



City of Westminster

Committee Agenda

Title: **Temporary Licensing Committee**

Meeting Date: **Thursday 10th May, 2018**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Heather Acton
Tim Mitchell
TBC



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. 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 Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership and to appoint a Chairman.

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. VAPIANO, 84-86 WARDOUR STREET, W1

(Pages 1 - 28)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Cumulative impact area	Vapiano, 84-86 Wardour Street, W1	Variation of a Premises Licence	18/02022/LIPV

2. 11-19 ECCLESTON PLACE, SW1

(Pages 29 - 64)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Warwick Ward / not in cumulative impact area	11-19 Eccleston Place, SW1	New Premises Licence	18/02901/LIPN

3. CLARIDGES HOTEL 47-57 BROOK STREET MAYFAIR W1

(Pages 65 - 100)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / not in cumulative impact area	Claridges Hotel, 47- 57 Brook Street, Mayfair, W1	Variation of a Premises Licence	18/03318/LIPV

4. SOHO WHISKY CLUB, FIRST FLOOR, 42 OLD COMPTON STREET, W1

(Pages 101 - 128)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	Soho Whisky Club, First Floor, 42 Old Compton Street, W1	Variation of a Premises Licence	18/02552/LIPV

**Stuart Love
Chief Executive
4 May 2018**

In considering applications for premises licences under the Licensing Act 2003, the subcommittee 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.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

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

- 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

Licensing Sub-Committee Report

Agenda Item 1

Item No:	
Date:	10 May 2018
Licensing Ref No:	18/02022/LIPV - Premises Licence Variation
Title of Report:	Vapiano 84 - 86 Wardour Street London W1F 0TG
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 February 2018		
Applicant:	Vapiano Limited		
Premises:	Vapiano		
Premises address:	84 - 86 Wardour Street London W1F 0TG	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises currently operates as a restaurant.		
Variation description:	<p>According to the application, the variation seeks to:</p> <ol style="list-style-type: none"> 1. Amend conditions 26 and 27 2. To add a condition <p>The varied and added conditions are sought to permit deliveries by companies such as Deliveroo and Uber EATS.</p> <p>The full details of the variation can be found at section 1-D of the report.</p>		
Premises licence history:	The premises has benefitted from a premises licence since 2013. Full details of the premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	There are no submissions from the Applicant.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			Both
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	No change		Basement, Ground and First Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday	23:00	01:00				
Saturday						
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sunday's before Bank Holidays: 23:00 – 00:00				No change	

Sale by Retail of Alcohol										
On or off sales			Current :			Proposed:				
			Both			No change				
	Current Hours		Proposed Hours		Licensable Area					
	Start:	End:	Start:	End:	Current:	Proposed:				
Monday	11:00	00:00	No change		Basement, Ground and First Floor	No change				
Tuesday										
Wednesday										
Thursday										
Friday	11:00	01:00								
Saturday										
Sunday	12:00	23:00								
Seasonal variations/ Non-standard timings:	Current:				Proposed:					
	Sunday's before Bank Holidays: 11:00 – 00:00				No change					

Hours premises are open to the public										
	Current Hours		Proposed Hours		Premises Area					
	Start:	End:	Start:	End:	Current:	Proposed:				
Monday	07:00	00:30	No change		Basement, Ground and First Floor	No change				
Tuesday										
Wednesday										
Thursday										
Friday	07:00	01:30								
Saturday										
Sunday	07:00	23:30								
Seasonal variations/ Non-standard timings:	Current:				Proposed:					
	Sunday's before Bank Holidays: 11:00 – 00:00				No change					

1-D Conditions being varied, added or removed	
Condition	Proposed variation
Condition 26: There shall be no take away of hot food and hot drinks after 23:00.	Condition 26: There shall be no take away of hot food and hot drinks for immediate consumption after 23:00
Condition 27: There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises.	Condition 27: There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises or are being delivered a substantial table meal to a bona fide address
Add the following condition:	Notwithstanding condition 13, deliveries of alcohol and the provision of late night refreshment (where applicable) shall be permitted to be made from the premises until 23:00 hours on Sundays, 00:00 hours Mondays to Thursdays, 01:00 Fridays to Saturdays and 00:30 on Sundays before bank holidays.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	21 March 2018

I write in relation to the application submitted for a variation of the premises licence for Vapiano, situated at 84-86 Wardour Street.

The variation application being considered seeks to amend conditions 26 and 27 and add an additional condition to permit the sale of alcohol and provision of late night refreshment during the extended hours for delivery services only.

The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely PN1, CIP1, FFP2 and HRS1.

The Licensing Authority believes that there is insufficient information contained within the application that sets out how the licensee will reduce the impact of public nuisance from the contracted delivery drivers. The Licensing Authority requires the following additional information to fully consider the likely impact on the Licensing Objectives, specifically public nuisance:

- A) What controls will the licensee have in place to ensure that public nuisance isn't created via the additional hours of operation and the delivery service. The licensee should consider the potential public nuisance caused by the gathering of delivery drivers outside the premises, littering and vehicle noise.
- B) How will the licensee control delivery drivers employed by a third party under the delivery contract if they are found to be causing public nuisance.
- C) What measures will the licensee provide to mitigate any risk of increased public nuisance to residents in the area.

The Licensing Authority are concerned that adding the delivery element to the operation of the premises is likely to cause public nuisance in the local area and will subsequently add to cumulative impact in the cumulative impact areas. Given the use of the area as a commercial and residential locality, the Licensing Authority have further concerns over the operation of a delivery service outside of Westminster's Core Hours Policy and how this operation will promote the licensing objectives. It is for these reasons that we object to this variation application.

Please accept this as a formal representation to this application.

Responsible Authority:	Environmental Health Service
Representative:	Mr Maxwell Koduah
Received:	22 March 2018

I refer to the application for the variation of the Premises Licence for the above mentioned premises. These premises are located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed variation in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.

The licensee is seeking to vary their licence to enable the delivery of alcohol and hot food and drink from the premises. To enable this the licensee proposes to amend the licence as follows:

1. To amend condition 26 from:

There shall be no take away of hot food and hot drinks after 23:00

so that it reads:

There shall be no take away of hot food and hot drinks for immediate consumption after 23:00

2. To amend condition 27 from:

There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises

so that it reads:

There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises or are being delivered a substantial table meal to a bona fide address

3. To add the following new condition:

Notwithstanding condition 13, deliveries of alcohol and the provision of late night refreshment (where applicable) shall be permitted to be made from the premises until 23:00 hours on Sundays, 00:00 hours Mondays to Thursdays, 01:00 Fridays to Saturdays and 00:30 on Sundays before bank holidays.

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

1. To relax take away services of hot food and hot drinks by amending condition 26 may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area
2. To amend condition 27 to allow extended off sale of alcohol via delivery may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area
3. To allow extended alcohol supply and the provision of late night refreshment for consumption off the premises via a delivery service may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area
4. The use of third party delivery companies may have the likely effect of increasing Public Nuisance, harming children and/or impact Public Safety within the West End Cumulative Impact area.

As applied, the application raises the following concerns:

1. The arrival, departure and congregation of delivery drivers may create public nuisance that may affect those living near the premises.
2. Congestion of the pavement and/or the roadway may impede reasonable access and therefore create a Public nuisance and impact on public safety
3. There are currently ongoing investigation of noise associated with deliveries with premises in the area including these premises and the variation application if granted may add to the current level of public nuisance in the area.
4. The licensee may not be able to control the potential impact of delivery drivers outside their premises as they will be using a third party for the provision of deliveries during the hours specified.
5. The licensee has not provided any information and how it will ensure that the operation of a the delivery from the premises will be controlled to prevent any impact on the licensing objectives
6. There is a need for further information on how the age verification will be undertaken to ensure that those who have ordered alcohol are over 18.
7. What controls will the licensee have in place or contractual agreements with the delivery company that age verification checks will be completed and how we these age verification systems will be monitored to ensure that no one under the age of 18 is sold alcohol.
8. How will the licensee ensure that the person delivering the alcohol will be over the age of 18?

The applicant has provided an additional condition in support of the application but these do not fully address the concerns of Environmental Health and additional conditions may be proposed.

It is my view that there is insufficient information to address the concerns that I have raised above within and accompanying this application. As such if further information is not forthcoming, the granting of this variation as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area.

Should you wish to discuss the matter further please do not hesitate to contact me.

Further correspondence from EH to Applicant's Agent

Dear Mrs Gayle Marilyn

As you are aware, on 16th April, a meeting was held at above premises in respect of above application. At the meeting, your client, was represented by Vicky O'Neil (head of marketing) and Neil Mccann, from your office. The following issues were discussed at the meeting:

- The proposed hours for delivery shall be cut back to 23:00 hours
- The coverage for delivery will be about 2km radius
- Delivery drivers would wait inside the premises to collect deliveries
- Less likelihood of speculative drivers hanging around the premises as orders are not made directly to drivers
- Delivery companies shall implement Challenge 25 policy
- Drivers will use either push bikes or motor bikes (moped) as cars are not allowed within W1
- Licensee to use terms of contracts & renewal to control conduct of drivers indirectly

Neil promised to confirm the above and other commitments in an operational management plan to be submitted to all interested parties. I am yet to receive the said plan.

Please advise Mark to bring forward the said plan as I need its content to make a decision around my representation.

Please note: At the time that the report was published, the Applicant's Solicitor has not confirmed, in writing, that the application is to be amended as per the discussions at the site meeting between the Licensing Authority, Environmental Health and the Applicants. Therefore, the application should be considered and determined as applied for.

2-B Other Persons	
Name:	Councillor Jonathan Glanz
Address and/or Residents Association:	Westminster City Hall, 5 The Strand WC2N 5HR
Received:	20 March 2018
<p>Dear Annette</p> <p>I am writing in my capacity as West End Ward Councillor in support of concerns expressed by constituents living in Meard Street.</p> <p>I fully support those concerns, and would therefore urge that the Application be refused and/or conditioned in such a way as to address those concerns.</p> <p>I am particularly concerned as to the approach to obtain a License to undertake take-away from the premises, together with the associated disturbance which would be caused by a Deliveroo-type operation from the premises, and would therefore urge you to ensure that no such permission or License is given.</p>	
Received:	20 March 2018
<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 Cumulative Impact 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 2016.</p> <p>Application summary</p> <p><i>The applicant seeks to extend the terminal hour for deliveries of alcohol and the provision of late night refreshment from the premises until 23.00 hours on Sundays, 00.00 hours Mondays-Thursdays, 01.00 Fridays and Saturdays, and 00.30 on Sundays before Bank Holidays, stating that these variations “..are sought to permit deliveries by companies such as Deliveroo and UberEATS.”</i></p>	

The premises are located in the heart of the West End Cumulative Impact Area, close to the junction of Wardour and Meard Streets, where noise levels already breach WHO, EU and Government guidelines. Meard Street – slightly south of Vapiano - is comprised of private domestic residences (with just a few small commercial premises), and on the other side of Vapiano (slightly to the north) are the Soho Lofts, a large residential block at 90 Wardour Street. Opposite Meard Street is Peter Street, which is also highly residential. Already saturated with licensed premises, Wardour Street is one of the busiest local thoroughfares, bisecting Soho between Oxford Street and Shaftesbury Avenue, and there are various residential streets and alleyways branching immediately off the street and in the near vicinity. Given the residential concentration surrounding these premises, we are concerned that the applicant seeks a terminal operating hour each day that directly contravenes Westminster's accepted core hours. Further, the application explicitly states that the terminal hour variations are being applied for to facilitate deliveries of food and drink by professional delivery companies. Given the location, this raises further concerns about continued erosion of residential amenity due to the certain increase in delivery drivers, meaning congestion and parking problems, as well as more noise from motorbikes and drivers later into the night. It should also be noted that pedestrianised Meard Street is already used as a convenient short cut for bikes between Wardour and Dean Streets, and more delivery drivers will inevitably use this route and further exacerbate the problem. The application also seeks to amend existing conditions 26 and 27 to allow off-sales of food and alcohol beyond defined core hours until the proposed terminal hour, stating that hot food and drinks will not be "for immediate consumption". In practice, this is almost impossible to enforce and will lead to consumption nearby, resulting in an increase in rubbish and discarded food in the surrounding environment.

Licensing policy

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

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

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

Please let me know if any proposals are made to amend the application; particularly in respect of the opening hours.

Received:	07 March 2018
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We object to this substantial alteration to the licence.

The effect will be to attract even more noisy and polluting motor bikes and traffic to add to that which already affects the immediate vicinity of residential Meard Street late into the night. There will be a cumulative impact due to the parking problems which already affect Wardour Street at all hours.

Delivery bikes (including motor bikes) already regularly use pedestrianised Meard Street as a cut-through between Dean Street and Wardour Street and this change to the licence of a restaurant so near to the junction of Meard Street and Wardour Street would only exacerbate that problem.

Further, as the proposed licence changes would also allow off-sales of alcohol via delivery services for the first time, it will also no doubt significantly increase all the types of nuisance and problems at other times by increasing the demand for Vapiano meal deliveries.

The licence changes also seek to allow late night take-away service of hot food and drink so long as "not for immediate consumption". This is a meaningless and unenforceable restriction which drives a coach and four through existing licence condition 26 and would lead to even more people eating their take-aways in quiet Meard Street which is just around the corner from this restaurant. This type of activity from other restaurants already leads to anti-social behaviour, litter and worse on a nightly basis in Meard Street (and elsewhere) and so should not be allowed.

Received:	13 March 2018
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I strongly object to Va Piano's request for extended hours, this will only serve to compound the already stretched late night noise levels (especially in Wardour St) & the concomitant state of the area's rubbish & night soil.stained pavements

Received:	09 March 2018
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10:08 PM on 09 Mar 2018 This is a major change re the licence. If it goes ahead, the residential Meard Street on the corner, already under considerable noise pressure, will suffer yet more noise - for the extended hours will attract more and more traffic, into the night.

Meard Street already suffers from motorbikes - although part pedestrianised (bikes and

Motorbikes often ignore that) - with the air pollution as well as noise. With late night take-away - and alcohol - all this will be aggravated, disturbing residents.

Let us not fall for the condition of: not for immediate consumption. Who would be around to enforce that? There would just be more noise, more litter, more rowdy behaviour, more urination in doorways. If you consult complaints to councillors, you would see how much nuisance, from noise to litter; from late deliveries to rowdy behaviour, the street suffers. Please do not add to it.

That is why I - and other residents - strongly object to the proposed changes.

Received: 13 March 2018

Comment:3:34 PM on 13 Mar 2018 Wardour street already has multiple issues relating to nighttime noise, rubbish and congestion. Noise levels in the immediate area of the premises already breach WHO, EU and Government guidelines by WCC own admission. Delivery companies arriving and leaving the premises at the proposed late hour will undoubtedly increase the noise disturbance to local residents. There will be an increase in traffic congestion as result of delivery companies parking illegally as there are no designated parking places for this type of service.

Commercial waste build up is already a noted problem in the area. No provision has been made for where the commercial waste will be stored by the premises overnight. Soho, and particularly Wardour Street have been designated as a high stress zone. Endeavours by commercial establishments to increase their revenues at the expense of the residents right to the peaceful enjoyment of their homes is simply unacceptable.

Received: 13 March 2018

Comment:9:50 AM on 13 Mar 2018 My objection is based on the fact that this part of Soho is a high stress area and as residents we don't benefit and only either deal with and or suffer from the fall out.

By granting this extended license the consequence for residents, particularly on Meard Street as it is a pedestrian street, is that more passers by with food and alcohol cause a nuisance here and litter with rubbish and food waste. Noise is a particular issue for this residential street. Extended licenses cause more problems with noise, hooligan behaviour, drug dealing and use of drugs and the consequence of this. This is serious problem that is not being addressed. Most recently Friday 9th March, I was consistently woken with unacceptable social behaviour 4 times between midnight and 5am including my door bell rung and as well as the rest of the building. When I looked out of my window it was either drunk passers by but more importantly a lot of drug dealing lit by street lights in the middle of the pedestrian road. Groups of dealers and buyer. At one point 10-12 people blazingly dealing.

There are also the delivery food bikes who cut through all the streets in Soho, particularly the pedestrian streets dangerously. When I had a dog until recently, it was only a quick reaction by me that saved her several times.

I have nothing against this restaurant and have eaten there however licensing and extended hours in Soho has to be really looked at and re-thought. it causes most of the socially unacceptable problems daily than any thing else.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<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 CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy RNT2 applies	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy FFP2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority	21 March 2018
5	Environmental Health Service	22 March 2018
6	Representation	20 March 2018
7	Representation	20 March 2018
8	Representation	07 March 2018
9	Representation	09 March 2018
10	Representation	09 March 2018
11	Representation	13 March 2018
12	Representation	13 March 2018

There are no additional submissions from the Applicant.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/03376/LIPN	New premises licence application	11/07/2013	Granted by Licensing Sub-Committee
14/03209/LIPV	Application to vary the premises licence	22/05/2014	Granted under delegated authority
15/02902/LIPDPS	Application to vary the designated premises supervisor	01/05/2015	Granted under delegated authority
15/09269/LIPDPS	Application to vary the designated premises supervisor	24/11/2015	Granted under delegated authority
16/12527/LIPDPS	Application to vary the designated premises supervisor	03/01/2017	Granted under delegated authority
16/13316/LIPDPS	Application to vary the designated premises supervisor	03/01/2017	Granted under delegated authority
18/02022/LIPV	Current application		

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 variation to a 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 only operate as a restaurant
- (i) in which customers make their food and drinks orders at a counter to a member of staff or at a table offered by a member of staff
 - (ii) in which all meals and drinks will be consumed whilst customers are seated.
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery (unless disposable crockery is specifically requested by the guest)
 - (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. "
10. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the 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.

12. 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 opened to the public. This staff member must be able to show the Police or authorised Council Officer recent data or footage with the absolute minimum of delay when requested.
13. 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.
14. 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.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. Notice shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. 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 at the venue;
 - (b) any complaints received regarding crime and disorder;
 - (c) any incidents of disorder;
 - (d) any faults in the CCTV system;
 - (e) any refusal of the sale of alcohol;
 - (f) any visit by a relevant authority or emergency service.
21. There shall be no self service of alcohol.
22. There shall be no take away of hot food and hot drinks after 23:00.

Proposed amendment:

- 22a. There shall be no take away of hot food and hot drinks for immediate consumption after 23:00

23. There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises.

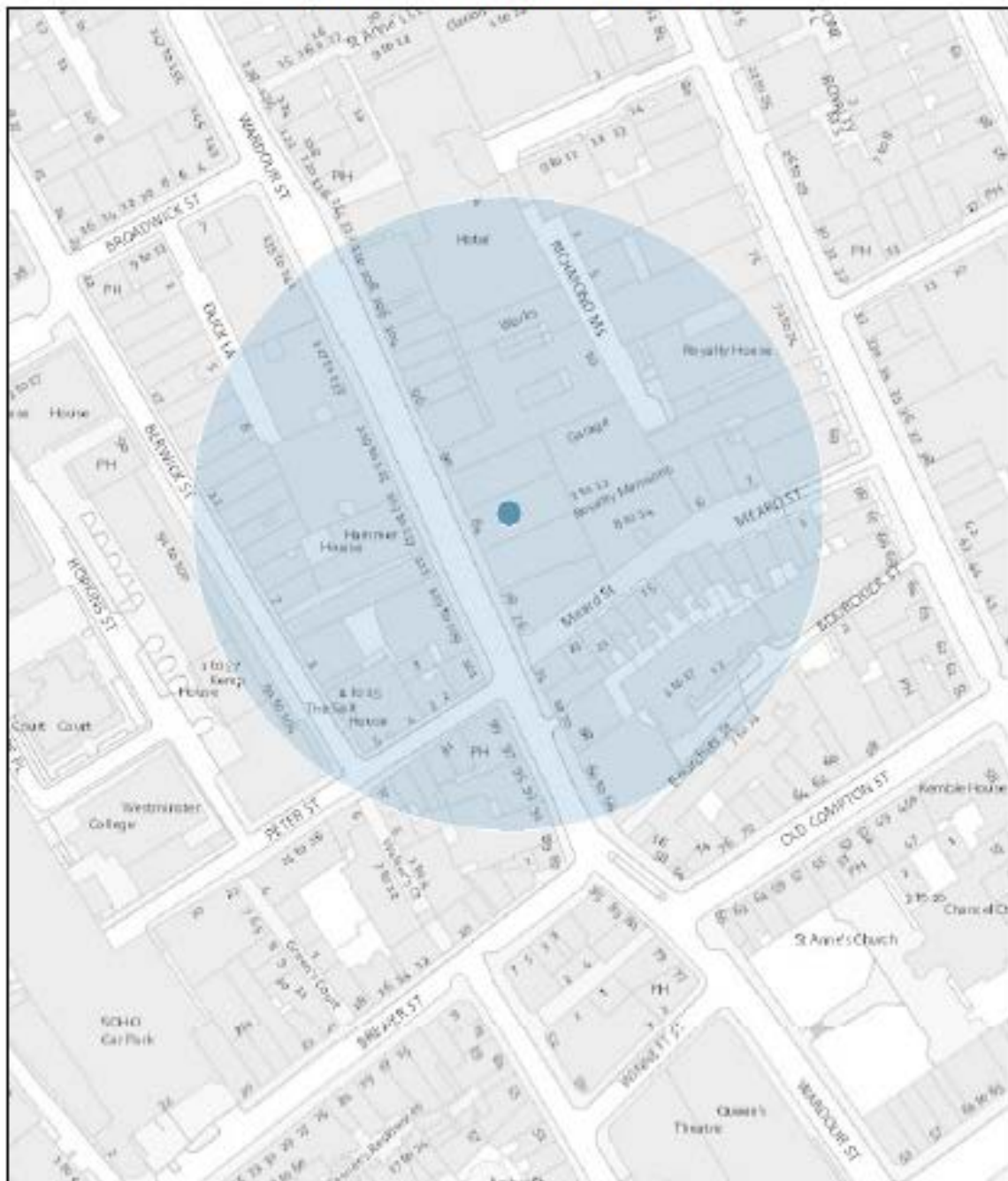
Proposed amendment:

- 23a. There shall be no sales of alcohol for consumption off the premises, save for persons who have dined at the premises or are being delivered a substantial table meal to a bona fide address.
24. The maximum number of persons (excluding staff) within the premises shall not exceed the appropriate number for the Ground Floor and Basement with no more than 240 persons within the premises at any one time or such larger number as may be determined by the Environmental Health Consultation Team.
25. The entrance door and all windows shall be kept closed after 23.00 hours except for the immediate access and egress of persons.#

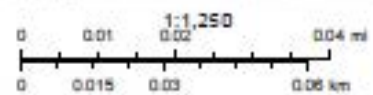
Condition proposed by the Applicant

26. Notwithstanding condition 13, deliveries of alcohol and the provision of late night refreshment (where applicable) shall be permitted to be made from the premises until 23:00 hours on Sundays, 00:00 hours Mondays to Thursdays, 01:00 Fridays to Saturdays and 00:30 on Sundays before bank holidays.

Vapiano - 84-86 Wardour Street



May 1, 2018



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Resident count: 245

Licence Number	Trading Name	Address	Premises Type	Time Period
16/13316/LIPDPS	Vapiano	84 - 86 Wardour Street London W1F 0TG	Restaurant	Monday to Thursday; 07:00 - 00:30 Friday to Saturday; 07:00 - 01:30 Sunday; 07:00 - 23:30 Sundays before Bank Holidays; 07:00 - 00:30
14/03817/LIPVM	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:00 Sunday; 12:00 - 23:00
16/10195/LIPN	Hummus Bros	88 Wardour Street London W1F 0TH	Restaurant	Monday to Sunday; 08:00 - 22:30
17/02168/LIPDPS	Wahaca	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
17/01898/LIPVM	Amathus	Hammer House 113- 117 Wardour Street London W1F 0UN	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30

17/09516/LIPVM	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
11/11034/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Monday to Saturday; 07:30 - 23:30 Sunday; 07:30 - 23:00
14/07563/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Restaurant	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
16/10215/LIPDPS	Meza - Transfer	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Monday to Wednesday; 07:00 - 23:00 Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
17/01564/LIPV	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

16/13973/LIPDPS	MasQMenos	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:00
18/01086/LIPT	Byron	99 Wardour Street London W1F 0UF	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
13/04632/LIPN	Foxcroft & Ginger	3 Berwick Street London W1F 0DR	Cafe	Monday to Thursday; 08:00 - 23:00 Friday; 08:00 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30
17/09680/LIPCH	Polpetto	11 Berwick Street London W1F 0PL	Restaurant	Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30
12/08457/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
17/06328/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00

17/03770/LIPDPS	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3BD	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
16/12850/LIPDPS	Busaba Eathai	108-110 Wardour Street London W1F 0JL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
18/01045/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00

Licensing Sub-Committee

Report

Agenda Item 2

Item No:	
Date:	10 May 2018
Licensing Ref No:	18/02901/LIPN - New Premises Licence
Title of Report:	11-19 Eccleston Place London SW1W 9NF
Report of:	Director of Public Protection and Licensing
Wards involved:	Warwick
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Simone Murray Senior Licensing Officer
Contact details	Telephone: 020 7641 1740 Email: smurray@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	15 March 2018		
Applicant:	Grosvenor Investments Limited Tarts Kitchen Limited - (Joint Applicants)		
Premises:			
Premises address:	11-19 Eccleston Place London SW1W 9NF	Ward:	Warwick
		Cumulative Impact Area:	None
Premises description:	According to the application, the premises will operate as a Restaurant and Bar, Studio and Retail Space.		
Premises licence history:	This is a new premises licence application and therefore there is no premises licence history.		
Applicant submissions:	The application follows a pre-application submission (17/11672/PREAPM) and the grant of planning permission (17/06189/FULL)		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at the Licensing Committee.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:				<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>On Sundays prior to bank holidays/public holidays 23:00 – 00:00</p>			

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>On Sundays prior to bank holidays/public holidays 12:00 – 00:00</p>				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:			<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>On Sundays prior to bank holidays/public holidays 07:30 – 00:00</p>				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	11 th April 2018

11-19 ECCLESTON PLACE, LONDON, SW1W 9NF

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted a plan of the premises showing the licensable areas, drawing no 2947.105, revision A, dated Feb 18.

The following licensable activities are being sought:

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises between 10:00 and 23.30 Monday to Thursday, 10:00 and 24.00 Friday and Saturday and 12:00 and 22:30 Sunday. Also on Sundays immediately prior to Bank Holidays from 12:00 to 24:0 and from end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.
2. To provide Late Night Refreshment 'indoors' between 23:00 and 23.30 Monday to Thursday and 23:00 and 24:00 hours Friday and Saturday. Also on Sundays immediately prior to Bank Holidays from 23:00 to 24:0 and from end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.

I wish to make the following representations based on the plans submitted and the supporting operating schedule:

1. The hours requested for and the Supply of Alcohol 'On' and 'Off' the premises may lead to an increase in Public Nuisance in the area
2. The hours requested for and the provision of Late Night Refreshment may lead to an increase in Public Nuisance in the area.

Although the applicant has offered an extensive list of conditions clarification is needed on the licensable use of parts of the premises such as the studio and how an unrestricted bar operation shall not result from the application as currently applied for.

The applicant is requested to contact the undersigned to discuss these issues after which Environmental Health may propose additional conditions, including capacity restrictions, to allay its concerns.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Toby Janes
Received:	11 th April 2018
<p>Application 18/02901/LIPN - 11-19 Eccleston Place.</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>I will be in touch shortly to discuss this application in more detail.</p> <p>In the meantime if you have any questions, please do not hesitate to contact me.</p>	

2-B Other Persons	
Received:	12 th April 2018
<p>3:13 PM on 12 Apr 2018 Dear Sir/ Madam</p> <p>I am concerned that this application basically allows for a huge pub to operate in this location which would be hugely undesirable to the area as a whole.</p> <p>The area thrives on small independent shops, restaurants and bars and does need a massive business such as this.</p> <p>The application appears to allow unlimited drinking and music. Surely if this proposal is to go ahead both of these activities should be restricted to smaller areas and to limited to a certain number of days of the year.</p> <p>In its current form it appears to be very unsuitable.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy RNT1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Ms Simone Murray Senior Licensing Officer
Contact:	Telephone: 020 7641 1740 Email: smurray@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 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Environmental Health Service	11 th April 2018
5	Metropolitan Police Service	11 th April 2018
6	Representation	12 th April 2018

Pre Application Advice reference 17/11672/PREAPM



Office Names: Anil Drayan
 Designation: Environmental Health Officer
 Contact number: 020 7641 1774
 Email: adrayan@westminster.gov.uk
 Application/Uniform Ref Number: 17/11672/PREAPM

Address: Chester House, 11-19 Eccleston Place		
Existing Licence: No Current Use: Planning permission no. 17/06189/FULL	Applicant/solicitor: Alun Thomas Thomas & Thomas Partners Llp	Cumulative Impact Area: No

BACKGROUND INFORMATION

Advice Request submitted with pre-app application:

The proposals include:

1. Provisional statements for three restaurant units, recently granted A3 planning permission;
2. A premises licence for one of the additional restaurants where fit-out plans are now available;
3. A premises licence for a sui generis event space.

The proposed hours for licensable activities are within the council's core hours, save for Thursday when the hours are midnight. The site has the benefit of recent planning permission and is currently being developed by Grosvenor with a view to the shell and core units being handed over within the next few weeks. Please could advice be provided on site in respect of the applications and their conditions.

Following a site visit on 4/12/2017, the advice request has been narrowed to the licensing use of the 'A Frame' within Chester House granted planning permission under 17/06189/FULL. Further information was submitted on this use, including an Operational Management Plan (OMP), on 19/2/2018. This is summarized below:

The OMP describes the proposed multi-use at Chester House within the 'A Frame' and also covers the wider site granted permissions under 16/03582/FULL, 17/06293/FULL, and 16/03378/FULL.

These permissions for the site as a whole include a range of different uses:

- A publically accessible, privately owned and managed, courtyard
- 3 restaurants
- 10 retail outlets of which circa 5 may include food
- Gym
- The proposed use at Chester House within the 'A Frame' space, providing a studio and events space, retail, restaurant and bar and coffee;

The description in the OMP of the uses within the 'A Frame' space are summarized below;

1. Retail and "Grab and Go" Kiosk - *coffee to take away as well as essential pantry food items and juices, capacity 30*
2. Restaurant and Bar - *The Restaurant and the bar will run separately. The bar will also service events in the studio and events space during the daytime and evening. Maximum Customers: 148, including the bar stools*
3. Studio and Events Space - *We aim to use the space for a multitude of events that cross the boundaries of the fashion, the creative and entertainment industries. We envisage the space becoming a hub for the creative industries who are starting to build strong roots in the area. Our maximum anticipated capacity would be 350 (if and when using the whole site)*
4. Retail - *In the main retail space will be lifestyle and plants – We will be selling our own Tart products starting with kitchen and homeware – examples are chopping boards, aprons, cast iron pans, cooking utensils, salad bowls, capacity`*

ENVIRONMENTAL HEALTH ADVICE

Please note this advice is based on the site visit carried out on 4/12/17 and the OMP provided on 19/2/18 that details how the different elements of the proposed units at Chester House shall operate. During the site visit it was also confirmed that the licensable activities sought will be limited to 'core' hour operations for the following:

- Sale of Alcohol
- Late Night Refreshment

and that the alcohol is to be provided mainly with food for the restaurant operation. The intention is also for the alcohol to be provided without food for a small bar operation and ancillary to users of the studio/event space and during events.

There will be no 'off' sales from the "Grab and Go" Kiosk and Retail spaces.

Policy considerations

1. Westminster's Statement of Licensing policy

- i. Environmental Health bases any recommendations on achieving compliance with Westminster's Statement of Licensing Policy as well as being consistent with promoting the Licensing Objectives.

The advice in this report should therefore be read in conjunction with the policy which can be found on the Council's website at the following link:

<https://www.westminster.gov.uk/statement-licensing-policy>

- ii. In addition, this link gives access to the list of Model Conditions (MC), which should be used as the basis for any conditions that may be proposed in an operating schedule.

- iii. The principal policy consideration for the proposed multi-use of the premises is policy COMB1 which states:

(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, CIP1 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.

2. Licensable activities requested

i. Sale of Alcohol:

For the sale of alcohol in a combined use premises Environment Health therefore advises compliance with the following for each activity:

- a) Restaurant:** The policy consideration is policy RNT1 for a 'core' hour (policy HRS1) restaurant operation and where the premises are not in a Cumulative Impact Area (CIA).

This states that *‘applications will generally be granted subject to relevant criteria in policies CD1, PS1, PN1 and CH1.’*

To demonstrate a restaurant operation such an application must usually be accompanied with an ancillary use operation such as being based on MC38.

- b) Bar:** Although the bar operation is relatively small policy PB1 also applies.

This states that *‘applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in policies CD1, PS1, PN1 and CH1.’*

As the premises are not in a CIA a public bar operation ancillary to the use of the rest of the premises comprising approximately 10% of maximum capacity (max. of 350 in this case) would normally be considered to be acceptable by Environmental Health.

A bar operation with a capacity limited to 35 in the bar is recommended.

- c) Studio and Breakout Area Spaces:** Any provision of alcohol in these areas is recommended to be based on MC86

- d) Events:** Any provision of alcohol during events should only be ancillary to pre-booked events (booked at least 24 hour in advance) for which suitable and sufficient Event Management Plans (EMP) have been drawn up. An EMP for each event must contain information and assessments on at least the following aspects where relevant:

- i. Responsible persons including at least one person with management responsibilities of the licence holder
- ii. Safe Capacity (*should never be more than 350*)
- iii. Temporary structures (including obtaining any temporary structures licence where necessary)
- iv. Safe use of any special effects eg laser, smoke and fog generators, flames, pyrotechnics, strobe lighting, etc
- v. Noise Management Plan
- vi. Stewarding and Emergency Evacuation Plans

- e) “Grab and Go” Kiosk and Retail:** As no ‘off’ sales are intended in these spaces any such sales should be restricted to be from the bar only and also based on MC16 and MC17.

ii. Late Night Refreshment:

Note if take-away food is offered after 11pm this can lead to nuisance which can be difficult to control and policy FFP1 will apply. Any application is therefore recommended to have condition MC56 to prevent takeaways after 11pm

3. Other matters to consider

i. Regulated Entertainments and other noise sources.

- a) The Live Music Act exempts Recorded Music and Live Music from requiring these to be licensed before 23:00 hours for an audience of less than 500.

During the site visit, it was stated that Regulated Entertainments would not be applied for and any use of amplified music during events is likely to be made under this exemption.

I would therefore recommend any amplified music provision is installed so that it is under the control of a suitable sound limiter device.

This will help assist in drawing up a suitable Noise Management Plan as part of an event EMP as the potential variance of sound generated between events is likely to be considerable.

- b) Also the wide activity use of the studio and the potential non-amplified music noise sources during events means MC12 is recommended.

ii. Sanitary accommodation

The provision of sanitary accommodations is recommended to be as advised in British Standard 6465 -1:2006 + A1:2009; Sanitary installations – Part 1: Code of practice for the design of sanitary facilities and scale of provision of sanitary and associated appliances

- a) For a capacity of upto 350 Customers and based on a 50/50 male/female split the provision is advised to be:

- Male 3 WC's + 3 urinals
- Female 6 WC's

Also, note Building Control requirements for new premises or premises undergoing substantial refurbishment usually require provision of a disabled or accessible facility. Environmental Health would normally accept buildings, that one of the above facilities can be dual use and thus included as part of the overall provision for customers.

b) Provision for catering staff;

In addition, premises that are food led should also be providing sanitary accommodations that are separate from that provided for the public to comply with guidance to food hygiene legislation.

Please note in premises where food and drink is provided all toilets, if possible including disabled/accessible units, should be separated by a lobby from food eating, storage and preparation areas.

Recommended Conditions:

Environmental Health recommends the following conditions (please note these are based on the Model Conditions some of which have been adapted):

1. The supply of alcohol at the premises shall only be to:
 - i. Persons seated taking a table meal and for consumption by such a person as ancillary to their meal in the area marked Restaurant and Bar on the plans
 - ii. Notwithstanding part (i) 35 persons at any one time in the Bar may consume alcohol without food or being seated.
 - iii. Persons in the area marked Studio and Breakout Area on the plans provided this shall be ancillary to the main function of this area for use by persons in the fashion, creative and entertainment industries
 - iv. Persons attending a pre-booked function for which a suitable and sufficient Event Management Plan has been drawn up prior to the event.
2. An Event Management Plan for each event must be made available on request to the Responsible Authorities, kept for at least one year and must contain information and assessments on at least the following aspects where relevant:
 - i. Responsible persons including at least one person with management responsibilities of the licence holder
 - ii. Safe Capacity (should never be more than (350))
 - iii. Stewarding and Emergency Evacuation Plans
 - iv. Temporary structures (including obtaining any temporary structures licence where necessary)
 - v. Safe use of any special effects eg laser, smoke and fog generators, flames, pyrotechnics, strobe lighting, etc
 - vi. Noise Management Plan

3. All sales of alcohol for consumption off the premises shall be from the Bar only and these shall cease after 23:00.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
5. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
6. 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.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received concerning crime and disorder
 - d) Any incidents of disorder
 - e) All seizures of drugs or offensive weapons
 - f) Any faults in the CCTV system
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service
8. 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 is open.
9. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
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 authorized officer throughout the entire 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. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. 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.

13. 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.
14. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties.
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. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. 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.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
22. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
23. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
22. The number of persons permitted at any one time (excluding staff) in the in the area marked Restaurant and Bar on the plans shall not exceed 150 persons and when the premises is used for events 350. *(note this final maximum capacity shall be assessed on removal of the 'works condition' but it shall be not more than this)*
24. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.

25. Before the premises are open to the public under the licence, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the work carried out. Where minor layout changes have occurred during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

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

Operational Management Plan

OPERATIONAL MANAGEMENT PLAN

This Operational Management Plan (OMP) details the strategy for the operational management of the development site at Eccleston Place.

The details of the proposed use at Chester House, sought under planning application 17/06189/FULL, are described in the next section of this document, before the operational management for the wider site as a whole (permitted under 16/03582/FULL, 17/06293/FULL and 16/03378/FULL), with which the proposed operational management of the unit at Chester House will be aligned, is described.

The overall scheme will include a range of different uses, including:

- A publically accessible, privately owned and managed, courtyard
- 3 restaurants
- 10 retail outlets of which circa 5 may include food
- Gym
- The proposed use at Chester House within the 'A Frame' space, providing a studio and events space, retail, restaurant and bar and coffee;

PROPOSED OPERATION FOR CHESTER HOUSE 'A FRAME' SPACE

The proposed unit at Chester House, which forms this planning application, will be operated as follows.

The unit will house the following spaces as shown on the attached indicative layout plan;

- 1. Retail and "Grab and Go" Kiosk
- 2. Restaurant and Bar
- 3. Studio and Events Space
- 4. Retail

1. Retail and "Grab and Go" Kiosk:

The Retail and "Grab and Go" kiosk is located off the main entrance to the courtyard. It will offer coffee to take away as well as essential pantry food items and juices. Preparation of the food and drink will be from the main kitchen. The grab and go will serve hot and cold items such as sandwiches, soup, stews and salads. We will also have a counter which in the day and the weekend will be selling freshly made bread and deli items.

Opening Hours

At the weekend the 'to go' section will be closed off but the entrance with the deli counter will be open to the public, we will make sure this entrance is enticing, attracting people who are walking through the courtyard.

Monday to Saturday: 6am – 11.30pm

Sunday: 7am – 10.30pm

Staffed Hours

Monday to Saturday: 5.30am – 00:00am

Sunday: 6.30am – 11.00pm

Occupancy

Customer Seating: 0

Maximum Customers: 30

Maximum Staff: Between 4-6

2. Restaurant and Bar:

The restaurant and bar area are located in the central part of the space, between the kitchen, studio and events space and the retail areas. The dining room has two entrances, one through the Retail and "Grab and Go" kiosk, the other through the retail entrance accessed from Eccleston Place. There will be two concierge points at either side of the restaurant to welcome guests and show them to their seats. The Restaurant and the bar will run separately, allowing customers to enjoy a juice or a coffee in the day or a drink in the evening at the bar if they wish. The bar area is not simply to be used as a waiting area for the restaurant but to be a fully interactive section that will attract customers after work, throughout the day and at the weekend without customers necessarily having to take a meal in the restaurant.

The restaurant will be open weekly for all day dining including breakfast, lunch and early evening, at the weekend we will serve an all day brunch menu. Menus will change frequently and all food will be freshly prepared on site. Menus will offer fresh, exciting and colorful dishes, influenced from around the world. We potentially will have a separate dinner menu further down the line.

Running down the side of the central space will be a display kitchen followed by the bar. The display kitchen will have a pizza oven as well as a counter for customers to watch the chefs at work. This area will also be used for cooking demonstrations.

Primary cooking facilities would be accommodated within the kitchen area of the proposed layout plan with appropriate extraction to roof level.

The bar will run in the morning to serve coffee, fresh juices and smoothies as well as wine, beer and cocktails from lunchtime onwards. The bar will also service events in the studio and events space during the daytime and evening. The bar will serve snacks which can be prepared behind the bar by staff. There will be casual seating at the bar area. The restaurant bar will serve the dining room for coffee, tea, juices and alcoholic beverages.

Customer seating will be a mixture of booths, bar-seating, and tables to allow for the varying needs of customers.

The restaurant and the bar will require a Liquor License which will be applied for separately.

All cold rooms, chillers or freezers, dry stores, meat and fish fridges for the kitchen will be located at the back of the kitchen, near the commercial bin store. The storage for the restaurant bar will be located within the bar. Crockery and glassware will be stored along the wall of the restaurant. Storage for the studio and events space will be located at the back left hand side of the studio. Storage for the retail will be located within the retail areas.

Opening Hours

Monday to Friday:	7am – 11.30pm
Saturday:	8am – 11.30pm
Sunday:	8am – 10.30pm

Staffed Hours

Monday to Friday:	6am – 00:00am
Saturday:	7am – 00:00am
Sunday:	7am – 11:00pm

Occupancy

Customer Seating:	148, including the bar stools
Maximum Customers:	148, including the bar stools
Maximum Staff:	20

3. Studio and Events Space:

The studio and events space will operate daily and into the evening for events. The studio will be catered for by the kitchen and restaurant bar.

Events can either take place in the studio or, for bigger events, the entire space, except for the Retail and "Grab and Go" kiosk can be booked out. Events within the 'A frame' can be both private and public facing. Security will be hired for private events if necessary.

The restaurant and bar area will have flexible walls separating it from the studio and events space allowing it to be self contained or for the walls to be 'removed' and the two areas to be used as one integrated space.

We aim to use the space for a multitude of events that cross the boundaries of the fashion, the creative and entertainment industries in both a public facing and B2B manner. We envisage the space becoming a hub for the creative industries who are starting to build strong roots in the area. The studio will be used as a photography space on a weekly basis and the events space will be used to hold high profile industry events such as press launches, art exhibitions, fashion shows & presentations (The London College of Fashion have already expressed an interest in holding their prestigious graduate show that launched the careers of Alexander McQueen et al in the space). These events would need to be licensed for the sale / consumption of alcohol by guests without the need for them to be eating at the restaurant.

The space will also be used to hold public facing events such as yoga classes, photography workshops & art exhibitions that are open to everyone. We have plans to hold wine tasting events & cookery demonstrations that complement the food offering we are presenting in the restaurant & food to go area. In addition to this the space will be available for private hire to members of the public should they wish to hold large events for family or friends.

Our maximum anticipated capacity would be 350, although the vast majority of events would be for a much smaller number. We anticipate running approximately one private event a week – the majority of which will be during the day, and none of which will ever go on past midnight. There will

however be occasions where more frequent events would be held (i.e London Fashion week). The photography studio will be in use roughly 60% of the time, normally within the standard working hours of 9am until 5pm.

All events will be fully staffed with adequate security staff. The management team are highly experienced in events organising and are fully aware of the considerations that must be made for our neighboring residents and fellow businesses.

Opening Hours

Monday to Friday: 7am – 11.30pm
Saturday: 8am – 12.00am
Sunday: 8am – 10.30pm

Staffed Hours

Monday to Friday: 6am – 00:30am
Saturday: 7am – 00:30am
Sunday: 7am – 11:00pm

Occupancy

Customer Seating: N/A
Maximum Customers: 350
Maximum Staff: 3-4 (A manager, two runners and an Operational Manager)

For specific events additional staff such as security will be hired in depending on the nature of the event.

4. Retail:

Retail in the main space will be lifestyle and plants – *We will be selling our own Tart products starting with kitchen and homeware – examples are chopping boards, aprons, cast iron pans, cooking utensils, salad bowls. Down the line perhaps expanding to lamps, rugs and more house hold products. We will also have all our furniture, crockery, cutlery, glassware that we use in the restaurant and the bar for sale, as well as the plants that decorate the site.*

Opening Hours

Monday to Friday: 7am - 11.30pm
Saturday: 8am – 11.30pm
Sunday: 8.30am – 10.30pm

Staffed Hours

Monday to Friday: 6am – 00:00am

Saturday: 7am - 00:00am
Sunday: 7am – 11pm

Occupancy

Customer Seating: N/A
Maximum Customers: 50
Maximum Staff: 3

CUSTOMER SEATING

Customers will be able to enjoy food from the menu in all seating areas. Food will only be prepared in the kitchen located in the rear of the A-Frame.

SERVICING

The operator of this space will service their units entirely from Eccleston Place via “Entrance #9” beside the substation and via the entrance to unit 19_04, rather than from the Courtyard. Their proposed servicing hours would be between;

Servicing Hours –

Monday to Saturday: 7am – 5pm
Sunday: 8am – 5pm

Food (meat, eggs, veg, fish, dairy, bread)

7am – 9am

8am - 10am Sunday

Via the Entrance to 1904

2-3 deliveries a day

Beverage (milk, juice, wine, beer)

9am – 4pm

Via the Entrance to 1904

1-2 deliveries a day

Coffee

9am – 4pm

Via Entrance 9

1 delivery per week

Food collection – In due course we will have a delivery service, delivering breakfast, lunch and snacks to nearby offices and homes. We will also cater for outside events and parties.

We may also use companies such as deliveroo or uber eats

9am - 5pm

Via Entrance 9

Cleaning

An external cleaning company will be employed to clean out of hours in the evening.

SITE-WIDE OPERATIONAL MANAGEMENT

The remainder of this document confirms the strategy to be adopted across the wider site, with which the use at Chester House will be aligned.

Management and Staffing

Grosvenor would be responsible for management of the buildings and the courtyard as part of the scheme across the wider site and will ensure compliance with statutory regulations and public safety.

Grosvenor already manages 25 Eccleston Place and Chester House (the courtyard is currently used for associated commercial parking and servicing), from their management office located at Buckingham Palace Road. The current management office will be relocated from its present home into an office within an existing refurbished building that will provide management and security resources for all the adjacent buildings and the courtyard. It will be located at first floor in the south west corner of the Chester House.

There will be a General Manager and a Building Manager dedicated to the active management of this site only.

The central office will provide a 24 hours, seven days a week contact number to allow local residents, retailers and occupiers to raise any issues of concern to be resolved as a matter of priority. There will be a thorough and transparent system for recording calls and reporting progress and resolution.

The occupiers will employ approximately 240 full and part time employees across the retail, restaurant and sui generis uses. This breaks down as follows:

- 70 in the restaurants
- 100 in the retail units
- 20 in the wellness / fitness Centre
- 30/50 in the "A" frame garage

Security

Grosvenor will employ experienced security personnel 24 hours a day to ensure safety of visitors, local residents and the general public. They will be located in the central management office, with designated patrols on the area. This will be focused on the Courtyard. However it will also include Eccleston Place and the two access points.

It is hoped that by introducing new activity through the creation of a new destination with new retail and restaurants along with associated new lighting at street level that security will be improved.

The level of security will reflect circumstance and may increase during the evening and during the night. There will be increased security provided for specific temporary events and activities in the courtyard.

CCTV cameras are already placed externally at strategic locations on buildings, along access routes and in the courtyard. They will be monitored at the central management hub.

Entrances and Exit Strategy

The courtyard will have two separate access points, which will provide open access during the day but will be gated and closed at night. The access points are:

- Eccleston Place – providing vehicular access at designated times for servicing; otherwise pedestrian only
- Ebury Street – pedestrian only

The Ebury Street gate will be closed at 23.00, whilst the Eccleston Place access would be closed at midnight. There will be careful monitoring of the access routes in the evenings and during the weekends to ensure minimum disturbance to neighbours.

The management of each establishment will reserve the right to refuse entry or to remove persons from their own premises for whatever reason, at any time. They will have a direct link to the central management and security office at all times, if that is required.

For the courtyard, restaurants and the retail units it is envisaged that the majority of customers will arrive by public transport cycle or by taxi. There is a Santander cycle hire stand on Eccleston Place and there will be facilities provided to secure cycles in the courtyard at the rear of 25 Eccleston Place. Special arrangements with private car hire and taxi companies will be made to ensure that evening guests will be dropped off and collected on Eccleston Place, rather than surrounding residential roads, in order to minimise any potential disturbance.

There are residents around Eccleston Place; in Chester House and along Ebury Street. Notices will request that patrons recognise that this is a residential area and to leave the premises quietly.

Community Engagement and Neighbour Relations

Grosvenor will be instituting a number of initiatives to address potential adverse amenity impacts, particularly in relation to local residents:

- A comprehensive management regime as outlined in this document;
- Planting in the courtyard and green walls to reduce the potential noise impacts;
-
- Restriction in the hours of use and public access to the courtyard – gates will be closed at night;
- Careful selection of occupiers to create the right balance and type of retailer / restaurateur
- Signage in the courtyard and at strategic locations making visitors aware that this is a residential area;

It is not in Grosvenor's interest to create a place that produces noise and disturbance for its neighbours.

The Applicant maintains ongoing dialogue and engagement with local politicians, local Amenity Groups, existing occupiers, neighbours and local community stakeholders as well as individual members of the public, as aspects of the wider scheme development are undertaken. In the last 18 months, for instance, the Applicant has:

- Written a number of letters to commercial and residential neighbours informing them of progress with the planning submission and subsequently the construction process
- Responded to any enquiries, questions or issues raised by residents and community stakeholders

- Established the appropriate mechanisms and protocols to deal with any construction related issues
- Produced a weekly construction update distributed to neighbours on Eccleston Place and Ebury Street – this monitors progress and also informs of work planned for the coming week
- Held Community Briefings to enable neighbouring residents and businesses, as well as members of Amenity Groups, to meet the contractors and get an update on the scheme's progress
- Issued a newsletter distributed locally that updates on the scheme's progress and identifies future milestones. The newsletter is also used to publicise engagement events.

The applicant as freeholder actively manages the Estate, and will therefore remain contactable whilst the development is operational.

Opportunities for Local Residents and Businesses

Grosvenor's vision is that the development of the wider site will bring benefits to the existing retail on Elizabeth Street and Eccleston Street. The aspiration of creating a new destination that meets local needs and attracts new visitors to enjoy the delights of Belgravia will increase the footfall in the area.

The marketing for the site will place emphasis on the complementary nature of the existing retail and thereby actively encourage visitors to use the services offered by local businesses.

Grosvenor will encourage new occupiers whenever possible to recruit employees from the local area.

Staff Access

There are no dedicated entrances or access being provided for staff. Each occupier will be responsible for the access of staff and the opening of their premises.

Access to the courtyard during the night, when it will be closed, will be managed by Grosvenor and any access required by staff during that time will need to be specifically arranged with Grosvenor. All staff access will be from Eccleston Place.

Servicing Arrangements

A detailed Servicing Management Plan is being submitted in accordance with the requirements of permission 17/06293/FULL, but the key aspects of the strategy for the entire site can be summarized as follows.

Servicing would take place either from the courtyard within the hours permitted under permission 17/06293/FULL (of 07:00 to 10:00 Monday to Saturday and 08:00 to 10:00 on Sundays), or from Eccleston Place itself directly, in accordance with a daily delivery schedule. Both Grosvenor and the individual operators will coordinate the management of the deliveries.

There will be no vehicular access provided from Ebury Street so any servicing required to specific units which do not front Eccleston Place, for example 115A Ebury Street will be serviced via the Courtyard.

The management of each facility will take all necessary steps to ensure that deliveries are kept

to a minimum and are scheduled within the designated servicing times to minimise disturbance and to ensure highway safety is maintained.

A waste storage and recycling facility is being provided at the rear of Chester House accessed from the courtyard. It will be a Grosvenor responsibility to ensure that collection takes place at designated times direct from the waste and recycling centre or that the bins are moved to Eccleston Place. It will be the individual occupiers' responsibility to ensure that all waste is stored in the facility.

Fume Extraction and Plant

All new extract and plant equipment would conform to the necessary legislation and controls to ensure that there is no impact on residential amenity by way of smells, vibration and disturbance. There will be full height ducting extraction from all restaurants and premises where there will be any food cooking.

The building services plant and equipment would be designed to comply with the City Council's standard requirements, in terms of acoustic noise, vibration and fume extraction.

Smoking – Staff and Customers

Grosvenor does not want to encourage smoking. Visitors and staff will be encouraged (through staff briefings and notices for visitors) to use Eccleston Place if they wish to smoke, where receptacles for cigarette butts will be provided, rather than adjoining residential streets.

Repairs and Maintenance

Grosvenor will attend to any maintenance issues as quickly as possible. Where external works are to take place or where the proposed works are deemed to be of a significant nature, Grosvenor will notify neighbours and occupiers via the ongoing engagement channels as appropriate.

Emergencies

Grosvenor will take action to minimise the disturbance to neighbouring properties and residents when emergency arrangements are in place. The management team would liaise with the local authority, Metropolitan Police, Amenity Groups as well as the residents' forum as appropriate.

Tables and Chairs

Tables and chairs may be placed in the courtyard outside retail and restaurant units. These will be limited to certain areas so that the public seating and planting in the centre of the courtyard can be enjoyed by the public. The General Manager and Building Manager will closely monitor the usage of tables and chairs and ensure that they are vacated on a timely basis each evening, before 23:00.

Waste

The waste storage unit will include full recycling facilities and all occupiers will be encouraged to recycle all that can be. Suppliers too will be encouraged to remove and / or recycle their packaging upon delivery.

It is hoped to keep food waste to a minimum and occupiers will be encouraged to explore innovative ways of working with local charities to see potential food waste being directed to people in need.

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 consistent with the operating schedule and agreed with the Police and Environmental Health

9. The supply of alcohol at the premises shall only be to:
 - i. Persons seated taking a table meal and for consumption by such a person as ancillary to their meal in the area marked Restaurant and Bar on the plans;
 - ii. Notwithstanding part (i) the following may consume alcohol without food or being seated;
 1. 35 persons at any one time in the Bar; or
 2. Persons in the area marked Studio and Breakout Area on the plans provided this shall be ancillary to the main function of this area for use by persons in the fashion, creative and entertainment industries; or
 3. Persons attending a pre-booked function for which a suitable and sufficient Event Management Plan has been drawn up prior to the event.
10. An Event Management Plan for each event must be made available on request to the Responsible Authorities, kept for at least one year and must contain information and assessments on at least the following aspects where relevant:
 - i. Responsible persons including at least one person with management responsibilities of the licence holder
 - ii. Safe Capacity (should never be more than (350))
 - iii. Stewarding and Emergency Evacuation Plans
 - iv. Temporary structures (including obtaining any temporary structures licence where necessary)
 - v. Safe use of any special effects eg laser, smoke and fog generators, flames, pyrotechnics, strobe lighting, etc
 - vi. Noise Management Plan
11. All sales of alcohol for consumption off the premises shall be:
 - a) in sealed containers only and shall not be consumed on the premises; or
 - b) in accordance with condition 9(i) and only in such area shown on the deposited plan.
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
13. 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.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received concerning crime and disorder

- d) Any incidents of disorder
 - e) All seizures of drugs or offensive weapons
 - f) Any faults in the CCTV system
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service
15. 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 is open.
 16. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorized officer throughout the entire 31-day period.
 18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
 19. 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.
 20. 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.
 21. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties.
 22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 23. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
 24. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
29. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
23. The number of persons permitted at any one time (excluding staff) in the in the area marked Restaurant and Bar on the plans shall not exceed 150 persons and when the premises is used for events 350. *(note this final maximum capacity shall be assessed on removal of the 'works condition' but it shall be not more than this).*
31. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
32. Before the premises are open to the public under the licence, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the work carried out. Where minor layout changes have occurred during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
33. Unless agreed in writing with the Licensing Authority, 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.
34. No more than (15)% of the retail area (as hatched black on the plan) shall be used at any one time for the sale, exposure for sale, or display of alcohol.
35. In the retail area hatched black on the plan, there shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
36. Sales of alcohol for consumption off the premises shall cease after 23:00. Notwithstanding this condition customers are permitted to take from the premises part consumed and re-sealed bottles of wine supplied ancillary to their meal.
37. Tables and chairs in the external seating area shown on the plan shall be either removed or rendered unusable after 23:00.

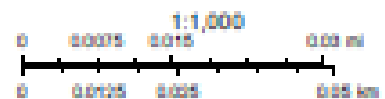
Condition proposed by Environmental Health

38. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol in the retail areas as hatched black on the plan (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

11-19 Eccleston Place



April 25, 2018



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Resident Count: 48

Licence Number	Trading Name	Address	Premises Type	Time Period
17/13294/LIPN	Eccleston Yard	Development Site At 3-5, 11-19, 25-27 Eccleston Place, 115A Ebury Street And 2 Elizabeth Street London	Restaurant	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 00:00 Friday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 11:00 - 22:30
16/08334/LIPDPS	Travellers Tavern	4 Elizabeth Street London SW1W 9RB	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:50 Sunday; 07:00 - 22:50 Sundays before Bank Holidays; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
16/03659/LIPCHT	Sicily	2A Elizabeth Street London SW1W 9RB	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00



City of Westminster

Licensing Sub-Committee Report

Agenda Item 3

Item No:	
Date:	10 May 2018
Licensing Ref No:	18/03318/LIPV - Premises Licence Variation
Title of Report:	Claridges Hotel 47 - 57 Brook Street Mayfair London W1K 4HR
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:	Ms Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	26 March 2018		
Applicant:	Claridges Hotel Limited		
Premises:	Claridges Hotel		
Premises address:	Claridges Hotel 47 - 57 Brook Street Mayfair London W1K 4HR	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	The premises currently operates as a 4* hotel.		
Variation description:	<p>According to the application, the variation seeks to:</p> <p>Extend the Premises Licence (as applies to Claridges Bar known on the Premises Licence as The Brook Street Bar) to include the Davies Street external seating area.</p> <p>No changes are proposed to any other regulated activity or hours.</p>		
Premises licence history:	The premises benefits from a premises licence which can be found at Appendix 2 of the report and a full licence history can be found at Appendix 3 of the report.		
Applicant submissions:	The hotel has obtained planning consent from the City of Westminster to reinstate the historic Garden Entrance door to the bar (see detail plan). The tables and chairs will sit on the hotel's private land which is screened from Davies Street by high railings. Given the residential nature of the hotel and nearby properties, the external area will be carefully managed so as to prevent any form of public nuisance.		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment – Brook Street Bar						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:30	No change		Brook Street Bar	Brook Street Bar and Davies Street External Seating Area
Tuesday						
Wednesday	23:00	02:00				
Thursday						
Friday						
Saturday						
Sunday	23:00	00:30				
Non-standard timings:	Current:				Proposed:	
	Condition 18: There shall be no entry or re-entry to the Brook Street Bar via the Brooks Street Entrance after 01:00				No change	

Sale by Retail of Alcohol – Brook Street Bar						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:30	00:00	No change		Brook Street Bar	Brook Street Bar and Davies Street External Seating Area
Tuesday						
Wednesday	07:30	02:00				
Thursday						
Friday						
Saturday						
Sunday	09:00	00:30				
Non-standard timings:	Current:				Proposed:	
	Condition 18: There shall be no entry or re-entry to the Brook Street Bar via the Brooks Street Entrance after 01:00				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	00:00	00:00	Brook Street Bar	Brook Street Bar and Davies Street External Seating Area
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Non-standard timings:	Current:				Proposed:	
	Condition 18: There shall be no entry or re-entry to the Brook Street Bar via the Brooks Street Entrance after 01:00				No change	

1-C Layout alteration
<p>The variation application seeks to extend the area of the premises licence (known on the licence as The Brook Street Bar) to include the Davies Street External Area following the grant of planning permission.</p>

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Mr Ian Watson
Received:	20 April 2018
<p>I refer to the application for variation.</p> <p>This representation is based on the plans of the ground floor and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To include a new part of the ground floor (external area) on Davies Street accessed from the Brook Street Bar into the licensed area. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. Representation is made on Prevention of Public Nuisance. The applicant has not provided any details of when the outside area will cease trading to minimise nuisance. <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	PC Bryan Lewis
Received:	18 April 2018
<p>Our objections relate to the following:</p> <p>Insufficient licence conditions proposed to promote the licensing objectives.</p> <p>I will contact you to discuss the matter.</p> <p><i>Following the agreement of the proposed conditions, the Police have withdrawn their representation.</i></p>	

2-B Other Persons	
Received:	07 April 2018
<p>1:46 PM on 07 Apr 2018 Claridges Hotel has a long track record of disregarding the interests of neighbours. Construction works are regularly carried out at night and on Sundays, in violation of the Noise Abatement laws. The application states that the outside bar / garden will be open 24 hours a day, which is unacceptable. They claim to have "robust" controls in place to ensure no disruption to neighbours, which is clearly not the case; I have reported them numerous times for the construction works on Sundays and at night, and each time the management of Claridges feigns ignorance.</p> <p>Westminster has taken no action against Claridges for repeated violations of the noise abatement laws, so I have no confidence that Claridges will limit the noise from an outside bar area. This will be a source of significant noise and disruption and will constitute a private nuisance that interferes with my legal right to enjoyment of my residential property. The law recognizes that landowners, or those in rightful possession of land, have the right to the unimpaired condition of the property and to reasonable comfort and convenience in its occupation.</p> <p>The extent and duration of the disturbance will be daily, and continue into the night. There is no Social value in Claridge's proposal; it is purely to maximise profits of the hotel's bar. Given Claridge's track record of disregard for the Noise Abatement laws, there is no credibility to their claim of "robust" controls for mitigating or preventing the harm. The locality is next to and across from residential properties and is not suitable for the proposed use as an outside bar.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<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 PB1 applies	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Appendices

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

Report author:	Ms Shannon Pring Licensing Support Officer
Contact:	Telephone: 020 7641 1884 Email: spring3@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 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	20 April 2018
5	Metropolitan Police Service (Withdrawn)	18 April 2018

There are no supporting documents from the Applicant

The current, issued premises licence is enclosed. There has been a subsequent variation application (ref: 18/00436/LIPV); however, the licence following this application has not yet been issued.



Schedule 12
Part A

WARD: West End
UPRN: 100023474940

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/07342/LIPV

Original Reference:

05/06663/LIPCV

Part 1 – Premises details

Postal address of premises:

Claridges Hotel
47-57 Brook Street
Mayfair
London
W1A 2JQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings: See condition 26

Provision of facilities for Dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings: See condition 26

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00 (Private Bedrooms)
Monday to Sunday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Monday to Sunday: 09:00 to 01:00 (Other Areas)

Non-standard Timings:	See condition 26
Provision of facilities for making Music	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Performance of Live Music	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Playing of Recorded Music	
Unrestricted	
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor Lounge, Restaurant and Bar)
Sunday:	23:00 to 00:00 (Ground Floor Lounge, Restaurant and Bar)
Monday to Tuesday:	23:00 to 01:30 (Brook Street Bar)
Wednesday to Saturday:	23:00 to 02:00 (Brook Street Bar)
Sunday:	23:00 to 00:30 (Brook Street Bar)
Monday to Saturday:	23:00 to 00:30 (Other Areas)
Sunday:	23:00 to 00:00 (Other Areas)
Non-standard Timings:	See condition 26
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	
Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	07:30 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Sunday:	07:30 to 23:30 (Ground Floor Lounge, Restaurant and Bar)
Monday to Tuesday:	07:30 to 00:00 (Brook Street Bar)
Wednesday to Saturday:	07:30 to 02:00 (Brook Street Bar)
Sunday:	07:30 to 00:30 (Brook Street Bar)
Monday to Saturday:	07:30 to 00:00 (Other Areas)
Sunday:	07:30 to 23:30 (Other Areas)
Monday to Saturday:	10:00 to 23:00 (Two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor)
Sunday:	12:00 to 22:30 (Two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor)
Non-standard Timings:	See condition 26
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 and 2</i>	

The opening hours of the premises:	
Monday to Sunday	00:00 to 00:00

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

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

Part 2

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

Claridges Hotel Limited
C/o Maybourne Hotel Group
1 Vine Street
Mayfair
London
W1J 0AH

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

00029022

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

Name: Martyn Nail

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: 13296
Licensing Authority: London Borough Of Richmond Upon Thames

Date: 12 November 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

Conditions related to Regulated Entertainment

Ground Floor Lounge, Restaurant and Bar

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 1am on the day following.
- 13. The entertainment to be provided under this licence shall be restricted to live bands and discotheque with ancillary dancing. The entertainment shall be provided by a maximum of twelve performers.
- 14. The number of persons accommodated at any one time (excluding staff) in the first floor restaurant shall not exceed 30; Ground Floor Lounge, 100; Ground Floor Restaurant, 120; and Brook Street Bar, 70.

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

15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

16. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) take all other reasonable precautions for the safety of the children.
17. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

18. There shall be no entry or re-entry to the Brook Street Bar via the Brook Street Entrance after 0100.
19. No windows to the Brook Street Bar nor the entrance from Brook Street into the Brook Street Bar shall be fixed open after 2300.
20. Films shall be permitted on New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor

21. No permanent bar shall be constructed in the shops.
22. Consumption of alcohol in the shops shall only be part of pre-booked event

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

Ground Floor Lounge, Restaurant and Bar: Monday to Saturday Only

23. (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 07:30 (12.00 on Christmas Day and Good Friday) and extend until 01:00 on the morning following, except that -
- (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, the permitted hours shall end when the music and dancing end;
- (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

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

Other Areas and on Sundays in the Ground Floor Lounge, Restaurant and Bar

24. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 07:30 to 23:00
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 07:30 to 22:30
 - (c) On Good Friday, 12:00 to 22:30
 - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
 - (e) On New Year's Eve, except on a Sunday, 07:30 to 23:00
 - (f) On New Year's Eve on a Sunday, 07:30 to 22:30
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

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

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

25. The service of alcohol (restricted to wines and champagnes and no other alcoholic beverages) is permitted between 07:30 and 10:00am during "Champagne Breakfasts", served by a waiter or waitress to seated customers. The service of such alcohol will be ancillary to the supply of food
26. On no more than 15 occasions per year and following 10 days' prior notice to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such a time as agreed with the Police. The police having the power to veto such application.

Annex 4 – Plans

Attached



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

**Schedule 12
Part B**

**WARD: West End
UPRN: 100023474940**

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

13/07342/LIPV

Part 1 – Premises details

Postal address of premises:

Claridges Hotel
47-57 Brook Street
Mayfair
London
W1A 2JQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings: See condition 26

Provision of facilities for Dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings: See condition 26

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00 (Private Bedrooms)
Monday to Sunday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Monday to Sunday:	09:00 to 01:00 (Other Areas)
Non-standard Timings:	See condition 26
Provision of facilities for making Music	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Performance of Live Music	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Playing of Recorded Music	
	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Non-standard Timings:	See condition 26
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor Lounge, Restaurant and Bar)
Sunday:	23:00 to 00:00 (Ground Floor Lounge, Restaurant and Bar)
Monday to Tuesday:	23:00 to 01:30 (Brook Street Bar)
Wednesday to Saturday:	23:00 to 02:00 (Brook Street Bar)
Sunday:	23:00 to 00:30 (Brook Street Bar)
Monday to Saturday:	23:00 to 00:30 (Other Areas)
Sunday:	23:00 to 00:00 (Other Areas)
Non-standard Timings:	See condition 26
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	
	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	07:30 to 01:00 (Ground Floor Lounge, Restaurant and Bar)
Sunday:	07:30 to 23:30 (Ground Floor Lounge, Restaurant and Bar)
Monday to Tuesday:	07:30 to 00:00 (Brook Street Bar)
Wednesday to Saturday:	07:30 to 02:00 (Brook Street Bar)
Sunday:	07:30 to 00:30 (Brook Street Bar)
Monday to Saturday:	07:30 to 00:00 (Other Areas)
Sunday:	07:30 to 23:30 (Other Areas)
Monday to Saturday:	10:00 to 23:00 (Two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor)
Sunday:	12:00 to 22:30 (Two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor)
Non-standard Timings:	See condition 26
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 and 2</i>	

The opening hours of the premises:	
Monday to Sunday	00:00 to 00:00

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

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

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

Claridges Hotel Limited
C/o Maybourne Hotel Group
1 Vine Street
Mayfair
London
W1J 0AH

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

00029022

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

Name: Martyn Nail

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

Restricted

Date: 12 November 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06663/LIPCV	Conversion of licence to Licensing Act 2003	19/09/2005	Granted under Delegated Authority
05/12307/LIPDPS	Application to vary the designated premises supervisor	13/12/2005	Granted under Delegated Authority
12/09668/LIPV	<p>A variation application to add films (in public areas to conform to existing regulated hours) in private bedrooms, 24 hours.</p> <p>To extend the hours for the sale by retail of alcohol and late night refreshment in the Brook Street Bar only (which has a capacity of 70) by one hour to 02:00 on Wednesday, Thursday, Friday and Saturday and to 00:30 on Sunday</p>	21/12/2012	Granted under Delegated Authority
13/07342/LIPV	<p>A variation application to amend the ground floor plans of the hotel to include some of the shop areas on the plans attaching to the premises licence.</p> <p>There is no change proposed to the existing regulated hours or activities. The shops would trade on the same basis as "other areas" shown on page 2 of the premises licence.</p>	08/11/2013	Granted under Delegated Authority
18/00436/LIPV	A variation application to include on the event spaces and function rooms of the Mezzanine Floor on the Premises Licence.	02/03/2018	Granted under Delegated Authority

18/03318/LIPV	Current application		
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There is no appeal history

Temporary Event Notices

Application	Date determined	Decision
17/12516/LITENP	21/11/2017	Notice Granted
17/10819/LITENP	08/12/2018	Notice Granted
15/02021/LITENP	02/04/2015	Notice Granted
14/06718/LITENP	16/12/2014	Notice Granted
14/01884/LITENP	14/04/2014	Notice Granted
13/07471/LITENP	24/10/2013	Notice Granted
13/07470/LITENP	24/10/2013	Notice Granted
13/07469/LITENP	19/12/2013	Notice Granted

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

When determining an application for a variation of a 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.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

Conditions related to Regulated Entertainment

Ground Floor Lounge, Restaurant and Bar

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 1am on the day following.
13. The entertainment to be provided under this licence shall be restricted to live bands and discotheque with ancillary dancing. The entertainment shall be provided by a maximum of twelve performers.
14. The number of persons accommodated at any one time (excluding staff) in the first floor restaurant shall not exceed 30; Ground Floor Lounge, 100; Ground Floor Restaurant, 120; and Brook Street Bar, 70.

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

15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

16. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) take all other reasonable precautions for the safety of the children.
17. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

18. There shall be no entry or re-entry to the Brook Street Bar via the Brook Street Entrance after 0100.
19. No windows to the Brook Street Bar nor the entrance from Brook Street into the Brook Street Bar shall be fixed open after 2300.
20. Films shall be permitted on New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor

21. No permanent bar shall be constructed in the shops.
22. Consumption of alcohol in the shops shall only be part of pre-booked event

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

Ground Floor Lounge, Restaurant and Bar: Monday to Saturday Only

23. (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 07:30 (12.00 on Christmas Day and Good Friday) and extend until 01:00 on the morning following, except that -

(i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and

(ii) on any day that music and dancing end between 00:00 midnight and 01:00, the permitted hours shall end when the music and dancing end;

(b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

(c) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

(a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;

(g) the taking of alcohol from the premises by a person residing there;

(h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

Other Areas and on Sundays in the Ground Floor Lounge, Restaurant and Bar

24. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 07:30 to 23:00
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 07:30 to 22:30
 - (c) On Good Friday, 12:00 to 22:30
 - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
 - (e) On New Year's Eve, except on a Sunday, 07:30 to 23:00
 - (f) On New Year's Eve on a Sunday, 07:30 to 22:30
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

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

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

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

- 25. The service of alcohol (restricted to wines and champagnes and no other alcoholic beverages) is permitted between 07:30 and 10:00am during "Champagne Breakfasts", served by a waiter or waitress to seated customers. The service of such alcohol will be ancillary to the supply of food
- 26. On no more than 15 occasions per year and following 10 days' prior notice to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such a time as agreed with the Police. The police having the power to veto such application.

Conditions proposed by the Police and agreed by the Applicant to form part of the operating schedule

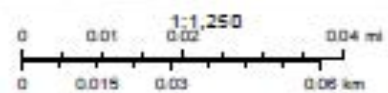
- 27. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The outside table area shall be covered by external CCTV. 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.
- 28. 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

29. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received concerning crime and disorder
 - (d) Any incidents of disorder
 - (e) Any faults in the CCTV system, searching equipment or scanning equipment
 - (f) Any refusal of the sale of alcohol
 - (g) Any visit by a relevant authority or emergency service.
30. Service to the external tables shall cease at 23:00 hours and the tables put out of use by 23:30 hours daily.

Claridge's Hotel, 47-57 Brook Street



May 1, 2018



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Resident count: 37

Licence Number	Trading Name	Address	Premises Type	Time Period
14/03274/LIPDPS	Claridge's Restaurant	Concession 1 47 - 57 Brook Street Mayfair London W1K 4HR	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:30
13/07342/LIPV	Claridges Hotel	Claridges Hotel 47 - 57 Brook Street Mayfair London W1K 4HR	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
12/03704/LIPN	The Refinery	60 Brook Street Mayfair London W1K 5DU	Hairdresser or beauty salon	Monday to Tuesday; 10:00 - 19:00 Wednesday to Friday; 10:00 - 20:00 Saturday; 09:00 - 18:00 Sunday; 11:00 - 17:00
15/09517/LIPN	Not Recorded	19 Brook's Mews London W1K 4DX	Cafe	Monday to Sunday; 07:00 - 22:00



City of Westminster

Licensing Sub-Committee Report

Agenda Item 4

Item No:	
Date:	10 May 2018
Licensing Ref No:	18/02552/LIPV - Premises Licence Variation
Title of Report:	Soho Whisky Club First Floor 42 Old Compton Street London W1D 4TX
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	7 March 2018		
Applicant:	Donatel Freres Limited		
Premises:	Soho Whisky Club		
Premises address:	First Floor 42 Old Compton Street London W1D 4TX	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises currently operates as a private member's whisky bar.		
Variation description:	<p>According to the application the proposed variation is:</p> <ol style="list-style-type: none"> 1. vary conditions 11 and 14 so as to permit pre-booked whisky tasting events at the premises. 2. update existing conditions 17, 18, 20 and 21 so as to bring them in line with the City Council's model conditions. <p>Full details of the variation can be found in section 1-D of the report.</p>		
Premises licence history:	The premises has benefitted from a premises licence since 2010. Full details of the premises licence history can be found at Appendix 2.		
Applicant submissions:	There are no additional submissions from the Applicant.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Exhibition of films						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Ground and First Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday	10:00	00:00				
Saturday						
Sunday	10:00	22:00				

Late night refreshment										
Indoors, outdoors or both			Current :			Proposed:				
			Indoors			No change				
	Current Hours		Proposed Hours		Licensable Area					
	Start:	End:	Start:	End:	Current:	Proposed:				
Monday	N/A		No change		Ground and First Floor	No change				
Tuesday										
Wednesday										
Thursday										
Friday	23:00	00:00								
Saturday										
Sunday	N/A									
Non-standard timings:	Current:				Proposed:					
	Subject to condition 10: There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.				No change					

Sale by Retail of Alcohol										
On or off sales			Current :			Proposed:				
			On and Off			No change				
	Current Hours		Proposed Hours		Licensable Area					
	Start:	End:	Start:	End:	Current:	Proposed:				
Monday	10:00	23:00	No change		Ground and First Floor	No change				
Tuesday										
Wednesday										
Thursday										
Friday	10:00	00:00								
Saturday										
Sunday	10:00	22:00								

Hours premises are open to the public										
	Current Hours		Proposed Hours		Premises Area					
	Start:	End:	Start:	End:	Current:	Proposed:				
Monday	10:00	23:00	No change		Ground and First Floor	No change				
Tuesday										
Wednesday										
Thursday										
Friday	10:00	00:00								
Saturday										
Sunday	10:00	22:00								

1-D Conditions being varied, added or removed	
Condition	Proposed variation
Condition 11: The premises shall only operate as a private members club.	Amend to read: The premises shall operate: (a) as a private members club (b) for the purposes of whisky tasting by persons attending a pre-booked event where individual servings of alcohol for consumption on the premises shall be limited to: (i) samples of 25ml maximum per serving and (ii) five samples per customer per visit to the premises
Condition 14: There shall be no `Off` sales of alcohol save for members and their guests purchasing alcohol in sealed containers for consumption off the premises.	There shall be no `Off` sales of alcohol save for members and their guests or participants of the whisky tasting, purchasing alcohol in sealed containers for consumption off the premises.

<p>Condition 17: Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.</p>	<p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p>
<p>Condition 18: No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p>	<p>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.</p>
<p>Condition 20: 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 a Police or authorised officer throughout the preceding 31 day period.</p>	<p>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.</p>
<p>Condition 21: A staff member from the premises who is conversant with the operation of the CCTV system will be on the premises at all times when the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested.</p>	<p>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.</p>
<p>Addition of condition:</p>	<p>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.</p>

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	03 April 2018

I write in relation to the application submitted for a variation of the premises licence for Soho Whisky Club, situated at 42 Old Compton Street.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2003 the Licensing Authority have considered your application in full.

The variation application seeks to permit pre-booked whisky tasting events at the premises, and consequently vary conditions 11 and 14 of the premises licence.

The premises is located within the West End Cumulative Impact Area and as such policy CIP1 must be considered.

The Licensing Authority encourages the applicant to provide further information as to what constitutes a pre-booked event at the premises, i.e. how and when bookings are taken for events, and how the premises controls those admitted via a pre-booked event. Moreover, further submissions are encouraged from the applicant as to how this proposed operation will not add to cumulative impact.

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forwarded on for Members information.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<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 CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority	03 April 2018

No additional submissions have been received from the Applicant.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
10/02974/LIPN	Application for a new premises licence	24/06/2010	Granted by Licensing Sub-Committee
12/06841/LIPV	Application to vary the premises licence	07/09/2012	Granted under delegated authority
18/02552/LIPV	Current application		

There is no appeal history

Temporary event notice	Date determined	Decision
13/01252/LITENP	27/02/2013	Notice granted
12/02285/LITENP	27/03/2012	Notice granted

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

When determining an application for a variation to a 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

10. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours

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

11. The premises shall only operate as a private members club.

Proposed amendment:

- 11a. The premises shall operate:
- (a) as a private members club
 - (b) for the purposes of whisky tasting by persons attending a pre-booked event where individual servings of alcohol for consumption on the premises shall be limited to:
 - (i) samples of 25ml maximum per serving and
 - (ii) five samples per customer per visit to the premises
12. There shall be no regulated entertainment at the premises except for the showing of film.
13. 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.
14. There shall be no 'Off' sales of alcohol save for members and their guests purchasing alcohol in sealed containers for consumption off the premises.

Proposed amendment:

- 14a. There shall be no 'Off' sales of alcohol save for members and their guests or participants of the whisky tasting, purchasing alcohol in sealed containers for consumption off the premises.
15. The number of persons accommodated at any one time on the premises (excluding staff) shall not exceed 40 persons.

16. The external smoking area, as marked on the plan, shall only be used by patrons between 10am to 10pm on any given day. Persons temporarily leaving the premises onto the public highway along Old Compton Street for the purposes of smoking shall not take any drinks with them.
17. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

Delete Condition 17 and replace with:

- 17a. 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. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Delete Condition 18 and replace with:

- 18a. 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.
19. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
20. 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 a Police or authorised officer throughout the preceding 31 day period.

Delete Condition 20 and replace with:

- 20a. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
21. A staff member from the premises who is conversant with the operation of the CCTV system will be on the premises at all times when the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested.

Delete Condition 21 and replace with:

- 21a. 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.
- 22. There shall be no cinema showing of films.
- 23. No person shall be admitted to membership of the said club without an interval of at least two days between membership and admission.

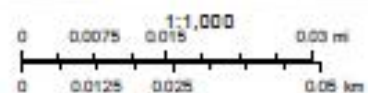
Condition proposed by the Applicant

- 24. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Soho Whisky Club, 42 Old Compton Street



May 1, 2018



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Resident count: 159

Licence Number	Trading Name	Address	Premises Type	Time Period
12/06841/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Wine bar	Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4TX	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
16/05700/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/00253/LIPVM	The Groucho Club	44-45 Dean Street London W1D 4QB	Club or institution	Monday to Saturday; 09:00 - 02:30 Sunday; 12:00 - 00:00
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Shop	Monday to Saturday; 07:00 - 01:00 Sunday; 08:00 - 22:00
17/12041/LIPDPS	Muriel's Kitchen	36 Old Compton Street London W1D 4TT	Restaurant	Monday to Sunday; 07:00 - 01:30

06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/14701/LIPCH	Cay Tre (Soho)	42-43 Dean Street London W1D 4QA	Restaurant	Monday to Sunday; 09:30 - 01:30
17/01437/LIPVM	Caffe Nero	Ground Floor 43 Frith Street London W1D 4SA	Cafe	Thursday to Saturday; 23:00 - 04:00 Sunday to Wednesday; 23:00 - 02:00
18/02601/LIPVM	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Sunday; 12:00 - 00:00
16/09678/LIPV	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Monday to Wednesday; 08:00 - 00:30 Thursday to Saturday; 08:00 - 03:00 Sunday; 10:00 - 00:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:30
13/04926/LIPDPS	Herman Ze German	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 22:30

16/11693/LIPDPS	Belgo	29-31 Old Compton Street London W1D 5JR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/00825/LIPDPS	Pulcinella Restaurant	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/02577/LIPDPS	Hotel Chocolat	25 Old Compton Street London W1D 5JN	Shop	Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30

13/04050/LIPDPS	Dozo	Basement And Ground Floor 40 Frith Street London W1D 5LN	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/10081/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street London W1D 5BF	Shop	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
12/03653/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/02308/LIPDPS	Prix Fixe Brasserie	Basement And Ground Floor 39 Dean Street London W1D 4PU	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/14358/LIPDPS	Not Recorded	39 Frith Street London W1D 5LL	Cafe	Monday to Sunday; 06:00 - 03:00
18/03962/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:30
18/00862/LIPVM	Muse Soho	Basement 23 Frith Street London W1D 4RR	Restaurant	Monday to Saturday; 09:00 - 04:00 Sunday; 09:00 - 01:00

17/01613/LIPVM	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:30
17/08172/LIPT	Assa	23 Romilly Street London W1D 5AQ	Club or institution	Monday to Saturday; 10:00 - 00:30 Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00 Sunday; 12:00 - 00:00
17/08963/LIPN	Rambla	64 Dean Street London W1D 4QQ	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
13/07472/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Restaurant	Monday to Saturday; 12:00 - 00:00 Sunday; 12:00 - 23:30
16/09219/LIPDPS	Balans Cafe	34 Old Compton Street London W1D 4TP	Restaurant	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
17/06945/LIPDPS	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30

06/05092/WCCMAP	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Shop	Monday to Thursday; 08:00 - 01:00 Friday to Saturday; 08:00 - 03:00 Sunday; 10:00 - 22:30
17/04816/LIPDPS	Le Relais De Venise L'Entrecote	50 Dean Street London W1D 5BQ	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/06245/WCCMAP	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Restaurant	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Shop	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00

17/14216/LIPDPS	Maitre Choux	60 Dean Street London W1D 6AW	Cafe	Monday to Saturday; 10:00 - 23:00 Sunday; 12:00 - 22:30
16/00056/LIPCH	&Pasta	60 Dean Street London W1D 6AW	Cafe	Monday to Thursday; 07:00 - 00:00 Friday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 23:00
17/10030/LIPDPS	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Cafe	Monday to Saturday; 12:00 - 22:00
16/03879/LIPDPS	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Night clubs and discos	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Restaurant	Monday to Sunday; 09:00 - 05:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LD	Hairdresser or beauty salon	Monday to Saturday; 10:00 - 22:00 Sunday; 12:00 - 20:00
06/05786/WCCMAP	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UN	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

16/07437/LIPVM	Black's	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
13/04738/LIPVM	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:00
16/09417/LIPVM	Bar Soho	23 Old Compton Street London W1D 5JL	Night clubs and discos	Monday to Thursday; 09:00 - 01:30 Friday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
16/09064/LIPVM	Wok On Fire	43 Old Compton Street London W1D 6HG	Restaurant	Monday to Thursday; 11:00 - 01:00 Friday to Saturday; 11:00 - 02:00 Sunday; 11:00 - 00:00
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Restaurant	Monday to Saturday; 12:00 - 01:00 Sunday; 12:00 - 23:00
09/01147/LIPV	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4TP	Restaurant	Monday to Saturday; 09:00 - 01:30 Sunday; 09:00 - 00:30

17/14888/LIPDPS	Kyoto	26 Romilly Street London W1D 5AJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09546/LIPDPS	The Test Kitchen	54 Frith Street London W1D 4SL	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
17/11940/LIPT	Cho Won Korean Restaurant	27 Romilly Street London W1D 5AL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Monday to Wednesday; 09:00 - 02:00 Thursday to Saturday; 09:00 - 05:00 Sunday; 09:00 - 23:00
17/09943/LIPN	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Not Recorded	Monday to Saturday; 08:00 - 03:30 Sunday; 08:00 - 00:00 New Year's Eve; 00:00 - 00:00
15/04634/LIPDPS	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Restaurant	Monday to Sunday; 00:00 - 00:00
14/01352/LIPVM	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Restaurant	Monday; 09:00 - 03:30 Tuesday to Sunday; 09:00 - 05:00

11/12180/LIPVM	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
18/01928/LIPDPS	Hipchips	49 Old Compton Street London W1D 6HL	Restaurant	Monday to Saturday; 12:00 - 23:00 Sunday; 12:00 - 20:00
17/09956/LIPN	Kettners Townhouse	29 Romilly Street London W1D 5HP	Not Recorded	Monday to Sunday; 00:00 - 00:00
16/07026/LIPCH	Golden Lion Public House	51 Dean Street London W1D 5BH	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 00:00 Sunday; 07:00 - 23:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/06874/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Restaurant	Monday to Saturday; 11:00 - 00:30 Sunday; 11:00 - 00:00

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