

City of Westminster Licensing Sub-Committee

Meeting: Licensing Sub-Committee

Date: 02 March 2017

Classification: General Release

Premises: Scotch St James, 13 Mason's Yard, London, SW1Y

6BU - 16/10483/LISEVR

Wards Affected: St James', Core CAZ North

Financial Summary: None

Report of: Director for Public Protection and Licensing

1. Executive Summary

1.1 The City Council ("The Council") has received an application for the renewal of the Sexual Entertainment Venue ("SEV") premises licence from Great Club Limited for Scotch St James, 13 Mason's Yard, London, SW1Y 6BU. The report sets out the application details, objections, policy and legal context along with other considerations that the Committee requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("The 1982 Act") as amended by section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
 - 2.1.1 Renew the licence in full
 - 2.1.2 Renew with additional special conditions which the Licensing Sub-Committee deem appropriate; or
 - 2.1.3 Refuse the application, in which case the SEV licence will immediately cease to have effect (pending any appeal).

3. Application

3.1 On the 29 September 2016 the applicant applied to renew the sexual entertainment venue premises licence to provide relevant entertainment namely full and partial nudity striptease, pole dancing and table dancing in the designated area between the hours of 09:00 to 05.00 on each of the days Monday to Saturday and 09:00 to 03.00 on Sundays. The applicant has not requested change to the relevant entertainment or to remove any standard conditions to the licence if the application is granted. A copy of the application is attached as **Appendix A1**.

4. Objections

4.1 One local business has submitted an objection to the application.

4.2 Objector 1

We object to the application by Great Club Limited for renewal of the above licence on the following grounds:

- 1. The layout of the premises is unsuitable for SEV type entertainment both in terms of the Council's Policy L03 but also the relevant legislation, paragraph 12(3)(d)(iii) permitting a licensing authority to refuse a licence renewal application on the ground that it would inappropriate to do so, having regard "to the layout, character or condition of the premises ... in respect of which the application is made"
- 2. The layout of Mason's Yard means that noise made by persons frequenting the premises (the maximum occupancy of which has recently been approved pursuant to an application under the Licensing Act 2003) will not dissipate and is likely to be amplified by the high walls on all sides of the yard, which (taking into account past noise nuisance allegations resulting in a review of the premises licence under the Licensing Act 2003 in respect of these premises) will cause noise and other nuisance to residents in the immediate vicinity ..., paragraph 12(3)(d)(ii) permitting a licensing authority to refuse a licence renewal application on the ground that it would inappropriate to do so, having regard "to the use to which any premises in the vicinity are put"
- 3. Our advisors have enquired on our behalf whether the applicant has any intention to provide at its above-mentioned premises relevant entertainment (as that phrase is defined in paragraph 2A(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982). The applicant's solicitor has replied stating that his client wishes to "have the

option to use his current SEV licence in the future if his business priorities change" but that there are no "concrete plans to operate the venue as an SEV licence in the very immediate future".

4. The applicants have not provided entertainment of a type for which a sexual entertainment licence is required at any time since its SEV licence was granted and, as indicated above, have no current plans to so use the premises. In such circumstances, it would be inappropriate for the said licence to be renewed since, amongst other things, this would have the effect of reducing the available number of such licences for operators genuinely intending to provide such entertainment. Refusal of the renewal application would not prejudice the applicant because it could (if it so wished) submit a fresh sexual entertainment venue licence application at a future time when it does actually intend to provide such entertainment and when the layout (or proposed varied layout) of the premises is such that it might properly be considered to be suitable for such purpose.

5. SEV licence history

- 5.1 A new SEV licence was granted by the Committee on 11 June 2012 to Great Club Limited for one year. The licence took effect on 01 October 2012.
- 5.2 Applications to renew the licence were submitted in each of the years 2013, 2014, 2015 and were granted by Licensing Sub-Committee in each case following objections to each application.
- 5.3 A copy of the current SEV Licence is attached at **Appendix B1**.
- 6 New Premises Licence Licensing Act 2003 ("The Act")
- 6.1 The table below sets out the current activities and times permitted by the premises licence.
- 6.2 A copy of the current Premises Licence is attached to this report as **Appendix B2**.

Existing Premises Licence (16/06778/LIPDPS) permitted Licensable Activities

Regulated Entertainment: Indoors

Performance of Dance

Monday to Saturday 09:00 to 05:00

Performance of Live Music

Monday to Saturday 09:00 to 05:00

Sunday 09:00 to 03:00

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

Monday to Saturday 09:00 to 03:00

Playing of Recorded Music

Unrestricted

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

Unrestricted

Late Night Refreshment: Indoors

Monday to Saturday 23:00 to 05:00 Sunday 23:00 to 03:00

Sale of Alcohol: On & off the premises

Monday to Saturday 11:00 to 04:45 Sunday 12:00 to 22:30

Capacity:

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

Basement – 100 Ground Floor – 50 Whole premises – 150

Opening hours:

Monday to Saturday 09:00 to 05:30 Sunday 09:00 to 03:30

7. Policy Considerations

7.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. No adverse comments have been made by the Metropolitan Police and the Westminster City Council Inspectors.

7.2 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate carry our routine checks and no comments have been made.

7.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

7.4 Character of the relevant locality – LO1

Masons Yard is in an area which combines a mixed of business which include but are not limited to, bars and art galleries.

7.5 Use of premises in the vicinity – LO2

The premises within the vicinity are predominantly retail use. A map showing the residential density within the vicinity is attached to this report as, 90 residential properties within 75m. There are no schools or faith groups within 75m of the premises and one other SEV premises, The Gaslight Club at 4 Duke of York Street (please refer to the map of the locality at **Appendix C1**).

8. Legal Implications

- 8.1 The Committee using its powers above may determine to:
 - (a) Renew the licence in full
 - (b) Renew with additional special conditions which the Licensing Sub-Committee deem appropriate; or
 - (c) Refuse the application.
- 8.2 Before refusing to renew the licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before it and of being heard by the Committee under para 10(19) to Schedule 3
- 8.3 In considering this application, the Committee shall have regard to any observations submitted to it by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period under para 10(18) to Schedule 3..
- 8.4 The Committee may refuse to renew the licence for the following reasons:
 - (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the

- applicant, who would be refused the grant of such a licence if he made the application himself;
- (c) that the number of Sexual Entertainment Venues in Westminster at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality. This number, as specified in the Sexual Entertainment Venues Statement of Licensing Policy 2012, is currently set at 25;
- (d) that the renewal of the licence would be inappropriate, having regard to:
 - (i) the character of the relevant locality;
 - (ii) the use to which any premises in the vicinity are put;
 - (iii) the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made under para 12(3) to Schedule 3
- 8.5 If the Committee determine to renew the SEV licence, the licence will be subject to the Standard Conditions for SEV licences, unless the Committee determines that certain Standard Conditions should be expressly excluded or otherwise varied pursuant to para 13(4) to Schedule 3.
- 8.6 Should the Committee determine to refuse the application for the renewal of a licence under paragraph 12(3)(a) or (b) to Schedule 3 the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application under para 27(1) to Schedule 3.

9. Human Rights Act and Equality Implications

- 9.1 In making a decision consideration will need to be given to the applicant's rights under the European Convention on Human Rights. The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicant's rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest".
- 9.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector equality duty under section 149 of the Equality Act 2010 ("The 2010 Act"). In summary section 149 provides: -
 - (1) "A public Authority must, in the exercise of its functions, have **due regard** to the need to-

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
- (2) A person who is not a public authority but who exercises public functions must in the exercise of those functions, have due regard to the matters mentioned in subsection (1)............"
- 9.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 9.4 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with, regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings, of fact one the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

A1 – Application Form

B1 – Current Sexual Entertainment Licence

B2 – Current Licensing Act 2003 Premises Licence

C1 – Map of the locality

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Heidi Lawrance on 020 7641 2751 or at hlawrance@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

I / We Great Club Limited

(Insert name(s) of applicant)

apply to renew the Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name: Scotch St James

Premises address: 13 Mason's Yard, London, SW1Y 6BU

Licence reference number: 15/08445/LISEVR

Important Note: Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

PART 1 – Applicant Details

Please state whether you are renewing the Sexual Entertainment Venue licence as:

a) an individual or individuals

b) a person other than an individual:

i. as a body corporate

ii. as an unincorporated body

complete section (B)

Section A – Individual Licensee Details

First name(s):					
Surname:					
Former names (if any):					
Title:					
Home address:					
Postcode:					
Email address:					
Contact telephone number:					
Date of Birth:					
Have you been a resident of					
an EEA state throughout the	Yes		No	Ш	
period of 6 months					
immediately preceding the date the application was					
made?					
made:					
Additional Licensee Details	(if nece	essary)			
Additional Licensee Details First name(s):	(if nece	essary)			
	(if nece	essary)			
First name(s):	(if nece	essary)			
First name(s): Surname:	(if nece	essary)			
First name(s): Surname: Former names (if any):	(if nece	essary)			
First name(s): Surname: Former names (if any): Title:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth:	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth: Have you been a resident of	(if nece	essary)			
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth: Have you been a resident of an EEA state throughout the		essary)	No		
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth: Have you been a resident of an EEA state throughout the period of 6 months	Yes	essary)	No		
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth: Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the		essary)	No		
First name(s): Surname: Former names (if any): Title: Home address: Postcode: Email address: Contact telephone number: Date of Birth: Have you been a resident of an EEA state throughout the period of 6 months		essary)	No		

Section B – Body Corporate or Unincorporated Body Details

<u> </u>	· · · · · · · · · · · · · · · · · · ·
Business Name:	Great Club Limited
(if your business is	
registered, use its registered	
name)	
Is your business registered in the UK with Companies	Yes 🗹
House?	Registered Number: 04425678
110000	Transfer of transfer of the second
	No
	110
Is your business registered in	_
another EEA state:	Yes \square
	EEA State:
	Registered Number:
	and the second s
	🔽
	No V
Legal Status: (e.g. Company	Private Limited Company
Partnership, etc) Home Country:	England
(the country where the	Lingiana
headquarters of your	
business is located)	
Pagistared Address:	Fool Fit 21 Tomplar's Square Ovford OV4 2VO
Registered Address:	Feel Fit, 21 Templar's Square, Oxford, OX4 3XQ
Postcode:	OX4 3XQ
Directors, Partners, Owners	and Managers
	and managers
You must provide details of all	DIRECTORS (if the applicant is a company), all
PARTNERS (if it is a partnersh	nip), and all MANAGERS of the business or
	day MANAGERS OF THE PREMISES.
Have there been any	
changes to the directors,	Yes (please see below) No
partners or managers involved with the premises?	
•	 If the changes on a separate sheet, including the full
	pacity of each director, partner and manager
involved with the operation of t	·

Other Business Interests

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?				
Yes \square	(please complete below)	No	$\overline{\checkmark}$	
•	details, including the name extent of the interest. (If ne			

PART 2 – Premises Details

Premises name:	Scotch St James
Premises address:	13 Mason's yard
	London
Postcode:	SW1Y 6BU
Premises telephone number:	0207 339 7000
Email:	darren.oleary@keystonelaw.co.uk
Website address:	N/A
Where the licence is for a	
vehicle, vessel or stall, state	N/A
where it is used as a sexual	
entertainment venue:	
Have there been any	
changes to the nature of the	Yes □ No ☑
relevant entertainment since	
the licence was last granted / renewed?	If you place provide details below
renewed?	If yes, please provide details below.

PART 3 – Convictions / Disqualifications

convicted of any crime or offence?					
Yes No 🗹					
If yes, please provide details on a separate sheet					
Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?					
Yes No 🗹					
If yes, has the refusal been reversed on appeal?					
Yes No					
Have you had a sex establishment licence revoked in Westminster within the last 12 months?					
Yes No 🗹					
PART 4 - Checklist					
Please tick as appropriate:					
All relevant sections of the application form have been completed in full	V				
Payment of the fee has been made in full (refer to Part 6 of this form)	$\overline{\mathbf{A}}$				
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible					
Notice of this application has been displayed at the premises					
The application has been served on the Metropolitan Police Service					

PART 5 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE RENEWAL OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

I Keystone Law Limited declare that the information given above is true and complete in every respect.

- ·					
Signed	Keystone Law Limited				
Date:	26 th September 2016				
2 3.13.	20 000100112012				
Canacity	Solicitors				
Capacity:	Solicitors				
For joint applications:					
Signed					
3 - 1					
Date:					
Date.					
0 "					
Capacity:					
Agent Details					
•					
Are you an authorised agent a	cting on behalf of the applicant?				
7 to you all additionood agont a	oung on bondin or the applicant.				
Yes ☑ No					
If yes, please provide the follow	wing:				
Agent name:	Darren O'Leary				
Agent Address:	Keystone Law Limited				
5	Audley House				
	13 Palace St				
	London				
	l London				

SW1E 5HE

020 7152 6550

Darren.oleary@keystonelaw.co.uk

Postcode:

Agent Email:

Agent Telephone Number:

Correspondence Details

Please provide the details to which all correspondence should be sent:

Name:	As above
Address:	
Postcode:	
Telephone Number:	
Email:	

PART 6 - Payment

If applying by post you can pay by cheque, postal order or credit / debit card. Please make cheques and postal orders payable to 'City of Westminster'.

If you would like to pay by credit / debit card please complete this section:

Type of credit / debit card:	Visa	а				ľ	Mas	terC	ard			
, , , , , , , , , , , , , , , , , , , ,	Sol	0			М	aes	tro			De	lta	
Card number:												
Issue date:			1			(n	nm/	уу)				
Expiry date:			1			(n	nm/	yy)				
Issue number:			(for	Mae	stro) / S	olo)				
Name on card:												
Amount (£):												·

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING SERVICE, PREMISES MANAGEMENT, WESTMINSTER CITY HALL, 64 VICTORIA STREET, LONDON, SW1E 6QP.

SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue

Premises licence number:	15/08445/LISEVR
Original Reference:	12/02584/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences: GREAT CLUB LIMITED to use the premises: SCOTCH ST JAMES 13 MASON'S YARD

LONDON SW1Y6BU

as a Sexual Entertainment Venue.

This licence commences from the 01 October 2015 and will expire on the 30 September 2016.

Relevant Entertainment (namely full and partial nudity striptease, pole dancing and table dancing) may be provided during the following times:

Monday to Saturday	09:00 to 05:00
Sunday	09:00 to 03:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

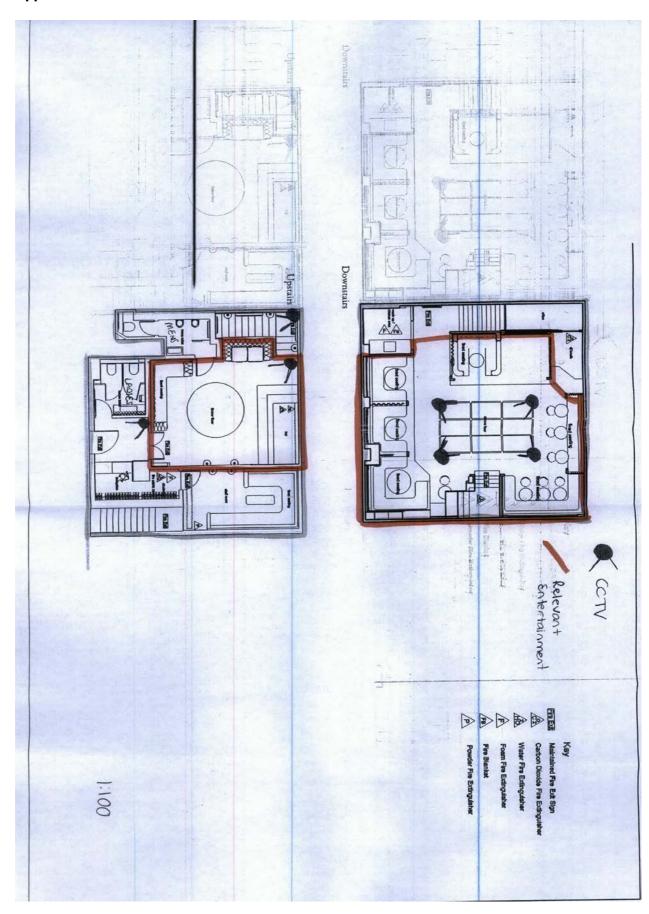
This licence is granted subject to the conditions attached at Appendix 2.

DATE: 13.04.16 **SIGNED:**

On behalf of the Operational Director - Premises Management



Appendix 1 – Plans



Appendix 2 - Conditions

Standard Conditions:

- 1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
- 2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
- 3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
- 4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
- 5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
- 6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
- 7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
- 8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
- 9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
- 10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras 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 together with facilities for viewing.
- 11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

- 12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority 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) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service:
 - (i) any breach of licence conditions reported by a Performer
- 13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
- 14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
- 15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
- 16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
- 17. There shall be no physical contact between Performers whilst performing.
- 18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
- 19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
- 20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
- 21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
- 22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

Additional Conditions:

- 24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
- 25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
- 26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
- 27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- 28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- 29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
- 30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- 31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
- 34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.



Schedule 12 Part A WARD: St James's UPRN: 010033538222

Premises licence

Regulation 33, 34

Premises licence number:

16/06778/LIPDPS

Original Reference:

14/11389/LIPN

Part 1 - Premises details

Postal address of premises:

The Scotch of St James
Basement and Ground Floor
13 Mason's Yard
London
SW1Y 6BU

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 Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00 Sunday: 09:00 to 03:00

Playing of Recorded Music Unrestricted

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

Dance

Monday to Saturday: 09:00 to 03:00

Late Night Refreshment

Monday to Saturday: 23:00 to 05:00 Sunday: 23:00 to 03:00

Private Entertainment consisting of dancing, music or other entertainment of a like

kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 11:00 to 04:45 Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 05:30 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:

Alula Leisure Limited Feel Fit 21 Templar's Square Oxford OX4 3XQ

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

07703389

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

Name: Axel Loughrey

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

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

Licence Number: LN/16377

Licensing Authority: London Borough of Islington

Date: 20 July 2016

Signed: pp

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;
 - 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 -
 - "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+(DxV)

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

Annex 2 - Conditions consistent with the operating Schedule

None

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

- 10. 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).
- 11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
- 12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:
 - (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
- 13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
- 14. 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.

- 15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
- 16. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day.
- 17. 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.
- 18. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
- 19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 20. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- 21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- 22. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
- 23. 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.
- 24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
- 25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- 26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- 29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- 30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-

- retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
- 31. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
- 32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
- 33. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system.
- 34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 36. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 37. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 150 persons with the following further restrictions also applying:
 - i) Basement 100
 - ii) Ground Floor- 50
- 38. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
 - (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - 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 05:00, the permitted hours shall end half hour before 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 reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;

- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (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.

- 39. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 40. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 41. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
- 42. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 43. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.

- 44. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- 45. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
- 46. 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.
- 47. 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.
- 48. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.
- 49. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
- 50. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service 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 officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
- 51. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 52. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00hours.
- 53. No deliveries to the premises shall be arranged to occur between 23.00 and 08.00.
- 54. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly and away from Ormond Yard.
- 55. After 1am, the licensee shall take counts of customers on the premises at 30 minute intervals until the premises closes and shall have records of such counts available for inspection by an authorised officer of the Council or Police.
- 56. Door staff shall be trained to monitor patron noise and actively discourage any noisy and otherwise unacceptable behaviour, encouraging customers to consider local residents when making their way home. Records of such training are to be maintained and held on site for inspection by any Authorised Officer.
- 57. Upon the premises reaching its capacity figure detailed in condition 37, Management of the Club shall take all reasonable steps to disperse any queue that has formed at the premises and actively encourage any persons so dispersed leave the Mason's Yard area in a quiet and orderly manner.

- 58. Once the premises has reached its capacity figure detailed in condition 37, management of the club shall take all reasonable steps to prevent a queue forming outside the premises.
- 59. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
- 60. All SIA registered door supervisors engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
- 61. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- 63. There shall be no entry to the premises after 03:00 except to the following persons:
 - (a) Scotch of St James members and their bona fide guests (not exceeding four guests per member). A list of all members to be held at reception for inspection by the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between application and acceptance to membership;
 - (b) Persons admitted to the premises by prior invitation to a bona fide private function held at the premises:
 - (c) Guests of the proprietor listed by name at the reception prior to admission;
 - (d) Performers and staff employed by the premises;
 - (e) Persons who have temporarily left the premises to smoke.
- 64. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS hologram.
- This licence shall not take effect until notice of surrender of licence number 15/01174/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003.
- 66. a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.

- b) Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the area specified by the premises management.
- c) Notwithstanding a) above, mixers may be supplied in glass bottles of 200ml or smaller, by waiter/waitress service to tables. Mixer bottles are not to be carried by customers from their tables. Staff shall clear all empty mixer bottles promptly from tables.
- 67. Suitable recording media for the downloading of CCTV footage shall be available at all times the premises is open for the provision of licensable activities.
- 68. Mr Carl Hirschmann is not to be permitted access to the premises at any time the premises is open for the provision of licensable activities. This condition is to be of nil effect in the event that the Metropolitan Police provide written confirmation that the exclusion is to cease.

Annex 4 - Plans

