

# Licensing Sub-Committee Report

Item No:	
Date:	10 August 2017
Licensing Ref No:	17/06235/LIPN - New Premises Licence
Title of Report:	Sophie's 42-44 Great Windmill Street London W1D 7LU
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	6 June 2017		
<b>Applicant:</b>	Sophie's Soho Ltd		
<b>Premises:</b>	Sophie's		
<b>Premises address:</b>	42-44 Great Windmill Street London W1D 7LU	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	Yes
<b>Premises description:</b>	According to the application the premises will operate as a restaurant and bar over ground and basement		
<b>Summary of Application:</b>	<p>The new premises licence application proposes:-</p> <ol style="list-style-type: none"> <li>1. An additional hour for licensable activities in the basement only, until 2am Monday to Saturday and 11.30pm Sunday for alcohol;</li> <li>2. A reduction in capacity by 175 persons; and</li> <li>3. Replacement of historical licence conditions with up to date model conditions, as set out in the operating schedule</li> </ol>		
<b>Premises licence history:</b>	The premises is currently licensed under premises licence ref. 17/00087/LIPT.		
<b>Applicant submissions:</b>	The applicant has included a schedule of proposed conditions which has also been copied into Appendix 4 and a table comparing the new application with the existing licence in Appendix 2 of the report.		

1-B Proposed licensable activities and hours for BASEMENT							
<b>Regulated Entertainment:</b>				<b>Indoors, outdoors or both</b>			Indoors
Live Music, Recorded Music, Performances of Dance, Anything of a similar description to live music, Recorded Music, Performances of dance							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	23:30
<b>Seasonal variations/ Non-standard timings:</b>				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			

	02.00 (the following day) on Sundays immediately before bank holiday Mondays. An additional hour when British Summertime commences.
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Proposed licensable activities and hours for: THE GROUND FLOOR							
Live Music, Recorded Music, Performances of Dance, Anything of a similar description, Recorded Music, Performances of dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	22:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. 02.00 (the following day) on Sundays immediately before bank holiday Mondays. An additional hour when British Summertime commences.					

Late Night Refreshment: BASEMENT				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	02:30	02:30	02:30	02:30	02:30	02:30	00:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  02.30 (the following day) on Sundays immediately before bank holiday Mondays.  An additional hour when British Summertime commences.					

Late Night Refreshment: THE GROUND FLOOR				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	01:30	01:30	01:30	01:30	01:30	01:30	
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  02.30 (the following day) on Sundays immediately before bank holiday Mondays. An additional hour when British Summertime commences.					

Sale by retail of alcohol: BASEMENT				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun

<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	02:00	02:00	02:00	02:00	02:00	02:00	23:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>02.00 (the following day) on Sundays immediately before bank holiday Mondays.</p> <p>An additional hour when British Summertime commences.</p>					

<b>Sale by retail of alcohol THE GROUND FLOOR</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>02.00 (the following day) on Sundays immediately before bank holiday Mondays.</p> <p>An additional hour when British Summertime commences.</p>					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	02:30	02:30	02:30	02:30	02:30	02:30	00:00
<b>Seasonal variations/ Non-standard timings:</b>		<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>02.30 (the following day) on Sundays immediately before bank holiday Mondays.</p> <p>An additional hour when British Summertime commences.</p>					

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Ian Watson
<b>Received:</b>	30 <sup>th</sup> June 2017
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p><b>The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</b></p>	

The applicant has submitted plans of the Ground and Basement floors dated May 2017.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 02.00 hours and Sunday between 12.00 to 23.30 hours for the basement and Monday to Saturday between 10.00 and 01.00 hours and Sunday between 12.00 to 22.30 hours for the Ground Floor. Sundays before a Bank Holiday 12.00 to 02.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Saturday between 23.00 and 02.30 hours and Sunday between 23.00 to 00.00 hours for the basement and Monday to Saturday between 23.00 and 01.30 hours for the Ground Floor. Sundays before a Bank Holiday 23.00 to 02.30 hours.
3. To provide regulated entertainment 'indoors' comprising
  - Live Music
  - Recorded Music
  - Performance of Dance
  - Anything of a similar description to Live Music, Recorded Music and Performance of DanceMonday to Saturday between 10.00 and 02.00 hours and Sunday between 12.00 to 23.30 hours for the basement and Monday to Saturday between 10.00 and 01.00 hours and Sunday between 12.00 to 22.30 hours for the Ground Floor. Sundays before a Bank Holiday 12.00 to 02.00 hours.
4. On New Years Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Years Day.
5. An additional hour on the morning on which summer time begins.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact Area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
4. The additional hours requested for New Year's Eve to permit regulated entertainment, late night refreshment and supply of alcohol will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
5. The additional hour requested to permit regulated entertainment, late night refreshment and supply of alcohol on the morning on which summer time begins will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.

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

The applicant has provided additional information with the application which is being addressed.

<b>Responsible Authority:</b>	The Licensing Authority
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<b>Representative:</b>	Mr David Sycamore
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<b>Received:</b>	3 <sup>rd</sup> July 2017
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I write in relation to the application submitted for a new Premises Licence for the following 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 Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

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

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

We accept that there is a reduction in the overall capacity, however some of these people, if granted, will be permitted to remain in cumulative impact area later. It is proposed that 400 people in the basement would be permitted to remain in the CIA for an additional hour if this application was to be granted.

It is the licensing policy to refuse applications for bars and pubs unless they are to vary existing licenses within the core hours (PB2). We are concerned that the granting of this licence will undermine the above licensing objectives in an already extremely busy and popular area. The existing licence that is to be surrendered if granted is already outside of core hours and this application must be considered against the existing 2016 policy.

Please accept this as an objection and we would like the applicants to submit more information with regards to the points raised above.

<b>Responsible Authority:</b>	The Metropolitan Police
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<b>Representative:</b>	PC Bryan Lewis
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<b>Received:</b>	1 <sup>st</sup> July 2017
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With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

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

***Further comment received from The Police and Proposed Conditions:***

The Police maintain their objection based on policy and that no condition has been offered to restrict the sale of alcohol to be ancillary to the consumption of food in any part of the premises.

Also as discussed during our meeting, I request the removal of off sales from the application.

**The following conditions are proposed to address the prevention of crime and disorder licensing objective.**

1. There shall be a last entry time of 01:00 to the premises between Monday and Saturday other than those customers temporarily leaving to smoke.
2. There shall be a minimum of 4 SIA licensed Door Supervisors from 18:00 hours daily and a minimum of 6 Door Supervisors from 22:00 hours on Thursday, Friday and Saturdays. A minimum of two door staff shall be on duty from 18:00 hours on Sundays.
3. Two Door Supervisors shall remain on duty until all customers have left the premises and street area immediately outside the premises.
4. All door staff shall display their SIA licenses in yellow high visibility arm bands. All Door Staff engaged in guarding the entrances shall wear yellow high visibility jackets or tabbards after 22:00 hours or during the hours of darkness.
5. All bags of persons entering the premises shall be searched by Security after 23:00 hours daily.
6. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
7. The premises shall participate in PubWatch or other local crime reduction scheme approved by the Police.

2-B Other Persons	
Name:	Ms Anna Moscato
Address and/or Residents Association:	<div></div>


<b>Received:</b>	28 <sup>th</sup> June 2017
<p>1:39 PM on 28 Jun 2017 I strongly object to Sophie's being opened as a club and having a late night licensing permit. The area is at its very limit already, with late night licensing bars and clubs and is unable to cope with the immense public disorder and constant array of drug dealers that are flocking the area. The noise pollution which we as residents are being subjected to is phenomenally high, at an abnormal level! And our very unique village community with many families with children are suffering under the pressures of this overbuild of Soho as being a solely 24hr party land! Which it is definitely not! The anxiety families are being subjected to over the chaos of pedi cabs, club promoters, cabs, drunken and disorderly people who are oblivious that Soho is a community and not a public toilet! I am incensed that more clubs are being promoted to the area. Especially as we have a very Victorian school British values and a local church community that is being ostracised from its very existence. The area does not need another club. Why not redevelop the city centre or East London as a clubland where there isn't such a community that is being treasured as our unique Soho community!</p>	
<b>Name:</b>	Mr Piotr Cybulak
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	21 <sup>st</sup> June 2017
<p>3:01 PM on 21 Jun 2017 My objection is based on previous noise issues we had with Grace Bar. I live with my wife on 2nd floor with windows facing Great Windmill Street - same as club entry. Customers leaving the club at 1am used to cause unbelievable disturbance, and those standing in the queue or smoking as well. Also, we could hear the DJ playing in our flat. Extending opening hours of this club will have a negative impact on our lives.</p>	
<b>Name:</b>	Miss Katarzyna Bera
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	21 <sup>st</sup> June 2017
<p>2:40 PM on 21 Jun 2017 I would like to object above application. Historically, there were big issues with noise when Grace club used to close at 1am. Customers smoking outside could be heard in my flat. Customers leaving the premises made lots of noise - there were always many people outside who attracted pedi cabs, flower sellers and buskers. Since Grace club closed in January this is much more peaceful neighbourhood where we can normally sleep at night. I understand that new owners have right to operate to old licensing conditions but I strongly object to extending current opening hours. This will be a nightmare for all residents if proposals are granted.</p>	
<b>Name:</b>	Miss Katarzyna Bogatek
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	29 <sup>th</sup> June 2017
<p>6:15 PM on 29 Jun 2017 My objection is based on problems my family had to face when the Grace nightclub was opened in the same venue. Even longer opening hours are now proposed which will not help to promote licensing objectives. There was always lots of noise</p>	




emanating from inside the premises, especially during weekends. There were many people gathering outside and making noise - including customers smoking outside. Crowds of people attracted pedi cabs, musicians (beat boxers in particular), flower sellers who would all contribute to the overall chaos in the corner of northern part of Great Windmill Street and Shaftesbury Avenue. From my windows i could see individuals dealing on the street as well. My daughter would very often be woken up by noise from the street and for us adults it was impossible to go to bed before 2am at weekends. However since Grace bar has closed this area is actually very quiet and finally we can have normal lives. We are already concerned about re-opening of the nightclub let alone extending its trading hours. This would be very bad for all neighbours and Soho community. I worry that anti-social behaviour would be back everyday right in front of our eyes.

<b>Name:</b>	Councillor Glenys Roberts
<b>Address and/or Residents Association:</b>	Westminster City Council
<b>Received:</b>	3 <sup>rd</sup> July 2017

As local councillor I would like to support residents in objecting to later hours for this club on grounds of potential public nuisance and disturbance and danger to children given its proximity to the school

<b>Name:</b>	Mrs Jane Doyle
<b>Address and/or Residents Association:</b>	
<b>Received:</b>	4 <sup>th</sup> July 2017

12:50 PM on 04 Jul 2017 I am chair of the SNT ward panel and wish to support the objections to this licence on the grounds of antisocial behaviour and potential criminal activity. This is a drug dealing/using hotspot (Rupert/Archer Streets/Tisbury Court), with the associated antisocial behaviour. There have also been problems with the noise from within the premises in their previous existence. Pedicabs wait outside the venue for customers playing loud music. There have also been problems with urinating in doorways, the telephone boxes opposite, etc. With the best will in the world no premises can control their clientele as they leave premises and this has caused problems in the past to residents.

<b>Name:</b>	The Soho Society
<b>Address and/or Residents Association:</b>	
<b>Received:</b>	3 <sup>rd</sup> July 2017

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

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

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

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and

uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

### **Application summary**

Although not yet operating, the premises is currently licensed under premises licence ref: 17/00087/LIPT, and this application further seeks the following:

***1. An additional hour for licensable activities in the basement only, until 2am Monday to Saturday and 11.30pm Sunday for alcohol; 2. A reduction in capacity by 175 persons; and***

***3. Replacement of historical licence conditions with up to date model conditions, as set out in the operating schedule.***

### **Hours of operation**

The application therefore seeks to set the terminal hour for alcohol sales, live and recorded music to 02.00 am Mon-Sat, 23.30 Sun, with late night refreshment until 02.30am (midnight on Sundays). There are private residences in nearby buildings, particularly above the St James Tavern a few yards along the street, and immediately behind the premises on Denman Street. Further along Great Windmill Street are residential developments of Soho Housing Association which include family flats at no. 25, which abut the large residential block of St James Dwellings, which contains over 60 flats. Residents in the surrounding area are subject to noise and general nuisance every night of the week. The premises are highly visible from Shaftesbury Avenue and will therefore effectively draw more people into Soho at these late hours when patrons of other licensed premises will be leaving or will already have left the West End Cumulative Impact Area.

### **Licensing policy**

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

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

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

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

### 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 CIA1 applies:	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.  (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions

<b>Appendix 5</b>	Copy of Existing Licence
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

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

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	The Application Form	
<b>5</b>	The Environmental Health Service Rep	30 <sup>th</sup> June 2017
<b>6</b>	The Licensing Authority Rep	3 <sup>rd</sup> July 2017
<b>7</b>	The Metropolitan Police Rep	1 <sup>st</sup> July 2017
<b>8</b>	Ms Anna Moscato Rep	28 <sup>th</sup> June 2017
<b>9</b>	Mr Piotr Cybulak Rep	21 <sup>st</sup> June 2017
<b>10</b>	Miss Katarzyna Bogatek Rep	29 <sup>th</sup> June 2017
<b>11</b>	Councillor Glenys Roberts Rep	3 <sup>rd</sup> July 2017
<b>12</b>	Mrs Jane Doyle Rep	4 <sup>th</sup> July 2017
<b>13</b>	The Soho Society	3 <sup>rd</sup> July 2017

To view the plans of the premises, please contact the Licensing Team.

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

Telephone: 0207 641 6500

Sophie's  
42-44 Great Windmill Street London W1D 7LU

Licence Comparison

	Existing Licence: 17/00087/LIPT	New Premises Licence
<b>Capacity</b>	Ground Floor: 325 Basement: 650  Total: 975 (ex. staff)	Ground Floor: 400 Basement: 400  Total: 800 (ex. staff)  <i>NB: Overall reduction of 175 persons</i>
<b>Hours</b>	Ground Floor & Basement:  Monday – Saturday: 01.00 Sunday: 22.30 (+ 30 minutes drinking up & Late Night Refreshment)	Ground Floor:  No change  Basement:  Monday – Saturday: 02.00 Sunday: 23.30 (1 hour extension + 30 minutes drinking up & Late Night Refreshment)
<b>Conditions</b>	Existing conditions include historic embedded restrictions of Justices and Music/Dance Licenses.	Replaces embedded and historic conditions with model conditions, as set out in operating schedule.

06/06/2017

**Application for New Premises Licence**  
**Sophie's 42-44 Great Windmill Street London W1D 7LU**

**Operating schedule of conditions**

1. 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.
2. There shall be no sales of alcohol for consumption off the premises after 23.00
3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
5. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed: Ground floor 400 persons; Basement 400 persons.
6. 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.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

06/06/2017

9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
10. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
11. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. 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.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
15. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
16. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
18. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
19. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
21. 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.
22. No licensable activities shall take place at the premises until premises licence 17/00087/LIPT (or such other number subsequently issued for the premises) has been surrendered.



## Premises History

## Appendix 3

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/06215/LIPCV	Conversion Application.	12.05.2005	Granted by Licensing Sub- Committee
06/06559/WCCMAP	New Premises Application.	08.12.2007	Granted Under Delegated Authority
08/07057/LIPDPS	To Vary Designated Premises Supervisor.	05.08.2008	Granted Under Delegated Authority
09/02957/LIPDPS	To Vary Designated Premises Supervisor	28.04.2009	Granted Under Delegated Authority
09/04907/LIPV	Variation Application	19.08.2009	Granted Under Delegated Authority
09/07074/LIPVM	Minor Variation	08.10.2009	Granted Under Delegated Authority
10/05014/LIPDPS	To Vary Designated Premises Supervisor	21.07.2010	Granted Under Delegated Authority
11/03457/LIPDPS	To Vary Designated Premises Supervisor	27.04.2011	Granted Under Delegated Authority
12/02755/LIPDPS	To Vary Designated Premises Supervisor	18.04.2012	Granted Under Delegated Authority
12/04356/LIPDPS	To Vary Designated Premises Supervisor	06.06.2012	Granted Under Delegated Authority
12/06707/LIPV	Variation Application	05.09.2012	Granted Under Delegated Authority
12/07726/LIPDPS	To Vary Designated Premises Supervisor	24.09.2012	Granted Under Delegated Authority

13/00120/LIPDPS	To Vary Designated Premises Supervisor	24.01.2013	Granted Under Delegated Authority
13/05623/LIPDPS	To Vary Designated Premises Supervisor	12.08.2013	Granted Under Delegated Authority
15/03202/LIPDPS	To Vary Designated Premises Supervisor	26.07.2015	Granted Under Delegated Authority
16/07055/LIPDPS	To Vary Designated Premises Supervisor	26.09.2016	Granted Under Delegated Authority
16/11297/LIPDPS	To Vary Designated Premises Supervisor	12.12.2016	Granted Under Delegated Authority
17/00087/LIPT	Application to transfer premises licence from A3D2 Limited to Sophie's Soho Limited	08.02.2017	Granted Under Delegated Authority

### Temporary Event Notices

<b>Notices</b>	<b>Details of Application</b>	<b>Decision</b>
14/09394/LITENP	Temporary Event Notice	Notice Allowed
15/00499/LITENP	Temporary Event Notice	Notice Allowed
15/00681/LITENP	Temporary Event Notice	Notice Allowed
15/01219/LITENP	Temporary Event Notice	Notice Allowed
15/01222/LITENP	Temporary Event Notice	Notice Allowed
15/01956/LITENP	Temporary Event Notice	Notice Allowed

15/03444/LITENP	Temporary Event Notice	Notice Allowed
15/06725/LITENP	Temporary Event Notice	Notice Allowed
15/07463/LITENP	Temporary Event Notice	Notice Allowed
15/10315/LITENP	Temporary Event Notice	Notice Allowed
15/10571/LITENP	Temporary Event Notice	Notice Allowed
15/10607/LITENP	Temporary Event Notice	Notice Allowed
15/10615/LITENP	Temporary Event Notice	Notice Allowed
15/10941/LITENP	Temporary Event Notice	Notice Allowed
15/10944/LITENP	Temporary Event Notice	Notice Allowed
15/10947/LITENP	Temporary Event Notice	Notice Allowed
15/10952/LITENP	Temporary Event Notice	Notice Allowed
15/12151/LITENP	Temporary Event Notice	Notice Allowed
16/00022/LITENP	Temporary Event Notice	Notice Allowed
16/02258/LITENP	Temporary Event Notice	Notice Allowed
16/03762/LITENP	Temporary Event Notice	Notice Allowed

16/08552/LITENP	Temporary Event Notice	Allowed
16/09646/LITENP	Temporary Event Notice	Allowed
16/09734/LITENP	Temporary Event Notice	Allowed
16/11025/LITENP	Temporary Event Notice	Allowed
16/11026/LITENP	Temporary Event Notice	Allowed
16/11028/LITENP	Temporary Event Notice	Allowed
16/11049/LITENP	Temporary Event Notice	Allowed
16/11051/LITENP	Temporary Event Notice	Allowed
16/11054/LITENP	Temporary Event Notice	Allowed

There is no licence or appeal history for the premises.

## Appendix 4

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

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

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

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

#### Mandatory Conditions

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

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

9. 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.
10. There shall be no sales of alcohol for consumption off the premises after 23.00
11. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
13. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed: Ground floor 400 persons; Basement 400 persons.
14. 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.
15. 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.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. Loudspeakers shall not be located in the entrance lobby or outside the premises building.



19. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. 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.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
24. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
25. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
26. 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.
27. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
28. 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.
29. 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.
30. No licensable activities shall take place at the premises until premises licence 17/00087/LIPT (or such other number subsequently issued for the premises) has been surrendered.

#### **Proposed Conditions by EH**

31. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed: Ground floor xxx persons  
Basement xxx persons  
With no more than 800 persons at any one time.

32. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
33. The premises licence holder shall ensure that any patrons queuing or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
34. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
35. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
40. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
41. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties.

### **Proposed Conditions by the Police**

42. There shall be a last entry time of 01:00 to the premises between Monday and Saturday other than those customers temporarily leaving to smoke.
43. There shall be a minimum of 4 SIA licensed Door Supervisors from 18:00 hours daily and a minimum of 6 Door Supervisors from 22:00 hours on Thursday, Friday and Saturdays. A minimum of two door staff shall be on duty from 18:00 hours on Sundays.
44. Two Door Supervisors shall remain on duty until all customers have left the premises and street area immediately outside the premises.

45. All door staff shall display their SIA licenses in yellow high visibility arm bands. All Door Staff engaged in guarding the entrances shall wear yellow high visibility jackets or tabbards after 22:00 hours or during the hours of darkness.
46. All bags of persons entering the premises shall be searched by Security after 23:00 hours daily.
47. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
48. The premises shall participate in PubWatch or other local crime reduction scheme approved by the Police.

## Copy of Existing Licence


**City of Westminster**

64 Victoria Street, London, SW1E 6QP

 Schedule 12  
Part A

 WARD: West End  
UPRN: 010033535306

**Premises licence**

Regulation 33, 34

**Premises licence number:**

17/00087/LIPT

**Original Reference:**

05/02244/LIPCV

**Part 1 – Premises details**
**Postal address of premises:**

 Sophie's Steakhouse  
42-44 Great Windmill Street  
London  
W1D 7LU

**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 01:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

 Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 23:00

**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 01:00  
Sunday: 09:00 to 23:00

<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 01:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b> Unrestricted	
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

<b>The opening hours of the premises:</b>	
Monday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 23:00

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

## Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Sophie's Soho Ltd 311-313 Fulham Road London SW10 9QH

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
10327719

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
<b>Name:</b> Not appointed
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>
Not Supplied

Date: 08 February 2017

This licence has been authorised by Shannon Pring on behalf of the Director - Public Protection and Licensing.

## **Annex 1 – Mandatory conditions**

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;



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

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

**Conditions relating to regulated entertainment (ground floor and basement):**

- 9. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 01:00 on the day following and to 23:00 on Sunday.
- 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. The entertainment provided under this licence shall be limited to DJ, background music and / or jazz/blues bands and associated dancing.
- 12. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful class A3 use of the premises.
- 13. The number of persons accommodated (excluding staff) at the premises shall not exceed: Ground Floor: 325, Basement: 650

**Conditions related to the sale of alcohol**

- 14. 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.

15. On any evening where the premises or part of the premises are open for the purpose of music and dancing, intoxicating liquor shall not be sold or supplied after 23:00 to persons entering the premises or that part of the premises except to:
- (a) persons who have paid or have paid on their behalf a minimum admission fee of £3 Monday to Thursday and £5 on Friday and Saturday, which may be credited against a substantial table meal but not intoxicating liquor; or
  - (b) artistes or persons employed at the premises;
  - (c) persons attending a private function at the premises of which 24 hours notice has been given to the police and a list of guests shall be kept for inspection by appropriate authorities;
  - (d) guests of the proprietor, a list of whom shall be kept for inspection by the appropriate authorities.
16. No striptease, no nudity and all persons on the premises to be decently attired.
17. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
18. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
19. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

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

**Permitted hours for the sale of alcohol**

20. Mondays to Saturday:
- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12.00 on Christmas Day and Good Friday) and extend until 01:00 on the following morning except -
    - (i) the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and
    - (ii) on any day that music and dancing end between 00:00 midnight and 01:00 the following morning, the permitted hours shall end when the music and dancing end.
  - (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

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

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

#### Sunday

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12:00 noon to 22:30;
- (b) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00:00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

21. No person under fourteen shall be in the bar of the canteen 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 premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
  - (e) (i) He is in an area shown on the plan attached to the licence.
  - (ii) Meals and non-alcoholic beverages are available for sale for consumption in that area.
  - (iii) He is in the company of a person aged 18 or over.
  - (iv) He is there prior to 9 p.m.

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.

22. The condition above (21) shall only apply when the premises are booked for a private function, details of which to be sent to the Police at least 7 days prior to the event, at all other times the following condition shall apply:

23. 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.

24. 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:

- (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.

25. 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**

26. All external doors shall be kept closed whilst regulated entertainment is taking place and in any event after 22:00 hours, except for immediate access and egress of persons.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
29. Loudspeakers shall not be located near the entrance area, as indicated by the hatched area on the attached plans, titled Speaker Exclusion Zone, dated 18/08/09.
30. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
31. The premises will 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 kept available for a minimum period of 31 days with time and date stamping. Recordings shall be made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.

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

32. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment, showing details of all drinks and food purchased.

#### **Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 010033535306

Regulation 33, 34

Premises licence number:

17/00087/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

Sophie's Steakhouse  
42-44 Great Windmill Street  
London  
W1D 7LU

**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 01:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 23:00

**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 01:00  
Sunday: 09:00 to 23:00

**Late Night Refreshment**

Monday to Saturday: 23:00 to 01:30



**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 01:00
Sunday:	12:00 to 22:30

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

**The opening hours of the premises:**

Monday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 23:00

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

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

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

Sophie's Soho Ltd  
311-313 Fulham Road  
London  
SW10 9QH

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

10327719

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

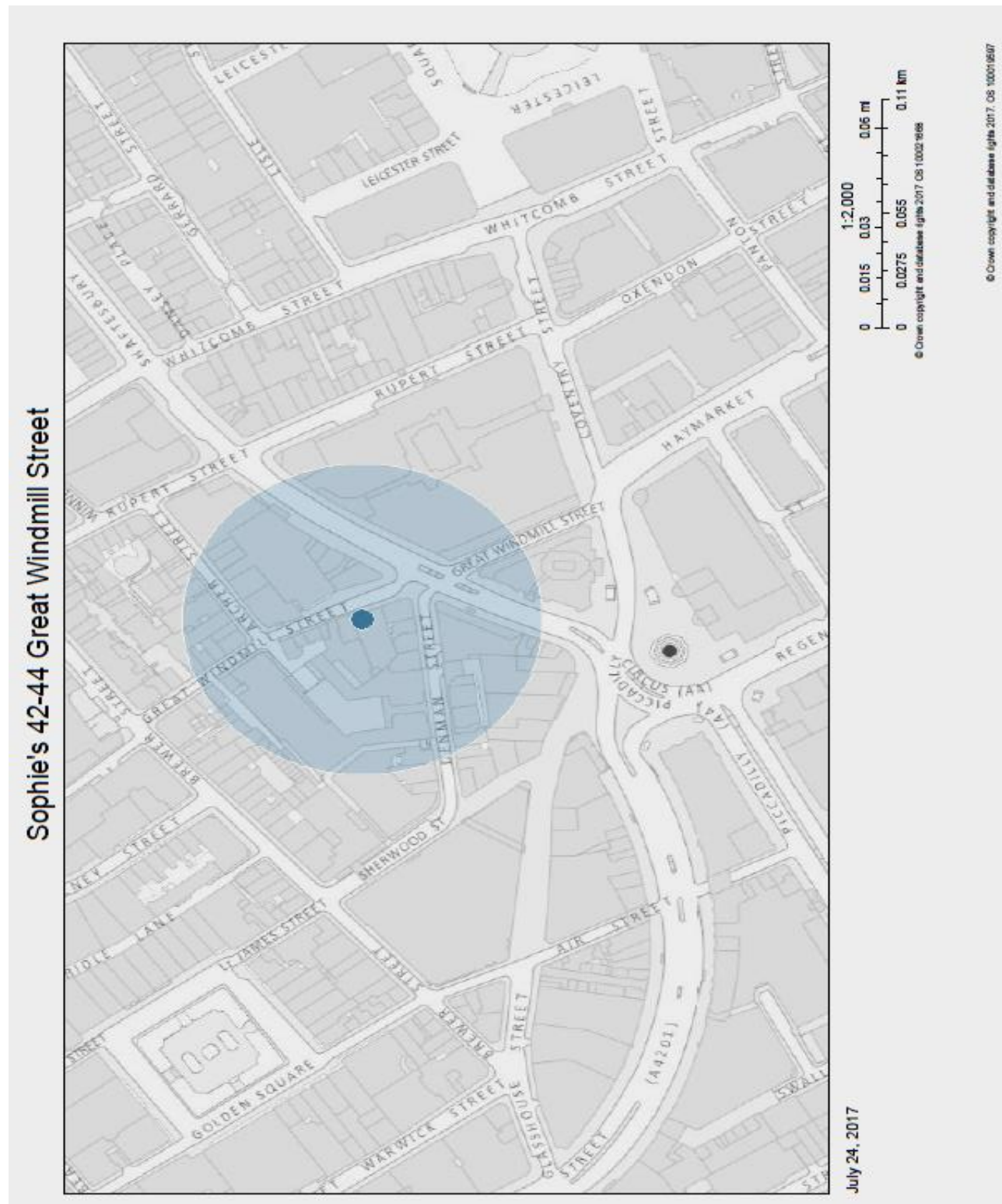
**Name:** Not Appointed

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

Restricted

**Date:** 08 February 2017

This licence has been authorised by Shannon Pring on behalf of the Director - Public Protection and Licensing.



**Resident Count: 227**