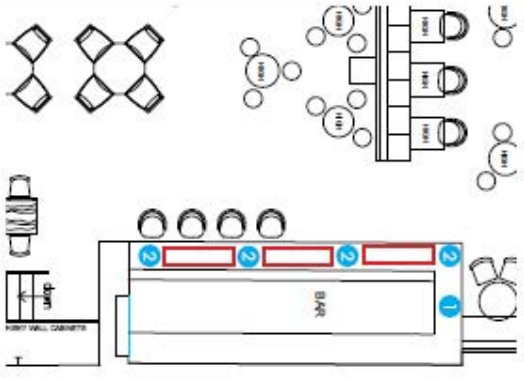
SILESTONE MARBLE FINISH BAR TOP



SMOKE GLASS PENDANTS WITH FILAMENT BULBS

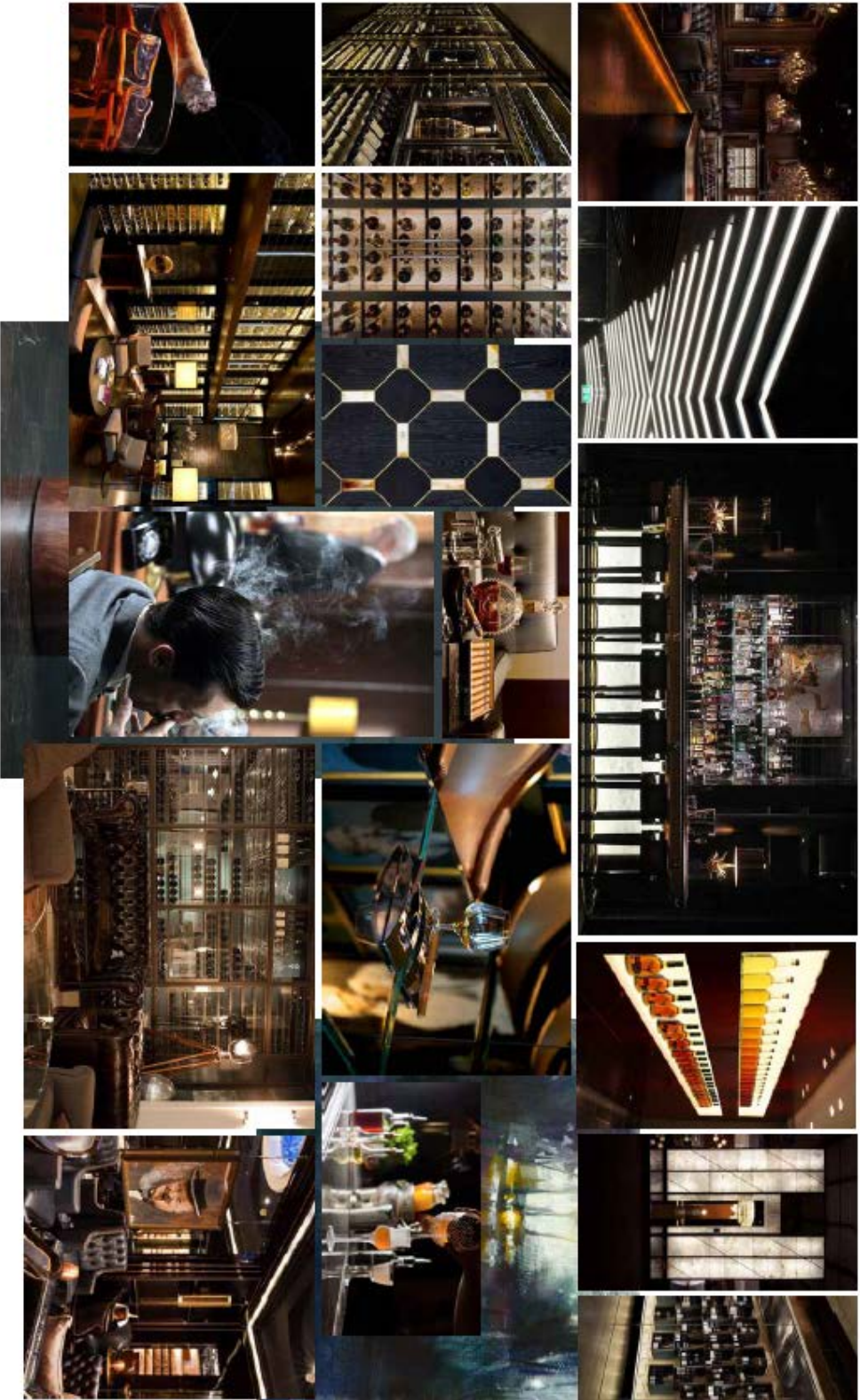


RICH TIMBER TONE BAR FRONT



BRASS FOOTRAIL

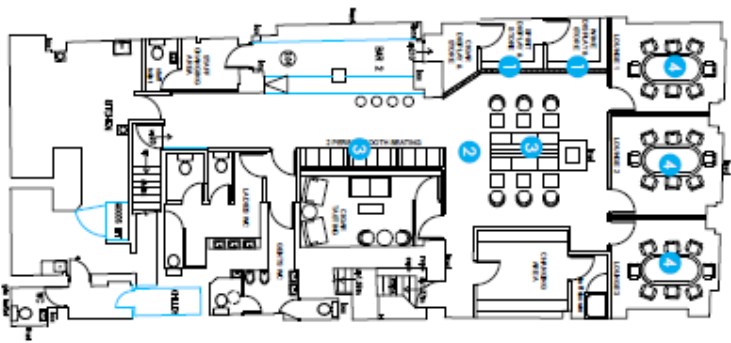
7188 ATYS ABEL / PENKYN ST.
SUB BASEMENT MOOD BOARD



7188 ATYS ABEL / LONDON E15 2JG & BIRMINGHAM B24 9TD

info@abbel.com / 020 5519 4594 & 0121 747 1111

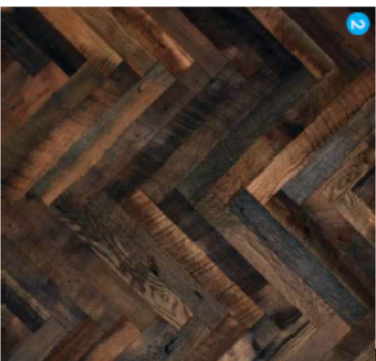
JOB NO. 1670



1 Whisky and wine cage displays with storage behind in the respective rooms - mirrored to reflect light and bottles.



2 Character multi-tone timber herringbone floor



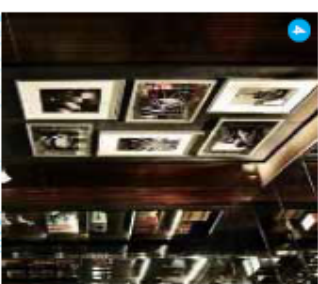
Reflective and luxurious leather for fixed seating



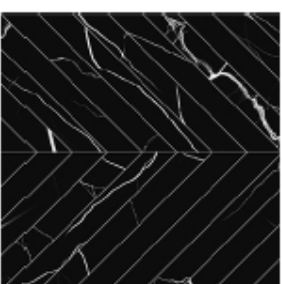
3 Warm amber glow LED to underside of all fixed seating. Creating an alluring and attractive ambience.



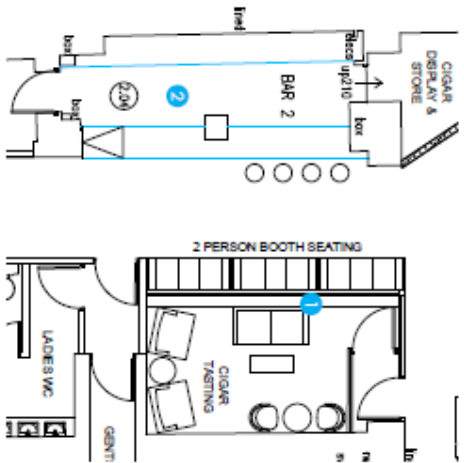
Private rooms to have dynamic LED ceiling



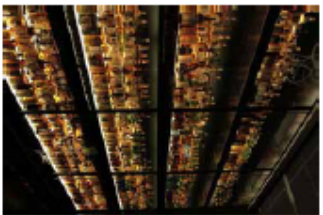
Fur height timber paneling and BSW at



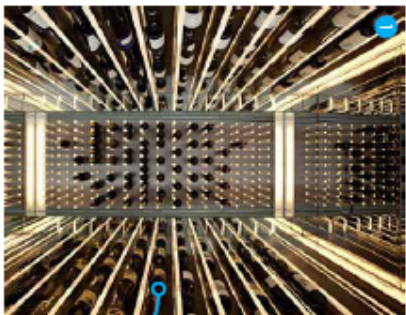
Monochrome dynamic marbled effect floor



Warm rich colours to compliment the space and add depth and opulence. Featured cigar artwork.



Illumination is key for the back bar - a warm glow to enhance the offering. Contrasted with dark panelling and timber



Cigar display encased in glass well with mirrored wall opposite to reflect the display. Reflective floor and ceiling to maximise the inbuilt impact of the tasting room. Comfortable and lounge style furniture.

RE: THE PLAYHOUSE, 91 Jermyn Street London SW1Y 6JB)- APPLICATION FOR VARIATION OF THE PREMISES LICENCE

Schedule of Alterations

General Statement

There is to be no increase in licensed area.
There is no overall increase in capacity within the premises

Alterations

Jermyn Street entrance

(not part of licensable area)- General refurbishment

Basement-

General refurbishment/decoration throughout
Improvement in escape/ staircase positioning
Bar is same length but moved to opposite side of the premises
Changes to fixed seating (and loose seating as shown on the plans)
Cloakroom in same position but redesigned
Creation of new male and female toilets on this level
Creation of new office space next to toilets
Creation of new dining/meeting areas

Sub Basement

General refurbishment/decoration throughout
No change in escape/ staircase positioning
Kitchen in same position but all appliances will be updated
Female toilets and male toilets in same position but refurbished
New staff toilet and staff changing room in area where the main bar has been reduced in length
Main bar reduced in length
New cigar tasting room
New dancer changing room and shower (SEV application has been applied for)
Repositioned wine and cigar storage/display areas
Changes to fixed seating (and loose seating as shown on the plans)
Fixed club seating (opposite end of premises as kitchen) is being converted to 3 lounge/meeting areas

Lana Tricker

From: Lana Tricker
Sent: Tuesday, February 21, 2017 2:02 PM
To: 'Virginia Chichester'
Subject: RE: The Playhouse

Thanks for your email Virginia- that's a shame as we were looking forward to discussing the concept and proposal with you prior to the hearing.

As you know, the premises currently has an existing licence which it can operate under however these applications propose tighter controls operationally to make the premises a private members venue, rather than a public nightclub which it can operate as under its existing licence, and the SEV activities/licence would be ancillary to this operation (the venue is not being run as a dedicated striptease venue).

I am preparing some further submissions to the council which you will receive prior to the hearing, either in the LSC Report or separately, and if you have any queries on those pls let me know and we would be happy to clarify any matters.

Many thanks for your time.

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530

T: 020 3755 5138

This e-mail is confidential and may also be privileged. If you are not the intended recipient please notify LT Law by return e-mail or at the numbers above and delete it, and any copies of it; you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. LT Law has taken steps to ensure that this message (and any attachments or hyperlinks contained within it) is free from computer viruses and the like. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it. Lana Tricker is the sole proprietor of LT Law. SRA No: 488281 Authorised and regulated by the Solicitors Regulation Authority.

From: Virginia Chichester [mailto:thechichesterfamily@gmail.com]
Sent: Tuesday, February 21, 2017 9:45 AM
To: Lana Tricker <lana@ltlaw.co.uk>
Subject: Re: The Playhouse

Dear Lana

Having given more thought to meeting with you and your clients, Nicholas Turner and I have decided that it would probably best not to do so as the Trust is opposing the Playhouse application and both of us hope to be at the hearing on March 2nd. I am sorry to have caused you inconvenience.

With best wishes
Virginia

On 20/02/2017 17:01, "Lana Tricker" <lana@ltlaw.co.uk> wrote:

FLORIS ESTATES

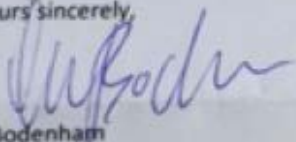
Mr D Serlui
90 Jermyn Street
London
SW1Y 6JB

17 December 2015

Dear Mr Serlui,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyn Street. I understand that the application to be made will mirror the existing hours on the premises licence currently held for 91 Jermyn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence. I further understand the license if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue. Subject to seeing detailed plans, looking at the outline proposal, I do not feel that application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,



E. Bodenham

Director



SHIRTMAKERS & TIE SPECIALISTS

97 JERMYN STREET, ST JAMES' S
LONDON, SW1Y 6JE
TEL: 0207 839 3578
FAX: 0207 839 7020

17th December 2015

Dear Mr Serlui,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyrn Street. I understand that the application to be made will mirror the existing hours on the premises license currently held for 91 Jermyrn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence. I further understand the license if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue. I do not feel that application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,

Matthew Beadle
General Manager

WEBSITE: www.harvieandhudson.com

EMAIL: info@harvieandhudson.com

REGISTERED OFFICE: 77 JERMYN STREET, LONDON SW1 REGISTERED IN LONDON NO. 551660

J
JOHN LOBB

15th December 2015

Dear Mr Serlui,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyn Street.

I understand that the application to be made will mirror the existing hours on the premises license currently held for 91 Jermyn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence.

I further understand the license, if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue.

I do not feel that the application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,



Daniel Kovacs
Store Manager

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10267/LIPC	Application to vary the Justices On Licence, PEL, Special Hours Certificate	03.10.2005	Granted under delegated authority
11/12582/LIPV	To vary the hours from the current opening times of the premises (Monday to Sunday 09:00 to 3:30am): Monday 11:00 to 03:30 Tuesday to Sunday 11:00 to 06:00	15.03.2012	Refused by Licensing Sub Committee
13/02093/LIPVM	Application to add conditions dealing the prevention of crime and disorder	15.04.2013	Granted under delegated authority
15/00234/LIPT	Application to transfer the licence from Jewelite Trading Limited to Mr Richard Lorenzo Travis	19.01.2015	Granted under delegated authority
15/09736/LIPT	Application to transfer the licence from Mr Richard Lorenzo Travis to Caley Holdings Ltd	15.12.2015	Granted under delegated authority Note: this is the current issued licence – a copy of which is attached at Appendix 6
16/13174/LIPT	Application to transfer the licence from Caley Holdings Ltd to PLH Bars Limited	20.02.2017	Granted under delegated authority Note: this shall be issued following the determination of the current application
16/13620/LIPV	Current Application		Pending
17/01144/LIPDPS	Application to vary the DPS to Nenad Kacarevic	20.02.2017	Granted under delegated authority Note: this shall be issued following the determination of the current application

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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.

Note: the applicant is seeking to remove the above condition 10 and replace it with the following:

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

- *All exit doors shall be available at all material times without the use of a key, code, card or similar means.*
 - *Any special effects or mechanical installations shall be arranged, operated 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.*
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).

Note: the applicant is seeking to remove the above condition 11 and replace it with the following:

The premises may remain open for regulated entertainment, the sale of alcohol 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.

Note: Condition 12 to be removed

12. Notwithstanding the provisions of Rule of Management number 6, the premises may be kept open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3.30am on the day following.
13. All entrance and exit doors shall be kept closed except when in use for immediate entrance and exit.

Note: the applicant is seeking to remove the above condition 13 and replace it with the following:

The internal glass 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.

14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that it is in use.
15. That the applicant will use best endeavours to ensure that patrons leave the premises via the Jermyn Street exit.
16. When both parts of the premises are in use for the same private function, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to the patrons.
17. When the premises are open solely to the public, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to patrons.
18. That the applicant will use best endeavours to ensure that the taxi and minicab companies collect and deliver patrons from the club from the Jermyn Street exit of the premises.

Note: the applicant is seeking to remove the conditions 15-18 and replace them with the following:

- *Patrons shall not enter or leave the premises from 1 by Ormond Yard, except in the event of an emergency.*
- *Access to the premises by patrons shall be through the Jermyn Street entrance lobby area only.*
- *The licence holder shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard. Any customers that use Ormond Yard to gain access, smoke or leave the premises (whether by vehicle or on foot) shall be refused entry or subsequent re-entry to the premises. It shall be a condition of any membership at the premises that Members and/or any guests shall not cause any nuisance in Ormond Yard.*

Note: Condition 19 to be removed (duplicated by bullet point above)

19. That the applicants shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard.
20. That the sound limiting device installed at the premises shall be set and maintained at a level to be decided upon by the Environmental Health Officer.
21. A noise limiting device located in a separate and remote lockable cabinet from the volume control 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. 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.

22. 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.
23. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.

Note: the applicant is seeking to remove the conditions 20-23 and replace them with the following:

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.

24. No speakers shall be located in the entrance lobby or staircase area.

Note: the applicant is seeking to remove the above condition 24 and replace it with the following:

Loudspeakers shall not be located in the entrance lobby, staircase area or outside the premises building.

25. Upon a request being made by local residents, the licensee shall provide such residents with telephone numbers to enable them to contact the premises, the management and the licensee.

Note: the applicant is seeking to remove the above condition 25 and replace it with the following:

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.

Note: Condition 26 to be removed

26. The provision of music and dancing on the ground floor must remain ancillary to A3 restaurant use.
27. The licensee will use a designated cab/taxi company to collect patrons from Jermyn Street and encourage patrons not to use illegal cabs by displaying such notices.

Note: the applicant is seeking to remove the above condition 27 and replace it with the following:

- *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. It will be a condition of any agreement that patrons will not be collected from Ormond Yard*
- *The licence holder to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.*

Note: Condition 28 to be removed (duplicated by above bullet point)

28. The licensee to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.
29. The licensee to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard.

Note: the applicant is seeking to remove the above condition 29 and replace it with the following:

The licence holder to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard. It shall be a condition of any membership at the premises that the vehicles Members and/or any guests use shall not use Ormond Yard.

Note: Condition 30 to be removed

30. Details of an adequate and dedicated refuse storage area are sent to Westminster City Council for approval within 28 days of the grant of any licence.
31. The licensee to use the Jermyn Street address on all literature that advertises the public entertainment which will take place at the premises.

Note: the applicant is seeking to remove the above condition 31 and replace it with the following:

The licence holder to use the Jermyn Street address on all literature relating to the premises.

32. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Basement - 100, Ground Floor – 135.

Note: The applicant to confirm that condition 32 to be amended - premises plan now refers to ground floor and sub-basement

Conditions relating to the Sale of Alcohol:

33. Intoxicating liquor may only be sold or supplied to persons who have paid a minimum admission fee of £5.00 or persons who are dining at the premises at not less than £10.00 per head. Such fees not to be credited against consumables.

Note: Condition 33 to be removed

34. 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.

Note: the applicant is seeking to remove the above condition 34 and replace it with the following:

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.

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

35. Alcohol shall not be sold or supplied except during permitted hours.
- (a) Subject to the following paragraphs, the permitted hours on weekdays (Monday to Saturday) 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.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;

- (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) 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.

Note: the applicant is seeking to remove the above condition 35 and replace it with the following:

- *The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.*
- *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.*

36. 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.

Note: Condition 36 to be removed

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

Note: Condition 37 to be removed

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

Note: Condition 38 to be removed

Annex 2 – Conditions consistent with the operating Schedule

39. 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.
40. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

Note: the applicant is seeking to remove condition 39-40 above and replace it with the following:

- *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.*
 - *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.*
41. There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until closed, when the sub-basement 'club area' is open.

Note: the applicant is seeking to remove condition 41 above and replace it with the following:

There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until close, when the sub-basement is open to patrons

42. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.
43. All persons entering the premises after 23:00 for the purpose of attending the sub-basement 'club area' shall be searched by an SIA trained member of staff using a 'wand' and monitored by the premises CCTV system.

Note: Condition 43 to be removed

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, which will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
45. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl by waiter/waitress service to tables. Staff will clear empty champagne and spirit bottles promptly.

Note: Condition 45 to be removed

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

None

These are new conditions being proposed by the application:

46. *In the sub-basement, 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 a private or pre-booked event organised by a member with a guest provided in advance which will be retained for 31 days following the event and be available for inspection by the responsible authorities.*
47. *In the basement, after 23.00, 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 a private or pre-booked event organised by a member with a guestlist provided in advance which will be retained for 31 days following the event and be available for inspection by the responsible authorities.*
48. *No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.*
49. *A list of the names and addresses of members of the club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members Both the list and the book*

shall be produced on demand for inspection by the police or an authorised officer of the Council.

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. *All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.*
52. *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:*
 - i) *all crimes reported to the venue*
 - j) *all ejections of patrons*
 - k) *any complaints received*
 - l) *any incidents of disorder*
 - m) *all seizures of drugs or offensive weapons*
 - n) *any faults in the CCTV system or searching equipment or scanning equipment*
 - o) *any refusal of the sale of alcohol*
 - p) *any visit by a relevant authority or emergency service.*
53. *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.*
54. *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.*
55. *There shall be waiter or waitress service available throughout the premises.*
56. *No collections of waste or recycling materials (including bottles) from the premises shall take place between **(23.00)** and **(08.00)** on the following day.*
57. *No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.*
58. *No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises.*
59. *Notices shall be prominently displayed at the Jermyn Street exit requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*

60. *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.*
61. *Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area on Jermyn Street.*
62. *The reception shall be manned by staff whenever the premises is open for trade*
63. *When the sub-basement is open to patrons there will be a minimum of 1 SIA at the premises from 6pm. From 11pm there will be a minimum of 2 SIA at the premises.*
64. *The premises licence holder shall ensure that any patrons 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.*
65. *No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.*

 City of Westminster

Playhouse, 91 Jermyn Street, London



10
Meters

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Residential / Proposed Residential	61
Under Construction	Not Known
Other Uses	Not Known
Proportion Residential of all Uses	%AllUses%
Data Source: Uniform Database Date: 20/02/2017	

Premises within 75 metres of: Playhouse, 91 Jermyn Street, London

p / n	Name of Premises	Premises Address	Opening Hours
-13366	The Scotch Of St James	Basement And Ground Floor 13 Mason's Yard London SW1Y 6BU	Sunday 09:00 - 03:30 Monday to Saturday 09:00 - 05:30
-7799	Tramp	40 Jermyn Street London SW1Y 6DN	Monday to Sunday 09:00 - 05:00
-3851	Paxton & Whitfield Ltd	Basement And Ground Floor 93 Jermyn Street London SW1Y 6JE	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-3240	Barbecoa	194 Piccadilly London W1J 9EX	Monday to Sunday 08:00 - 00:30
25959	B A F T A (British Academy Of Film And Television Arts)	195 Piccadilly London W1J 9LN	Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30
-32724	Al Duca Restaurant	Bray House 4 - 5 Duke Of York Street London SW1Y 6LA	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:30
-28846	The Gaslight Of St James's Ltd	4 Duke Of York Street London SW1Y 6LA	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-18972	Red Lion Public House	2 Duke Of York Street London SW1Y 6JP	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-12428	189 Piccadilly	189 Piccadilly London W1J 9ES	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:30
-12253	Assouline	196A Piccadilly London W1J 9DY	Monday to Sunday 09:00 - 20:30
-8895	The Cavendish Hotel	81-84 Jermyn Street London SW1Y 6JF	Monday to Sunday 00:00 - 00:00 Monday to Saturday 10:00 - 01:00 Sunday 10:00 - 22:30
-70	Hide	6 - 7 Ormond Yard London SW1Y 6JT	Monday to Sunday 09:00 - 03:30



Schedule 12
Part A

WARD: St James's
UPRN: 100023349935

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

Premises licence

Regulation 33, 34

Premises licence number:

15/09736/LIPT

Original Reference:

05/10267/LIPC

Part 1 – Premises details

Postal address of premises:

Hide
6 - 7 Ormond Yard
London
SW1Y 6JT

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
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 Sunday: 09:00 to 03:30

Performance of Live Music

Monday to Sunday: 09:00 to 03:30

Playing of Recorded Music

Unrestricted

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

Monday to Sunday: 09:00 to 03:30

Late Night Refreshment

Monday to Sunday: 23:00 to 03:30

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 00:30

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

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:30

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:**

Caley Holdings Ltd
Morgan Reach Accountancy
Ciba Building
146 Hagley Road
Birmingham
B16 9NX
Electronic Mail : c/o lana@lmlaw.co.uk

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

09829718

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

Name: Mr David Serlui

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: 148565
Licensing Authority: London Borough Of Brent

Date: 15 December 2015

This licence has been authorised by Mr Ola Owojori 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 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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

Conditions relating to regulated entertainment

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Notwithstanding the provisions of Rule of Management number 6, the premises may be kept open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3.30am on the day following.
- 13. All entrance and exit doors shall be kept closed except when in use for immediate entrance and exit.
- 14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that it is in use.
- 15. That the applicant will use best endeavours to ensure that patrons leave the premises via the Jermyn Street exit.

16. When both parts of the premises are in use for the same private function, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to the patrons.
17. When the premises are open solely to the public, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to patrons.
18. That the applicant will use best endeavours to ensure that the taxi and minicab companies collect and deliver patrons from the club from the Jermyn Street exit of the premises.
19. That the applicants shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard.
20. That the sound limiting device installed at the premises shall be set and maintained at a level to be decided upon by the Environmental Health Officer.
21. A noise limiting device located in a separate and remote lockable cabinet from the volume control 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. 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.
22. 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.
23. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
24. No speakers shall be located in the entrance lobby or staircase area.
25. Upon a request being made by local residents, the licensee shall provide such residents with telephone numbers to enable them to contact the premises, the management and the licensee.
26. The provision of music and dancing on the ground floor must remain ancillary to A3 restaurant use.
27. The licensee will use a designated cab/taxi company to collect patrons from Jermyn Street and encourage patrons not to use illegal cabs by displaying such notices.
28. The licensee to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.
29. The licensee to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard.
30. Details of an adequate and dedicated refuse storage area are sent to Westminster City Council for approval within 28 days of the grant of any licence.
31. The licensee to use the Jermyn Street address on all literature that advertises the public entertainment which will take place at the premises.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Basement - 100, Ground Floor – 135.

Conditions relating to the Sale of Alcohol:

33. Intoxicating liquor may only be sold or supplied to persons who have paid a minimum admission fee of £5.00 or persons who are dining at the premises at not less than £10.00 per head. Such fees not to be credited against consumables.
34. 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:

35. Alcohol shall not be sold or supplied except during permitted hours.
- (a) Subject to the following paragraphs, the permitted hours on weekdays (Monday to Saturday) 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.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
- (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
- (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) 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.

36. 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.

37. 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 (or the holder of the club premises certificate):

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

38. 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

39. 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.
40. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
41. There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until closed, when the sub-basement 'club area' is open.
42. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.
43. All persons entering the premises after 23:00 for the purpose of attending the sub-basement 'club area' shall be searched by an SIA trained member of staff using a 'wand' and monitored by the premises CCTV system.
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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
45. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl by waiter/waitress service to tables. Staff will clear empty champagne and spirit bottles promptly.

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: St James's
UPRN: 100023349935

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/09736/LIPT

Part 1 – Premises details

Postal address of premises:

Hide
6 - 7 Ormond Yard
London
SW1Y 6JT

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
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 Sunday: 09:00 to 03:30

Performance of Live Music

Monday to Sunday: 09:00 to 03:30

Playing of Recorded Music

Unrestricted

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

Monday to Sunday: 09:00 to 03:30

Late Night Refreshment

Monday to Sunday: 23:00 to 03:30

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 00:30

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

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:30

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:

Caley Holdings Ltd
Morgan Reach Accountancy
Ciba Building
146 Hagley Road
Birmingham
B16 9NX

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

09829718

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

Name: Mr David Serlui

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

Restricted

Date: 15 December 2015

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