

# Licensing Sub-Committee Report

Item No:	
Date:	9 November 2017
Licensing Ref No:	17/09943/LIPN - New Premises Licence
Title of Report:	Soho Kitchen And Bar 19-21 Old Compton Street London W1D 5JJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
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<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	23:00
<b>Seasonal variations:</b>	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00						
<b>Non-standard timings:</b>	The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from (1)the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day						

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

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

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

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

## 2. Representations

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

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

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

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

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

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

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

**Received:**

4<sup>th</sup> October 2017

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

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

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

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

#### Application summary

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

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

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

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

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

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

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

23.00 - 00.00 Sun

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

### ***The Application***

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

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

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

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

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

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

this is not mentioned in the new application.

There is no mention of the capacity in the basement.

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

### ***Licensing policy***

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

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

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

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

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

Policy CIA1 applies:

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

Policy HRS1 applies:	the Cumulative Impact Areas.  (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy MD2 applies:	It is the Licensing Authoritys 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 Authoritys policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

#### 4. Appendices

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

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

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

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

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



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

**Applicant Supporting Documents**  
(None)

Appendix 1

## Premises History

## Appendix 2

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
<b>05/06824/LIPCV</b>	Conversion application	28.09.2005	Granted by Licensing Sub-Committee
<b>07/00242/LIPDPS</b>	Application for a variation of the DPS	24.01.2007	Granted under delegated authority
<b>07/04260/LIPDPS</b>	Application for a variation of the DPS	31.05.2007	Granted under delegated authority
<b>07/06976/LIPV</b>	<p>Application seeking to vary the premises:</p> <ol style="list-style-type: none"><li>1. To extend the permitted hours for the retail of alcohol until 03:00 Thursday, Friday &amp; Saturday.</li><li>2. To extend the permitted hours for regulated entertainment including live music, dance, anything of a similar nature and facilities for music and dancing until 03:00 Thursday, Friday &amp; Saturday.</li><li>3. To extend the permitted hours for late night refreshment until 03:00 on Thursday, Friday &amp; Saturday</li><li>4. To vary conditions 8 &amp; 39 to reflect the change in hours.</li><li>5. To remove conditions 40 &amp; 41 and replace with "no unaccompanied children in the premises after 21:00"</li></ol>	23.07.2010	Granted under delegated authority
<b>09/02213/LIPDPS</b>	Application for a variation of the DPS	16.04.2009	Granted under delegated authority

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

**There is no appeal history**

#### **Temporary Event Notices**

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

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

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

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

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

### **Mandatory Conditions**

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

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

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

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

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

10. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting
11. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.  
NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
12. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
13. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
14. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
15. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.



16. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
17. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
18. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
19. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime
20. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
21. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
24. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
25. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
26. Signage to be placed prominently in the reception and staff areas and in the toilets indicating a zero tolerance to drug use or supply at the premises and stating that offenders will be handed over to the Police.

27. Each toilet section to be visited and monitored by a dedicated valet at least hourly during the hours the premises are in operation.
28. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
29. The number of persons accommodated (excluding staff) at the premises shall not exceed: Ground Floor 120.
30. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
31. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
32. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
33. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
34. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
35. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
36. No unaccompanied **person under the age of 18** shall be permitted in the premises after 21:00.  
**(Amended following meeting with EH/Police)**

37. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day.
38. All deliveries shall take place on Old Compton Street and Greek Street only.  
**(Additional condition following meeting with EH/Police)**
39. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
40. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
41. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
42. The sale of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment **at all times**.  
**(Amended following meeting with EH/Police)**
43. No licensable activities shall take place at the premises until premises licence xxxx/xxxxxx/xxxx (or such other number subsequently issued for the premises) has been surrendered.
44. The Licence will have no effect until the Licensing Authority are satisfied that the premises are constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
45. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
46. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons

authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

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

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

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

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

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

50. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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



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

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

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

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

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

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

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

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



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

Schedule 12  
Part A

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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

15/04634/LIPDPS

**Original Reference:**

05/06824/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

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

**Telephone Number:** 020 7734 5656

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

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

**Exhibition of a Film**

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

**Performance of Live Music**

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

**Playing of Recorded Music**

Unrestricted

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

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

**Late Night Refreshment**

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

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

**Sale by Retail of Alcohol**

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

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

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

**Part 2**

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

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

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

2864389



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

**Name:** Antoine Marc Bodhant Melon

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

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

**Licence Number:** 15-167265-1

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

**Date:** 11 November 2015

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

## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

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

Where -

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

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

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

**Conditions relating to regulated entertainment**

11. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
13. Notwithstanding the provisions of Rule of Management No. 6 the ground floor of the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Wednesday to 01:00 on the day following; from 23:00 on each of the days Thursday to Friday to 03:00 on the day following and from 23:00 on Sunday to 00:00.
14. There shall be no internal public access between the ground floor (and basement) of 19-21 Old Compton Street W1 and the remainder of the premises, except in the event of an emergency.

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

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

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

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

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

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

#### **Permitted hours for the Sale of Alcohol**

44. (i) For the Ground Floor
  - (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend on Monday to Wednesday to 01.00 on the morning following and on Thursday to Saturday to 03:00 on the morning following except that -



- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing end between 00.00 midnight and 01.00, the permitted hours shall end when the music and dancing end;
- (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

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

**Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.**

In this condition, permitted hours means:

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

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the permitted hours, the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes for the Basement and on Sunday only for the Ground Floor after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

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

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

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



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

None

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

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

**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023472087

Premises licence  
summary

Regulation 33, 34

Premises licence number:

15/04634/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

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

**Telephone Number:** 020 7734 5656

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

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

**Exhibition of a Film**

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

**Performance of Live Music**

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

**Playing of Recorded Music**

Unrestricted

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

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

**Late Night Refreshment**

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

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

**Sale by Retail of Alcohol**

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

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

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

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

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

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

2864389

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

**Name:** Antoine Marc Bodhant Melon

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

Restricted

**Date:** 11 November 2015

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

Soho Kitchen And Bar 19-21 Old Compton Street



Resident Count: 104