



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Tuesday 15th December, 2015**

Time: **12.30 pm**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall, 64 Victoria Street, London SW1E 6QP**

Members: **Councillors:**

Jean Paul Floru (Chairman)
Nick Evans
Murad Gassanly

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. TOMMI'S BURGER JOINT, BASEMENT AND GROUND FLOOR, 30 THAYER STREET, W1

(Pages 1 - 22)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
1.	Marylebone High Street / not in stress area	Tommi's Burger Joint, Basement And Ground Floor, 30 Thayer Street, W1	Variation	15/09478/LIPV

2. LINA STORES, 18 BREWER STREET, W1

(Pages 23 - 52)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
--------	-------------------	-----------------------	-------------	----------------------------

2.	West End / West End	Lina Stores, 18 Brewer Street, W1	Variation	15/09155/LIPV
----	------------------------	--	-----------	---------------

3. 19 BROOK'S MEWS, W1

(Pages 53 - 70)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
3.	West End / not in stress area	19 Brook's Mews, W1	New	15/09517/LIPN

4. PICTUREHOUSE CENTRAL, TROCADERO, 13 COVENTRY STREET, W1

(Pages 71 - 126)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
4.	West End / West End	Picturehouse Central, Trocadero, 13 Coventry Street, W1	Variation	15/08814/LIPV

**Charlie Parker
Chief Executive
9 December 2015**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

PERMITTED TEMPORARY ACTIVITIES

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



City of Westminster

Agenda Item 1 Licensing Sub-Committee Report

Item No:	
Date:	15 December 2015
Licensing Ref No:	15/09478/LIPV - Premises Licence Variation
Title of Report:	Tommi's Burger Joint Basement And Ground Floor 30 Thayer Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	27 October 2015		
Applicant:	Tommi's Burger Joint Ltd		
Premises:	Tommi's Burger Joint		
Premises address:	Basement And Ground Floor 30 Thayer Street London W1U 2QP	Ward:	Marylebone High Street
		Stress Area:	NO
Premises description:	Burger Restaurant		
Variation description:	<p>1. Permit off sales by delivery only</p> <p>2. Amend condition 12 to read 'The supply of alcohol for consumption on the premises shall be by waiter and waitress service only'</p> <p>3. Add a new condition 'Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to take-away meal when delivered to the customers home address by trained delivery drivers'</p> <p>4. Add a new condition 'All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises'</p> <p>5. Add a new condition 'A challenge 21 or Challenge 25 proof of age scheme shall be operated in relation to home deliveries of alcohol 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.</p> <p>N.B – The applicant had initially requested to remove condition 18, this amendment has been withdrawn and the condition will remain.</p>		
Premises licence history:	The premises has had a premises licence since September 2013		
Applicant submissions:			

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

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No Variation Applied For	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30				
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	23:30				
Saturday	23:00	23:30				
Sunday	23:00	23:30				
Seasonal variations:	Current:				Proposed:	
	From 23:00 on New Year's Eve to 05:00 on New Year's Day					
Non-standard timings:	Current:				Proposed:	

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		On sales			On & Off Sale – Delivery Only	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	10:00	23:00		
Tuesday	10:00	23:00	10:00	23:00		
Wednesday	10:00	23:00	10:00	23:00		
Thursday	10:00	23:00	10:00	23:00		
Friday	10:00	23:00	10:00	23:00		
Saturday	10:00	23:00	10:00	23:00		
Sunday	10:00	23:00	10:00	23:00		
Seasonal variations:	Current:				Proposed:	
	From the start time on New Year's Eve until the finish time on New Year's Day				From the start time on New Year's Eve until the finish time on New Year's Day	
Non-standard timings:	Current:				Proposed:	

Hours premises are open to the public – NO VARIATION APPLIED FOR

	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30				
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	23:30				
Saturday	10:00	23:30				
Sunday	10:00	23:30				
Seasonal variations:	Current:				Proposed:	
	From the start time on New Year's Eve until the finish time on New Year's Day					
Non-standard timings:	Current:				Proposed:	

1-C Layout alteration

No changes to the layout are being made

1-D Conditions being varied, added or removed

Condition	Proposed variation
<u>12</u> The supply of alcohol shall be by waiter or waitress service only.	The supply of alcohol for consumption on the premises shall be by waiter and waitress service only
	Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to take-away meal when delivered to the customers home address by trained delivery drivers.
	All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises
	Add a new condition 'A challenge 21 or Challenge 25 proof of age scheme shall be operated in relation to home deliveries of

		alcohol 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.
Adult entertainment:	Current position:	Proposed position:
	None	None

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr David Nevitt
Received:	24 th November 2015
<p>LICENSING ACT 2003</p> <p>APPLICATION FOR A VARIATION TO A PREMISES LICENCE</p> <p>TOMMI'S BURGER JOINT, 30 THAYER STREET, W1</p> <p>I refer to the above application which seeks a Variation to Premises Licence 13/04689/LIPN to include the following:</p> <p><i>Permit 'Off' Sales by delivery;</i> <i>Amend existing Condition 12;</i> <i>Add three new Conditions in relation to 'Off' Sales of Alcohol and a Proof of Age Scheme.</i></p> <p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to impact upon Public Safety and may increase Public Nuisance.</p>	

2-B Other Persons			
Name:		Navid Ostadian-Binai	
Address and/or Residents Association:		Flat 1 12 Bulstrode Street London W1U 2JF	
Status:	Valid	In support or opposed:	Support
Received:	7 th November 2015		
<p>It is great having Tommi's Burger Joint as a neighbour. We enjoy their high-quality food, drinks and service, and we therefore support their application fully.</p>			
Name:		Andrew Lane	
Address and/or Residents Association:		21 Bulstrode Street London W1U 2JP	
Status:	Valid	In support or opposed:	Opposed
Received:	23 rd November 2015		
<p>Section L of the Variation Application - removal of condition 18 - Myself and my family feel that removing this section of the licence would cause disturbance to ourselves / our neighbours and the local community. The noise from customers outside the premises already affects us and we are unable to open our windows in the evenings.</p> <p>Delivery vehicles (Bikes / Motor Bikes / Scooters / Cars) used to distribute off site sales will cause additional noise nuisance to the area as well as traffic congestion.</p> <p>Whilst drivers are waiting for orders they will also be causing obstruction to local residents and will create a noise nuisance contravening Annex 3 section 18.</p>			
Name:		Richard Hillier	
Address and/or Residents Association:		21 Bulstrode Street London W1U 2JP	
Status:	Valid	In support or opposed:	Opposed
Received:	8 th November 2015		
<p>We have 2 concerns. By far the most important is the proposed removal of Condition 18 from the original license (see section L of the variation application), i.e. the condition that requires "no noise shall emanate from the premises nor vibration be transmitted</p>			

through the structure of the premises which gives rise to a nuisance". This remains a vitally important condition and must be retained. To remove the condition seems unreasonable and the potential to cause disturbance to us and other local residents would be high.

Our second concern is the potential for the delivery drivers to cause noise and/or obstruction in Bulstrode Street, which could easily occur as they are waiting around for orders, and possibly the noise of driving motorbikes or vehicles away. We have no objection to them parking and waiting in Thayer Street where the pavement is wider and there is already more traffic.

3. Policy & Guidance

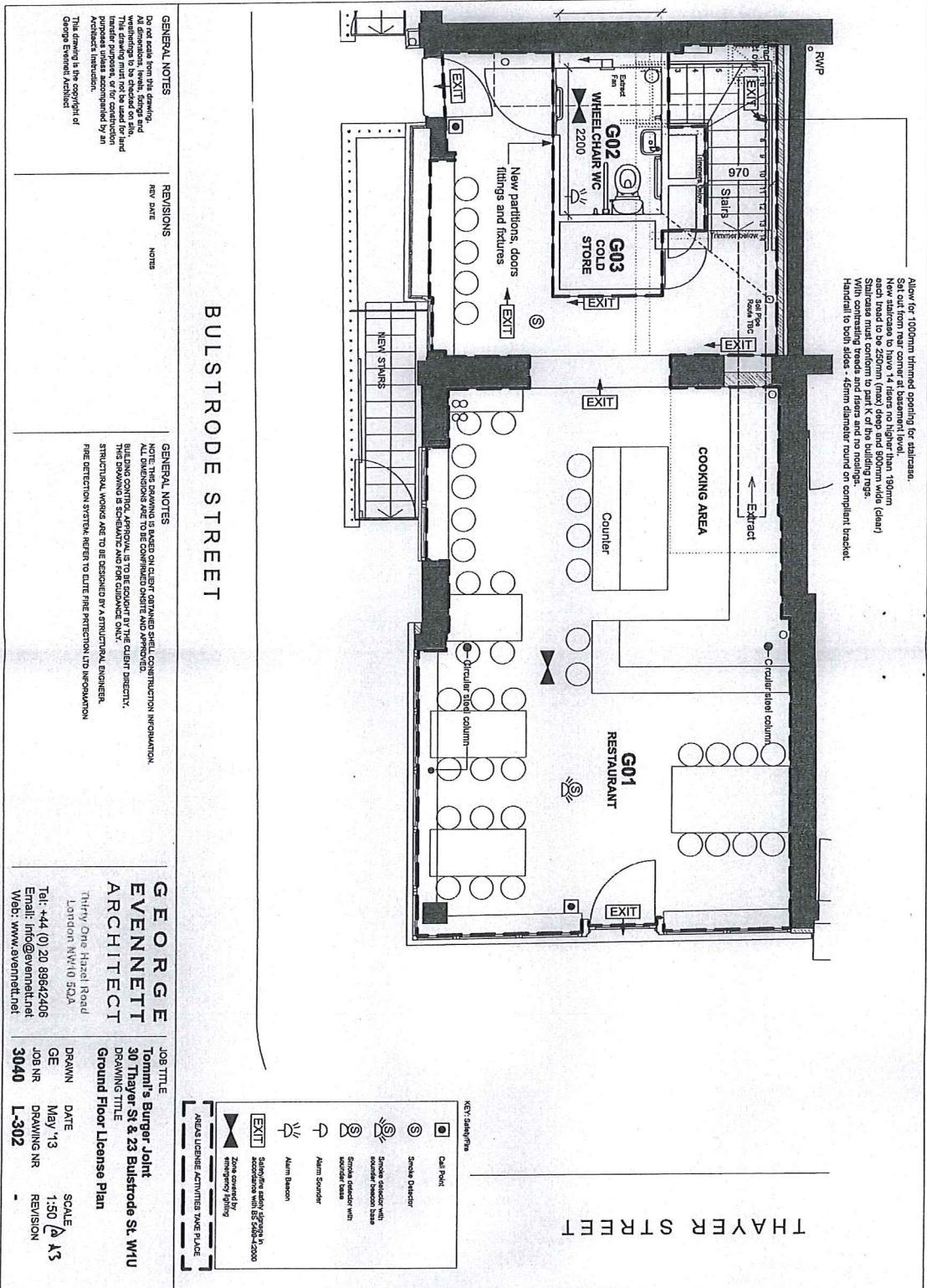
The following policies within the City Of Westminster Statement of Licensing Policy apply:

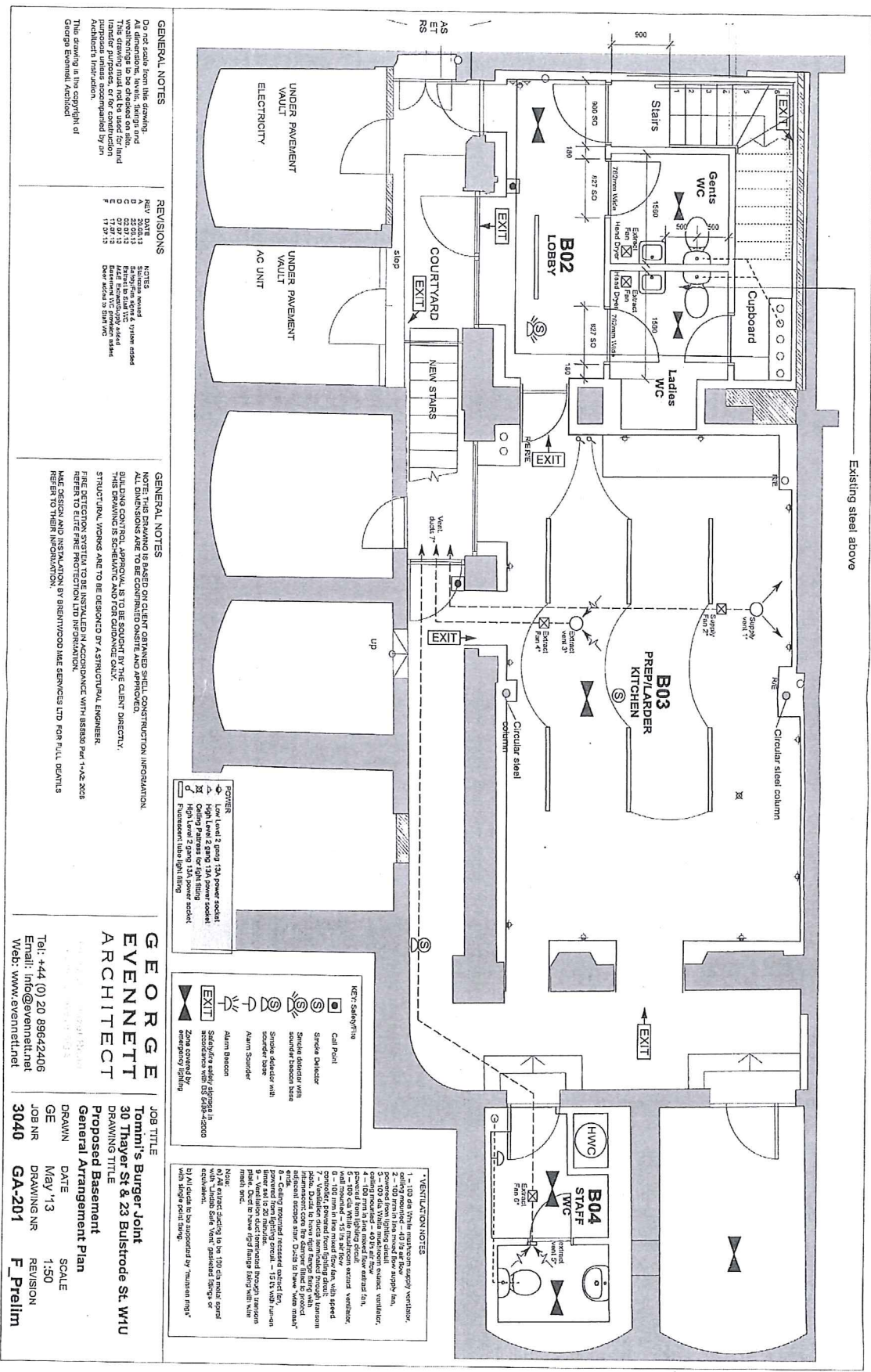
Policy HRS1 applies:	<p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy RNT1 applies:	<p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p>

4. Appendices

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

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk





GENERAL NOTES

Do not scale from this drawing. All dimensions are to be confirmed on site and approved. All dimensions are to be rounded up by the client directly. Structural works are to be designed by a structural engineer. Fire detection system to be installed in accordance with BS5838 Part 1-As 2003. See section and installation by BRENTWOOD IPE SERVICES LTD FOR FULL DETAILS. REF TO THEIR WEBSITE.

This drawing is the copyright of George Evennett Architect

REVISIONS

REV	DATE	NOTES
A	22.05.13	Design review & system added
B	22.05.13	Design review & system added
C	07.07.13	Design review & system added
D	07.07.13	Design review & system added
E	17.07.13	Design review & system added
F	17.07.13	Design review & system added

GENERAL NOTES

NOTE: THIS DRAWING IS BASED ON CLIENT OBTAINED SHELL CONSTRUCTION INFORMATION. ALL DIMENSIONS ARE TO BE CONFIRMED ON SITE AND APPROVED. ALL DIMENSIONS ARE TO BE ROUNDED UP BY THE CLIENT DIRECTLY. STRUCTURAL WORKS ARE TO BE DESIGNED BY A STRUCTURAL ENGINEER. FIRE DETECTION SYSTEM TO BE INSTALLED IN ACCORDANCE WITH BS5838 PART 1-AS 2003. SEE SECTION AND INSTALLATION BY BRENTWOOD IPE SERVICES LTD FOR FULL DETAILS. REF TO THEIR WEBSITE.

- POWER**
- High Level 2 gang 13A power socket
 - High Level 2 gang 13A power socket
 - High Level 2 gang 13A power socket
 - Purcellant Under light fitting

- KEY: Safety/Info**
- Call Point
 - Smoke Detector
 - Smoke detector with sounder/beacon base
 - Smoke detector with Alarm Beacon
 - Zone covered by emergency lighting

- * VENTILATION NOTES**
- 1 - 100mm dia. supply vent, ceiling mounted - 400mm from supply vent.
 - 2 - 100mm dia. roof flow supply fan.
 - 3 - 100mm dia. roof flow supply fan.
 - 4 - 100mm dia. White metal/iron exhaust vent, 100mm from roof.
 - 5 - 100mm dia. roof flow supply fan, 100mm from roof.
 - 6 - 100mm dia. roof flow supply fan, 100mm from roof.
 - 7 - 100mm dia. roof flow supply fan, 100mm from roof.
 - 8 - Ceiling mounted recessed exhaust fan.
 - 9 - 100mm dia. roof flow supply fan, 100mm from roof.
 - 10 - 100mm dia. roof flow supply fan, 100mm from roof.
- Note: a) All exhaust ducting to be 100mm diameter hard aluminium. b) All ducts to be supported by 'recessed rings' with single point fixing.

GEORGE EVENNETT ARCHITECT

JOB TITLE
Tommy's Burger Joint
30 Thayer St & 23 Bulstrode St. W1U

Proposed Basement General Arrangement Plan

SCALE
1:50

DATE
MAY '13

REVISION
GA-201 F_Prelim

CONTACT
Tel: +44 (0) 20 89642406
Email: info@evennett.net
Web: www.evennett.net

Applicant Support Documents

Appendix 3

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New Premises Licence Application	Applied for: Sale of Alcohol (On Sales) 10:00 to 23:00 Late Night Refreshment 23:00 to 23:30	15 th August 2013	Granted by Licensing Sub-Committee

There is no appeal history

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

When determining an application for 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 appropriate for the promotion of the licensing objectives.

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. 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.
10. 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.
11. 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.
12. The supply of alcohol shall be by waiter or waitress service only.
- 12.a *The supply of alcohol for consumption on the premises shall be by waiter and waitress service only***

13. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. There shall be no sales of hot food or hot drink for consumption off the premises after 22.30.
15. The maximum number of persons accommodated at the premises any one time shall not exceed (excluding staff) 30 persons.
16. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. There shall be no self service to alcoholic drinks.
18. ***No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.***
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. 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.
21. 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.
22. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. All outside tables and chairs shall be rendered unusable by 9pm Mon-Sat, 8pm Sun.
24. No deliveries shall be made to the premises between 23.00 and 08.00.
25. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
26. No rubbish, including bottles, will be moved, removed or placed in outside areas between 10pm and 8am.

27. 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, after 1st January 2014.
28. The Bulstrode Street entrance shall not be used by customers of the premises except in an emergency.

N.B It is not the applicant's intention to remove this condition the Licence.

Proposed Conditions by applicant EH Comments:

29. Permit off sales by delivery only
30. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to take-away meal when delivered to the customer's home address by trained delivery drivers

Amend to as per EH suggestion:

Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to a take away meal when delivered to the customer's home or business address, by trained delivery drivers.

31. Add a new condition 'All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises'
32. Add a new condition 'A challenge 21 or Challenge 25 proof of age scheme shall be operated in relation to home deliveries of alcohol 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.
33. There shall be no deliveries to be taken from the premises after 22.30

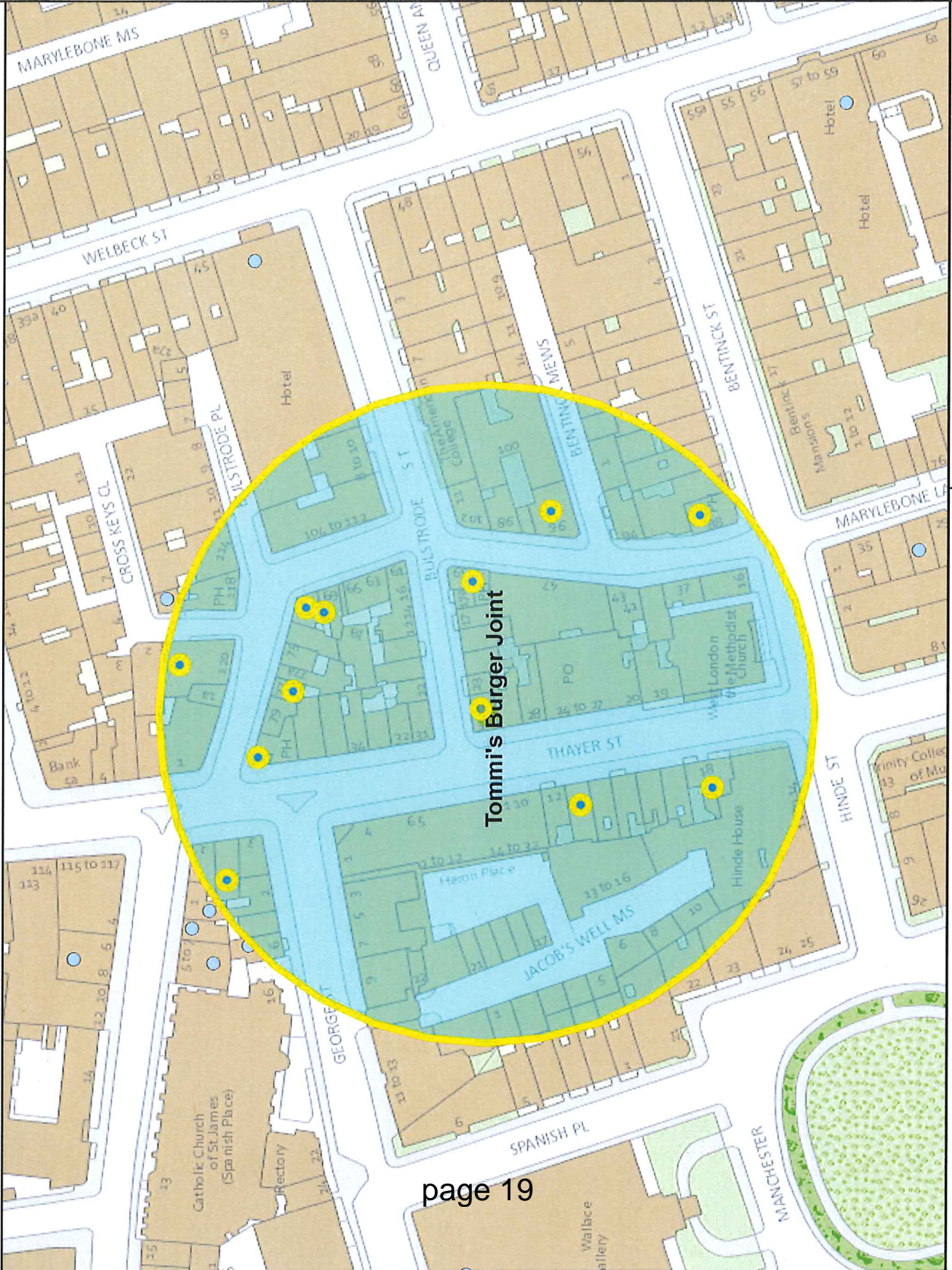
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015



Tommi's Burger Joint



APPENDIX 5

Residential / Proposed Residential	170
Under Construction	
Other Uses	
Proportion Residential of all Uses	

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 100010507

Data Source: Uniform Database
Date: 25/11/2015

Premises with		
p / n	Name of Premises	Premises Address
925	Golden Eagle Public House	59 Marylebone Lane London W1U 2NY
3592	Coach Makers	88 Marylebone Lane London W1U 2PY
32074	The Golden Hind	Basement And Ground Floor 71 Marylebone Lane London W1U 2PJ
-23936	The Angel In The Fields Public House	37 Thayer Street London
7888	Pachamama Bar + Kitchen	18 Thayer Street London W1U 3JU
24606	Verru	Ground Floor 69 Marylebone Lane London W1U 2PH
27505	Union Cafe	96 Marylebone Lane London W1U 2QA
-19861	Woodlands Restaurant	77 Marylebone Lane London W1U 2PS
-16964	PizzaExpress	Basement To First Floor 13-14 Thayer Street London W1U 3JR
-15852	Bonne Bouche	2 - 3 Thayer Street London W1U 3JA
6900	Tommi's Burger Joint	Basement And Ground Floor 30 Thayer Street London W1U 2QP
17189	Le Relais De Venise 'L' Entrecote'	120 Marylebone Lane London W1U 2QG

in 75 metres of:

Licensed Hours

Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00

Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00

Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 09:00 - 23:30

Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00

Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30

Monday to Saturday 12:00 - 00:00 Sunday 12:00 - 22:00

Monday to Saturday 08:00 - 01:30 Sunday 09:00 - 00:30

Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00

Monday to Saturday 07:00 - 20:00 Sunday 08:00 - 18:00

Monday to Sunday 10:00 - 23:30

Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

GPS: 51.5177,-0.1515

Burger Joint



29/10/2015 16:25:06

StampThePhoto from ArvanSoft



City of Westminster

Agenda Item 2 Licensing Sub-Committee Report

Item No:	
Date:	15 December 2015
Licensing Ref No:	15/09155/LIPV - Premises Licence Variation
Title of Report:	Lina Stores 18 Brewer Street London W1F 0SH
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	16 October 2015		
Applicant:	Lina Stores Ltd		
Premises:	Lina Stores		
Premises address:	18 Brewer Street	Ward:	West End
	London W1F 0SH	Stress Area:	West End
Premises description:	The premises operate as a delicatessen.		
Variation description:	<p>To vary the hours for the sale of alcohol for consumption off the premises to:</p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p>To add the hours the sale of alcohol for consumption on the premises as follows:</p> <p>Monday to Thursday 11:00 to 23:30, Fri to Saturday 11:00 to midnight Sunday 12:00 to 22:30</p> <p>To include the provision of late night refreshment as follows:</p> <p>Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 24:00</p> <p>To remove the conditions in Annex 3 of the premises licence (conditions 10-20 in Appendix 4 to this report</p> <p>To include in Annex 2 of the premises licence the proposed conditions set out as conditions 21-43 in Appendix 4 to this report</p> <p>To make alterations to the premises and to vary the plan to reflect those alterations</p> <p>To amend the opening hours of the premises to enable the premises to operate for 24hours a day.</p> <p>Monday to Sunday: 00:00 to 24:00</p>		
Premises licence history:	The premises are currently licensed under the Licensing Act		

	2003; reference 10/07200/LIPN. Please refer to Appendix 3 for a full licence history.
Applicant submissions:	None

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

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		N/A			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A	N/A	23:00	23:30	Ground Floor	Ground Floor
Tuesday	N/A	N/A	23:00	23:30	Ground Floor	Ground Floor
Wednesday	N/A	N/A	23:00	23:30	Ground Floor	Ground Floor
Thursday	N/A	N/A	23:00	23:30	Ground Floor	Ground Floor
Friday	N/A	N/A	23:00	24:00	Ground Floor	Ground Floor
Saturday	N/A	N/A	23:00	24:00	Ground Floor	Ground Floor
Sunday	N/A	N/A	23:00	24:00 (see proposed seasonal variations)		
Seasonal variations:	Current:			Proposed:		
	N/A			The hours for the provision of late night refreshment on Sundays immediately prior to Bank Holidays shall be between the hours of 23:00 and 24:00		
Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		off			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	21:00	11:00 On 08:00 off	23:30 On 23:00 off	Ground Floor	Ground Floor
Tuesday	08:00	21:00	11:00 On 08:00	23:30 On 23:00	Ground Floor	Ground Floor

			off	off		
Wednesday	08:00	21:00	11:00 On 08:00 off	23:30 On 23:00 off	Ground Floor	Ground Floor
Thursday	08:00	21:00	11:00 On 08:00 off	23:30 On 23:00 off	Ground Floor	Ground Floor
Friday	08:00	21:00	11:00 On 08:00 off	24:00 On 23:00 off	Ground Floor	Ground Floor
Saturday	09:00	21:00	11:00 On 08:00 off	24:00 On 23:00 off	Ground Floor	Ground Floor
Sunday	11:30	18:30	12:00 On 10:00 off	22:30 On 22:30 off	Ground Floor	Ground Floor
Seasonal variations:	Current:				Proposed:	
	N/A				The hours for the sale of alcohol for on the premises on Sundays immediately prior to Bank Holiday shall be between the hours 12:00 and 24:00	
Non-standard timings:	Current:				Proposed:	
	N/A				The hours for the sale of alcohol for off the premises shall be as follows: Monday to Saturday 08:00 to 23:00 Sundays: 10:00 to 22:30	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Tuesday	07:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Wednesday	07:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Thursday	07:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Friday	07:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Saturday	09:00	21:00	00:00	24:00	Ground Floor	Ground Floor
Sunday	11:30	18:30	00:00	24:00	Ground Floor	Ground Floor
Seasonal variations:	Current:				Proposed:	
	N/A				N/A	
Non-standard	Current:				Proposed:	

timings:	N/A	The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
-----------------	-----	---

1-C Layout alteration
To make alterations to the premises.

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
Conditions in Annex 2	Proposed conditions in the operating schedule (Appendix 4)	
Adult entertainment:	Current position:	Proposed position:

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Sally Thomas
Received:	11 th November 2015

I refer to the application for variation of a Premises Licence (10/07200/LIPN), issued under the Licensing Act 2003.

The premises are situated in the West End Stress Area as stated in City of Westminster's Statement of Licensing Policy.

Layout plans have been submitted, showing the proposed layout of the ground floor and the lower ground floor, drawing number bws-AL-p-100 and dated 10/08/15. The lower ground floor appears to be back of house and not a licensable area.

This representation is based on the Operating Schedule and plan submitted.

The applicant is seeking the following on the **ground floor**:

1. To alter the layout in accordance with the plans submitted. It is not clear what the works entail.
2. To extend the hours of the Supply of Alcohol 'off' the premises from Monday to Friday 08:00-21:00 hours, Saturday 09:00-21:00 hours and Sunday 11:30-18:30 hours to Monday to Saturday 08:00-23:00 hours and Sunday 10:00-22:30 hours.

3. To allow the Supply of Alcohol 'on' the premises from Monday to Thursday 11:00-23:30 hours, Friday and Saturday 11:00-00:00 hours, Sunday 12:00-22:30 hours and Sundays prior to bank holiday 12:00-00:00 hours.
4. To allow Late Night Refreshment 'indoors' and 'outdoors' from Monday to Thursday 23:00-23:30 hours, Friday and Saturday 23:00-00:00 hours and Sundays prior to bank holidays 23:00-00:00 hours.
5. To remove conditions in Annex 3 of the current licence. However further conditions have been proposed in the Operating Schedule.

I wish to make the following representations in relation to the above application:

1. The change of layout may impact on Public Safety and may have an increase in Public Nuisance in the stress area.
2. The extension of hours of the Supply of Alcohol 'off' the premises may have an increase in Public Nuisance in the stress area.
3. The introduction of the Supply of Alcohol 'on' the premises may have an increase in Public Nuisance in the stress area may impact on Public Safety
4. The introduction of Late Night Refreshment may have an increase in Public Nuisance in the stress area.
5. The removal of conditions may cause an increase in Public Nuisance in the stress area and may impact on Public Safety.

The applicant has proposed further conditions; however this does not fully address the concerns of Environmental Health.

The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.

The Environmental Health Service has proposed conditions which have been agreed with the applicant (**Appendix 4**).

Responsible Authority:	The Metropolitan Police
Representative:	Reaz Guerra
Received:	4 th November 2015

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives. The venue is situated in the West End 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. it is for these reasons that we are objecting to the application.

The Metropolitan Police has withdrawn their representation.

2-B Other Persons			
Name:		David Gleeson	
Address and/or Residents Association:		The Soho Society St Anne's Tower 55 Dean Street London W1D 6AF	
Status:	Resident Association	In support or opposed:	Opposed
Received:	13 th November 2015		
<p>I write to make a relevant representation to the above application on behalf of The Soho Society.</p> <p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.</p> <p>About The Soho Society</p> <p>The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.</p>			

Application summary

Activity	Indoors/Outdoors	Alcohol Consumed	Time Period	From	To
Sale by Retail of Alcohol		Both	Monday to Thursday	11:00 AM	11:00 PM
Sale by Retail of Alcohol		Both	Friday to Saturday	11:00 AM	12:00 AM
Sale by Retail of Alcohol		Both	Sunday	12:00 PM	10:30 PM
Late Night Refreshment	Both		Monday to Thursday	11:00 PM	11:30 PM
Late Night Refreshment	Both		Friday to Saturday	11:00 PM	12:00 AM

New licensed premises in the West End Stress Area

The proposal is for a new licensed premises in the West End Stress Area. The new Sale by Retail of Alcohol On Premises licensable activity is of particular concern, with reference to Westminster City Council stress area and cumulative impact policy. Such new licenses (in particular where not ancillary to food) should be prohibited. These venues destroy residential amenity over a wide area through noise nuisance as patrons disperse. It is noted the conditions for this application do not make reference to service with food. It is therefore felt necessary that should this license be permitted, conditions must be applied to prevent problematic vertical drinking:

- MC39** The supply of alcohol shall be by waiter or waitress service only.
- MC41** Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Hours of operation

The proposal includes licensable activities, including offsite sale of alcohol, outside of Westminster core hours. The premises are in the West End Stress Area. There are private homes nearby and residents in the area are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to keep the operating hours within defined guidelines which restricts off sales to 11:00 pm on Monday to Saturday.

Licensing policy

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

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

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

3. Policy & Guidance

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

Policy	
Policy HRS1 applies:	<p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy STR1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(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>

4. Appendices

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

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

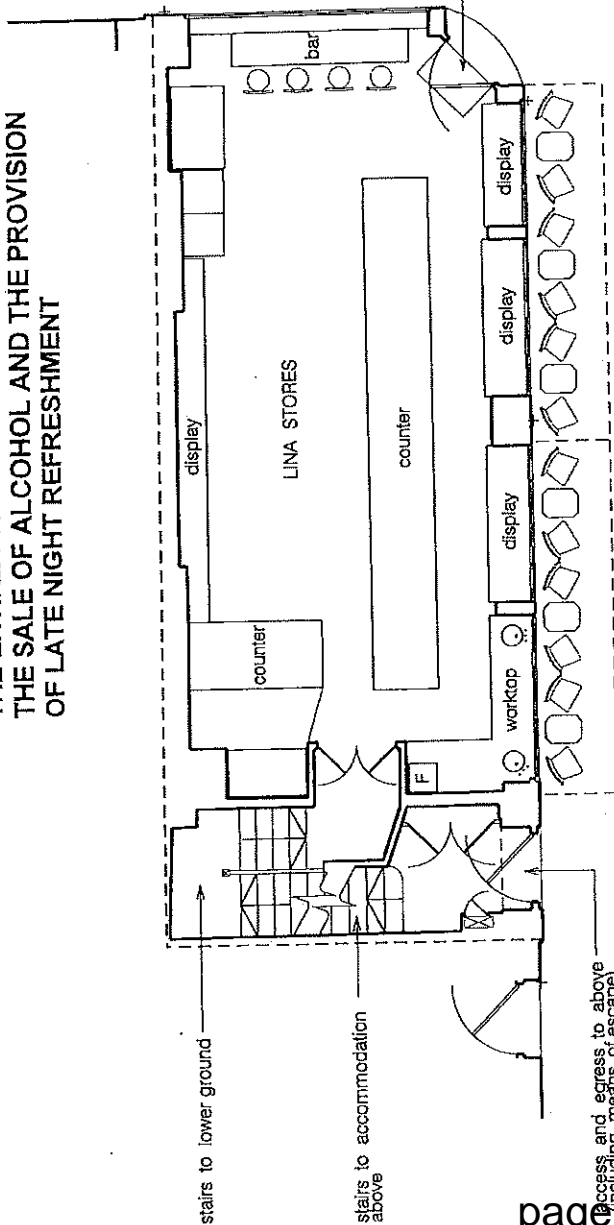
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015

D R F W F B S T R E E T

THE ENTIRE PREMISES MAY BE USED FOR
THE SALE OF ALCOHOL AND THE PROVISION
OF LATE NIGHT REFRESHMENT



- F**
- fire safety equipment:
 - Class B extinguisher
 - CO2
 - Fire blanket
 - BOUNDARY of 18 Brewer Street (LINA STORES)
 - zone for external tables / chairs under current planning permission
 - increased zone for external tables / chairs subject to planning permission and street trading license

access and egress to Lina Stores (including means of escape)

stairs to lower ground

stairs to accommodation above

access and egress to above (including means of escape)

GREEN'S COURT

WORKS
ARCHITECTURE

16 UPPER MONTAGU STREET
LONDON W1U 2AH
020 7225 9750
WWW.WORKSARCHITECTURE.COM

Project: 18 brewer street

Title: ground floor plan

Date: 10.08.15
Drawn: dh
Scale: 1:100@e4
1:50@a3
Drawing Number: bws-AL-p-100
Revision:

- all dimensions are to be checked on site and any discrepancies reported to the architect
- architect to be informed of any additional information required
- do not scale this drawing

ALCOHOL LICENSE APPLICATION



Rev	Notes	Date

No supporting documentation

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
10/07200/LIPN	Application for new premises licence	18.11.2010	Granted by Licensing Sub-Committee

There is no appeal history

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

When determining an application for 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 appropriate for the promotion of the licensing objectives.

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

Conditions:

Annex 1 – Mandatory conditions

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

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

up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

- 10. 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.
- 11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 12. All sales of alcohol for consumption off the premises shall be in sealed containers only.

13. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills/screens or secured behind locked cabinet doors.
14. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
15. No more than **15 %** of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
16. There shall be no self service of spirits on the premises.
17. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
18. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
19. The pavement from the building line to the kerb edge immediately outside the premises shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
20. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Proposed conditions by applicant as part of Operating Schedule

21. 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.
22. 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 authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
23. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
24. 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.
25. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
26. No more than (15) % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
27. There shall be no self-service of spirits on the premises save for spirit mixtures less than 5.5% ABV.
28. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the delicatessen.

Condition relating to On Sales (Conditions 29 to 37)

29. The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to a maximum of 4 patrons seated at the breakfast bar at the shop window as shown on the licence plan.
- (a) **EH alternative proposed and agreed by applicant:** The supply of alcohol for consumption on the premises shall be restricted (save when an event is taking place) to a maximum of 4 patrons seated at the breakfast bar at the shop window and 12 customers seated at tables and chairs outside as shown on the licence plan
29. The supply of alcohol shall be by waiter or waitress service only.
30. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
31. The supply of alcohol for consumption on the premises shall only be to persons who purchase an item of food from the store menu.
- (a) **EH alternative proposed and agreed by applicant:** The supply of alcohol for consumption on the premises and for people seated at tables and chairs outside shall only be to persons who purchase an item of food from the store menu.
32. The furniture layout within the premises may change from time to time to allow for events such as supper evenings. All such events will be risk assessed by the licence holder.
33. The supply of alcohol for consumption on the premises after 2100 shall only be to a person attending an organised event.
- (a) **EH alternative proposed and agreed by applicant:** The supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
34. The supply of alcohol for consumption on the premises after 2100 shall only be to a person seated taking a table meal there and for consumption by such a person as an ancillary to their meal.
- (a) **EH alternative proposed and agreed by applicant:** The supply of alcohol for consumption on the premises after 20.00 shall only be to a person attending a pre booked organised event.
35. All patrons leaving the premises after 2100 shall be requested to respect the needs of local residents and businesses and leave the area quietly.
- (a) **EH alternative proposed and agreed by applicant:** Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

36. The number of persons (excluding staff) permitted to attend an event at the premises shall not exceed 20 persons.
37. At least one SIA licensed door supervisor shall be on duty at the entrance of the premises whilst it is open for business after 2100.

Conditions relating to the Outside Area (Conditions 38 to 41)

38. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
39. All outside tables and chairs shall be rendered unusable by 2100 hours each day.
40. All tables and chairs shall be removed from the outside area by 2130 hours each day.
41. The supply of alcohol for consumption in the outside area of the premises shall only be to persons who purchase an item of food from the store menu

Proposed conditions by Environmental Health Service and agreed by applicant

42. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises save for the 12 customers seated in the outside area.
43. There shall be no sale of draught beer.

Appendix 5

Lina Stores 18 Brewer Street



Residential / Proposed Residential	Under Construction	Other Uses	Proportion Residential of all Uses
------------------------------------	--------------------	------------	------------------------------------

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 100014507

Data Source: Uniform Database
Date: 27/11/2015

Premises within 75 metres of:

p / n	Name of Premises	Premises Address	Licensed Hours
19751	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
28098	Duke Of Wellington	77 Wardour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29699	Kirazu	47 Rupert Street London W1D 7PD	Monday to Sunday 11:30 - 23:00
30233	Adanami	30 Brewer Street London W1F 0SS	Monday to Sunday 00:00 - 00:00
31946	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
32328	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-30739	Bone Daddies	30-31 Peter Street London W1F 0AP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-28002	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
-25388	(Restaurant)	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
-20179	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-18959	Soho Food And News	2 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 03:00
5333	Co-op	104-105 Berwick Street London W1F 0QS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
6411	Foxcroft & Ginger	3 Berwick Street London W1F 0DR	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 09:00 - 00:00 Sunday 09:00 - 22:30
10456	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
10687	Blacklock	25 Great Windmill Street London W1D 7LH	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 22:30
13813	O' Bar	83-85 Wardour Street London W1D 6QE	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
18420	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Sunday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 01:00
23340	The Yard Bar	57 Rupert Street London W1D 7PJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
25547	Wagamama	10A Lexington Street London W1F 0LD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
31474	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
31931	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-31272	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
-28579	Randall & Aubin	16 Brewer Street London W1F 0SQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-27617	Byron	99 Wardour Street London W1F 0UF	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30

-24497	Lils	53 Rupert Street London W1D 7PH	Friday 07:00 - 00:00 Monday to Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:30
-12542	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-10149	Danson & Co	21 Brewer Street London W1F 0RL	Sundays before Bank Holidays 08:00 - 00:00 Monday to Sunday 08:00 - 21:45
-7880	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-905	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
574	White Horse Public House	45 Rupert Street London W1D 7PB	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
891	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
1438	La Pietra	25 Peter Street London W1F 0AG	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30

2279 Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
8111 Yalla Yalla	Ground Floor 1 Green's Court London W1F 0HA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
9064 El Camion	25-27 Brewer Street London W1F 0RR	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
15563 Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:
16477 Lina Stores	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 S
17152 The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
17408 Spuntino	61 Rupert Street London W1D 7PW	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
18187 Lights Of Soho	35 Brewer Street London W1F 0RU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:
23752 The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Friday to Saturday 09:00 - 00:00 Sundays before Bank H

--	--	--	--



18

18 LINNA STORES LTD

Linna Stores Ltd

FRESH PASTA
ITALIAN COFFEE
HOMEMADE FOOD

020 7437 6482
www.linnastores.co.uk

*High & Wide /
White St.
C1000*

MAY HAM

LINNA STORES

*Pasta Made
Daily for
10 Years
and To
be Served
Between
12pm - 2pm*





This page is intentionally left blank

Item No:	
Date:	15 December 2015
Licensing Ref No:	15/09517/LIPN - New Premises Licence
Title of Report:	19 Brook's Mews London W1K 4DU
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	26 October 2015		
Applicant:	KPMG LLP		
Premises:			
Premises address:	19 Brook's Mews London W1K 4DU	Ward:	West End
		Stress Area:	
Premises description:	<p>Monday to Friday the premises will be used as café and will be open to the public. In the evenings the cafe will also offer alcohol (wine and beer only) and small plates of food in a tapas style to patrons of the cafe.</p> <p>Saturday/Sunday will not open as a café, however the premises will be made available to local communities and charities for event hire.</p>		
Premises licence history:	The premises does not have a licence history		
Applicant submissions:	None		

1-B Proposed licensable activities and hours							
Live Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:	N/A						
Non-standard timings:	N/A						

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	11:30	11:30
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:	N/A						
Non-standard timings:	N/A						

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00

End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:	N/A						
Non-standard timings:	N/A						

Anything of a similar description to Live Music, Recorded Music or Performance of a Dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:	N/A						
Non-standard timings:	N/A						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:	N/A						
Non-standard timings:	N/A						
Adult Entertainment:	N/A						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Sally Thomas
Received:	13 th November 2015
<p><u>19 Brook's Mews, London, W1K 4DU</u></p> <p>I refer to the application for a new application for the above premises.</p> <p>The applicant has submitted the a ground floor layout plan drawing number 1A-500, this has not been dated.</p> <p>This representation is based on the plans and Operating Schedule submitted.</p> <p>The applicant is seeking the following licensable activities on the ground floor:</p> <ol style="list-style-type: none"> 1. The Supply of Alcohol for consumption 'on' the premises Monday to Sunday 11:30-22:00 hours. 	

2. To the provision of regulated entertainment 'indoors' of live music, recorded music, and anything similar Monday to Sunday 07:00-22:00 hours.

I wish to make the following representations in relation to the above application:

1. The Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.
2. The provision of regulated entertainment may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

The plans indicate 1 WC. The applicant will need to ensure the capacity is compliant with the British Standard 6465-1:2009 Table 10 or 11, depending on how they plan to operate the premises. The current provisions will allow for a maximum capacity of 15 people. The proposal is not compliant for the current capacity of 42 people.

The applicant has provided additional information and conditions with the operating schedule which are being considered, but does not fully address the concerns of Environmental Health. The premises are required to be inspected by the Council's Environmental Health Service to confirm that they are satisfied that the premises are suitable, in relation to addressing the licensing objectives of Public Safety and Prevention of Public Nuisance. The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

The granting of this application as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

The Environmental Health Service has proposed conditions which have not been agreed by the applicant (**Appendix 4**).

Responsible Authority:	The Metropolitan Police
Representative:	Richard Brunch
Received:	23 rd November 2015

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

It is our belief that if granted the application would undermine the Licensing Objectives in relation to the following:

1. The Prevention of Crime and Disorder
2. Prevention of Public Nuisance

I note that my colleague from Westminster City Council EHO Sally Thomas has also made a

representation against this application. Perhaps in the very near future we could arrange a meeting/site visit to discuss the matter further with yourself and the operator.

3. Policy & Guidance

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

Policy COMB1 applies

(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 STR1 and HRS1.

(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies.

It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).

(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1&PB2, FFP1 & FFP2, MD1 & MD2.

Policy HRS1 applies:

(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions

Appendix 5	Residential map and list of premises in the vicinity
-------------------	--

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015

No supporting documentation received from Applicant

There is no licence or appeal history for the premises

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

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

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

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

Mandatory Conditions

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions proposed by the Environmental Health

- 9 Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. The supply of alcohol by waiter or waitress service shall be made available.
11. There shall be no consumption of alcohol other than to seated customers save for planned events.
12. There shall be no consumption of alcohol outside the premises.
13. There shall be no draught beer sold at the premises.
14. There shall be no self service of alcohol.
15. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
20. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
21. No rubbish, including bottles, shall be moved, removed or placed in the outside areas between 23.00 and 08.00 hours.
22. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 42.
23. 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.



APPENDIX 5



Residential / Proposed Residential	23
Under Construction	
Other Uses	
Proportion Residential of all Uses	

This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationary Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number: LA 100010507

Data Source: Uniform Data
Date: 27/11/2015

7 Meters

Premises within 75 metres of:			
p / n	Name of Premises	Premises Address	Licensed Hours
-9311	Claridge's Restaurant	Concession 1 47-57 Brook Street Mayfair London W1A 2JQ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:30
21499	The Bath & Racquets Club	49 Brook's Mews London W1K 4EB	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-28538	La Petite Maison	54 Brook's Mews London W1K 4EG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
22827	Claridges Hotel	Claridges Hotel 47-57 Brook Street Mayfair London W1A 2JQ	Monday to Sunday 00:00 - 00:00

GPS: 51.5123,-0.1475



05/11/2015 10:32:35

GPS: 51.5123,-0.1473



05/11/2015 10:28:48





City of Westminster

Agenda Item 4 Licensing Sub-Committee Report

Item No:	
Date:	15 December 2015
Licensing Ref No:	15/08814/LIPV - Premises Licence Variation
Title of Report:	Picturehouse Central Trocadero 13 Coventry Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	St James
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	David Sycamore Senior Licensing Officer
Contact details	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	9 October 2015		
Applicant:	Picturehouse Cinemas Ltd		
Premises:	Picturehouse Central		
Premises address:	Troadero 13 Coventry Street London W1W 7DH	Ward:	West End
		Stress Area:	Stress
Premises description:	Large complex containing cinema, film and cafe facilities.		
Variation description:	Proposal to allow alcohol to be sold up to 21.30hrs to members of public who are seated even if they do not have tickets for a screening that day. (1 st Floor)		
	Proposal to allow alcohol to be sold up to 21:30 to members and guests who do not have a ticket for a screening. (2 nd to 5 th Floor)		
	An amendment to condition 14 in relation to the use of glassware. A copy of the glassware risk assessment can be found at Appendix 2.		
Premises licence history:	13/07555/LIPN – New premises application 15/04900/LIPDPS – Change of supervisor Current application		
	An error has been noticed on the last issued licence, the minutes of the last committee show that the applicant's solicitor offered to reduce the hours of Alcohol till 02:00 hrs in the auditorium. The current licence and decision notice has been included in appendix 3.		
Applicant submissions:	No changes to hours. Risk assessment for glassware.		

1-B Current and proposed licensable activities, areas and hours	
Regulated Entertainment	
Exhibition of films	
Monday to Sunday:	09:00 to 05:00 (Auditoria)
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)

Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Performance of live music	
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00 (Auditoria)
Monday to Thursday:	23:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	23:00 to 00:00 (Ground Floor Cafe)
Monday to Thursday:	23:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	23:00 to 02:00 (First Floor Restaurant & Bar)
Monday to Thursday:	23:00 to 01:00 (Members Area)
Friday to Saturday:	23:00 to 02:00 (Members Area)
Monday to Saturday:	23:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: New Year's Eve from 23:00 to 05:00 (except Fifth Floor Terrace)

Sale by Retail of Alcohol	
Monday to Sunday:	10:00 to 05:00 (Auditoria)
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)

Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Playing of Recorded Music	
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

1-C Layout alteration
None

1-D Conditions being varied, added or removed	
Condition	Proposed variation
12. Entry to the first floor cafe designated on the licensed plan is restricted to persons who have a ticket for a screening that day or who are attending a pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities)	12. a) Before 21:30, the sale of alcohol in the first floor cafe designated on the licensed plan is restricted to <i>persons who are seated</i> or who have a ticket for a screening that day or who are attending a pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities). b) After 21:30, the sale of alcohol in the first floor cafe designated on the licensed plan is restricted to persons who have a ticket for a screening that day or who are attending a

	<p>pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities).</p> <p>Add a condition " a minimum of [] seats will be provided in the designated area save for when the area is being used for a private pre-booked function."</p>
<p>13. The supply of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:</p> <p>(a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or</p> <p>(b) Members (and their guests) who have a ticket for screening that day. (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014' or such amended Rules as submitted to the Licensing Authority from time to time). No member to be allowed to bring more than four guests at any one time. Details of the membership register to be disclosed to the responsible authorities when requested.</p>	<p>Amend condition 13 to read as follows:</p> <p>Before 21:30, the sale of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:</p> <p>(a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or</p> <p>(b) Members (and their guests) (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014' or such amended Rules as submitted to the Licensing Authority from time to time).</p> <p>After 21:30, the sale of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:</p> <p>(a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or</p> <p>(b) Members (and their guests) <i>who have a ticket for a screening that day</i>. (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014' or such amended Rules as submitted to the Licensing Authority from time to time).</p> <p>No member to be allowed to bring more than four guests at any one time. Details of the membership register to be disclosed to the responsible authorities when requested.</p>
<p>14. All drinks sold, supplied or consumed in any auditoria shall only be in open polycarbonate or crushable vessels.</p>	<p>14. All drinks sold, supplied or consumed in any auditoria shall only be in accordance with the Trocadero Risk Assessment 2015 or such amended Risk Assessment as submitted</p>

		and approved by the Environmental Health Consultation Team from time to time.
Adult entertainment:	Current position:	Proposed position:
	None	None

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	In time
<p>I refer to the variation application for the Premises Licence, 15/04900/LIPDPS, for the above premises which is located in the West End Stress area.</p> <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. To amend condition 12 so that its restrictions only applies after 21:30 hours 2. To amend condition 13 so that its restrictions only applies after 21:30 hours 3. To remove condition 14 <p>I wish to make the following representations:</p> <ol style="list-style-type: none"> 1. The proposed variation may lead to an increase in Public Nuisance in the West End Stress area. 2. The proposed variation may lead to an increase in Public Nuisance in the West End Stress area. 3. The removal of this condition may adversely affect Public Safety <p>The proposed amendments of condition 12 and 13 are also against policy as stated in Westminster's Statement of Licensing policy.</p> <p>Clarification is requested on the purpose for the variation and as such the applicant is requested to arrange a site visit after which Environmental Health may suggest additional conditions to allay its concerns.</p>	
Responsible Authority:	Police
Representative:	Pc Lewis
Received:	In time
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p>	

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.

2-B Other Persons – None

3. Policy & Guidance

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

Policy HRS1

Policy STR1
STR2

Policy HRS1 applies:

(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

Policy STR1 applies:

(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.

(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.

Policy STR2 applies:

In deciding what steps, if any, are necessary to promote the licensing objectives in the determination of a review of a premises licence in a Stress Area, that the premises are in an area where special policies of cumulative impact apply and the need to reduce the cumulative impact of licensed premises within the Stress Area, will be taken into account.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history- Current licence and decision notice.
Appendix 4	Proposed conditions – proposed are included in body of the report as they form part of the variation.
Appendix 5	Residential map and list of premises in the vicinity.

Report author:	David Sycamore Senior Licensing Officer
Contact:	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

Risk assessment

Picturehouse Central: Glass in auditoria

This document forms part of the cinema's premises licence and must be approved by the City of Westminster's Environmental Health Consolation team if amended.

The purpose of the Assessment is to address risks from having glassware in the auditoria.

The main risk of having glass in the auditorium is that customers, staff and contractors could cut their hands on broken glass. The risk of harm to other parts of the body is negligible.

Building design controls to minimise the risk of glass breaking in the auditoria include:

- Fully carpeted auditoria which will cushion any falling glassware.
- All seats have cupholders which reduces the number of glasses and bottles on the floor.
- All auditoria have flat floors (not sloping) so that glasses and other objects are less likely to topple over.
- Seat rows are widely spaced which enables customers to walk past each other without making seated customers stand – thus reducing the likelihood of glasses being kicked over.

Operational controls include:

- Use of strengthened glassware and bottles to minimise the likelihood of glass breaking.
- There are cleaners' lights in each auditorium to help staff and cleaners see any glass on the floor when they cleaning the auditorium between screenings or at the beginning of the day.
- Staff check each row between each performance to remove litter, including glassware and bottles left behind.

For normal day to day screenings, customers wishing to take glasses into the auditoria will only be able to take stemless glasses that fit into the cupholders. Examples of a stemless glass are shown below.



Guests attending private screenings and events in the auditoria that are pre-booked and not open to the general public will be able to take stemmed glassware into the auditoria provided that extra staff are available to check the auditorium for broken glass after the event.



Schedule 12
Part A

WARD: St James's
UPRN: 100023472806

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/07555/LIPN

Original Reference:

13/07555/LIPN

Part 1 – Premises details

Postal address of premises:

Trocadero
13 Coventry Street
London
W1W 7DH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Sunday:	09:00 to 05:00 (Auditoria)
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Performance of Live Music

Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Playing of Recorded Music

Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Late Night Refreshment

Monday to Sunday:	23:00 to 05:00 (Auditoria)
Monday to Thursday:	23:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	23:00 to 00:00 (Ground Floor Cafe)
Monday to Thursday:	23:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	23:00 to 02:00 (First Floor Restaurant & Bar)
Monday to Thursday:	23:00 to 01:00 (Members Area)
Friday to Saturday:	23:00 to 02:00 (Members Area)
Monday to Saturday:	23:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: New Year's Eve from 23:00 to 05:00 (except Fifth Floor Terrace)

Sale by Retail of Alcohol

Monday to Sunday:	10:00 to 05:00 (Auditoria)
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

The opening hours of the premises:

Monday to Sunday: 00:00 to 23:59

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Picturehouse Cinemas Ltd
Power Road Studios
114 Power Road
Chiswick
London
W4 5PY

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

02310403

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

Name: Alastair Oatey

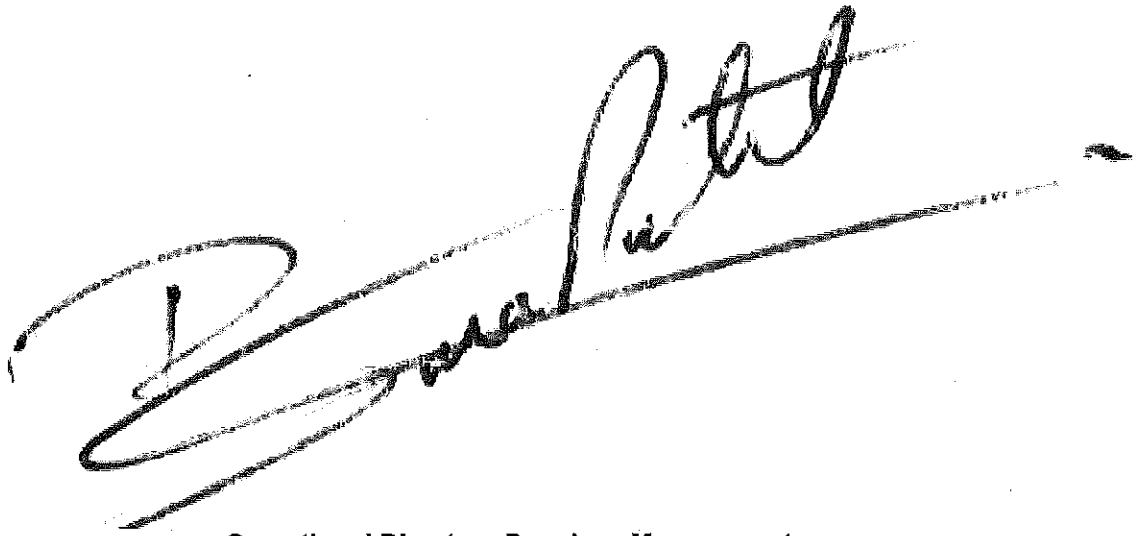
Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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: PA0207
Licensing Authority: South Cambridgeshire District Council

Date: 9th April 2014

Signed: pp

A handwritten signature in black ink, written in a cursive style. The signature is slanted downwards from left to right. It appears to start with a large, looped letter, possibly 'D' or 'D', followed by several more letters that are difficult to decipher due to the cursive style. The signature ends with a long horizontal stroke that tapers off to the right.

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: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml; 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
12. Entry to the first floor cafe designated on the licensed plan is restricted to persons who have a ticket for a screening that day or who are attending a pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities)
13. The supply of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:
 - (a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or
 - (b) Members (and their guests) who have a ticket for screening that day. (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014' or such amended Rules as submitted to the Licensing Authority from time to time). No member to be allowed to bring more than four guests at any one time. Details of the membership register to be disclosed to the responsible authorities when requested.
14. All drinks sold, supplied or consumed in any auditoria shall only be in open polycarbonate or crushable vessels.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. An incident log shall be kept at the premises and made available on request to an authorised officer if the City Council or the Police which will record the following:
 - a) All crimes reported 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 refusals of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service

18. 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.
19. The sale of alcohol in all parts of the premises will be ancillary to the primary use of the premises as a cinema
20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. Patrons temporarily leaving the premises such as for the purposes of smoking shall not take any drinks with them.
22. Save for preparation for film premieres and events no deliveries shall be made to the premises between 23:00 and 07:00 hours.
23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
24. 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.
25. 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.
26. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
27. 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.
28. 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.
29. 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.
30. 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.
31. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
32. 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.

33. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
34. 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.
35. 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.
36. Save for in a showing of a film appropriate categorised by the BBFC 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.
37. 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.
 - d. Any ceiling inspection
38. Each auditorium shall be visited by a member of staff at least every 30 minutes during film showings to monitor screens and the behaviour of customers
39. The external terrace will not be used for licensable activities after midnight
40. The licence will have no effect until the capacity of the premises has been assessed (for each of the trading areas) by the Environmental Health Consultation Team and a condition detailing the agreed capacity has replaced this condition on the Licence.
41. Before the premises open to the public. The plans as provided (below)
- Fire Safety Strategy : Ground Floor, ref F/ 001 Rev A
 - Fire Safety Strategy: First Floor. ref F/ 002 Rev A
 - Fire Safety Strategy: Second Floor ref F/ 003 Rev A
 - Fire Safety Strategy: Third floor ref F/ 004 Rev A
 - Fire Safety Strategy : Fourth Floor, ref F/ 005
 - Fire Safety Strategy : Fifth Floor, ref F/ 006

will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed and this condition has been removed from the Licence. Where the premises layout has changed from the plans provided during the course of construction a variation application may be required.

42. In the ground floor area the supply of alcohol in the cafe is restricted only to persons who have a ticket for a screening that day or to a person seated there and for consumption by such persons as ancillary to food purchased on the premises .

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 100023472806

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

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/07555/LIPN

Part 1 – Premises details

Postal address of premises:

Trocadero
13 Coventry Street
London
W1W 7DH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Sunday:	09:00 to 05:00 (Auditoria)
Monday to Thursday:	10:00 to 23:30 (Ground Floor Cafe)
Friday to Saturday:	10:00 to 00:00 (Ground Floor Cafe)
Sunday:	12:00 to 22:30 (Ground Floor Cafe)
Monday to Thursday:	10:00 to 00:00 (First Floor Restaurant & Bar)
Friday to Saturday:	10:00 to 02:00 (First Floor Restaurant & Bar)
Sunday:	12:00 to 23:00 (First Floor Restaurant & Bar)
Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)
Monday to Saturday:	12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Performance of Live Music

Monday to Thursday:	12:00 to 01:00 (Members Area)
Friday to Saturday:	12:00 to 02:00 (Members Area)
Sunday:	12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)

Monday to Saturday: 12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Playing of Recorded Music

Monday to Thursday: 10:00 to 23:30 (Ground Floor Cafe)

Friday to Saturday: 10:00 to 00:00 (Ground Floor Cafe)

Sunday: 12:00 to 22:30 (Ground Floor Cafe)

Monday to Thursday: 10:00 to 00:00 (First Floor Restaurant & Bar)

Friday to Saturday: 10:00 to 02:00 (First Floor Restaurant & Bar)

Sunday: 12:00 to 23:00 (First Floor Restaurant & Bar)

Monday to Thursday: 12:00 to 01:00 (Members Area)

Friday to Saturday: 12:00 to 02:00 (Members Area)

Sunday: 12:00 to 23:00 (Members Area)

Monday to Saturday: 12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

Late Night Refreshment

Monday to Sunday: 23:00 to 05:00 (Auditoria)

Monday to Thursday: 23:00 to 23:30 (Ground Floor Cafe)

Friday to Saturday: 23:00 to 00:00 (Ground Floor Cafe)

Monday to Thursday: 23:00 to 00:00 (First Floor Restaurant & Bar)

Friday to Saturday: 23:00 to 02:00 (First Floor Restaurant & Bar)

Monday to Thursday: 23:00 to 01:00 (Members Area)

Friday to Saturday: 23:00 to 02:00 (Members Area)

Monday to Saturday: 23:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: New Year's Eve from 23:00 to 05:00 (except Fifth Floor Terrace)

Sale by Retail of Alcohol

Monday to Sunday: 10:00 to 05:00 (Auditoria)

Monday to Thursday: 10:00 to 23:30 (Ground Floor Cafe)

Friday to Saturday: 10:00 to 00:00 (Ground Floor Cafe)

Sunday: 12:00 to 22:30 (Ground Floor Cafe)

Monday to Thursday: 10:00 to 00:00 (First Floor Restaurant & Bar)

Friday to Saturday: 10:00 to 02:00 (First Floor Restaurant & Bar)

Sunday: 12:00 to 23:00 (First Floor Restaurant & Bar)

Monday to Thursday: 12:00 to 01:00 (Members Area)

Friday to Saturday: 12:00 to 02:00 (Members Area)

Sunday: 12:00 to 23:00 (Members Area & Fifth Floor Roof Terrace)

Monday to Saturday: 12:00 to 00:00 (Fifth Floor Roof Terrace)

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day (except Fifth Floor Terrace)

The opening hours of the premises:

Monday to Sunday:

00:00 to 23:59

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

Alcohol is supplied for consumption on the Premises.

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

Picturehouse Cinemas Ltd
Power Road Studios
114 Power Road
Chiswick
London
W4 5PY

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

02310403

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

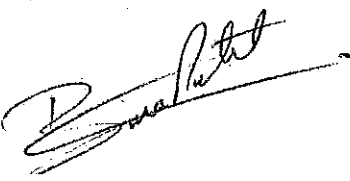
Name: Alastair Oatey

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

Restricted

Date: 9th April 2014

Signed: pp


Operational Director - Premises Management

LICENSING SUB-COMMITTEE No.1

Thursday 23rd January 2014

Membership: Councillor Audrey Lewis (Chairman), Councillor Susie Burbridge and Councillor Patricia McAllister

Legal Adviser: Harjinder Bhela
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health and Metropolitan Police

Present: Mr Alun Thomas (Solicitor, representing the Applicant), Ms Lyn Goleby (Managing Director, Applicant Company), Mr James Jeremiah (Architect), Mr Anil Drayan (Environmental Health) and PC Jim Sollars (Metropolitan Police).

Trocadero, 13 Coventry Street, W1

13/07555/LIPN

1. Regulated Entertainment: Indoors

Exhibition of Films:

Auditoria Monday to Sunday 09:00 to 05:00

Ground Floor Café Monday to Thursday 10:00 to 23:30
Friday to Saturday 10:00 to 00:00
Sunday 12:00 to 22:30

First Floor Restaurant & Bar Monday to Thursday 10:00 to 00:00
Friday to Saturday 10:00 to 02:00
Sunday 12:00 to 23:00

Members Area & Roof Terrace Monday to Thursday 12:00 to 01:00
Friday to Saturday 12:00 to 02:00
Sunday 12:00 to 23:00

***** Performance of Live Music**

Members Area & Roof Terrace Monday to Thursday 12:00 to 01:00
(Schedule at Appendix A4) Friday to Saturday 12:00 to 02:00
Sunday 12:00 to 23:00

**Playing of Recorded Music
(excluding Auditoria)**

Ground Floor Café Monday to Thursday 10:00 to 23:30
Friday to Saturday 10:00 to 00:00

	<p style="text-align: right;">Sunday 12:00 to 22:30</p> <p>First Floor Restaurant & Bar Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 02:00 Sunday 12:00 to 23:00</p> <p>Members Area & Roof Terrace Monday to Thursday 12:00 to 01:00 Friday to Saturday 12:00 to 02:00 Sunday 12:00 to 23:00</p>
	<p>Amendments to application advised at hearing:</p> <p>Mr Thomas on behalf of the Applicants and Mr Drayan for Environmental Health had agreed a condition that there would be no licensable activities on the fifth floor terrace after midnight.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to the amendment above and the conditions as set out below.</p> <p>The Sub-Committee noted that the Council's policy set out in the Council's Statement of Licensing Policy 2011 is that in respect of Policy PVC2 for cinemas in the Stress Area, applications will be granted subject to other policies in the Statement, provided it is demonstrated that they will not add to cumulative impact in the Stress Areas.</p> <p>The Applicants, Picturehouse Cinemas Ltd, proposed to operate a multiplex cinema at the Trocadero with a ground floor café/bar, first floor restaurant and bar, second to fifth floor members club with bar and fifth floor roof terrace. The Sub-Committee considered that the Applicant's proposals for most of the building were in keeping with other policies in the Statement and promoted the licensing objectives. The Applicants had agreed a condition that the first floor cafe would be restricted to customers who had a ticket for a screening that day or who were attending a pre-booked private function that was booked at least 24 hours in advance. Customers could only have access to the second to fourth floor areas if they were members of the club and possessed a ticket for a screening that day. The Sub-Committee accepted Ms Goleby's point that customers would not pay at least £35 to become a member simply to consume alcohol. The Sub-Committee noted that in respect of the fifth floor roof terrace, Mr Drayan for Environmental Health had agreed a proposed condition with the Applicants that there would be no licensable activity there after midnight. The Sub-Committee was satisfied, taking into account the comments of Mr Drayan and PC Sollars that the roof terrace looked down over Haymarket and that conversations that took place on the roof terrace would not inconvenience any residents, including those staying at hotels in the locality.</p> <p>The greatest element of contention in respect of the floors above the ground</p>

floor was the terminal hour for alcohol sold to customers in the auditoria. A discussion ensued as to whether there were cinemas that permitted alcohol to be sold to customers in the auditoria until 05:00 hours. Mr Thomas stated that it was likely to be very infrequent that the Applicants would wish to sell alcohol to customers in the auditoria until 05:00 hours. Mr Wroe advised that it was possible to operate a Temporary Event Notice ('TEN') for each of the auditoria in its own right. Mr Thomas informed the Sub-Committee that his clients were prepared to accept that alcohol was not sold in the auditoria after 02:00 hours. This would be the same terminal hour as the members' area. If there were occasions that the Applicants wished to sell alcohol to customers in the auditoria until a later hour, they had the option to apply for TENs. The Sub-Committee agreed to the Applicant's request that polycarbonate in addition to crushable vessels could be used for drinks sold, supplied or consumed in the auditoria. Mr Thomas also withdrew the requirement for non-standard timings and seasonal variations in relation to licensable activities for film premieres until 05:00 hours.

Of greatest concern to the Sub-Committee, Environmental Health and the Metropolitan Police were the Applicant's proposals for the ground floor cafe area. The Applicants informed the Sub-Committee that it was not a bar. Food such as cake or sticky buns would be available. However, the Applicants did not wish to operate the ground floor as a restaurant, have alcohol served by waiter or waitress or ensure that the use of the ground floor café was ancillary to the possession of a ticket for a screening that day. This would mean that the ground floor café could be operated as a bar or that an individual could enter the premises purely to drink. Members took the view that Policy PVC2 for cinemas in the Stress Area was that applications would be granted subject to other policies in the Statement and a separate bar on the ground floor for a maximum of 70 people in the West End Stress Area did not comply with these policies or the licensing objectives. PC Sollars emphasized that the Trocadero was in a particularly vulnerable area for crime. He made the case that any increase in numbers which did not involve a restaurant at this location was likely to add to crime and disorder. It might be possible to attach conditions to the licence that would make the ground floor café area less like a bar. He believed waiter or waitress service should at least be required for the sale of alcohol. Whilst he appreciated the Applicant fully intended to improve the Trocadero and there were benefits from this, it was the premises being licensed and not the philosophy. Mr Drayan also advised that the ground floor café area could be operated as a bar if a restaurant condition was not agreed by the Applicant. However, on the basis that it was a mixed use premises he had proposed a condition that 'the supply of alcohol in the café is restricted to persons who have a ticket for a screening that day and/or shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal'.

The Sub-Committee heard from Mr Thomas the reasons as to why the application could be considered as an exception to policy and the ground floor café should be operated as proposed. These included that the premises remained as a cinema and it was not possible to sell part of the premises as a pub or bar. The reason for the policy was the type of problems pubs can attract and a cinema would not attract crime and disorder. Ms Goleby had informed

	<p>Members that the Applicant Company operated 7 premises in London, including the Ritz in Brixton which had helped to regenerate a difficult area. She was confident the same could happen at the Trocadero. Mr Thomas also made the point that the Sub-Committee should take into account that the locality had a limited number of residents which had been referred to in the appeal decision for Movida in Argyll Street.</p> <p>Members of the Sub-Committee considered that they had to balance the considerations of the undoubted value of the regeneration of the Trocadero, as envisaged by the Applicants against the deep concern they had for an open drink led café on the ground floor of the premises. Whilst they noted the proposed works including at the colonnades on Great Windmill Street where the new entrance to the cinema would be, they could not let the proposals override the Council's policy and allow a bar to be established on the ground floor with a capacity of 70 in a particularly sensitive part of the West End Stress Area. Members appreciated the Applicants' point that the overall operation needed to be viable and expressed the hope that the venture succeeded. However, this should not be pivoted on having a bar on the ground floor. Members of the Sub-Committee were prepared to permit a café on the ground floor where the supply of alcohol would be restricted to customers who have a ticket for a screening that day or to a person seated there and ancillary to food purchased on the premises and attached a condition to this effect.</p>
2.	<p>Late Night Refreshment: Indoors</p>
	<p>Ground Floor Café Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00</p> <p>First Floor Restaurant & Bar Monday to Thursday 23:00 to 00:00 Friday to Saturday 23:00 to 02:00</p> <p>Auditoria Monday to Sunday 23:00 to 05:00</p> <p>Members Area and Roof Terrace Monday to Thursday 23:00 to 01:00 Friday to Saturday 23:00 to 02:00.</p>
	<p>Amendments to application advised at hearing:</p> <p>Mr Thomas on behalf of the Applicants and Mr Drayan for Environmental Health had agreed a condition that there would be no licensable activities on the fifth floor terrace after midnight.</p>
	<p>Decision (including reasons if different from those set out in report):</p>

	<p>Granted, subject to the amendment above and the conditions set out below (see reasons for decision in Section 1).</p>
<p>3.</p>	<p>Sale of Alcohol: On the premises only</p>
	<p>Ground Floor Café Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p>First Floor Restaurant & Bar Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 02:00 Sunday 12:00 to 23:00</p> <p>Auditoria Monday to Sunday 10:00 to 05:00</p> <p>Members Area and Roof Terrace Monday to Thursday 12:00 to 01:00 Friday to Saturday 12:00 to 02:00 Sunday 12:00 to 23:00.</p>
	<p>Amendments to application advised at hearing:</p> <p>Mr Thomas informed the Sub-Committee that his clients were prepared to accept that alcohol was not sold in the auditoria after 02:00 hours. This would be the same terminal hour as the members' area. If there were occasions that the Applicants wished to sell alcohol to customers in the auditoria until a later hour, they had the option to apply for TENs.</p> <p>Mr Thomas on behalf of the Applicants and Mr Drayan for Environmental Health had agreed a condition that there would be no licensable activities on the fifth floor terrace after midnight.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to the amendments above and the conditions set out below (see reasons for decision in Section 1).</p>
<p>4.</p>	<p>Non Standard Timings and Seasonal variations:</p>
	<p>Ground Floor Café, First Floor Restaurant & Bar, Auditoria, Members Area and Roof Terrace</p> <p>Regulated Entertainment consisting of Films, Live Music and Recorded</p>

	<p>Music, Late Night Refreshment and Sale of Alcohol for consumption on the premises</p> <p>(i) From the end of permitted hours on New Year's Eve to the start of permitted hours in New Year's Day</p> <p>(ii) Film Premieres & similar functions - Monday to Sunday 09:00 to 05:00.</p>
	<p>Amendments to application advised at hearing:</p> <p>Mr Thomas advised the Sub-Committee that he was withdrawing part (ii) for film premieres. The Applicants would either operate within the hours permitted for the members' area or they would apply for Temporary Event Notices in order to be able to operate until a later hour.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee granted part (i) above. Members of the Sub-Committee were not required to consider part (ii) as it was withdrawn by the Applicants.</p>
5.	<p>Opening Hours:</p>
	<p>Monday to Sunday 00:00 to 23:59.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below.</p>

Conditions attached to the Licence

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: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml; 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate

Additional Conditions

10. 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.

11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
12. Entry to the first floor cafe designated on the licensed plan is restricted to persons who have a ticket for a screening that day or who are attending a pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities)
13. The supply of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:
 - (a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or
 - (b) Members (and their guests) who have a ticket for screening that day. (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014' or such amended Rules as submitted to the Licensing Authority from time to time). No member to be allowed to bring more than four guests at any one time. Details of the membership register to be disclosed to the responsible authorities when requested.
14. All drinks sold, supplied or consumed in any auditoria shall only be in open polycarbonate or crushable vessels.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. An incident log shall be kept at the premises and made available on request to an authorised officer if the City Council or the Police which will record the following:
 - a) All crimes reported 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 refusals of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service
18. 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.
 19. The sale of alcohol in all parts of the premises will be ancillary to the primary use of the premises as a cinema
 20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 21. Patrons temporarily leaving the premises such as for the purposes of smoking shall not take any drinks with them.
 22. Save for preparation for film premieres and events no deliveries shall be made to the premises between 23:00 and 07:00 hours.
 23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
 24. 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.
 25. 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.
 26. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
 27. 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.
 28. 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.
 29. 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.

30. 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.
31. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
32. 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.
33. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
34. 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.

35. 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.

36. Save for in a showing of a film appropriate categorised by the BBFC 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.
37. 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.
- d. Any ceiling inspection

38. Each auditorium shall be visited by a member of staff at least every 30 minutes during film showings to monitor screens and the behaviour of customers
39. The external terrace will not be used for licensable activities after midnight
40. The licence will have no effect until the capacity of the premises has been assessed (for each of the trading areas) by the Environmental Health Consultation Team and a condition detailing the agreed capacity has replaced this condition on the Licence.
41. Before the premises open to the public. The plans as provided (below)
 - Fire Safety Strategy : Ground Floor, ref F/ 001 Rev A
 - Fire Safety Strategy: First Floor. ref F/ 002 Rev A
 - Fire Safety Strategy: Second Floor ref F/ 003 Rev A
 - Fire Safety Strategy: Third floor ref F/ 004 Rev A
 - Fire Safety Strategy : Fourth Floor, ref F/ 005
 - Fire Safety Strategy : Fifth Floor, ref F/ 006

will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed and this condition has been removed from the Licence. Where the premises layout has changed from the plans provided during the course of construction a variation application may be required.

42. In the ground floor area the supply of alcohol in the cafe is restricted only to persons who have a ticket for a screening that day or to a person seated there and for consumption by such persons as ancillary to food purchased on the premises.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/07555/LIPN	New Premises	23.1.2014	Granted with conditions
15/04900/LIPDPS	Vary DPS	Pending	Pending

There is no appeal history

Appendix 4

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

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

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

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

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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.

11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.

12. Entry to the first floor cafe designated on the licensed plan is restricted to persons who have a ticket for a screening that day or who are attending a pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities)

13. The supply of alcohol in the Members Area' (2nd, 3rd, 4th and 5th Floors) is restricted to:

(a) persons attending pre-booked private function (booked at least 24 hours in advance, a record of those attending to be retained for inspection by police or an authorized council officer and shall be kept for at least 31 days for inspection by the responsible authorities), or

(b) Members (and their guests) who have a ticket for screening that day. (Members are as defined in the document headed 'Trocadero Cinema Rules of Membership 2014'

or such amended Rules as submitted to the Licensing Authority from time to time). No member to be allowed to bring more than four guests at any one time. Details of the membership register to be disclosed to the responsible authorities when requested.

14. All drinks sold, supplied or consumed in any auditoria shall only be in open polycarbonate or crushable vessels.

15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

17. An incident log shall be kept at the premises and made available on request to an authorised officer if the City Council or the Police which will record the following:

- a) All crimes reported 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 refusals of the sale of alcohol
- h) Any visit by a relevant authority or emergency service

18. 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.

19. The sale of alcohol in all parts of the premises will be ancillary to the primary use of the premises as a cinema

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

21. Patrons temporarily leaving the premises such as for the purposes of smoking shall not take any drinks with them.

22. Save for preparation for film premieres and events no deliveries shall be made to the premises between 23:00 and 07:00 hours.

23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.

24. 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.

25. 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.
26. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
27. 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.
28. 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.
29. 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.
30. 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.
31. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
32. 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.
33. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
34. 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.
35. 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.

36. Save for in a showing of a film appropriate categorised by the BBFC 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.

37. 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.
- d. Any ceiling inspection

38. Each auditorium shall be visited by a member of staff at least every 30 minutes during film showings to monitor screens and the behaviour of customers

39. The external terrace will not be used for licensable activities after midnight

40. The licence will have no effect until the capacity of the premises has been assessed (for each of the trading areas) by the Environmental Health Consultation Team and a condition detailing the agreed capacity has replaced this condition on the Licence.

41. Before the premises open to the public. The plans as provided (below)

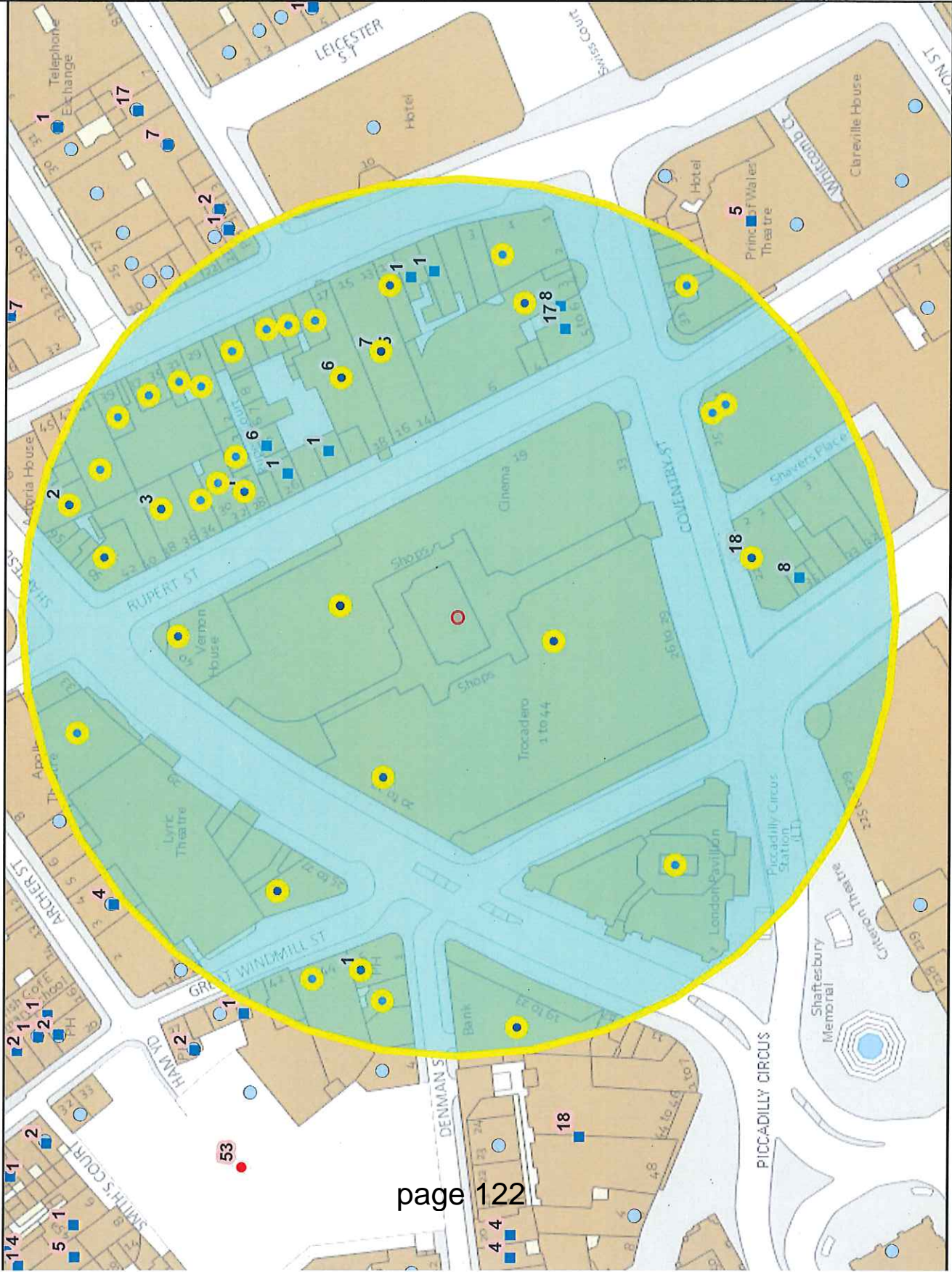
- Fire Safety Strategy : Ground Floor, ref F/ 001 Rev A
- Fire Safety Strategy: First Floor. ref F/ 002 Rev A
- Fire Safety Strategy: Second Floor ref F/ 003 Rev A
- Fire Safety Strategy: Third floor ref F/ 004 Rev A
- Fire Safety Strategy : Fourth Floor, ref F/ 005
- Fire Safety Strategy : Fifth Floor, ref F/ 006

will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed and this condition has been removed from the Licence. Where the premises layout has changed from the plans provided during the course of construction a variation application may be required.

42. In the ground floor area the supply of alcohol in the cafe is restricted only to persons who have a ticket for a screening that day or to a person seated there and for consumption by such persons as ancillary to food purchased on the premises.



Picturehouse Central



Residential / Proposed Residential	16
Under Construction	
Other Uses	100m
Proportion Residential of all Uses	

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 1000104507

Data Source: Uniform Date
Date: 27/11/2015

Premises within 100 metres of: Picturehouse

p / n	Name of Premises	Premises Address	Licensed Hours
13055	The Comedy Store	Ground Floor Right Haymarket House 1A Oxendon Street London SW1Y 4EE	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 05:00
27519	Kentucky Fried Chicken	1 - 2 Coventry Street London W1D 6BH	Sunday 23:00 - 02:30 Monday to Saturday 23:00 - 03:00
30072	Trocadero	Trocadero 13 Coventry Street London.W1W 7DH	Monday to Sunday 00:00 - 23:59
-32393	O'Neills Public House	33 Wardour Street London W1D 6PU	Sunday 08:00 - 02:00 Monday to Tuesday 08:00 - 02:30 Sundays before Bank Holidays 08:00 - 02:30 Wednesday to Saturday 08:00 - 03:30
-31373	Shaftesbury Food And Wine	Ground Floor Middle Avenue House 25 - 27 Shaftesbury Avenue London W1D 7EQ	Monday to Sunday 07:00 - 01:00
-28849	Grace	42 - 44 Great Windmill Street London W1D 7LU	Monday to Sunday 07:00 - 01:01
-27762	Fratelli La Bufala	40 Shaftesbury Avenue London W1D 7ER	Monday to Sunday 07:00 - 01:02
-24816	Yoi Sushi	Unit 34a Trocadero 13 Coventry Street London W1D 7AB	Monday to Sunday 07:00 - 01:03
-22616	TGI Fridays	25-29 Coventry Street London W1D 7AG	Monday to Sunday 07:00 - 01:04
-2413	London Jade Garden	15 Wardour Street London W1D 6PH	Monday to Sunday 07:00 - 01:05
13834	Lyric Theatre	Avenue House 25-27 Shaftesbury Avenue London W1D 7EG	Monday to Sunday 07:00 - 01:06
15579	Shryu Soho	2-3 Denman Street London W1D 7HA	Monday to Sunday 07:00 - 01:07
16198	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	Monday to Sunday 07:00 - 01:08
16596	Waxy O'Connor's	Basement And Ground Floor 14 - 16 Rupert Street London W1D 6DD	Monday to Sunday 07:00 - 01:09
16909	St James' Tavern Public House	45 Great Windmill Street London W1D 7NE	Monday to Sunday 07:00 - 01:10
19084	District	Basement 21 Rupert Street London W1D 7PJ	Monday to Sunday 07:00 - 01:11
19707	Young Cheng Restaurant	39 Wardour Street London W1D 6PX	Monday to Sunday 07:00 - 01:12
21073	Caffe Concerto	50 Shaftesbury Avenue London W1D 6LW	Monday to Sunday 07:00 - 01:13
21337	Morden & Lea	17 Wardour Street London W1D 6PJ	Monday to Sunday 07:00 - 01:14
21352	Sunrise Cafe And News	Ground Floor 31 Wardour Street London W1D 6PT	Monday to Sunday 07:00 - 01:15
26430	The Dog House	23B Shaftesbury Avenue London W1D 7EF	Monday to Sunday 07:00 - 01:16
26792	Ripley's Believe It Or Nott	The London Pavillion 1 Piccadilly London W1J 0DA	Monday to Sunday 07:00 - 01:17
28737	The Diner	19 Shaftesbury Avenue London W1D 7ED	Monday to Sunday 07:00 - 01:18
28982	Bar Rumba	Ground Floor Unit 17d Trocadero 13 Coventry Street London W1D 7ER	Monday to Sunday 07:00 - 01:19

29166	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Monday to Sunday 07:00 - 01:20
29696	Platinum Lace Gentleman's Club	Unit 33 Trocadero 13 Coventry Street London W1D 7AB	Monday to Sunday 07:00 - 01:21
31915	Aberdeen Steak House	21-22 Coventry Street London W1D 7AE	Monday to Sunday 07:00 - 01:22
-30649	Bubba Gump Shrimp Co.	Basement To First Floor Unit 75 Trocadero 13 Coventry Street London W1D 7AB	Monday to Sunday 07:00 - 01:23
-30185	Rainforest Cafe	20-24 Shaftesbury Avenue London W1D 7EU	Monday to Sunday 07:00 - 01:24
-30091	Cafe T.P.T.	21 Wardour Street London W1D 6PN	Monday to Sunday 07:00 - 01:25
-29819	C & R Cafe Restaurant	3-4 Rupert Court London W1D 6DY	Monday to Sunday 07:00 - 01:26
-27777	Franco's Ristorante Pizzeria	30 Rupert Street London W1D 6DL	Monday to Sunday 07:00 - 01:27
-25312	Sports Bar And Grill	36 - 40 Rupert Street London W1D 6DN	Monday to Sunday 07:00 - 01:28
-19567	McDonald's	Ground Floor Right And Basement Avenue House 25-27 Shaftesbury Avenue London W1D 7EQ	Monday to Sunday 07:00 - 01:29
-18161	Misato Restaurant	11 Wardour Street London W1D 6PG	Monday to Sunday 07:00 - 01:30
-17424	Japan Centre	19 Shaftesbury Avenue London W1D 7ED	Monday to Sunday 07:00 - 01:31
-12670	The Palomar	34 Rupert Street London W1D 6DN	Monday to Sunday 07:00 - 01:32
-10308	Apollo Theatre	Apollo Theatre 31-33 Shaftesbury Avenue London W1D 7EA	Monday to Sunday 07:00 - 01:33
-8152	MW Buffet	Astoria House 58-60 Shaftesbury Avenue London W1D 6LS	Monday to Sunday 07:00 - 01:34
-7467	PizzaExpress	29 Wardour Street London W1D 6PS	Monday to Sunday 07:00 - 01:35
-7333	District	Basement 21 Rupert Street London W1D 7PJ	Monday to Sunday 07:00 - 01:36
-5940	Golden Nugget Casino	22-32 Shaftesbury Avenue London W1D 7EU	Monday to Sunday 07:00 - 01:37
-3171	Biagio's	Unit F1 Basement Trocadero 13 Coventry Street London W1D 7DH	Monday to Sunday 07:00 - 01:38
-902	Hung's Chinese Restaurant	Ground Floor To Second Floor 27 Wardour Street London W1D 6PR	Monday to Sunday 07:00 - 01:39
-45	Cornishe	32 Coventry Street London W1D 6BR	Monday to Sunday 07:00 - 01:40
-25	Ed's Easy Diner	Unit 34B Trocadero 19 Rupert Street London W1D 7PN	Monday to Sunday 07:00 - 01:41
4552	G. Casino Piccadilly	Upper Ground Floor To Third Floor 3-4 Coventry Street London W1D 6BL	Monday to Sunday 07:00 - 01:42
6669	Four Seasons	23 Wardour Street London W1D 6PW	Monday to Sunday 07:00 - 01:43
7222	Thei Tho Soho	42 Rupert Street London W1D 6DP	Monday to Sunday 07:00 - 01:44
8707	Wong Kei Restaurant	41-43 Wardour Street London W1D 6PY	Monday to Sunday 07:00 - 01:45
9214	Morada Brindisa	18 Rupert Street London W1D 6DE	Monday to Sunday 07:00 - 01:46

14267	London Jade Garden	15 Wardour Street London W1D 6PH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
15430	Old Town 97	19 Wardour Street London W1D 6PL	Monday to Saturday 10:00 - 04:00 Sunday 12:00 - 04:00
24424	Sugar	First Floor And Second Floor 11 Wardour Street London W1F 0UN	Monday to Thursday 09:00 - 03:30 Friday to Saturday 09:00 - 06:00 Sunday 09:00 - 23:00

This page is intentionally left blank