



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/07515/LIPN</b>
Date:	<b>20 November 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Vinyl Bar 36-38 Hanway Street London W1T 1UP</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Sharon Bamborough, Assistant Service Manager (EHCT &amp; Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 7824 E-mail: sbamborough@westminster.gov.uk</b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Vinyl Bars Limited	<b>Date Application Received:</b>	4 September 2014
<b>Premises Name and Address:</b>	Vinyl Bar 36-38 Hanway Street London W1T 1UP		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	The premises will be operated as a bar.  <b><i>Please note: The premises was previously licensed. The licence lapsed on 25.04.2014 following the liquidation of Net Bars Limited.</i></b>		
<b>Preliminary Note:</b>	<b>The applicant has provided a draft set of conditions which have been proposed by the Environmental Health Service and the Metropolitan Police Service. They have been included as Appendix B(i). Please note that these are in addition to the conditions which were proposed in the operating schedule found in Appendix B.</b>		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<p><b>1.1 REGULATED ENTERTAINMENT:</b></p> <p><b>Live Music</b>  <b>Performance of Dance</b>  <b>Anything similar to the above</b></p> <p>Monday – Saturday 09:00 – 02:00  Sunday 09:00 – 23.00</p> <p><b>Recorded Music</b>  Monday – Sunday 00:00 – 00:00 (24 hours)</p> <p><b>1.2 LATE NIGHT REFRESHMENT: INDOORS</b></p> <p>Monday to Saturday 23:00 to 02:00</p> <p><b>1.3 SALE OF ALCOHOL: ON AND OFF THE PREMISES</b></p> <p>Monday to Saturday 10:00 to 02:00  Sunday 12:00 to 22:30</p>			

## 1.4 SEASONAL VARIATIONS AND NON-STANDARD TIMINGS

### (i) Regulated Entertainment and Late Night Refreshment

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

### 1.5 Opening Hours:

Monday to Saturday 09:00 to 02:30

Sunday 09:00 to 23:00

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

*(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)*

	Relevant representations and policies applicable:	References / Notes
1A	The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and impact on Public Safety area. Conditions have been proposed and can be found in Appendix B(i)	<b>Environmental Health Service Representation &amp; Conditions</b>
1B	The Metropolitan Police Service had made an adverse representation to this application stating that the application if granted would undermine the Licensing Objectives. Conditions have been proposed and can be found in Appendix B(i).	<b>Metropolitan Police Service &amp; Conditions</b>
1C	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1)            Public Safety (PS1)            Prevention of public nuisance (PN1)            Protection children from harm (CH1)            Hours (HRS1)            Stress Area (STR1)            Restaurants inside the Stress Area (RNT2)            Public Houses and Bars within the Stress Area (PB2)</p> <p><b>Policy STR1:</b> (i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; late night refreshment premises offering hot food and drink to take-away 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 Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p> <p><b>Policy HRS1 applies:</b> (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not</p>	<b>Policies applicable</b>

1D	<p>being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p> <p><b>Policy RNT2 applies:</b> Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Polices CD1, PN1, PS1 and CD1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Area.</p> <p><b>Policy PB2 applies:</b> It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	Summary
<b>Current Licensing Position</b>	The premises is not currently licence. However, the premises were previously licensed under reference 13/00605/LIPVM. The licence lapsed following the liquidation of Net Bars Limited.. Please refer to <b>Appendix A</b>	
<b>Residential Density:</b>	13 of the 104 units within a 75m radius of the premises are residential or proposed residential, (11.1%), refer to <b>Appendix C</b> .	
<b>List of Appendices:</b>	A – Premises Licence History (to follow) B - Proposed Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (October 2014)
- Former licence
- Application form / plan
- Operating schedule conditions
- Presentation
- Applicant Submissions - Statement From Director of Vinyl Bars Limited
- Representations received
- Photos

**Licence & Appeal History**

<b>APP REF</b>	<b>DETAILS</b>	<b>DETERMINATION</b>
05/08351/LIPC	CONVERSION OF LICENCE	GRANTED UNDER DELEGATED AUTHORITY 25.9.2005
<b>13/00605/LIPVM</b>	MINOR VARIATION TO CHANGE LAYOUT	GRANTED UNDER DELEGATED AUTHORITY 18.2.2013
<b>N/A</b>	<b>LICENCE LAPSES DUE TO INSOLVENCY</b>	<b>25.4.14</b>

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

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

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following



13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.
16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.
23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

#### Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.
  - (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 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 02.00, the permitted hours shall end when the music and dancing end;
  - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
    - (i) with the substitution of references to 03.00 for references to 02.00.
    - (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
    - (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 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 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.

### Sunday

26. 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 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 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.

24. 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.

25. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

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

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

27. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed

timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

28. The premises hotline telephone number shall be made available to local residents.
29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
31. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
32. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
33. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar  
36-38 Hanway Street  
London

---

## Draft Conditions

---

All conditions are agreed between the Applicant, Police and EHO save for any amendments detailed below. Where the Applicant has not agreed to a condition proposed by the Police and EHO, it is detailed underlined and in italic. Where the Applicant proposes alternative conditions these are set out in their entirety in **bold**.

1. The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iii) which do not provide any take away service of food or drink for immediate consumption, and

(iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.

(v) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. Keith Roach and Jason Cook shall not be allowed on the premises

**Applicant's suggested Condition 2:**

**The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:**

- a. **Mr Keith Roach**
- b. **Ms Cheryl Denny**

**c. Mr Jason Cook**

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. 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.
5. 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, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
6. 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.
7. *There shall be no new admittance to the premises after midnight.*

***Applicant's proposed Condition 7:***

***There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.***

8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
10. 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.
11. The licence holder shall ensure that any queue to enter the premises which form outside the premises and any area used by smokers is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

12. Patrons temporarily leaving the premises such as for the purposes of smoking shall not take any drinks with them and after 23:00 hours shall be limited to a maximum of 6 persons at any one time.
13. 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.
14. The number of persons accommodated (including staff) at any one time shall not exceed 60 in the basement and 20 on the ground floor.
15. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public. This does not prohibit the distribution of leaflets to persons within the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. 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 authorized officer throughout the preceding 31 day period.
18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
19. An incident log shall be kept at the premises, and made available on request to an authorized officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

20. No deliveries or collections shall be made to or from the premises between 23:00 and 08:00 hours.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. During the hours of operation 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 the aforementioned 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.
24. 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.

***Applicant's proposed Condition 24:***

***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.***

25. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Council.
27. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
28. 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.
29. 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.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.



31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. 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.

34. 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.
35. 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 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
  - a. dry ice and cryogenic fog;
  - b. smoke machines and fog generators;
  - c. pyrotechnics including fireworks;
  - d. firearms;
  - e. lasers;
  - f. explosives and highly flammable substances;
  - g. real flame;
  - h. strobe lighting.

36. The certificates listed below, together with, if necessary, satisfactory details of remediation works identified, shall be submitted to the Environmental Health Consultation Team upon written request:
  - a. Any emergency lighting battery or system
  - b. Any electrical installation
  - c. Any fire alarm system.

37. At least one SIA registered door supervisor shall be employed at the premises from 22:00 hours until all patrons and staff have left the premises on Thursday to Saturday.
38. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff shall be clearly displayed and visible at all times.

39. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
40. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
41. (a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.

***Applicant's proposed Condition 41.(a):***

***(a) From 10pm each day, all drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne, wine or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne, wine and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles of drink from the table.***

(b) Notwithstanding 41(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.

42. All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.

***Applicant's proposed Condition 42:***

***From 10pm each day, all customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.***

43. All persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.

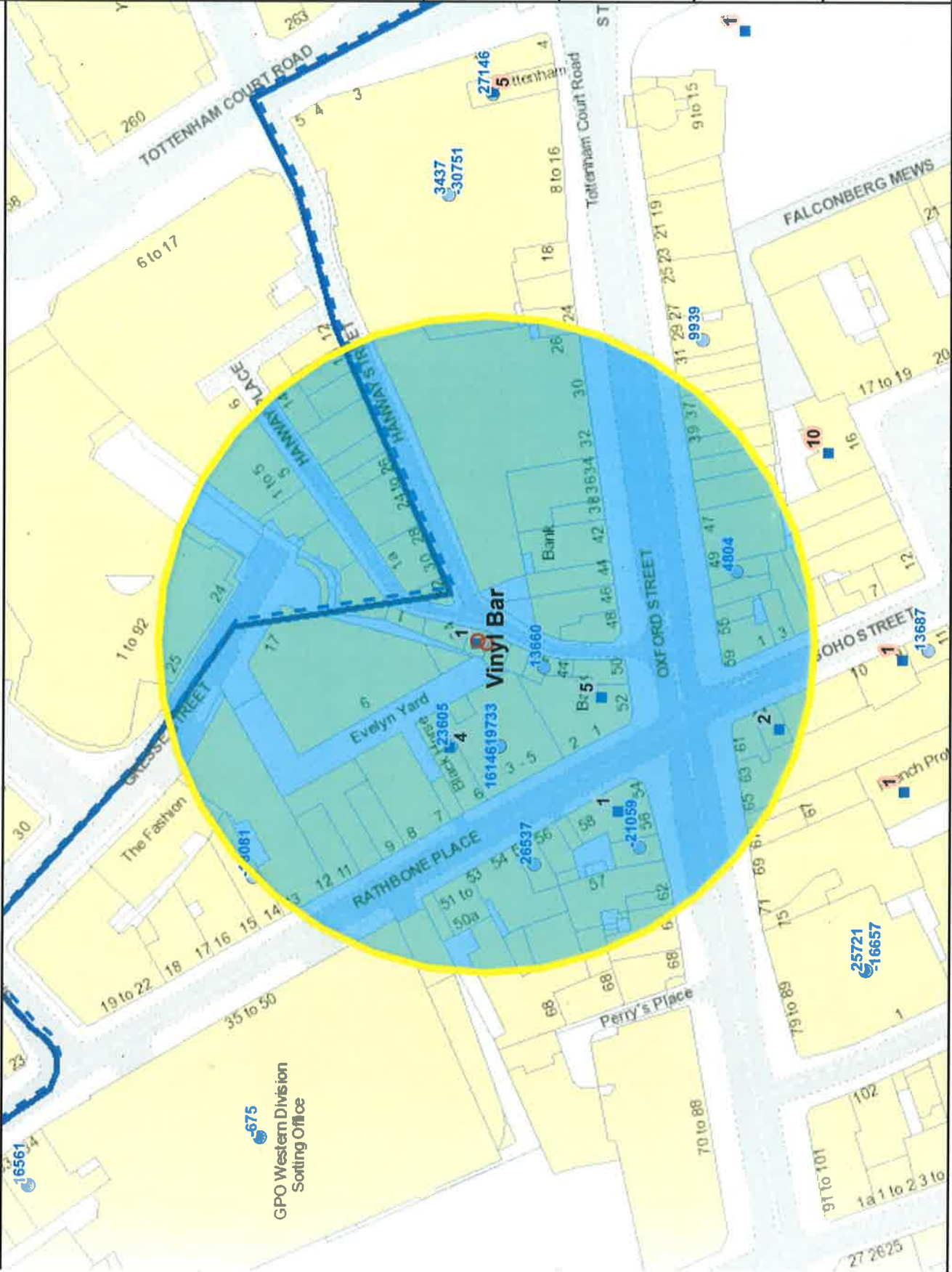
**From 10pm each day, all persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.**

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is 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. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
46. There shall be no cooking on-site requiring the use of mechanical air extraction.



City of Westminster

# Vinyl Bar, 36-38 Hanway Street, London W1T 1UP



Residential / Proposed Residential	13
Under Construction	0
Other Uses	104
Proportion Residential of all Uses	11.1%

This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number LA 1000010507

Data Source: Uniform Datab:  
Date: 31/10/2014

**Premises within 75 metres of: Vinyl Bar, 36-38 Hanway Street, London W1T 1UP**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
-21059	Wasabi	58 Oxford Street London W1D 1BH	Friday to Saturday 11:00 - 00:00 Thursday 11:00 - 23:30
13660	Bradley's Spanish Bar	Ground Floor 42-44 Hanway Street London W1T 1UP	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
16146	The Roxy	Ground Floor Ashbrook House 3-5 Rathbone Place London W1T 1JL	Monday to Wednesday 09:00 - 03:30 Thursday 09:00 - 06:00 Friday to Saturday 09:00 - 09:00 Sunday 09:00 - 01:00
19733	Tampopo	Ground Floor Ashbrook House 3-5 Rathbone Place London W1T 1JL	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
23605	Byron @ The Black Horse	6 Rathbone Place London W1T 1HL	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
26537	Rathbone News	55 Rathbone Place London W1T 1JS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
4804	Londis	51 Oxford Street London W1D 2EF	Monday to Sunday 00:00 - 00:00

# **BACKGROUND PAPERS**



Schedule 12  
Part A

WARD: West End  
UPRN: 010033554813

# City of Westminster

64 Victoria Street, London, SW1E 6QP

## Premises licence

Regulation 33, 34

**Premises licence number:**

13/00605/LIPVM

**Original Reference:**

05/08351/LIPC

### Part 1 – Premises details

#### Postal address of premises:

The Net Bar  
36 - 38 Hanway Street  
London  
W1T 1UP

**Telephone Number:** 020 7580 9811

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

Not applicable

#### Licensable activities authorised by the licence:

Performance of Dance  
Provision of facilities for Dancing  
Provision of facilities for making Music  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
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 02:00  
Sunday: 09:00 to 23:00

##### Provision of facilities for Dancing

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

##### Provision of facilities for making Music

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

##### Performance of Live Music

Monday to Saturday: 09:00 to 02:00

Sunday:	09:00 to 23:00
<b>Playing of Recorded Music</b>	Unrestricted
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 03:00
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 02:30
<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 02:00
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 02:30
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>
Net Bar Limited Gabel House 239 Regents Park Road London N3 3LF

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
03761535



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

**Name:** Ms Cheryl Denny

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

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

**Licence Number:** LN/0000/1342

**Licensing Authority:** London Borough Of Haringey

**Date:** \_\_\_\_\_ 18<sup>th</sup> February 2013 \_\_\_\_\_

**Signed:** pp  
Operational Director - Premises Management

## 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.

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

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

#### **Conditions relating to regulated entertainment**

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following
- 13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
- 14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
- 15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.

16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.

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

23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

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

##### Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.
  - (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 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 02.00, the permitted hours shall end when the music and dancing end;
  - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
    - (i) with the substitution of references to 03.00 for references to 02.00.
  - (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
  - (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 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 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.

#### Sunday

26. 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 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 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.

24. 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.

27. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children

attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

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

28. 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**

29. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.



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

30. The premises hotline telephone number shall be made available to local residents.
31. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
32. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
33. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
34. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
35. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

## **Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 010033554813

Premises licence  
summary

Regulation 33, 34

Premises licence number:

13/00605/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

The Net Bar  
36 - 38 Hanway Street  
London  
W1T 1UP

**Telephone Number:** 020 7580 9811

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Provision of facilities for making Music  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
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 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for Dancing**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Provision of facilities for making Music**

Monday to Saturday: 09:00 to 02:00  
Sunday: 09:00 to 23:00

**Performance of Live Music**

Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Playing of Recorded Music</b>	Unrestricted
<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 23:00
<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>	
Monday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 03:00
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 02:30
<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 02:00
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 02:30
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.

<b>Name and (registered) address of holder of premises licence:</b>
Net Bar Limited Gabel House 239 Regents Park Road London N3 3LF

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
03761535

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

**Name:** Ms Cheryl Denny

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

Restricted

**Date:** 18<sup>th</sup> February 2013

**Signed:** pp  
Operational Director - Premises Management

\* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number  Put "none" if the applicant is not registered for VAT.

\* Legal status

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19****NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

Vinyl Bars Limited

**Details**

Registered number (where applicable)

08788033

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

company

**Address**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Contact Details**

E-mail   
Telephone number   
Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

bar

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

FRIDAY

Start 00:00

End 02:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 02:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 02:00

Start 09:00

End 23:00

Will the performance of live music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

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

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes       No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the performance of dance take place indoors or outdoors or both?

Indoors                       Outdoors                       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

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

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Give a description of the type of entertainment that will be provided

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

Will this entertainment take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and



Continued from previous page...

with a view to profit.

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

Start

End

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

Continued from previous page...

FRIDAY

Start 00:00

End 02:00

Start 10:00

End 00:00

SATURDAY

Start 00:00

End 02:00

Start 10:00

End 00:00

SUNDAY

Start 00:00

End 02:00

Start 12:00

End 22:30

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End   
Start  End

WEDNESDAY

Start  End   
Start  End

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

Please see presentation and conditions attached.

b) The prevention of crime and disorder

Please see presentation and conditions attached.

c) Public safety

Please see presentation and conditions attached.

d) The prevention of public nuisance

Please see presentation and conditions attached.

e) The protection of children from harm

Please see presentation and conditions attached.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment

**Continued from previous page...**

where the entertainment is provided by and at the school or college and for the purposes of the school or college.  
If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Jeffrey Green Russell Limited

\* Capacity

Authorised solicitors acting for and on behalf of the applicant

\* Date

04 / 09 / 2014  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

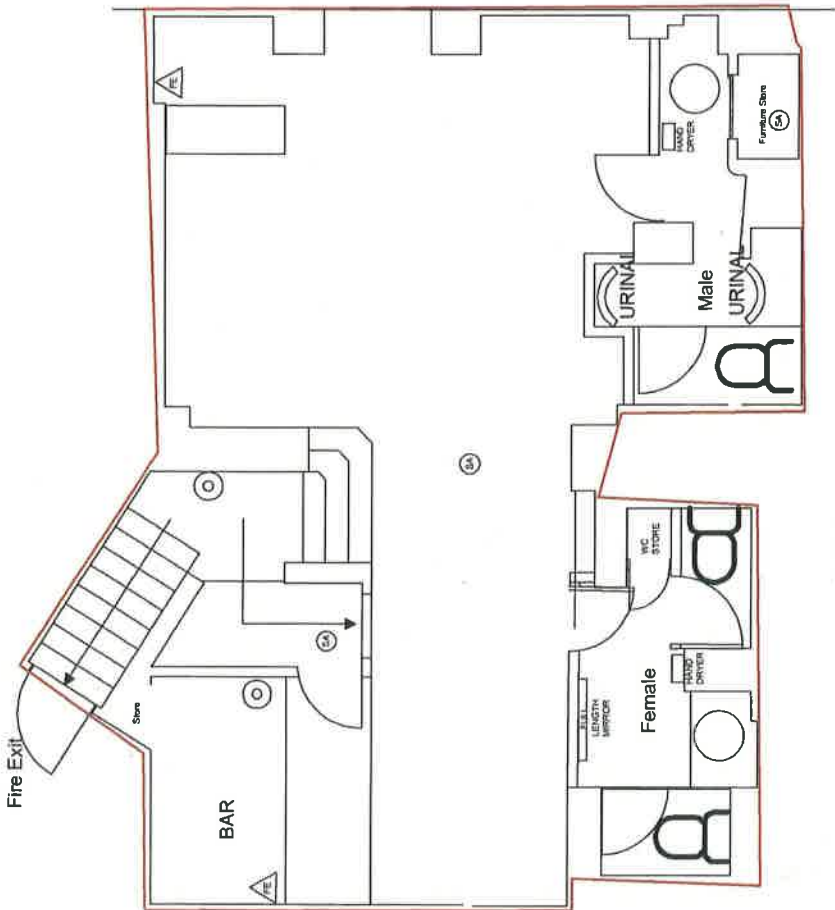
**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

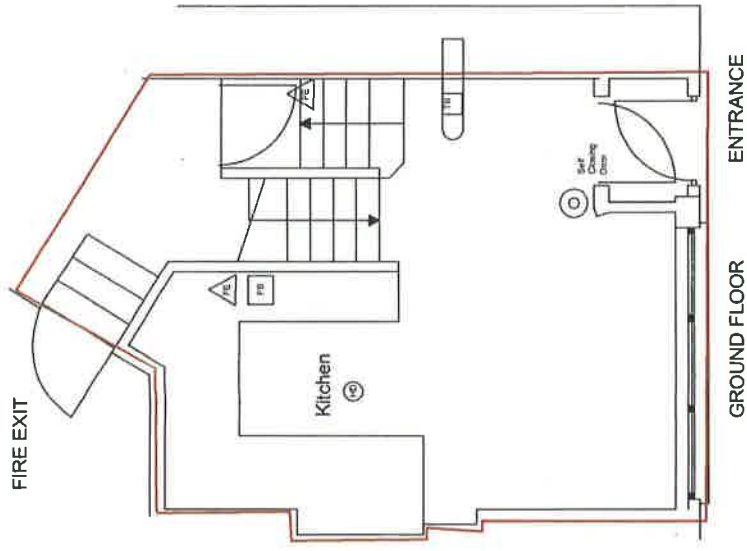
Applicant reference number	SVS/Vinyl
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >





**BASEMENT PLAN**  
**Basement**  
scale 1:50



**Ground Floor Plan**  
scale 1:50

- Ⓢ SMOKE ALARM
- Ⓜ HEAT DETECTOR
- △ FIRE EXTINGUISHER
- FIRE BLANKET
- BREAK GLASS FIRE ALARM

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer 31st July 2014

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer:

Dated: 24/09/2014

PROJECT TITLE:	Vinyl	DISCLAIMER:	<small>The Client hereby warrants that the information provided to GMP Design is true and correct and that they are not aware of any other persons who have a financial interest in the project. GMP Design shall not be held responsible for any errors or omissions in this drawing. The client shall be responsible for obtaining all necessary permissions and consents from the relevant authorities before commencing any work. This drawing is intended for use as a guide only and does not constitute a contract. The client shall be responsible for ensuring that all work is carried out in accordance with the relevant building regulations and codes of practice. GMP Design shall not be held responsible for any damage or injury to persons or property arising from the use of this drawing.</small>
DRAWING TITLE:	Proposed Plan	<b>GMP DESIGN</b>	<small>GMP DESIGN 150, St. James's Place London, W1A 1BP Tel: +44 (0) 20 7300 5300 Fax: +44 (0) 20 7300 5300</small>
DRAWING NUMBER:	LIC 1		
DRAWN BY:	HNTH		
APPROVED BY:			
SCALE:	AS SHOWN @ A3 JULY 2014		

# **PROPOSED 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.

5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) 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 a holographic mark.
8. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

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.

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. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until

midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).

12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following
13. All refuse is paid for, properly presented and placed out for collection no earlier than 30 minutes before collection time.
14. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
15. A registered door supervisor shall be employed at the premises from 10 pm on Thursday to Saturday.
16. The door supervisor shall remain until all patrons and staff have left the premises.
17. The door staff shall remind customers to leave the premises in a quiet and respectful manner.
18. The entrance door to the premises shall remain closed at all times, apart from allowing Access and Egress.
19. The licensee shall use his best endeavours to encourage patrons to leave in the direction of Oxford Street.
20. Signs shall be placed at the exit requesting patrons to leave the area quietly.
21. Any queue which may form outside the premises shall be directed away from Hanway Street. The licensee shall use his best endeavours to manage any queue with a view to ensuring that no disturbance is caused to residents.
22. The number of persons accommodated at any one time in the premises, excluding staff, shall not exceed Basement -60, Ground Floor - 20.
23. 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.
24. On the ground floor, the sale and supply of intoxicating liquor shall be by waiter and waitress service only.

Monday to Saturday

25. Alcohol shall not be sold or supplied except during permitted hours.

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 02.00 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 02.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
- (i) with the substitution of references to 03.00 for references to 02.00.
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 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 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.

### Sunday

26. 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 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 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.

24. 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.

27. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
  - (c) to take all other reasonable precautions for the safety of the children.
28. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
29. The variation of the Premises Licence to include (Changes in entrance lobby to allow for easier access to café area by public, Enlarge and reconfigure the existing entrance lobby providing new part-glazed door and glazed screen with direct access to the café and a new door from the café to the existing landing and Changes to kitchen to extend to the rear external wall - remove existing steel entrance door and replace with new larger part- glazed timber entrance door) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
30. The premises hotline telephone number shall be made available to local residents.
31. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

32. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
33. Menus showing that substantial refreshment is available at the premises shall be prominently displayed at the bar and on all tables throughout the premises.
34. A record of staff training at the premises shall be maintained and retained for inspection by the licensing authority and responsible authorities on request.
35. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.



# VINYL BAR

36-38 Hanway Street, London W1T 1UP



PRESENTATION TO  
WESTMINSTER CITY COUNCIL

In reinventing this premises, the Vinyl Bar management team are seeking to bring something to the West End that has been missing for some time; a place for over-30s to socialise away from the usual offer of nightclubs and bars.

As information technology has developed, the phenomenon of on-line dating has seen attendances at premises historically associated with single customers looking to meet other single customers, drop. Many people today rely upon the internet to be their gateway to the world, meeting many of their friends for the first time on-line.

To challenge this, Vinyl Bar has developed a presence in the world of on-line dating and social networking. This allows the management team to target the older crowd, looking for a fun night out that doesn't involve crowding a bar and jostling for position amongst younger club-goers looking for a less sophisticated night out.

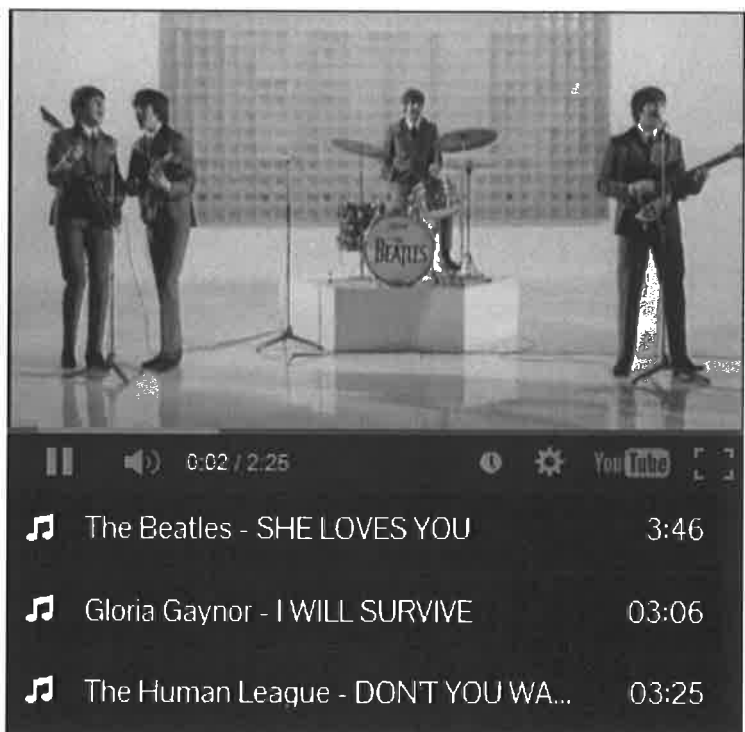
Vinyl Bar will offer table service throughout the premises, ensuring that customers can enjoy that higher level of service the over 30s expect.

## Our Music is our Customers' Music

To give our targeted crowd a sense of real ownership of Vinyl Bar, our specialist equipment will be made available to customers for the playing of their own prized vinyl music collection.



Vinyl Bar will also provide a curated soundtrack unique to our venue, tailored to our over 30s clientele.



## Images of the Premises



Images of the Premises

As Proposed











## Eaton, Sam

---

**From:** Marcus Lavell [mcl@jgriaw.co.uk]  
**Sent:** 11 November 2014 15:38  
**To:** Eaton, Sam  
**Subject:** FW: Vinyl Bar - Hanway Street  
**Attachments:** Apollo\_4836122\_1.DOCX; Apollo\_4834197\_1.DOCX; RE: Vinyl Bar - Conditions; RE: Vinyl Bar - Conditions; Re: Vinyl Bar, 36-38 Hanway Street W1

**Importance:** High

Dear Sam

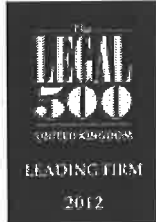
I refer to Sharon's earlier email. Please find attached Applicant's submissions and agreed conditions.

Should you have any questions please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



---

**From:** Marcus Lavell  
**Sent:** 11 November 2014 15:36  
**To:** Bamborough, Sharon ([sbamborough@westminster.gov.uk](mailto:sbamborough@westminster.gov.uk))  
**Cc:** [adrayan@westminster.gov.uk](mailto:adrayan@westminster.gov.uk); Janes, Toby ([tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)); [jsollars@westminster.gov.uk](mailto:jsollars@westminster.gov.uk); Mary Hennessy  
**Subject:** Vinyl Bar - Hanway Street  
**Importance:** High

Dear Sharon

Please find attached statement from Les Richards, Director of Vinyl Bars Limited. The statement details the nature of the operation and the steps being taken, in partnership with the police and EHO, to develop appropriate conditions for the promotion of the Licensing Objectives.

With the exception of the "Restaurant" condition (MC66) and a number of conditions that go further than the officers have requested, the Applicant, police and EHO have agreed all conditions and these have been compiled into the attached Draft Appendix D (Annex A of the Statement).

Please note that I have also proposed a small correction to Condition 12 as the prohibition on drinks being taken from the venue has been duplicated and can be found within Condition 13. I have also added "bottles of wine" to the

exceptions detailed in Condition 41(a). Given that the exception already includes bottles of champagne and spirits I do not foresee a problem with this but have copied the officers into this email for their comment.

You will see that conditions 41, 42 and 43 now come into effect after 10pm each day. This modification was agreed with the Police and EHO in correspondence earlier today and I attach copies of said correspondence to this email. Jim Sollars, in his response to my email asking for confirmation of the police position, has replied that the requested amendments are agreed. The agreement only extends to the 10pm commencement for conditions 41, 42 and 43 and not the request that said conditions only apply Thursday to Saturday. The Applicant is happy to agree this.

The statement also refers to correspondence (Annex B) between Julian, Toby Janes of the police and Francis Keegan of Westminster Licensing Enforcement. This correspondence is attached above as "Re: Vinyl Bar, 36-38 Hanway Street W1".

Should you have any questions or require anything further please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



Jeffrey Green Russell Limited (trading as Jeffrey Green Russell). Registered in England & Wales, Company Number 07976954. Registered Office: Waverley House, 7-12 Noel Street, London W1F 8GQ. [www.jgrweb.com](http://www.jgrweb.com) DX : 44627 Mayfair. Member of the International Alliance of Law Firms [www.ialawfirms.co.uk](http://www.ialawfirms.co.uk).

Authorised and regulated by the Solicitors Regulation Authority No: 568746 VAT registration number GB 239 7797 96.

Our address for service is above.

This communication is confidential and it may contain legally privileged information and be subject to copyright. If you are not the intended recipient you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. You must notify Jeffrey Green Russell Limited by E-Mail forthwith at the above address and then delete this communication permanently from your records. Jeffrey Green Russell Limited uses virus checking software, and we are not aware that this communication contains any viruses. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it.

---

This email has been scanned for all viruses by the MessageLabs SkyScan service.

---

In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar

36-38 Hanway Street

London

---

### **STATEMENT OF LES RICHARDS**

---

My name is Les Richards and I am the Director of Vinyl Bars Limited. I make this statement in support of the application for a new Premises Licence for 36-38 Hanway Street. I will begin by dealing with my personal history, setting out my experience in the licensed hospitality trade. I will then cover the recent history of the premises before moving on to the vision I have for the Vinyl Bar concept. Following on from, this I will summarise the productive discussions that my team has had with the Environmental Health Officer and the police before summarising the outcome of those discussions.

#### **Personal History**

I have worked in the Licensed trade for the past 12 years.

My first management role was with Luminar (1998-2002), working as a General/Operations Manager covering three separate sites. I have also managed Time & Envy in Romford, Skydome in Coventry and Jumpin Jaks in Swansea.

When I took charge of Jumpin Jaks in Swansea, this 1200 capacity single room venue was trading on 4 nights a week with income levels of £30K per week and developed to trading on

5 nights a week with an income of over £55K. I also took operational profit levels from £750K to £1.2M through the implementation of management and operational best practice. Jumpin Jaks also won a BEDA award for “Bar Of The Year, South”.

I was responsible for the launch of Time & Envy in Romford, sourcing staff, suppliers and ensuring works were completed on time. This project opened on time, achieving a weekly income following launch of £125K.

At the Skydome, I was responsible for the organisation of the opening and the delegation of duties to the visiting management team. Once operational, I was also responsible for the day to day running of Ikon & Diva nightclubs, Bonds pre club bar & Jumpin Jaks (Combined capacity 3625). The sites total weekly income averaged £185K.

Over the next 4 years, I moved on to a management position at First Leisure and then to run the Evolution/Baja Site in Bristol. Both of these appointments focussed on the successful operation and control of high capacity venues (1800 to 2400), whilst maintaining excellent relationships with Local Authorities and Police.

From July 2006 to October 2009, I was the General Manager of Q Bar in Reading. This was Reading’s largest licensed premises trading 6 nights a week and turning over £45K a week. I was brought in to create a new brand and re-launch the venue. This included devising and implementing quarterly marketing & promotional plans, the recruitment, training & development of all the junior management, bar staff, door supervisors and DJ’s.

After Q Bar, I moved on to open the largest restaurant in the UK, Za Za Bazaar on the Bristol Harbourside. This involved input into the design of the premises to ensure that the available space was optimised whilst designing-out problem areas and pinch points.

Once Za Za’s was up and running, I moved to Genting Casinos. Working as the General Manager of Genting Club Westcliff, I was responsible for all operational aspects of this major

leisure site. Of particular importance to my role at the time was the identification of prospective and lapsed customers and converting them to active customers. Market research and customer identification was key to achieving this goal.

Now, working as a Director of Vinyl Bars Limited, I have been tasked with identifying locations suitable for our new, vinyl-led concept.

### **Premises History**

The premises at 36-38 Hanway Street has previously traded as The Net Bar. I understand that there is an on-going dispute between the previous operator, Mr Roach and Westminster City Council as to the validity of the relevant Premises Licence. In order to avoid any issue with this matter going forward, I have instructed Vinyl Bars Limited's solicitors to apply for this new Premises Licence. The application had been made on identical terms to the previous licence, save for an update of the plans to accommodate the improvements that will be made to the premises. Prior to the application, my team met with the Environmental Health Officer (EHO) and Police to explain our proposed investment in the premises. Dialogue was maintained throughout the application process, resulting in additional conditions being drafted. A full schedule of the proposed conditions is attached to this statement at Annex A.

I note from the memorandum sent by the EH Consultation Team to Miss Sharon Bamborough, detailing the draft conditions proposed by both the EHO and police, reference is made to this application "resurrecting" licence 13/00605/LIPVM (the previous/current Premises Licence). If the Committee is minded to consider that licence lapsed, I would ask that consideration is given to paragraph 2.1.7 of Westminster's Statement of Licensing Policy:

"In cases where licences have lapsed through insolvency or death, the council will generally grant a new licence on similar terms to the lapsed licence as a replacement.

However the council will take into account the previous history of the premises, the

length of time the premises have been closed, and any problems at the premises, and will impose conditions that reflect current good practice for the type of business proposed at the premises.”

In light of the above, I would like to bring one condition in particular to the attention of the Committee. My solicitor has been in correspondence with Mr Toby Janes of the Police and Mr Francis Keegan of the Licensing Service on the matter of the previous operation trading from the premises. I attach copies of said correspondence at Annex B. By way of guarantee that the previous operator will have no involvement in the operation, I have proposed the following condition that I feel goes further than that proposed by the EHO and Police:

The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:

- a. Mr Keith Roach
- b. Ms Cheryl Denny
- c. Mr Jason Cook

Further, I would ask the committee to have regard to the size of the premises and the fact that there is not sufficient facility for the extraction of cooking fumes when considering this application. The imposition of a “restaurant” condition would effectively make this premises unviable for any hospitality operation, despite it being a lawful use of the premises.

### **The Vinyl Bar Concept**

At Vinyl, we want to be able to offer the more mature customer the chance to enjoy music the way we all used to. Vinyl will be home to some of the best record-playing equipment available and customers will be able to bring in their own collections to enjoy whilst spending

time with their friends. Rather than offering customers an endless digital playlist purchased through a third party with no connection to our venue, we wanted to make a visit to Vinyl Bar personal and nothing could be more personal than your own soundtrack. This is unlikely to be popular with the younger, chart music focussed audience but they are welcome to attend any of the other venues London has to offer.

The criteria that I have specified for the identification of potential Vinyl venues is as follows:

1. Suitable for a capacity no higher than 100.
2. Within 500 meters of a “retro” clothing shop.
3. Within 500 meters of a true “record” shop.

Hanway street fits perfectly within my criteria, benefitting from the close proximity of 2 record shops (Sister Ray on Berwick Street (450m) and Harold More’s Records on Great Marlborough Street (450m)) and the Beyond Retro clothing store on Great Marlborough Street (450m).

### **Discussions with Environmental Health Officer**

Mr Anil Drayan visited the premises and met with my solicitors. Given the problems with the existing extraction system Mr Drayan has asked that no primary cooking (although this is a difficult definition to pin down) takes place on the premises. I am happy to agree to this and have proposed the following condition:

46. There shall be no cooking on-site requiring the use of mechanical air extraction.

Mr Dryan also raised the issue of customer management outside of the premises. Given the mode of operation we propose, maintaining a queue as a marketing tool isn’t something we feel would be appropriate unlike many bars and clubs in the West End. To address any

remaining concerns Mr Drayan may have, I propose the following further condition dealing with the management of street level operations:

7. There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.

Further, Mr Drayan made the following comment in his Representation:

“Additionally it is proposed that there will be refurbishment of the premises which will have to be assessed for Public Safety on completion. Knowing the previous condition of the premises Environmental Health generally welcomes the proposed refurbishment.”

I am pleased that Mr Drayan welcomes the investment in the premises and propose the following works condition to ensure that he will have the final say as to the adequacy of our refurbishment:

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is 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. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

### **Discussions with Police**



My solicitors met with Mr Toby Janes on-site and engaged with him in correspondence.

In line with best practice promoted by the police, Mr Janes requested that the premises operates a “polycarbonate policy”. I am pleased to accept this and agree to the condition Mr Janes has proposed but would ask that bottles of wine are included along with champagne and spirits.

As to operating an age verification policy, I note that Mr Janes has asked for a Challenge 21 scheme to be enshrined in Condition 24. I am happy to go further than this and operate a Challenge 25 scheme to provide a greater safeguard and have proposed an amended condition in appropriate terms.

### **Conclusion**

Thanks to the EHO, Police and my legal team working in partnership, I believe that the application before the Committee represents the standard all premises in Westminster should be aiming for.

The Vinyl Bar concept will bring something new and unique to the West End, a concept that will attract a more mature crowd and revitalise a premises with a long trading history that is sorely in need of reinvestment and refurbishment.

The conditions proposed in support of this application have been considered at length and I commend them and this application as a whole to the committee. I would like to point out that, with the exception of the “restaurant” condition which I understand has been suggested as matter of policy and my request for bottles of wine to be added to Condition 41a, I have been able to agree all proposed conditions with the officers. However, in order to promote the very best practice at Vinyl Bar, I have also suggested a number of conditions that go further than those requested by the officers.

I will be in attendance at the hearing on 20 November and would be delighted to answer any questions the committee may have.

.....

Les Richards

.....

Date

# Annex A

In the City of Westminster Licensing Sub-Committee

Application for a New Premises Licence

Vinyl Bar  
36-38 Hanway Street  
London

---

### DRAFT APPENDIX D

---

All conditions are agreed between the Applicant, Police and EHO save for any amendments detailed below. Where the Applicant has not agreed to a condition proposed by the Police and EHO, it is detailed in ~~strikethrough~~. Where the Applicant proposes alternative conditions these are set out in their entirety in *italics*.

~~1. The premises shall only operate as a restaurant~~

~~(i) in which customers are shown to their table,~~

~~(ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,~~

~~(iii) which do not provide any take away service of food or drink for immediate consumption, and~~

~~(iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.~~

~~(v) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.~~

~~2. Keith Roach and Jason Cook shall not be allowed on the premises~~

*Applicant's suggested Condition 2:*

*The following persons are not to be allowed on the premises at any time and are not to be employees or directors of the business providing Licensable Activities under this Premises Licence:*

- a. Mr Keith Roach*
- b. Ms Cheryl Denny*

*c. Mr Jason Cook*

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. 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.
5. 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, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
6. 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.
- ~~7. There shall be no new admittance to the premises after midnight.~~

*Applicant's proposed Condition 7:*

*There shall be no new admittance to the premises after midnight. After such time, any remaining persons queuing for entry shall be informed that access to the premises will be refused and asked to leave the immediate area.*

8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
10. 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.
11. The licence holder shall ensure that any queue to enter the premises which form outside the premises and any area used by smokers is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

12. Patrons temporarily leaving the premises such as for the purposes of smoking ~~shall not take any drinks with them and~~ after 23:00 hours shall be limited to a maximum of 6 persons at any one time.
13. 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.
14. The number of persons accommodated (including staff) at any one time shall not exceed 60 in the basement and 20 on the ground floor.
15. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public. This does not prohibit the distribution of leaflets to persons within the premises.
16. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
17. 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 authorized officer throughout the preceding 31 day period.
18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
19. An incident log shall be kept at the premises, and made available on request to an authorized officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

20. No deliveries or collections shall be made to or from the premises between 23:00 and 08:00 hours.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. During the hours of operation 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 the aforementioned 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.
24. ~~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.~~

*Applicant's proposed Condition 24:*

*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.*

25. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Council.
27. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
28. 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.
29. 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.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. 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.

34. 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.
35. 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 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
  - a. dry ice and cryogenic fog;
  - b. smoke machines and fog generators;
  - c. pyrotechnics including fireworks;
  - d. firearms;
  - e. lasers;
  - f. explosives and highly flammable substances;
  - g. real flame;
  - h. strobe lighting.

36. The certificates listed below, together with, if necessary, satisfactory details of remediation works identified, shall be submitted to the Environmental Health Consultation Team upon written request:

- a. Any emergency lighting battery or system
- b. Any electrical installation
- c. Any fire alarm system.

37. At least one SIA registered door supervisor shall be employed at the premises from 22:00 hours until all patrons and staff have left the premises on Thursday to Saturday.

38. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff shall be clearly displayed and visible at all times.



39. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
40. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
41. ~~(a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.~~

*Applicant's proposed Condition 41.(a):*

*(a) From 10pm each day, all drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne, wine or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne, wine and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles of drink from the table.*

*(b) Notwithstanding 41(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.*

42. ~~All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.~~

*Applicant's proposed Condition 42:*

*From 10pm each day, all customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.*

43. ~~All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.~~

*From 10pm each day, all persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.*

44. The licence will have no effect until the Licensing Authority are satisfied that the premises is 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. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
46. There shall be no cooking on-site requiring the use of mechanical air extraction.

# Annex B

**Eaton, Sam**

---

**From:** Trish Barber [TXB@jgrlaw.co.uk] on behalf of Julian Skeens [JMS@jgrlaw.co.uk]  
**Sent:** 23 October 2014 13:03  
**To:** Keegan, Francis; Janes, Toby; Drayan, Anil  
**Cc:** Marcus Lavell; Julian Skeens  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

**Importance:** High

Dear Francis,

I confirm that we used to act for Keith Roach and he was represented by my colleague Gareth Hughes in relation to a Review of the premises licence. We ceased acting for him around the end September 2012 beginning of 2013.

We act for Vinyl Bars Limited whose sole director is Les Richards.

In relation to the application for a new Licence we shall be offering a condition that neither Mr. Roach nor Mr. Cook will be allowed on the premises. Vinyl Bars Limited's only association with the premises is that it has a contractual arrangement with Mr. Roach for the sale of these premises to them. Mr. Richards and has made it quite clear to me from the outset that Mr. Roach would not be allowed onto the premises following the acquisition. In view of Toby's email we will be inviting the Licensing Committee to impose a condition on the Licence that neither Mr Roach nor Mr. Cook nor their present DPS will be allowed on the premises.

When we attended the premises for a site visit, first of all with Mr Anhil Drayan and then Mr. Toby Janes we discussed the state of the premises with both of them. I told the officers that I had checked the fridges and it would not surprise me if the premises were still trading. Mr. Janes indicated that he would visit the premises at the weekend when he was on duty, and it comes as no surprise that the premises were still trading.

Essentially I raised the issue, if Mr. Roach was involved with my client I could not have done so, as I am required to act in my client's best interests.

I don't know if it helps, but Mr. Richards can confirm that during the acquisition process of the premises he told Mr. Roach that in his view the license had lapsed and he should stop trading.

If you would like to meet with Mr. Richards I am sure that he will be pleased to make himself available.

Regards,

**JULIAN SKEENS**

DIRECTOR  
HEAD OF LICENSING DEPT  
JEFFREY GREEN RUSSELL LIMITED

Direct Tel: ++44 - (0)20 7339 7018  
Direct Fax: ++44 - (0)20 7307 0245  
Mobile: 07836 275095

---

**From:** Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]  
**Sent:** 21 October 2014 12:59  
**To:** Janes, Toby; Marcus Lavell  
**Cc:** Drayan, Anil; Bamborough, Sharon; Ferrer, Daniel; Julian Skeens  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

Mr Janes – as discussed, can I have a formal statement about your visit?

Mr Lavell – can you confirm who Jason Cook is, whether you act for him, and if you can provide his home address?

Thank you both.

**Francis Keegan**  
**WCC Premises Licensing Inspector Team Manager**

Tel: 020 7641 3385

---

**From:** Janes, Toby  
**Sent:** 21 October 2014 11:58  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Keegan, Francis; Drayan, Anil; Bamborough, Sharon  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus,

Thank you for meeting with me on Thursday and discussing the application for 36- 38 Hanway Street.

As you are aware police have concerns over the history of the venue.  
I was led to believe that the new operator if the licence is granted would not be connected to the previous one.

On Saturday 18<sup>th</sup> October 2014 at 2355 I visited 36-38 Hanway Street as I had reason to believe they were trading without a premises licence.  
Our records show that the company 'Net Bar Limited' went into liquidation on 25/04/14 and the premises licence lapsed.

On attending the venue was open for business and had security on the door. I entered the venue and witnessed alcohol being sold at the bar. I requested to speak with the DPS, but was informed by the manager Jason Cook that the DPS Keith Roach was on holiday.

On speaking with Jason he stated that he believed the licence was still valid and informed me that they were going to refurbish the bar soon. I asked if the bar would be under new management when it reopened and he informed me it would be the same group of individuals that included Keith Roach and himself.

I explained the situation and asked for the venue to be closed immediately. He agreed to a voluntary closure and was informed that the venue could not open until a valid premises licence was in place.

In light of this information and the fact that the venue is situated in the 'West End' stress area police will be maintaining our representation.

If you would like to discuss the matter further please do not hesitate to contact me.

Kind regards

Toby.

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 15 October 2014 17:40  
**To:** Janes, Toby  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

Dear Toby

1300 sounds good. It will just be me and Julian Skeens (Director of JGR) along with Anil Drayan the EHO.

See you there.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



---

**From:** Janes, Toby [<mailto:tjanes@westminster.gov.uk>]  
**Sent:** 15 October 2014 16:07  
**To:** Marcus Lavell  
**Cc:** idoxlicensing  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus

I have just returned from holiday so am sorry for the late reply.

I know it is late notice, but I will be available tomorrow from 1300 hours if your client is available.

Kind regards,

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 10 October 2014 10:35  
**To:** Janes, Toby  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.  
**Importance:** High

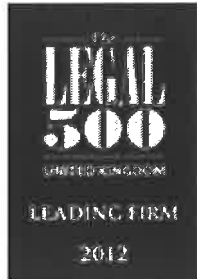
Dear Toby

I have now been able to take instructions and my client would be delighted to meet with you to discuss this matter. I recall you mentioning that you would be on leave, possibly next week. My client can be available on Wednesday or Thursday of next week; would this be possible?

Kind regards,

Marcus Lavell  
Barrister  
**for Jeffrey Green Russell Limited**

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)



---

**From:** Janes, Toby [<mailto:tjanes@westminster.gov.uk>]  
**Sent:** 06 October 2014 11:29  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Patterson, Susan  
**Subject:** Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Sir,

Thank you for your update this morning. I look forward to hearing from you once you have had time to consult with your client.

I understand you will be looking for the new licence to mirror the old licence. However, due to the history of the premises and Westminster licensing policy, police would be seeking a fully conditioned restaurant within core hours.

Below are some of the conditions we would expect to see proposed by you.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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.
3. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
4. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.



5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

I look forward to hearing from you

Kind regards

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

\*\*\*\*\*  
The way you register to vote has changed. Find out what you need to do here. <http://bit.ly/1slv9lv#>

Keep the whole family active with hundreds of free and low cost events and activities this summer. Download our Summer in the City, and Active Westminster guides at <http://westminster.gov.uk/summer-activities>

\*\*\*\*\*  
Westminster City Council: [www.westminster.gov.uk](http://www.westminster.gov.uk)  
\*\*\*\*\*  
This E-Mail may contain information which is privileged, confidential and protected from disclosure.  
If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.  
You should not disclose the contents to any other person or take copies.  
\*\*\*\*\*

---

This email has been scanned for all viruses by the MessageLabs SkyScan service.

---

Jeffrey Green Russell Limited (trading as Jeffrey Green Russell) Registered in England & Wales, Company Number: 07976954, Registered Office: Waverley House, 7-12 Noel Street, London W1F 8GQ, [www.jgrweb.com](http://www.jgrweb.com) DX : 44627 Mayfair.  
Member of the International Alliance of Law Firms [www.ialawfirms.co.uk](http://www.ialawfirms.co.uk).

Authorised and regulated by the Solicitors Regulation Authority No. 568746, VAT registration number GB 239 7797 96.

Our address for service is above.

This communication is confidential and it may contain legally privileged information and be subject to copyright. If you are not the intended recipient you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. You must notify Jeffrey Green Russell Limited by E-Mail forthwith at the above address and then delete this communication permanently from your records. Jeffrey Green Russell Limited uses virus checking software, and

Your SVS/Vinyl

Our

Date: 29/09/14



**METROPOLITAN POLICE  
SERVICE  
PC 1275CW Toby Janes**

Westminster Police Licensing Unit  
Westminster City Hall  
Fourth Floor  
64 Victoria Street  
London  
SW1E 6QP

Telephone: 020 7641 3179

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

Dear Sir,

**Application 14/07515/LIPN – Vinyl Bar, 36-38 Hanway Street, W1.**

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application as it is our belief that if granted the application would undermine the Licensing Objectives.

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

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

Should you wish to discuss the matter further please contact Toby Janes on **0207 641 3179** or via email, [tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)

Yours sincerely,

Toby Janes

Westminster Police Licensing Team

## Bamborough, Sharon

---

**From:** Janes, Toby  
**Sent:** 06 October 2014 11:29  
**To:** 'mcl@jgrlaw.co.uk'  
**Cc:** idoxlicensing; Patterson, Susan  
**Subject:** Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Sir,

Thank you for your update this morning. I look forward to hearing from you once you have had time to consult with your client.

I understand you will be looking for the new licence to mirror the old licence. However, due to the history of the premises and Westminster licensing policy, police would be seeking a fully conditioned restaurant within core hours.

Below are some of the conditions we would expect to see proposed by you.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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.
3. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
4. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any

faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

I look forward to hearing from you

Kind regards

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

## Bamborough, Sharon

---

**From:** Janes, Toby  
**Sent:** 21 October 2014 11:58  
**To:** Marcus Lavell  
**Cc:** idoxlicensing; Keegan, Francis; Drayan, Anil; Bamborough, Sharon  
**Subject:** RE: Application 14/07515/LIPN - Vinyl Bar, 36-38 Hanway Street, W1.

Dear Marcus,

Thank you for meeting with me on Thursday and discussing the application for 36- 38 Hanway Street.

As you are aware police have concerns over the history of the venue.  
I was led to believe that the new operator if the licence is granted would not be connected to the previous one.

On Saturday 18<sup>th</sup> October 2014 at 2355 I visited 36-38 Hanway Street as I had reason to believe they were trading without a premises licence.  
Our records show that the company 'Net Bar Limited' went into liquidation on 25/04/14 and the premises licence lapsed.

On attending the venue was open for business and had security on the door. I entered the venue and witnessed alcohol being sold at the bar. I requested to speak with the DPS, but was informed by the manager Jason Cook that the DPS Keith Roach was on holiday.

On speaking with Jason he stated that he believed the licence was still valid and informed me that they were going to refurbish the bar soon. I asked if the bar would be under new management when it reopened and he informed me it would be the same group of individuals that included Keith Roach and himself.

I explained the situation and asked for the venue to be closed immediately. He agreed to a voluntary closure and was informed that the venue could not open until a valid premises licence was in place.

In light of this information and the fact that the venue is situated in the 'West End' stress area police will be maintaining our representation.

If you would like to discuss the matter further please do not hesitate to contact me.

Kind regards

Toby.

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Marcus Lavell [mailto:mcl@jgrlaw.co.uk]  
**Sent:** 15 October 2014 17:40  
**To:** Janes, Toby

---

**TO** Miss Susan Patterson

**REFERENCE** 14/07515/LIPN

---

**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
**REFERENCE** 14/038519/EHCT  
**BEING DEALT WITH BY** Anil Drayan  
**TELEPHONE EXT./E-mail** 02076411774/adrayan@westminster.gov.uk  
**DATE** 2 October 2014

---

**VINYL BAR, 36-38 HANWAY STREET, LONDON, W1T 1UP**

I refer to the application for a new Premises Licence for the above. The premises are located in the West End Stress area as defined in City of Westminster's Statement of Licensing policy.

The applicant has provided Basement and Ground Floor plans of the premises; drawing no LIC 1, dated 4/9/14

**The applicant is seeking the following licensable activities:**

1. The following Regulated Entertainments Indoors on Monday to Saturday between 09:00 to 02:00 hours and Sunday between 09:00 to 23:00 hours
  - Performance of Dance
  - Performance of Live Music
  - Provision of facilities for entertainment of a similar description to making music or dancing
2. Playing of Recorded Music indoors on Monday to Sunday from 00:00 to 00:00 hours
3. Provision of Late Night Refreshment on Monday to Saturday between 23:00 to 02:00 hours
4. Sale by Retail of Alcohol for both On and Off the premises on Monday to Saturday between 09:00 to 02:00 hours and on Sunday between 09:00 to 23:00 hours
5. Non Standard Timings: the above licensing activities allowed from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day and Unrestricted Private Entertainment consisting of dancing or music or other entertainment of a like kind for consideration and with a view to profit.

**I wish to make the following representations in number order as above:**

1. The Regulated Entertainments and for the hours requested will cause Public Nuisance in the West End Stress area.
2. The provision of Recorded Music and for the hours requested will cause Public Nuisance in the West End Stress area.
3. The provision of Late Night Refreshment and for the hours requested will cause Public Nuisance in the West End Stress area
4. The Supply of Alcohol 'On' and 'Off' the premises and for the hours requested will cause Public Nuisance in the West End Stress area.
5. The non- standard timings for the licensable activities requested will cause Public Nuisance in the West End Stress area.

The premises previously operated under Premises Licence 13/00605/LIPVM which I now understand has lapsed and has not been transferred.

However the premises are in the West End Stress Area and Environmental Health considers this to be a new application in the Stress area. Licensing policy considerations will therefore apply which Environmental Health shall ask for the Licensing Sub-Committee to consider for determination. The operation of the previous licence did cause concerns and a synopsis of these shall be provided in due course for information.

This applicant seeks the same licensable activities and offers the same extensive list of conditions as the lapsed licence. However Environmental Health would wish to change some of these conditions and may propose additional conditions to allay its concerns. The applicant is therefore asked to contact the undersigned to discuss these and to arrange a site visit.

Additionally it is proposed that there will be refurbishment of the premises which will have to be assessed for Public Safety on completion. Knowing the previous condition of the premises Environmental Health generally welcomes the proposed refurbishment.

**Representations are made on grounds of Prevention of Public Nuisance, promoting Public Safety and for being against policy in the West End Stress area.**

Please contact me if you require further information or clarification on any of the above.

**Anil Drayan  
Environmental Health Officer**

## Eaton, Sam

---

**From:** Drayan, Anil  
**Sent:** 12 November 2014 09:36  
**To:** Eaton, Sam  
**Cc:** Janes, Toby; Sollars, Jim; Mary Hennessy; Bamborough, Sharon; Marcus Lavell  
**Subject:** RE: Vinyl Bar - Hanway Street

### FAO Sam Eaton, Licensing Officer

Hi Sam

Environmental Health agrees to all the conditions and changes (save for condition 1) in the draft appendix D file: *Apollo\_4836122\_1.DOCX*, submitted by the applicant.

If the Licensing Sub Committee regards this as a new application in the stress area then condition 1 should also apply as well as 'core' hours for licensable activities

regards

Anil Drayan  
Environmental Health Officer  
Environmental Health Consultation Team  
tel/mob 0207 641 1774  
fax 0207 641 3436  
[adrayan@westminster.gov.uk](mailto:adrayan@westminster.gov.uk)  
[www.westminster.gov.uk](http://www.westminster.gov.uk)

**Premises Management  
Westminster City Council  
4F, City Hall  
64 Victoria Street  
London SW1E 6QP**



---

**From:** Marcus Lavell [<mailto:mcl@jgrlaw.co.uk>]  
**Sent:** 11 November 2014 15:36  
**To:** Bamborough, Sharon  
**Cc:** Drayan, Anil; Janes, Toby; Sollars, Jim; Mary Hennessy  
**Subject:** Vinyl Bar - Hanway Street  
**Importance:** High

Dear Sharon

Please find attached statement from Les Richards, Director of Vinyl Bars Limited. The statement details the nature of the operation and the steps being taken, in partnership with the police and EHO, to develop appropriate conditions for the promotion of the Licensing Objectives.



With the exception of the "Restaurant" condition (MC66) and a number of conditions that go further than the officers have requested, the Applicant, police and EHO have agreed all conditions and these have been compiled into the attached Draft Appendix D (Annex A of the Statement).

Please note that I have also proposed a small correction to Condition 12 as the prohibition on drinks being taken from the venue has been duplicated and can be found within Condition 13. I have also added "bottles of wine" to the exceptions detailed in Condition 41(a). Given that the exception already includes bottles of champagne and spirits I do not foresee a problem with this but have copied the officers into this email for their comment.

You will see that conditions 41, 42 and 43 now come into effect after 10pm each day. This modification was agreed with the Police and EHO in correspondence earlier today and I attach copies of said correspondence to this email. Jim Sollars, in his response to my email asking for confirmation of the police position, has replied that the requested amendments are agreed. The agreement only extends to the 10pm commencement for conditions 41, 42 and 43 and not the request that said conditions only apply Thursday to Saturday. The Applicant is happy to agree this.

The statement also refers to correspondence (Annex B) between Julian, Toby Janes of the police and Francis Keegan of Westminster Licensing Enforcement. This correspondence is attached above as "Re: Vinyl Bar, 36-38 Hanway Street W1".

Should you have any questions or require anything further please call/email me at your convenience.

Kind regards,

Marcus Lavell  
Barrister  
for Jeffrey Green Russell Limited

Direct Tel: ++44 - (0)20 7339 7296  
Direct Fax: ++44 - (0)20 7307 0226  
[www.jgrweb.com](http://www.jgrweb.com)

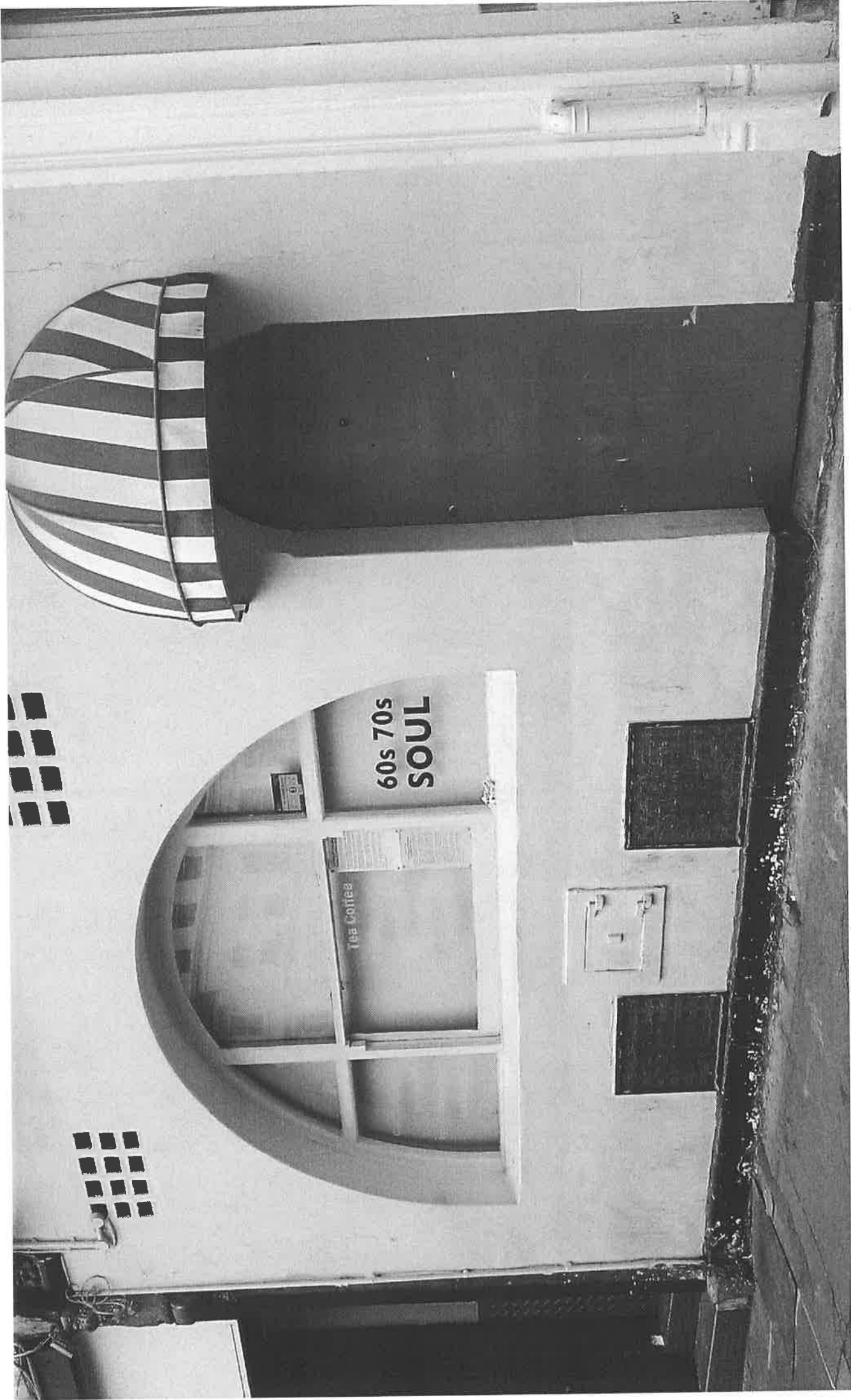


Jeffrey Green Russell Limited (trading as Jeffrey Green Russell). Registered in England & Wales. Company Number: 07976954. Registered Office: Waverley House, 7-12 Noel Street, London W1F 8GQ. [www.jgrweb.com](http://www.jgrweb.com) DX : 44627 Mayfair.  
Member of the International Alliance of Law Firms [www.ialawfirms.co.uk](http://www.ialawfirms.co.uk).

Authorised and regulated by the Solicitors Regulation Authority No: 568746 VAT registration number GB 239 7797 96.

Our address for service is above.

This communication is confidential and it may contain legally privileged information and be subject to copyright. If you are not the intended recipient you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. You must notify Jeffrey Green Russell Limited by E-Mail forthwith at the above address and then delete this communication permanently from your records. Jeffrey Green Russell Limited uses virus checking software, and we are not aware that this communication contains any viruses. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it.



60s 70s  
SOUL

Tea Coffee

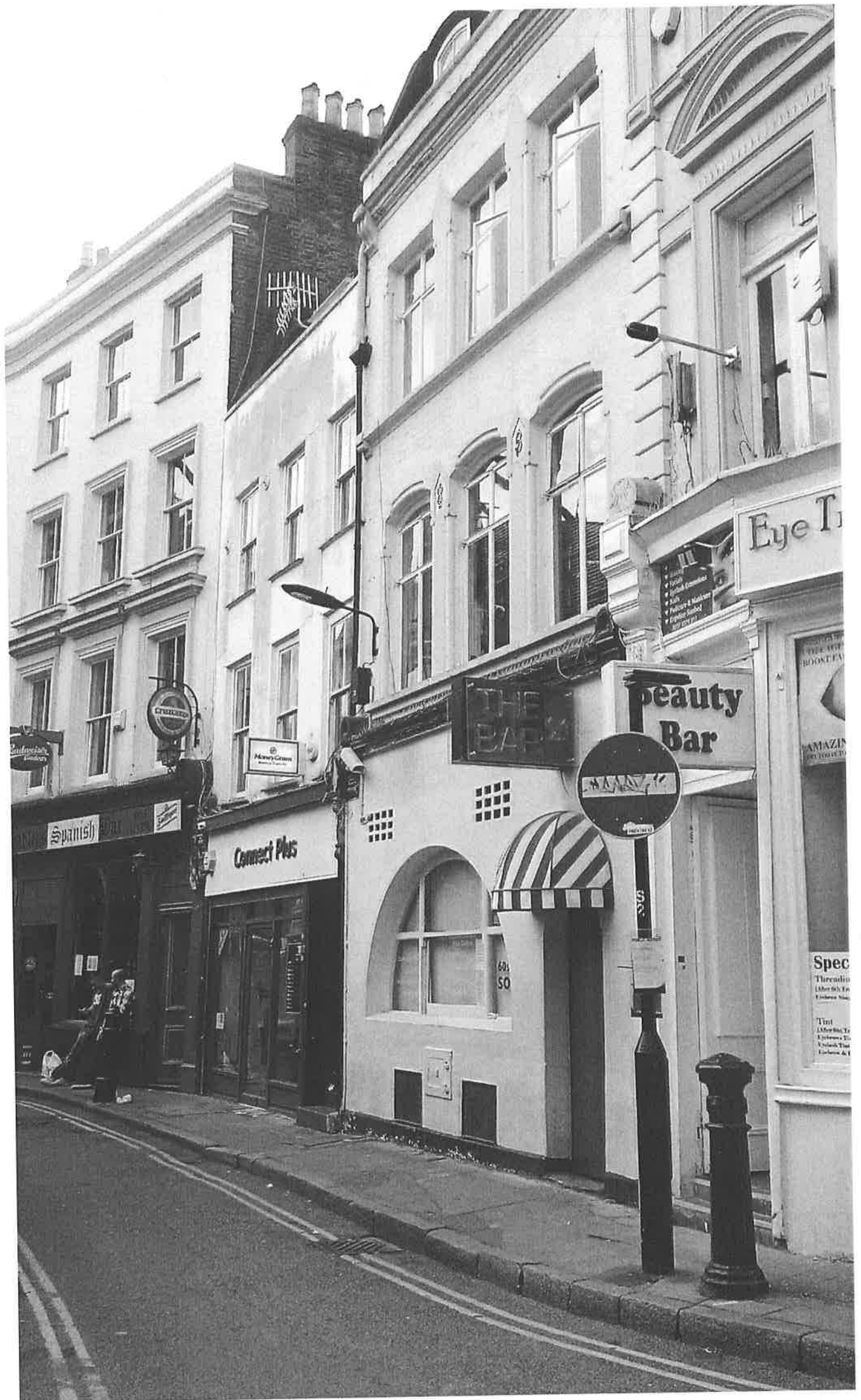


**MoneyGram.**  
Money transfer

**THE  
BEAUTY  
BAR**

**Beauty  
Bar**

166705  
SOUL



Handwritten text on a dark triangular sign above a window.

Eye T

- Laser
- Spect
- Contact
- Aids
- Polymers & Materials
- Optics & Lasers
- 2001 011 11

BECK'S

Home's Green

THE BAR

Beauty Bar

Street sign with a circular logo.

Spanish

Connect Plus

60  
50

Spec

Threading  
After 6h Tr  
Fibre Opt

Tint  
After 6h Tr  
Fibre Opt  
Fibre Opt