



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 12th July, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Karen Scarborough
Louise Hyams
Aziz Toki



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 via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. 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, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.

Email: kscharlemagne@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 Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. 141 PARK LANE LOUNGE CLUB, 141 PARK LANE, LONDON, W1K 2AA

(Pages 1 - 74)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / Not in cumulative impact area	141 Park Lane Lounge Club 141 Park Lane London W1K 2AA	New Premises Licence	18/03209/LIPN

2. GROUND FLOOR AND BASEMENT, 92 YORK STREET, LONDON, W1H 1QY

(Pages 75 - 88)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Bryanston and Dorset Square Ward / Not in cumulative impact area	Ground Floor and Basement 92 York Street London W1H 1QY	New Premises Licence	18/04281/LIPN

3. PICPOUL, GROUND FLOOR AND BASEMENT, 12 NEW QUEBEC STREET, LONDON, W1H 7RF

(Pages 89 - 108)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	Bryanston and Dorset Square Ward / Not in cumulative impact area	Picpoul Ground Floor and Basement 12 New Quebec Street London W1H 7RF	New Premises Licence	18/05043/LIPN

**4. SUSHI MURASAKI, 12 LAUDERDALE PARADE,
LAUDERDALE ROAD, LONDON, W9 1LU**

**(Pages 109 -
124)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	Maida Vale Ward / Not in cumulative impact area	Sushi Murasaki 12 Lauderdale Parade Lauderdale Road London W9 1LU	New Premises Licence	18/02152/LIPN

**Stuart Love
Chief Executive
6 July 2018**

In considering applications for premises licences under the Licensing Act 2016, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2016.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2016.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy 2011)

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

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

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

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

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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Item No:	
Date:	12 July 2018
Licensing Ref No:	18/03209/LIPN - New Premises Licence
Title of Report:	141 Park Lane Lounge Club 141 Park Lane London W1K 2AA
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 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	22 March 2018		
Applicant:	Marble Arch Clubs Limited		
Premises:	141 Park Lane Lounge Club		
Premises address:	141 Park Lane London W1K 2AA	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	The applicant proposes to operate the premises as a high-end restaurant and lounge club.		
Premises licence history:	<p>This is an application for a new premises licence; however, the premises has previously been licensed under two separate premises licences – 12/09216/LIPVM and 17/09767/LIPDPS.</p> <p>The premises licence (12/09216/LIPVM) was surrendered by applicant on 29 August 2014.</p> <p>There is an existing premises licence 17/09767/LIPDPS (a copy of which can be found at Appendix 4 is currently licensed for:</p> <p><u>Regulated Entertainment:</u> Performance of Dance, Exhibition of a Film, Performance of Live Music and Anything of a similar description from Monday to Saturday 09:00 - 03:00 and Sunday 09:00 - 01:00.</p> <p><u>Late Night Refreshment:</u> Monday to Saturday 23:00 - 03:00 and Sunday 23:00 to 01:00.</p> <p><u>Sale by Retail of Alcohol:</u> Monday to Saturday 10:00-03:00 and Sunday 12:00-01:00.</p> <p>The current capacity of the premises is 350 persons excluding staff.</p> <p>Full details of the licence history can be found at Appendix 3.</p>		
Applicant submissions:	<p>The applicant proposes to operate the premises as an exclusive late night venue whose clientele is predominantly members of the Middle-Eastern and Arabic community. The new premises is intended to replace the current premises licence; where the applicant is applying to extend the terminal hours but the capacity of the venue is being reduced for a more selective and targeted offering to the clientele.</p> <p>The applicant has provided a presentation detailing the proposed operation that can be found at Appendix 2.</p>		

1-B Proposed licensable activities and hours							
Regulated Entertainment:							
Exhibitions of films, Performance of live music, Playing of recorded music, Performance of Dance and anything of a similar description				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
Seasonal variations:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					
Non-standard timings:		Hotel residents and their guests shall be unrestricted.					

Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					
Non-standard timings:		Hotel residents and their guests shall be unrestricted.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
Seasonal variations:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non-standard times on the day when British Summertime commences.					
Non-standard timings:		Hotel residents and their guests shall be unrestricted.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	06:30	06:30	06:30	06:30	06:30	06:30	06:30
Seasonal variations:	<p>All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>						
Non-standard timings:	Hotel residents and their guests shall be unrestricted.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Mr Dave Nevitt
Received:	19 April 2018
Status:	Maintained
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	10 April 2018
Status:	Maintained
<p>Our objections relate to the following:</p> <ul style="list-style-type: none"> The hours sought are considerably later than WCC Licensing Policy core hours. This may result in an increase in crime and disorder. 	

2-B Other Persons	
Representation 1	
Received:	07 April 2018
Status:	Maintained
<p>The premises 141 Park Lane are situated on a very busy main road, above the club are hotel bedrooms immediately behind the premises are residential dwellings housing people of various ages including young children.</p>	

There have been incidents of anti social behaviour by people leaving the club which includes street urination, behaviour best kept to a bedroom, noise including arguments. If the application is granted there is a great fear that the mentioned problems will increase and spread over a much longer period of time. There is also the added fear that people leaving other drinking establishments in the area will head to the night club and if refused entry will linger in the streets adding to disturbance. Vehicles (not including taxi's) picking up club go'ers after their time at the club often pick the person up in North Row where there is a large amount of residential property and illegal park while waiting, the banging of car doors disturbs residents.

I submit this as an objection to the extended hours application.

Representation 2

Received:	28 March 2018
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Status:	Maintained
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Whilst it may appear at first glance that there are relatively few residential blocks nearby, to the East of the building within a few hundred yards there are at least 5 large blocks and a number of smaller units. My guess is that the number of residential units is over 200 and the potential for disturbance especially from noise is very high.

That apart the granting of a licence with these hours would not appear to be meeting the licencing objectives.

I wish to register very strong objections.

Further submission from resident received on 16 April 2018:

I submitted a representation on 28 March 2018 via the online portal on the City Council's website.

I have a number of additional points to make in support of my initial objection. I should be grateful if you would ensure that these comments are added to my initial objection.

The proposed operation is described in the application as a 'Lounge Club and Restaurant specialising in Arabic cuisine and culture. This new premises licence is intended to replace the existing one (#16/13780/LIPDPS). Terminal hours are to be extended but the capacity of the venue reduced to enable a more selective and targeted offering to the clientele without undermining the licensing objectives. The existing conditions will also be modernised.'

Sale of alcohol and regulated entertainment are sought to 6am Mon-Sun, and the premises would not close until 6.30am. Indeed, it seems that the premises would never close for 'Hotel residents and their guests'.

The following points of concern arise:

1. The hours sought are unconscionably late. Although the entrance to the premises is situated on Park Lane, there are many residential units nearby on North Row and on Park Street, where I myself live.
2. Residents are therefore likely to be affected adversely by customers leaving the premises so late at night and by additional customers attracted to the premises by the very late opening hours.
3. Extending the hours from 3am eats in to the 'window' residents have when they can legitimately expect peace and quiet.
4. It also creates an extremely unwelcome precedent.
5. Although the premises is described as a 'lounge club and restaurant', I note that the current licence allows and the licence now sought would allow it to operate as a nightclub.

6. It seems that the application is essentially to reduce the capacity as a quid pro quo for increasing the hours. The applicant's justification for this is, with respect, tenuous.
7. There is a reference to a hotel in the application, and that hotel residents and guests will have unrestricted access to licensable activities. I presume this refers to residents of the Marriott Hotel and their guests? The reason for permitting them unfettered access to the premises is not clear. There is no reference to this provision on the current licence.
8. A reduction in capacity is proposed, but I do not feel this will mitigate the very significant extension of hours. It is highly relevant that the capacity was *increased* in 2013 at the request of the applicant.
9. It is also highly relevant that there would of course be an *increase* in capacity from zero to 250 after 3am.
10. I do not see how arrivals and dispersals at this time can be managed to ensure no nuisance to residents.

I have read the applicant's submissions and note that there are no meaningful additional conditions proposed which would mitigate the impact of such later terminal hour. I have dealt with some of these points above.

I would ask that the Licensing Sub-Committee notes the application for a new licence in 2013. That application sought to increase the capacity from 220 to 350. The explanation for this provided at the hearing was that Applicant said they needed this 'the existing capacity of the premises which had been set at an artificially low level (a maximum of 220 persons) for health and safety reasons, reportedly leaving the premises half-empty during its hours of operation. Mr Grant stated that the business would not be able to operate successfully with the existing capacity. Furthermore, Mr Grant claimed that the artificially low capacity had the effect of creating large queues outside the premises, under the previous owner's operation, which had led to incidents of crime and disorder in the area. He therefore argued that the increase in capacity sought would enable the new operator to run an economically viable, successful and safe business – alleviating queues outside the premise to a large degree.'

The applicant now says that they need to reduce the capacity back down again to 'elevate quality of service over quantity.' This seems a rather thin justification for a 6am licence.

- The applicant refers to modernised conditions. I am not clear how this is of benefit. The current licence is subject to modern conditions already as it was granted in 2013, albeit there are some wordy conditions which I believe are a carry-over from the old regime.

- The applicant states that extending the hours would prevent late migration to stress areas – however there is no evidence for this. It is also said that the application would ease pressure on Edgware Road cumulative impact area (CIA). Even if this were to be the case, it shouldn't be at expense of residents outside the CIA.

Finally, the application is contrary to the Council's Statement of Licensing Policy 2016. I may wish to expand on this at the hearing.

Representation 3

Received:	02 April 2018
Status:	Maintained

I live in Mayfair and object to the principle of allowing licensed premises in Mayfair to routinely remain open until 06:00am.

There are thousands of residents in our community who quite reasonably expect to be able to sleep at night. That expectation will be compromised if licenses are extended as requested in this application; departing guests inevitably cause noise, regardless of any assurances that may be given suggesting the contrary.

Representation 4	
Received:	29 March 2018
Status:	Maintained
<p>I do not understand anything about this application. Your website is obscure. Please put the issue clearly in a letter instead of referring to a website which does not say much or explain by email.</p>	
Representation 5	
Received:	17 April 2018
Status:	Maintained
<p>This is an objection in reference to the application of a new premises licence under the licensing act 2003 made by Marble Arch Clubs Limited, 141 Park Lane, London W1K 2AA.</p> <p>I would like to raise the following concerns by way of formal objection to extension of the opening hours by Marble Arch Clubs Limited to 06:00am Monday to Sunday.</p> <p>Crime and Disorder and Public Nuisance</p> <p>The extended opening hours will draw unwelcome attention and increased footfall at unsociable hours, increasing nuisance to hotel guests and residents in the local area. With the hotel's first floor guest rooms situated directly above the entrance/exit of the club, the extended opening hours will have a direct impact on our guest's rest and comfort during the night.</p> <p>Noise, public nuisance, anti social behaviour, low level nuisance (non reportable crime inc, shouting, swearing, urination in the public, littering) will be increased.</p> <p>Incidents related to Marble Arch Club Limited that require police involvement are not uncommon, the extended opening hours will lead to an increase of these incidents and the need for Law Enforcement to attend site at unsociable hours.</p> <p>Marble Arch Club Limited has in past operated outside of their premises licence on many occasions. Evidence of Marble Arch Clubs Limited advertising opening hours until 06:00AM and CCTV images confirming these operating hours are available upon your request.</p> <p>Thank you for taking the time to seriously to consider these objections.</p>	
Representation 6	
Received:	14 April 2018
Status:	Maintained
<p>Dear Sir/Madam</p> <p>Re: New Proposal Premises Licence for Marriott Hotel Park Lane London W1</p> <p>I act as licensing officer for and on behalf of the Residents Society of Mayfair & St. James's.</p> <p>I have been informed that the above premises have posted a notice on its door that they have applied for an out of hours' license for music and dance that will run and end at 6am every morning. I have visited the premises but the notice has been removed. I have searched Westminster's web site but cannot find any evidence of any application. I would therefore be most grateful if you could either confirm or deny if there is a request made by the Marriott Hotel for such an application and if so forward to me all the details along with any application reference numbers so that I and my committee may consider its response.</p>	

Whilst writing I wish to stress that Mayfair and St. James's are residential areas and it is to that end the society would object to any proposed new premises licence of the above. The Society firmly believes that to grant any licence for the already identified West End Cumulative Impact Area would lead to additional anti-social behaviour and noise pollution. It would absolutely have a negative impact on the residents living in this predominately residential neighbourhood. Any addition of further late night venues in this area would only exacerbate an already intolerable situation. Crime and disorder along with a sever public nuisance would surely ensue.

I look forward to hearing back from you.

Representation 7

Received: 16 April 2018

Status: Maintained

My wife and I are the registered owners of [REDACTED], and our son [REDACTED] is currently living in the flat.

We wish to object to the above application, under which the Marriott Hotel is seeking a 6:00 am licence for its nightclub.

We believe that the proposal would cause intolerable disturbance to the neighbourhood.

Representation 8

Received: 29 March 2018

Status: Maintained

I sit as a committee member of the Resident's Society of Mayfair and St James and I also live in the locality of the above mentioned address. I object to the proposal and have been asked by other residents in Mayfair to object on their behalf. The suggested opening time to 6am is unreasonable and unnecessary and may set a precedent for other establishments to apply for a late licence in future. There are a number of residents in the area who are concerned about the noise created by people leaving any club. There is already a colossal amount of noise created when used bottles are collected from Woods Mews early in the morning by the rubbish collectors. The area also suffers from an increase in general noise pollution due to footfall and especially to an ever increasing use of super cars revving their engines during the night (something that may only get worse with a luxury club with a 6am licence). Therefore I reiterate my objection to the proposal on that basis.

Representation 9

Received: 15 April 2018

Status: Maintained

I live at [REDACTED]. I understand that the Licence Application referred to above seeks to extend the permitted time to 6am! This would undoubtedly cause much local nuisance, with revellers turning out at dawn, just when the morning traffic is beginning. There would be an increase in noise and the number of people and vehicles. It is a completely unnecessary extension and I would like to record my objection.

Representation 10

Received: 05 April 2018

Status: Maintained

The Club is in a residential and hotel building. Extension to 6am is not acceptable.

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> <p>For premises for the supply of alcohol for consumption on the premises: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Other Sundays: Midday to 22:30 Sundays immediately prior to Bank Holidays: Midday to midnight</p> <p>For premises for the provision of other licensable activities: Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Other Sundays: 09:00 to 22:30 Sundays immediately prior to Bank Holidays: 09:00 to midnight</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.
Policy MD1 applies:	It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy COMB1 applies	<p>(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.</p> <p>(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).</p> <p>(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.</p>

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

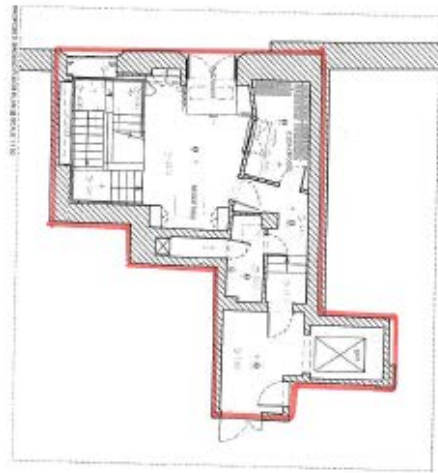
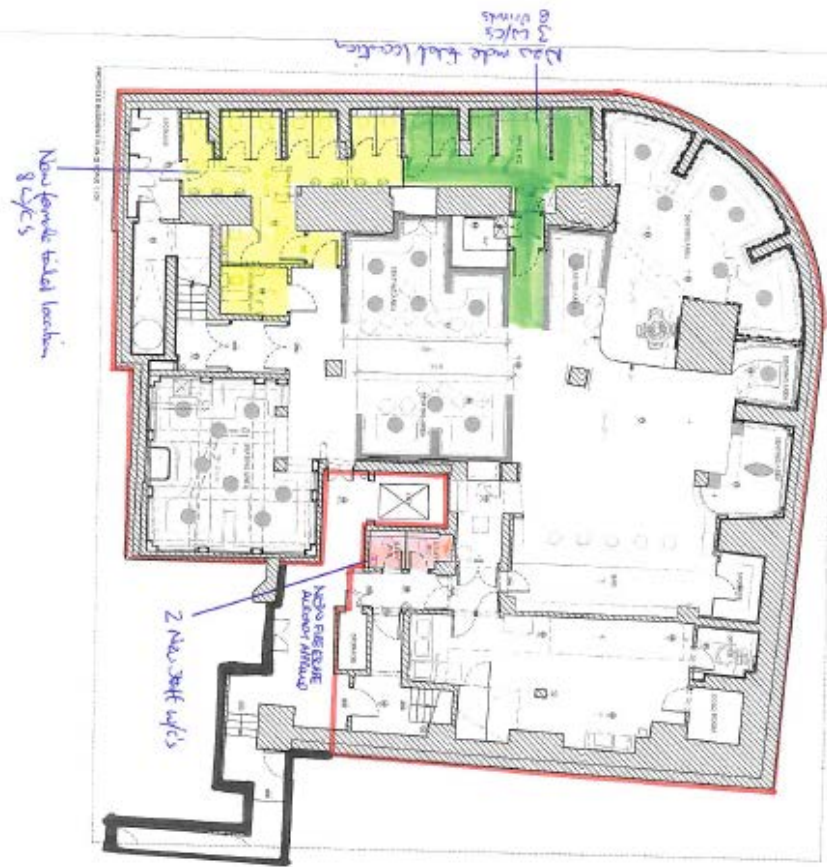
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Existing premises licence 17/09767/LIPDPS
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity
Report author:	Mrs Shannon Pring Senior Licensing Service
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	Environmental Health Service representation	19 April 2018
5	Metropolitan Police Service representation	10 April 2018
6	Resident Representation 1	07 April 2018
7	Resident Representation 2	28 March 2018
8	Resident Representation 3	02 April 2018
9	Resident Representation 4	29 March 2018
10	Resident Representation 5	17 April 2018
11	Resident Representation 6	14 April 2018
12	Resident Representation 7	16 April 2018
13	Resident Representation 8	29 March 2018
14	Resident Representation 9	15 April 2018
15	Resident Representation 10	05 April 2018
16	Licensing Sub-Committee Decision (13/02183/LIPN)	24 July 2013
17	Issued Premises Licence 17/09767/LIPDPS	09 November 2017
18	Surrendered Premises Licence 12/09216/LIPVM	06 November 2012

IMPORTANT: License activities can take place anywhere within the red line. The position of bar furniture and equipment is shown for diagrammatic purposes only. Final fitting assessment is indicated but may be moved subject to the risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.



All licensable activities may take place anywhere within the red line. The position of any bar furniture is shown for diagrammatic purposes only. Final fitting assessment is shown as is on the date stamped but may be changed in consultation with the fire officer.

Date: 19/02/2015

CONTRACT NOTES:

1. The drawings are the property of the licensor and shall remain their property.
2. The drawings are not to be used for any other purpose without the written consent of the licensor.
3. The drawings are not to be used for any other purpose without the written consent of the licensor.
4. The drawings are not to be used for any other purpose without the written consent of the licensor.
5. The drawings are not to be used for any other purpose without the written consent of the licensor.
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9. The drawings are not to be used for any other purpose without the written consent of the licensor.
10. The drawings are not to be used for any other purpose without the written consent of the licensor.

LEGEND:

- 1. Licensable Area
- 2. Non-licensable Area
- 3. Bar Furniture
- 4. Equipment
- 5. Fire Exit
- 6. Fire Alarm
- 7. Fire Extinguisher
- 8. Fire Risk Assessment
- 9. Fire Safety Officer
- 10. Fire Safety Officer
- 11. Fire Safety Officer
- 12. Fire Safety Officer
- 13. Fire Safety Officer
- 14. Fire Safety Officer
- 15. Fire Safety Officer
- 16. Fire Safety Officer
- 17. Fire Safety Officer
- 18. Fire Safety Officer
- 19. Fire Safety Officer
- 20. Fire Safety Officer

PRELIMINARY

DATE: 19/02/2015

441/A/15/018

414

The applicant has supplied the following supporting documents which are enclosed:

- A licensing presentation
- Impact Assessment Report
- Premises Licence for Marriot Grosvenor House Hotel, Park Lane (17/06792/LIPDPS)

141 PARK LANE LOUNGE CLUB



SUPPORTING DOCUMENTATION FOR
LICENSING SUB COMMITTEE
HEARING

ABOUT 141 PARK LANE LOUNGE

141 Park Lane Lounge Club is an exclusive late night venue whose clientele mainly, but not only, consists of members of the Middle-Eastern and Arabic Community living and working in the capital city. Entertainment and quality dining is provided throughout the evening. Artists, cabaret singers and performers of international repute are frequently hosted at the club. It aims to provide a relaxed yet refined atmosphere and provides the highest level of service for its discerning clientele. The responsible management team work to ensure the four licensing objectives are actively promoted. This enables the venue to operate in a manner that respects the character of the locality and without causing undue disturbance to residents.

THE VENUE

This premises previously traded as a vertical-drinking nightclub that attracted problems and was known as “ONE FOUR ONE” and “TAMAN GANG”. The Applicants have made a considerable investment into the premises and have transformed the premises into a high-end restaurant lounge club with more seating and upgraded facilities. “Ambassadors” replace more conventionally turned-out door supervisors, vetting guests and assisting with quiet arrivals and dispersal.

APPLICATION

A recurrent complaint of existing customers has been that the existing terminal hours force them to end their night prematurely at 141 Park Lane only to have to find other venues that remain open (often in the stress area). This migration of customers in the early hours of the morning to other venues risks undermining, rather than promoting, the licensing objectives. The applicants believe it would be better if those customers could end their night out in 141 rather than in another nearby venue.

The extended hours are not intended to change the character of the venue. Indeed the applicant proposes reducing the existing capacity of 350 customers down to 250 (a reduction of nearly 30%) to reflect the fact that they seek to elevate quality of service over quantity.

This application for a new licence will, if granted, replace the existing licence. The opportunity has also been taken to modernise the old conditions.

Some of the main benefits of the application are as follows:-

1. There will be a reduction in capacity.
2. There will be modernised conditions.

3. It will prevent the late night migration of customers into the stress area (and other areas) during the most sensitive hours of the night.
4. It supports cultural diversity and ensures that customers can relax in a safer and better managed environment than the alternatives.
5. The premises a better and unique offering to that which exists in the Edgware Road area.
6. If granted it will ease the pressures on the Edgware Road Stress area

Further submissions will be provided at the Licensing Sub Committee hearing.

PHOTOS OF 141 PARK LANE LOUNGE





SAMPLE OF FOOD







4th July 2018

Impact Assessment Report

141 Park Lane Lounge Club, Park Lane, W1K 7AA

Author: David Gair – Shield Associates

For: Mr Andrew Wong (Keystone Law) on behalf of the applicants

Reference: SA2018/0105

Summary of Conclusions

For the reasons given below, it is my professional opinion that the increased hours being requested will have no appreciable impact on crime, disorder, anti-social behaviour or public nuisance in the area. If the recommendations within this report are put in place then, I believe, even less impact or nuisance would be experienced in the area due to the reduced migration of customers to other venues within the area, converting this venue into a Private Members Club after 23:00hrs and the significant overall reduction in capacity now proposed.

1. Introduction

1.1. I retired from the Metropolitan Police Service as a Chief Inspector in September 2013 after having completed 31 years' exemplary service. I was personally responsible for policing, liaison, partnership working and compliance in relation to licensed premises in the Boroughs of Westminster, Sutton and Kingston-upon-Thames as well as involved in licensing issues and strategies across the Metropolitan police area.

1.2. In September 2013 I formed a security consultancy company with Mr Ian Smith, former Detective Superintendent in the Metropolitan police, a similarly experienced and qualified licensing

practitioner and member of the Institute of Licensing. Together, we have carried out numerous licensing impact assessments and compliance visits and have been involved in training and advice sessions at licensed venues across London and the South East of England at a number of licensed establishments including restaurants, pubs, cocktail bars, night clubs and large late-night entertainment venues.

1.3. My last post was as Chief Inspector Operations at Kingston-upon-Thames responsible for all Licensing related issues and enforcement with a dedicated licensing team under my command. As part of my responsibilities I managed and delivered a series of crime and disorder reduction and public safety strategies in relation to 'Oceana' nightclub in Kingston – upon - Thames (now PRYZM) which had headed a list of London's top 50 night-time economy venues ranked according to the amount of crime generated from these venues.

1.4. In relation to my responsibilities I undertook problem solving, partnership working and compliance regimes to ensure the safety and security of patrons, staff and the local community in relation to NTE licensed premises, in particular large night-clubs and venues that remained open beyond 0200hrs. This included late-night refreshment houses, liaison with public transport providers and licensed mini-cab activities as part of the larger problem-solving initiatives.

1.5. The strategies I put in place resulted in an immediate 25% reduction in crime at 'Oceana' and falling crime throughout a six-month period resulting in the venue being removed from the top 50 NTE venues ranked according to reported crime in London.

1.6. I am Director of a company called Shield Associates that delivers nationally accredited training for owners, DPS, licensees, security companies, bar staff and workers involved with NTE venues around crime reduction, anti- social behaviour and awareness of their responsibilities under the Licensing Act, forensic awareness, drugs awareness and personal safety and vulnerable persons.

1.7. I am a member of the Institute of Licensing and as such am qualified to conduct compliance audits and security reviews on licensed premises.

1.8. I am aware of the potential impact of the operation of NTE venues on local communities and have provided reports to licensing committees and courts in relation to a variety of licensing issues on various occasions both as a police officer and as a Director of Shield Associates.

1.9. As a company, our aim is to provide independent regulatory support to the Licensing trade, offer problem solving and compliance guidance and support the key objectives of the Licensing act in reviewing working practices, policies and procedures to ensure:

- The security and safety of those visiting a venue
- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of young & vulnerable people from harm

1.10. As such we have undertaken comprehensive reviews and audits of licensed premises to ensure compliance and responsible management in support of the licensing objectives. We have delivered training to staff at licensed venues, local Pub-Watch schemes, personal licence holders and SIA door security companies.

1.11. As a company, we undertake independent reviews of premises when instructed to do so and as such my duty is to the licensing committee, venue owners and local community when considering the impact of any new licence application or variation to permitted hours' application.

1.12. All issues identified in this report are true to the best of my knowledge and experience. They were either witnessed or experienced by me or told to me in good faith. The opinions I have expressed in this report are honest held and correct to the best of my judgement. The fee for this report is not conditional on the outcome of the case in anyway whatsoever.

2. Instructions to Shield Associates

2.1. 141 Park Lane Lounge Club is looking to extend its existing premises licence to 0600hrs (by way of a new application). The venue sits outside the Westminster Special Policy Area (cumulative impact zone). However, the standard to which we produce our reports is to treat any variation or new licence application as being within a cumulative impact zone to ensure that the highest standards are met. Therefore, as part of this report we have looked at whether the evidence demonstrates whether and, if so what, impact there is likely to on the licensing objectives should this application be granted.

2.2. Shield Associates have been instructed by Keystone Law to undertake an independent impact assessment in relation to the application, especially in relation to:

- Whether during temporary event notices the operation impacts on the licensing objectives
- Whether the premises promotes the Westminster's Licensing Policies
- Whether the premises has an effective and careful management of the dispersal of customers

- Suggest enhanced dispersal options to support the above
- Impact assessment on the likelihood of any impact in the vicinity.

3. Venue history & background

3.1. From my research, the premises previously operated and started out as “Taman Gang” which traded as a nightclub attracting students and promotional nights and was considered to be “a problem premises”.

3.2. In 2014 the venue began operating as “Le Peep Boutique”, a 1920s themed private members boutique club and bar but it later closed in 2015. Open source checks reveal the venue had mixed reviews from extremely bad, referring to the rudeness of the staff, particularly the security team at the door, and positive in relation to the ‘vibe’ of the club.

3.3. In 2015 it was subsequently refurbished and opened as the 141 Park Lane Lounge Club.

3.4. The venue advertises itself on its website as: *“141 Park Lane Lounge is one of the most exclusive and impressive in the capital, frequented by elite clientele. With entertainment throughout the evening including some of the world’s most respected live singers and DJs amongst the Middle Eastern community”*.

3.5. The venue aims to cater almost exclusively for the Middle Eastern clientele and is situated in a basement level bar and restaurant accessed from a street level door in Park Lane. The venue is decorated to a high standard and is themed as a 1950’s boutique bar with seats, tables and bar areas offering a mix of open plan and more enclosed intimate spaces for patrons.

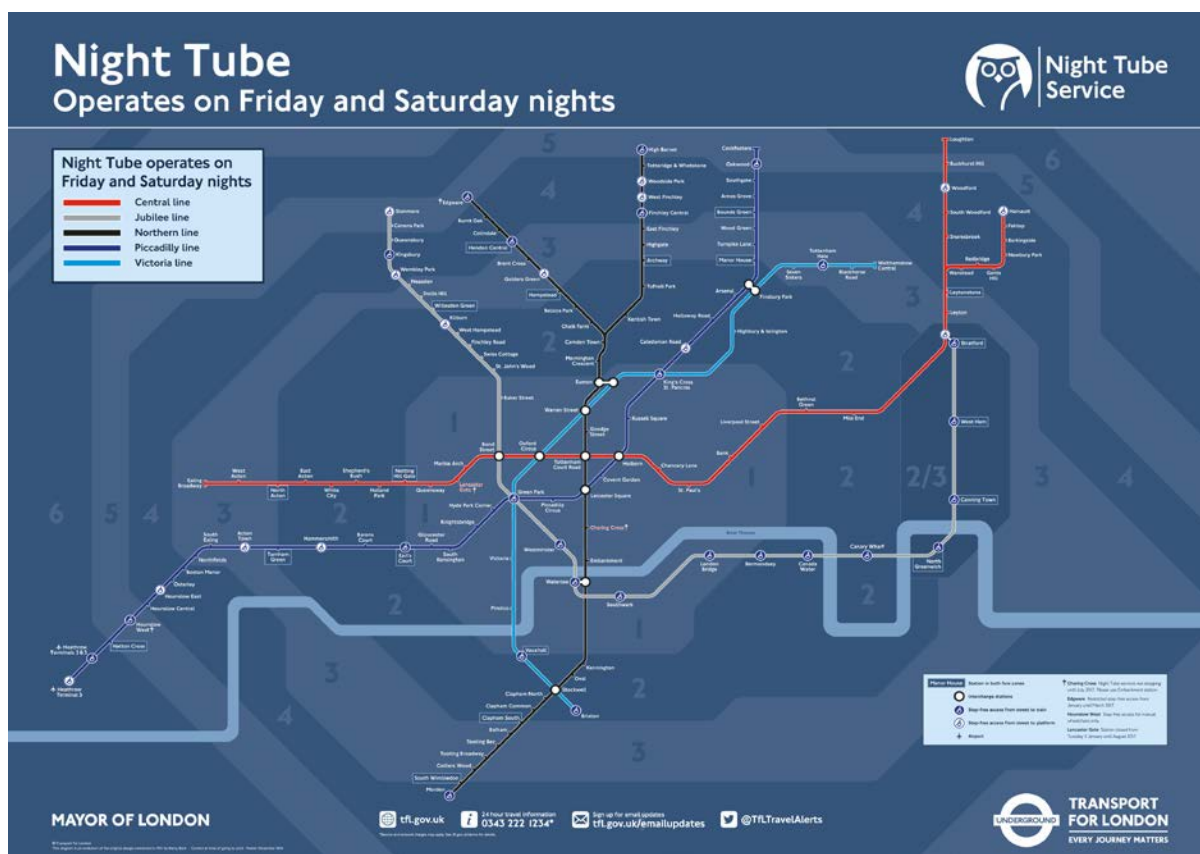
3.6. The venue currently has a total licensed capacity for 350 persons and I understand by changing the premises to an Arabic nightclub they have out of choice reduced the operating capacity to 250 persons. The way the premises operates is seasonal and during the peak summer months it opens only on Thursdays, Fridays and Saturdays from 2300 to 0300hrs to cater for the largely Arabic clientele.

3.7. Since the bar opened in 2015 I cannot find any reference to crime or disorder related to the venue and the police representation does not cite any relevant incidents to suggest the clientele are problematic.

3.8. In preparing this report I have paid careful regard to Westminster’s Licensing Policy (dated 7 January 2016), including those relating to crime and disorder (and the Metropolitan Police’s crime and prevention and effective management checklist at Appendix 7), public nuisance and cumulative impact.

4. The premises locality

4.1. The venue is located at 141 Park Lane, Mayfair and is outside Westminster City Council’s cumulative impact area as designated by City of Westminster. It is located next to Marble Arch Tube station that runs a 24 hour tube service on Friday and Saturdays. It is situated in one of the busiest commercial areas in the whole of London and, in all likelihood, of the UK.

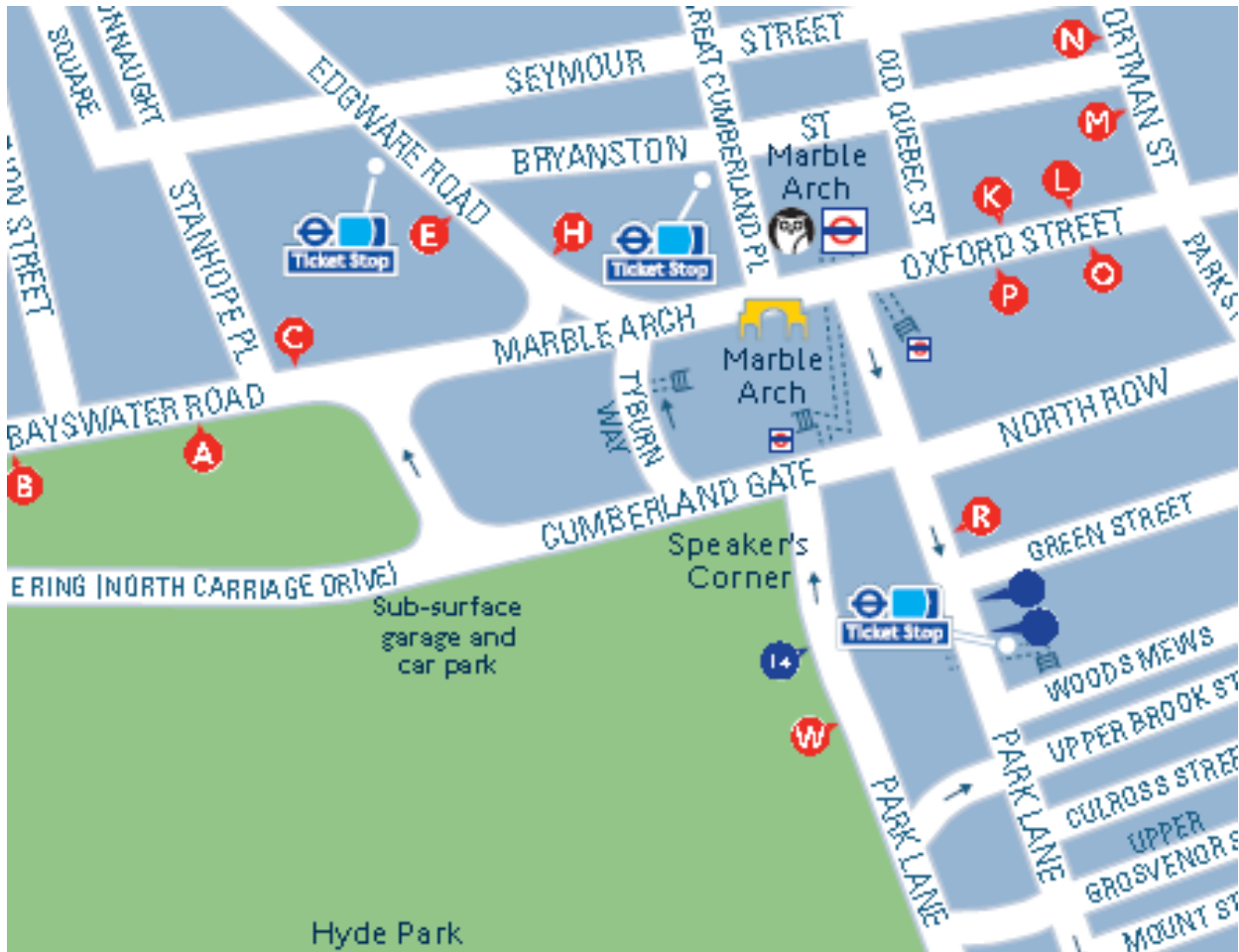


4.2. Research shows that the following late night 24 hour bus routes serve the London Marble Arch area : (see: <http://content.tfl.gov.uk/bus-route-maps/marble-arch-night-a4-300917.pdf>):- Buses

Route finder

Bus route	Towards	Bus stops
6 	Aldwych	H R S
	Willesden	E T W
10 	Hammersmith	R S
	King's Cross	K T W
13 	North Finchley	N T W
	Victoria	R S
23 	Aldwych	R S
	Westbourne Park	E O
36 	New Cross	H R S
	Queen's Park	E T W
94 	Acton Green	A B P
	Piccadilly Circus	C D L
139 	Golders Green	N
148 	Camberwell Green	C D R S
	White City	A B T W
159 	Streatham	L
189 	Brent Cross Shopping Centre	N
390 	Archway	K T W
	Victoria	R S
N2	Crystal Palace	R S
	Marylebone	M T W
N7	Northolt	E O
	Oxford Circus	H K
N16	Edgware	E T W
	Victoria	H R S
N74	Baker Street	M T W
	Roehampton	R S
N98	Holborn	H K
	Stanmore	E O
N113	Edgware	N
N137	Crystal Palace	R S
	Oxford Circus	K T W
N207	Holborn	C D K
	Uxbridge	A B P

4.3. The bus stops are located at the following locations and the closest to 141 Park lane are P O and R.



4.4. 141 Park Lane Lounge Club is located on one side of the busy extended roundabout main road junction at Marble Arch. Having worked in the West End for part of my time in the Metropolitan Police I know this junction is possibly one of the busiest in London along with Hyde Park Corner at the other end of Park Lane. The extended area includes Mayfair, Edgware Road, Oxford Street and the West End and is one of the busiest and most popular areas of London. Marble Arch Underground station operates for 24 hours over the weekend and is within easy walking distance, in fact there is an entrance to the station within 10m of the entrance to the venue. The venue is within easy reach of numerous bars, restaurants, coffee houses and late-night entertainment venues.

4.5. The venue sits beneath The Marriott Hotel and as such the street level entrance is beneath hotel room windows. As such control of dispersal requires an appropriate operational response for the management and security staff in order to support the licensing objectives.

4.6. There are several licensed premises within approximately 500m of the venue:

- 140 Park Lane – Marriott Hotel open 24 hours (above the venue)
- 140 Park Lane – Lanes of London Restaurant (part of the Marriott Hotel) Restaurant open until 2300hrs
- 77-83 Park Lane, Esso service station – open 24 hours
- 86 Park Lane – JW Steakhouse open until 2300hrs
- 86-90 Park Lane – Grosvenor House Hotel open 24 hours
- 12 North Row, Mayfair – Boisdale Restaurant & Bar open until 0000hrs
- 2-3 Marble Arch – McDonald’s Restaurant open until 0145hrs
- Great Cumberland Hotel, Great Cumberland Place – open 24 hours
- 12 Old Quebec Street, City of Quebec pub open until 0300hrs
- 16 Old Quebec Street, The Sportsman Casino open 24 hours
- 1 Baker Street, Barracuda Casino open 24 hours

4.7. Also, in the extended vicinity of the venue are several late-night refreshment houses, 24-hour shops and fast-food outlets that were open during the visit catering for the high levels of visitors to the area almost 24 hours a day.

5. Environmental visual audits carried out in the area of the venue

5.1. Shield Associates have undertaken four inspection and observational visits to the venue and the vicinity on the following dates; Sunday 30th July 2017 between 0030-0630hrs, Friday 23rd March 2018 between 2300-0500hrs, Saturday 14th April 2018 between 2330 – 0330hrs and Friday 20th April 2018 between 2300 – 0400hrs. Temporary Event Notices were in place extending operating hours until 6am on; 27 June 2017, 1 July 2017, 9 July 2017, 16 July 2017, 23 July 2017, 30 July 2017, 6 August 2017, 14 August 2017, 20 August 2017, 27 August 2017, 3 September 2017 and 10 September 2017. On the other dates the venue was operating to its existing hours. This enabled me to evaluate whether the extended hours led to any different level, or type, of impact on the licensing objectives and whether the extended hours now being applied for were likely to add to undermine the licensing objectives. I was also able to assess the operational standards and behaviour of the clientele both inside and outside the venue.

5.2. It is clear during all the visits that this is a busy cosmopolitan area of London. Pedestrian and vehicular throughput was constant and active throughout the night. Marble Arch remains one of the

busiest road junctions in London and there are numerous public transport links nearby. There is a designated recessed pull-in for vehicles outside the venue allowing for ease of access for taxis and private hire mini-cabs within 6-8 metres of the front door. This facilitates a quick and orderly arrival and dispersal of departing customers from the venue without adversely impacting on the licensing objectives.

5.3. Most of the licensed restaurants, bars and pubs in the area were busy and there were people walking around the area until the small hours. Lots of people were making use of the tube station outside of the premises. The background noise levels were very high being on Park Lane and also the sets of traffic lights on the corner of Oxford Street and Park Lane added to the overall background noise levels, with late night busses and cars having to stop and start as well as the pedestrian noise of people waiting.

What I noticed about 141 was that those who visited the venue usually arrived in small groups of 2-5 people either on foot or were dropped off by car (chauffeur). After a short welcome from the security team the guests were generally ushered straight into the premises.

5.4. It appears that generally, smoking arrangements for all the bars/venues in the area are managed outside on the curtilage of the venues. All the smoking areas seemed well managed. The roped off smoking area outside 141 was in use on occasions during our visits, though I rarely saw more than 10-12 patrons using the facility. The smoking area was always supervised by the dedicated SIA security team.

5.5. In relation to noise nuisance and anti-social behaviour, during the time of visits noise from the street population, licensed venues, traffic and visitors to the area was typical of the hustle and bustle of an extremely busy location in central London, though most people in the area seemed to be passing through apparently either on their way home or moving between venues. Nearly all visitors to the venue were collected by private cars, mini-cabs or black cabs. Those who left on foot tended to head towards Oxford Street and Edgware Road.

5.6. No incidences of criminal behaviour were witnessed in the venue or its vicinity during the audits.

5.7. During the visits, as the night progressed into the small hours vehicular traffic remained constant, with pedestrian throughput becoming quieter towards first light. The background noise of traffic and pedestrians in the Marble Arch area remained audible during this period, however, was in keeping with this location and the overall feel of the place.

5.9. In relation to noise from the venue, I could not hear any music or noise from the inside of the club while I was at the street entrance. There is a front door leading to a small lounge welcoming area and pay-point that is staffed throughout the night. Patrons then descend a staircase down to the basement bar/restaurant through another set of doors. The sound proofing measures appear to be well designed.

5.10. I monitored the venue and its vicinity on the occasions mentioned at para 5.1 throughout the nights in question and observed patrons both entering and leaving the venue and using the designated smoking area. Those visiting and leaving usually did so in small groups of between 3 to 6 people. Most were either dropped off by car at the front and, when leaving, collected by cars that pulled in to the recessed area just South of the venue. Those who walked away from the venue mostly made their way North towards Oxford Street, some turned South in Park Lane. **In my opinion, the general noise and pedestrian traffic in the area was not affected in any way by those leaving the venue as the streets were busy and background noise levels were still relatively high.**

6. Conclusion

6.1. Based on my detailed observations of the venue's operation over four weekends covering a ten-month period (July 2017-April 2018), 141 Park Lane Lounge Club appears to be a well-run venue that is clean, neat and tidily presented. It is understood that these factors alone do not constitute exceptional circumstances in relation to Special Licensing Policies.

6.2. The manager/DPS was impressive with his knowledge of the operational running of the venue and responsibilities in supporting the licensing objectives.

6.3. On all the occasions I visited the venue and the vicinity the entry and dispersal of customers from 141 Park Lane Lounge Club was gradual throughout the night with most patrons leaving in small groups or in pairs. This continued until around 0530hrs on 30th July 2017. Dispersal was managed by the dedicated SIA security team and all of those leaving the premises were orderly and made their way mostly straight to waiting cars/mini-cabs outside the venue with a few walking away either north or south in Park Lane.

6.4. There was no appreciable noise from the venue during my audits. Any noise from the smoking area was minimal when compared to the background noise of the area in general. Certainly, during the audits, the noise from the surrounding area was in line with what would be expected from this part of London.

6.5. In relation to the smoking area specifically, it was well utilised by the patrons, though generally in small groups or couples. The area was effectively managed by the SIA door security team.

6.6. There are several other venues within fairly close proximity of the venue, some with 24-hour licences (e.g. the Casinos) and others with late licences. The movement of people on foot around the area was in line with the general movement of people between venues or on their way home after enjoying a night out in the West End.

6.7. On every night I visited the venue I spent some time (an average between 30-60mins) in the bar area at the venue to review the clientele, atmosphere and see how the staff deal with the patrons. I would judge that the average age of patrons is between 25- 45yrs. The vast majority were of Middle Eastern descent and arrived and enjoyed the evening in the venue in small groups, occasionally mixed, while sat at tables and dedicated seating areas. I did not see any evidence of people drinking to excess while I was at the venue. On speaking to staff, the overall impression is of a relaxed and enjoyable atmosphere where there is never any trouble, with the most active part of the night for any patron appeared to be the person wanting to pay the bill first. The patrons are not generally those I would associate with causing disturbances or anti-social behaviour. They are also very different to the young Arabic clientele that have caused disturbances in other areas of London by showing-off in "super-cars". From what I saw they were very mature, family orientated and were chauffeur driven in limousine-style cars (not sports cars).

6.8. In relation to dispersal, considering the numbers likely to leave around earlier in the morning between 0300-0600hrs, this is still a relatively modest number when considering the footfall in the immediate vicinity. In my opinion, the increased hours will have minimal, if any, adverse impact on the area. There are several late-night refreshment options to choose from when leaving the venue. There is also a large supply of London Taxi's, licensed cabs, twenty-four-hour tube at weekends and night buses providing transport options throughout the night.

6.9. Given my experience and observations, I believe that it is likely that those customers who had to leave the venue earlier than they wished due to restricted licensing hours would simply move to another late-night venue to finish their night. This migration of customers tends to lead to a greater impact on the licensing objectives (and residents) than permitting them to remain in the relaxed and well-managed environment of 141 Park Lane.

6.9. To enhance the current dispersal plan I would suggest the following operational options are considered by the venue:

1. The entrance lobby is staffed by one of the SIA team after 0200hrs who meet and greet those leaving the venue to remind them that there are neighbours to the venue and escort them to the team outside the door who then facilitate their route to a vehicle or on foot away from the venue.
3. The SIA Team employed receive training on their specific responsibility for ensuring peaceful and orderly dispersal
4. Any complaints are dealt with personally by the DPS/Manager.

6.10. **Having considered the representations received, the venue is now proposing to operate this premises as a Private Members Club after 23:00hrs and significantly reduce its capacity from the existing permitted level of 350. These major changes are highly likely to reduce even further the impact of the venue on the licensing objectives. In my view these changes more than counter-balance the likely effect of extended operating hours.**

6.11. The venue sits outside of the Westminster Special Policy Area and is part of the late-night entertainment business in the area. The area has several licensed premises with a variety of permitted and licensed hours. As previously mentioned this is a busy thoroughfare with high levels of pedestrian and vehicular traffic. **It is my professional opinion, that the increased hours being requested will have no appreciable impact on crime, disorder, anti-social behaviour or public nuisance in the area. If the recommendations within this report are put in place then, I believe, even less impact or nuisance would be experienced due to the reduced migration of customers to other nearby venues (some likely to be within one of the nearby cumulative impact areas) and the reduced overall capacity late at night.**

David Gair & Ian Smith

Shield Associates

Member of the Institute of Licensing





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

Premises licence

Regulation 33, 34

Premises licence number:

17/06792/LIPDPS

Original Reference:

05/07297/LIPCV

Part 1 – Premises details

Postal address of premises:

Mariott Grosvenor House
Grosvenor House Hotel
90 Park Lane
London
W1A 3AA

Telephone Number: 0207 499 6363

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

- Boxing or Wrestling
- Performance of Dance
- Provision of facilities for Dancing
- Exhibition of a Film
- Provision of facilities for making Music
- Indoor Sporting Event
- 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
- Performance of a Play
- 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:

Boxing or Wrestling

Monday to Sunday: 09:00 to 02:00

Performance of Dance

Monday to Sunday: 00:00 to 00:00

Provision of facilities for Dancing

Monday to Sunday: 00:00 to 00:00

Exhibition of a Film	
Monday to Sunday:	00:00 to 00:00
Provision of facilities for making Music	
Monday to Sunday:	00:00 to 00:00
Indoor Sporting Event	
Monday to Sunday:	09:00 to 02:00
Performance of Live Music	
Monday to Sunday:	00:00 to 00:00
Playing of Recorded Music	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	00:00 to 00:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Performance of a Play	
Monday to Sunday:	00:00 to 00:00
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00
Non-standard Timings: N/A	
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 Sunday:	00:00 to 00:00

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:
GH Hotel Operating Company Limited Grosvenor House Hotel 86-90 Park Lane London W1A 3AA

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

04976608

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

Name: Claire Bryne

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: LN20112468
Licensing Authority: London Borough of Merton

Date: 01 March 2018

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

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Conditions relating to regulated entertainment:

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Sprinkler installations, as approved by the Council, at both the basement and ground floor levels shall be maintained to the satisfaction of the Council, facilities shall be afforded to the authorised officers of the Council to enter such premises at all reasonable times during the daytime in order to ascertain whether the installations are in proper working order, and provisions shall be made in all lettings of the shops to enable the terms of this condition to be complied with.

13. Notwithstanding the provisions of special condition (5) above, the maximum number of persons accommodated at any one time (excluding staff) in the five licensed areas specified above shall not exceed 2920.

Annex 2 – Conditions consistent with the operating Schedule

14. Boxing is to take place in the Great Room only and any temporary Boxing Ring constructed for this purpose shall be constructed in the area hatched in green as more clearly delineated on drawings number LI-000-01 dated 14th June 2004.
15. At least 14 days' notice in writing shall be given to the Council of any proposal to use the premises for any sports entertainment. (This is an existing condition as part of the former Rules of Management) which is to remain on the licence.
16. When the premises provides Boxing and/or an Indoor Sporting Event, a risk assessment will be submitted for comment 14 days before the event and this will include a copy of the plan for the Great Room showing the position of any temporary structure erected.
17. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Court Suite 250, Bord'eaux 250 (for cocktail style functions, 500), 90 Park Lane Restaurant 200, Ballroom and Foyer 750, Great Room 2000 (for every nine square meters of floor area (or part thereof) used for dance floor or production space the maximum capacity shall be reduced by 10).
- 18.1 The area known as Bord'eaux be laid out as a restaurant except when there is a pre booked function or ticketed event or when the premises operates privately .
- 18.2 The sale of alcohol in Bord'eaux shall be to persons seated at tables except in the following instances:-
 - i) to persons around the bar area where there shall be no more than a maximum of 50 persons; and /or
 - ii) to persons attending a pre-booked function or ticketed event or when the premises operates privately; and/or
 - iii) to hotel residents and their bona fide guests.
- 18.3 After midnight and before 8:00 the sale of alcohol in Bord'eaux shall only be to persons ordering food except in the following instances:-
 - i) to persons attending a pre-booked function or ticketed event or when the premises operates privately; and/or
 - ii) to hotel residents and their bona fide guests.
- 18.4 If Regulated Entertainment is provided condition 12 shall apply.

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

19. Throughout the premises, substantial refreshment shall be available 24 hours a day.
20. In relation to the lounge area on the 7th floor, there shall be no admission after 00:00 or before 10:00, except to;
 - Residents at the hotel and their bona fide guests
 - Persons attending a pre-booked function
21. In relation to the ground floor bar known as the Red Bar, intoxicating liquor may only be sold or supplied after 02:30 and before 10:00 to;
 - Residents at the hotel and their bona fide guests
 - Persons attending a pre-booked function

In the remainder of the premises, intoxicating liquor may only be sold or supplied after 00:00 and before 10:00 to hotel residents and their bona fide guests, or persons attending a pre-booked function, or persons taking a table meal in any restaurant area.

22. No person under 14 shall remain in the bar.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: West End
UPRN: 010033540352

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

17/06792/LIPDPS

Part 1 – Premises details

Postal address of premises:

Marriott Grosvenor House
Grosvenor House Hotel
90 Park Lane
London
W1A 3AA

Telephone Number: 0207 499 6363

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Boxing or Wrestling
Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Indoor Sporting Event
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
Performance of a Play
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:

Boxing or Wrestling

Monday to Sunday:

09:00 to 02:00

Performance of Dance

Monday to Sunday:

00:00 to 00:00

Provision of facilities for Dancing	
Monday to Sunday:	00:00 to 00:00
Exhibition of a Film	
Monday to Sunday:	00:00 to 00:00
Provision of facilities for making Music	
Monday to Sunday:	00:00 to 00:00
Indoor Sporting Event	
Monday to Sunday:	09:00 to 02:00
Performance of Live Music	
Monday to Sunday:	00:00 to 00:00
Playing of Recorded Music	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	00:00 to 00:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Performance of a Play	
Monday to Sunday:	00:00 to 00:00
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00
Non-standard Timings:	N/A
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 Sunday:	00:00 to 00:00

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:
GH Hotel Operating Company Limited Grosvenor House Hotel 86-90 Park Lane London W1A 3AA

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

04976608

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

Name: Claire Bryne

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

Restricted

Date: 01 March 2018

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

Licence & Appeal History

Current issued licence: 17/09767/LIPDPS

Application	Details of Application	Date Determined	Decision
13/02183/LIPN	Application for a new premises licence	23/05/2013	Granted by Licensing Sub-Committee
14/01563/LIPVM	Application for a minor variation to vary the layout of the premises.	11/03/2014	Granted under delegated authority
14/07428/LIPDPS	Application to vary the designated premises supervisor	24/09/2014	Granted under delegated authority
15/04203/LIPDPS	Application to vary the designated premises supervisor	17/06/2015	Granted under delegated authority
16/11460/LIPDPS	Application to vary the designated premises supervisor	13/12/2016	Granted under delegated authority
16/12064/LIPCHT	Application to change the trading name of the premises from 141 Park Lane to The Park Lane Lounge (Le Peep Boutique)	23/02/2016	Granted under delegated authority
16/13780/LIPDPS	Application to vary the designated premises supervisor	23/02/2017	Granted under delegated authority
17/09767/LIPDPS	Application to vary the designated premises supervisor	09/11/2017	Granted under delegated authority

Previous surrendered licence: 12/09216/LIPVM (Surrendered 29/08/2014)

Application	Details of Application	Date Determined	Decision
05/06467/LIPCV	Conversion and variation application	13/03/2005	Granted by Licensing Sub-Committee
06/05702/WCCMAP	Master licence	12/10/2007	Granted under delegated authority
07/10868/LIPT	Application to transfer the premises licence	21/08/2007	Granted under delegated authority
08/04429/LIPDPS	Application to vary the designated premises supervisor	30/05/2008	Granted under delegated authority
08/04452/LIPT	Application to transfer the premises licence	08/07/2008	Granted under delegated authority
08/07343/LIPV	Application to vary the premises licence	05/09/2008	Granted under delegated authority
08/09624/LIPDPS	Application to vary the designated premises supervisor	06/11/2008	Granted under delegated authority
09/03864/LIPDPS	Application to vary the designated premises supervisor	15/07/2009	Granted under delegated authority
09/05811/LIPDPS	Application to vary the designated premises supervisor	09/09/2009	Granted under delegated authority
10/02766/LIPDPS	Application to vary the designated premises supervisor	17/05/2010	Granted under delegated authority
10/04939/LIPDPS	Application to vary the designated premises supervisor	14/07/2010	Granted under delegated authority
10/09690/LIPT	Application to transfer the premises licence	09/12/2010	Granted under delegated authority
10/09703/LIPDPS	Application to vary the designated premises supervisor	09/12/2010	Granted under delegated authority

11/01296/LIPVM	Application for a minor variation	07/03/2011	Granted under delegated authority
11/09516/LIPDPS	Application to vary the designated premises supervisor	31/10/2011	Granted under delegated authority
11/09809/LIPV	Application to vary the premises licence	01/12/2011	Granted by Licensing Sub-Committee
12/00836/LIPT	Application to transfer the premises licence	07/03/2012	Granted under delegated authority
12/09216/LIPVM	Application for a minor variation	06/11/2012	Granted under delegated authority

Temporary Event Notices

Notice reference	Date of event	Date determined	Decision
17/06920/LITENP	10/09/2017	31/07/2017	Event allowed to proceed
17/06918/LITENP	03/09/2017	31/07/2017	Event allowed to proceed
17/06917/LITENP	27/08/2017	27/06/2017	Event allowed to proceed
17/06915/LITENP	20/08/2017	19/09/2017	Event allowed to proceed
17/06914/LITENP	13/08/2017	27/06/2017	Event allowed to proceed
17/06913/LITENP	06/08/2017	27/06/2017	Event allowed to proceed
17/06911/LITENP	30/07/2017	27/06/2017	Event allowed to proceed
17/06910/LITENP	23/07/2017	03/07/2017	Event allowed to proceed
17/06909/LITENP	16/07/2017	27/06/2017	Event allowed to proceed
17/06907/LITENP	09/07/2017	03/07/2017	Event allowed to proceed
17/06627/LITENP	02/07/2017	21/06/2017	Event allowed to proceed
17/06450/LITENP	27/06/2017	04/10/2017	Event allowed to proceed

A copy of the existing premises licence is enclosed.



City of Westminster

Premises licence

Regulation 33, 34

Premises licence number:

17/09767/LIPDPS

Original Reference:

13/02183/LIPN

Part 1 – Premises details

Postal address of premises:

141 Park Lane
London
W1K 2AA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

- Performance of Dance
- Exhibition of a Film
- Performance of Live Music
- Playing of Recorded Music
- Anything of a similar description to Live Music, Recorded Music or Performance of Dance
- Late Night Refreshment
- 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 03:00
 Sunday: 09:00 to 01:00
 Non-standard Timings: See Conditions 52 & 53.

Exhibition of a Film

Monday to Saturday: 09:00 to 03:00
 Sunday: 09:00 to 01:00
 Non-standard Timings: See Conditions 52 & 53.

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
 Sunday: 09:00 to 01:00
 Non-standard Timings: See Conditions 52 & 53.

Playing of Recorded Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00
Sunday: 23:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 01:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Marble Arch Clubs Limited
3rd Floor
24 Old Bond Street
London
W1S 4AP

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

07929515

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

Name: Vincent Pachoud

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: 14/02795/LIPERS
Licensing Authority: City Of Westminster Council

Date: _____ 9 November 2017 _____

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

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

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

Annex 2 – Conditions consistent with the operating Schedule

None.

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

11. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
12. A noise limiting device located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
13. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
14. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
15. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) are to be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property nor are they to be distributed on street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services except by way of direct mail, newspapers or magazines.
16. The licence holder shall enter into an agreement with a Hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
17. The number of persons (excluding staff) accommodated at any one time shall not currently exceed 350.
18. 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.

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

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

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
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 Police or authorised officer throughout the preceding 31 day period.
21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
22. Any speakers located in the entrance lobby or staircase area will play background music only. Any music played from speakers in the entrance lobby staircase area shall not be audible in any noise sensitive premises.
23. When payment is made via credit card, customer is to be presented with an itemised bill showing the details of all alcoholic drinks purchased.
24. The provision of Films shall be incidental to other licensable activities.
25. On any evening where the premises or part of the premises are open to the public for the purpose of music, dance or entertainment intoxicating liquor shall not be sold or supplied to new persons entering the premises after 01:00 hours other than to:
 - a) Persons who have paid a minimum entrance fee of £7.00
 - b) Persons attending a pre-booked private function or ticketed event
 - c) Guests of the proprietor up to 15% of the capacity
 - d) Persons taking a table meal
 - e) Artists or performers
 - f) Persons who have paid a minimum annual membership of £100
26. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
27. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
28. After 10pm on Thursday, Friday and Saturday there shall be at least (3) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
31. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
32. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
33. 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.
34. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times
35. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
36. Any special effects or mechanical installations shall be arranged and stored so as to minimize any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - o Dry ice and cryogenic fog
 - o Smoke machines and fog generators
 - o Pyrotechnics including fire works
 - o Firearms
 - o Lasers
 - o Explosives and highly flammable substances
 - o Real flame
 - o Strobe lighting
37. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other persons any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
38. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
39. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
40. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

42. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
43. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
44. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
45. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - o Any emergency lighting battery or system
 - o Any electrical installation
 - o Any emergency warning system
46. The licence holder shall ensure that taxis are advised that parking is not permitted in North Row.
47. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by security staff so as to ensure that there is no public nuisance or obstruction to the public highway and that any such queue is directed from the door or the premises towards Oxford Street.
48. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be limited to 25 persons at any one time and must be contained within a designated cordoned smoking area directly outside the premises.
49. After 12:00 on Thursday, Friday and Saturday there shall be at least (3) street marshals on duty at the entrance of the premises at all times whilst it is open for business, at least 1 of which will be stationed near North Row.
50. On Friday and Saturday nights there shall be at least 5 SIA door supervisors on duty after 10.00pm.
51. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
52. When the hours authorised by the licence extend to a time later than 1am, then in relation to the morning in which British Summer Time begins, the hours will extend to one hour after that authorised by the licence.
53. The hours for all licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: West End
UPRN: 200002501436

City of Westminster

Premises licence
summary

Regulation 33, 34

Premises licence number:

17/09767/LIPDPS

Part 1 – Premises details

Postal address of premises:

141 Park Lane
London
W1K 2AA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
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 03:00
Sunday: 09:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

Exhibition of a Film

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00
Non-standard Timings: See Conditions 52 & 53.

Playing of Recorded Music

Monday to Saturday: 09:00 to 03:00

Sunday: 09:00 to 01:00

Non-standard Timings: See Conditions 52 & 53.

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

Monday to Saturday: 09:00 to 03:00

Sunday: 09:00 to 01:00

Non-standard Timings: See Conditions 52 & 53.

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00

Sunday: 23:00 to 01:00

Non-standard Timings: See Conditions 52 & 53.

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00

Sunday: 12:00 to 01:00

Non-standard Timings: See Conditions 52 & 53.

*For times authorised for New Year see conditions at Annex 3***The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30

Sunday: 09:00 to 01:30

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

Alcohol is supplied for consumption on the Premises.

Name and (registered) address of holder of premises licence:Marble Arch Clubs Limited
3rd Floor
24 Old Bond Street
London
W1S 4AP**Registered number of holder, for example company number, charity number (where applicable)**

07929515

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

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

Restricted

Date: _____ **9 November 2017** _____

**This licence has been authorised by Miss Susan Patterson on behalf of the Director -
Public Protection and Licensing.**

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

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

Conditions consistent with the operating schedule

11. On all days the existing capacity of 350 customers is reduced to 200 customers from 09:00-03:00hrs the following day and further reduced to 150 customers from 03:00hrs until 06:30hrs (in so far as the terminal hour on the premises licence permits the premises to operate).
12. The supply of alcohol shall be to seated persons only.
13. A noise limiting device located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
14. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
15. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
16. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) are to be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property nor are they to be distributed on street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services except by way of direct mail, newspapers or magazines.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

Proposed amendment of condition 17 by the Metropolitan Police Service and agreed by the applicant

- 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 and outside area 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.
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 is open to the public.

This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

19. Any speakers located in the entrance lobby or staircase area will play background music only. Any music played from speakers in the entrance lobby staircase area shall not be audible in any noise sensitive premises.
20. When payment is made via credit card, customer is to be presented with an itemised bill showing the details of all alcoholic drinks purchased.
21. The provision of Films shall be incidental to other licensable activities.
22. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
23. Waiter and waitress service shall be available throughout the premises
24. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
25. After 22:00hrs on Thursday, Friday and Saturday there shall be at least (3) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
27. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
30. 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.
31. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times
32. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimize any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

o Dry ice and cryogenic fog

- o Smoke machines and fog generators
 - o Pyrotechnics including fire works
 - o Firearms
 - o Lasers
 - o Explosives and highly flammable substances
 - o Real flame
 - o Strobe lighting
34. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other persons any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
- NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
35. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
36. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
37. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
38. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
39. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
40. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
41. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame- retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
42. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- o Any emergency lighting battery or system
 - o Any electrical installation
 - o Any emergency warning system
43. The licence holder shall ensure that taxis are advised that parking is not permitted in North Row.
44. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by security staff so as to ensure that there is no public nuisance or obstruction to the public highway and that any such queue is directed from the door or the premises towards Oxford Street.

45. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be limited to 25 persons at any one time and must be contained within a designated cordoned smoking area directly outside the premises.
46. After midnight on Thursday, Friday and Saturday there shall be at least (3) street marshals on duty at the entrance of the premises at all times whilst it is open for business, at least 1 of which will be stationed near North Row.
47. On Friday and Saturday nights there shall be at least [5] SIA door supervisors on duty after 10.00pm.
48. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
49. When the hours authorised by the licence extend to a time later than 1am, then in relation to the morning in which British Summer Time begins, the hours will extend to one hour after that authorised by the licence.
50. The hours for all licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

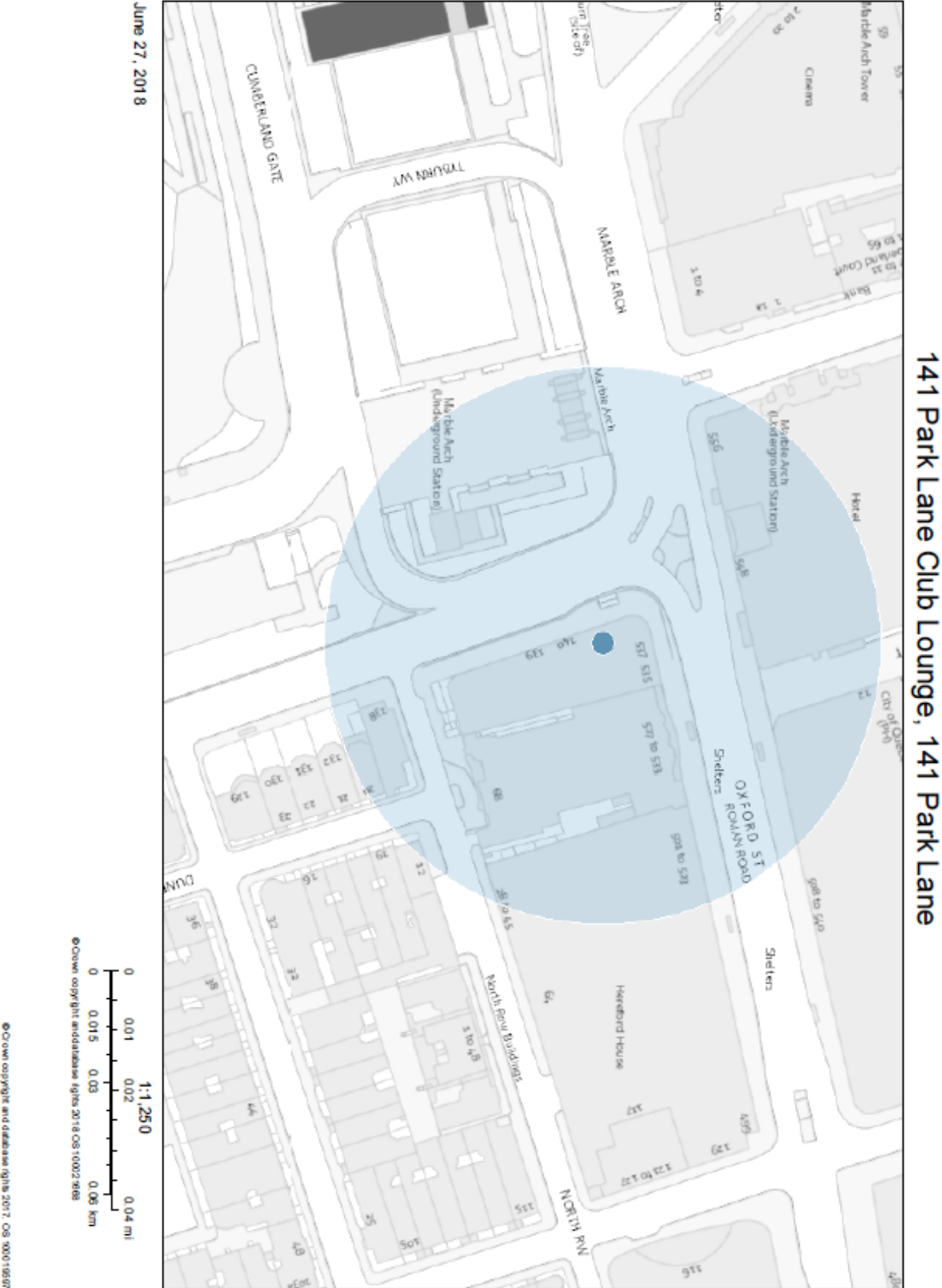
51. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
52. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
53. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
54. 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.
55. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
56. There shall be a last entry time of 04:00hours other than for persons temporarily leaving the premises to smoke.
57. Security staff shall have their Security Industry Authority licenses on display at all times when they are on duty.
58. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
59. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder

- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

60. The premises shall operate as a Private Members Club for use by members and their bona fide guests and for private pre-booked functions only. There shall be rules of the Club for admission to membership. A list of all the names and addresses of members of the club shall be kept on the premises together with a book showing the names of any guests and their contact details, introduced by members and shall be produced on demand for inspection by any authorised officer or Police Officer. Details of members and their guests, who have attended the premises, shall be retained for a minimum period of 31 days. There shall be a period of 48 hours after registration of membership in person, before entry is permitted to the premises as a member. Guests shall not be allowed to remain on the premises without the club members they entered with on that occasion.

Proposed amendment to condition 60 by the Applicant

Between 23:00hrs and 06:00 hrs the following day, the premises shall operate as a Private Members Club for use by members and their bona fide guests and for private pre-booked functions only. There shall be rules of the Club for admission to membership. A list of all the names and addresses of members of the club shall be kept on the premises together with a book showing the names of any guests and their contact details, introduced by members and shall be produced on demand for inspection by any authorised officer or Police Officer. Details of members and their guests, who have attended the premises, shall be retained for a minimum period of 31 days. There shall be a period of 48 hours after registration of membership in person, before entry is permitted to the premises as a member. Guests shall not be allowed to remain on the premises without the club members they entered with on that occasion.



Resident count: 38

Premises within 75 metres of 141 Park Lane Club Lounge, 141 Park Lane, W1K 2AA				
Licence Number	Trading Name	Address	Premises Type	Time Period
17/09767/LIPDPS	141 Park Lane	141 Park Lane London W1K 2AA	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:30
14/06277/LIPDPS	London Marriott Hotel Park Lane	139 - 140 Park Lane London W1K 7AA	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
17/07156/LIPDPS	London Marriott Hotel Park Lane	139 - 140 Park Lane London W1K 7AA	Hotel, 4+ star or major chain	Monday to Sunday; 10:00 - 02:00 Monday to Sunday; 00:00 - 00:00
15/02573/LIPDPS	Pizza Hut	523 Oxford Street London W1K 7DF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

Item No:	
Date:	12 July 2018
Licensing Ref No:	18/04281/LIPN - New Premises Licence
Title of Report:	Ground Floor and Basement 92 York Street London W1H 1QY
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
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 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 April 2018		
Applicant:	Attilus Services Limited		
Premises:			
Premises address:	Ground Floor and Basement 92 York Street London W1H 1QY	Ward:	Bryanston and Dorset Square
		Cumulative Impact Area:	No
Premises description:	The application proposes to operate the premises as a shop that sells Caviar and other food items. The applicant wishes to supplement food sales with the sale of alcohol off the premises of champagne, a premium bottled beer, and possibly Russian vodka.		
Premises licence history:	This is a new premises licence and therefore no licence history exists.		
Applicant submissions:	There are no submission from the applicant.		
Current planning permission:	The current planning permission (88/06696/FULL) relates to the demolition of rear outbuildings and erection of a new single storey at rear ground floor level for retail use.		
NOTE:	The applicant has amended their application to reduce the commencement hour for the sale by retail of alcohol on Sundays from 09:00 to 10:00.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Off sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

<u>Amended application</u> - Sale by retail of alcohol				On or off sales or both:			Off sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	10:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00

End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:	None						
Adult Entertainment:	N/A						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Mr Dave Nevitt
Received:	25 May 2018
<p>Following a site visit at premises Mr Nevitt proposed a series of conditions and suggested that the applicant amend their application for the hours for retail sale of alcohol on a Sunday to bring their application in line the Council's Core Hours Policy.</p> <p>The applicant has agreed to amend their application and has agreed the conditions proposed by Environmental Health and therefore Environmental Health have not made a representation to this application.</p>	

2-B Other Persons	
Representation 1	
Received:	17 June 2018
<p>My objection is in relation to licensing objective (d) The prevention of public nuisance. My grounds for this are that there are already several establishments with an alcohol license in the immediate vicinity. Some of these already cause noise and disruption down the road.</p> <p>My property looks [REDACTED] and as per the restrictions on a grade listed property, we are forbidden from installing double glazed windows. Single glazed ones are not sound proof and therefore if they wish to have seating outside or people generally stood outside this is going to be a disruptive and additional noise, which the street needs less of. We note the hours of 9am-9pm which are outside of sociable hours for what should be a residential street.</p> <p>Having discussed this with other residents, we are all in agreement that this would not be in the interest of the local neighbourhood and does not bring anything beneficial.</p> <p>We welcome the opportunity to discuss this further if required please do not hesitate to contact me and I am more then willing to discuss this further.</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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>
Policy OS1 applies	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.

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

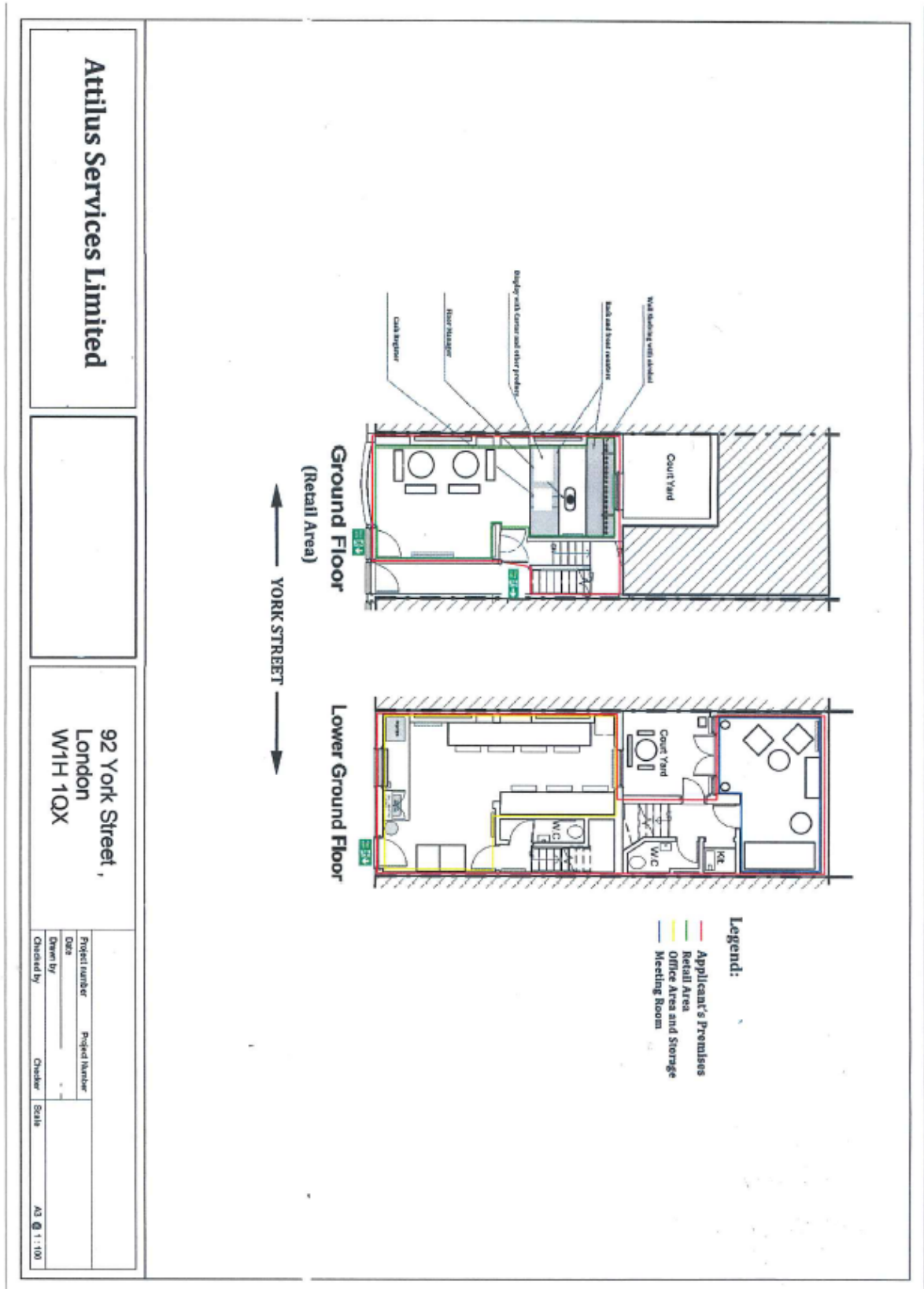
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	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	Email from Environmental Health to Applicant proposing conditions and suggested amendment to application	25 May 2018
5	Email from Applicant agreeing to amend application and conditions	29 May 2018
6	Notification of no representation from Environmental Health Service	19 June 2018



There are no supporting documents from the applicant.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.

5(iii). Where the permitted price given by Paragraph 5(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.

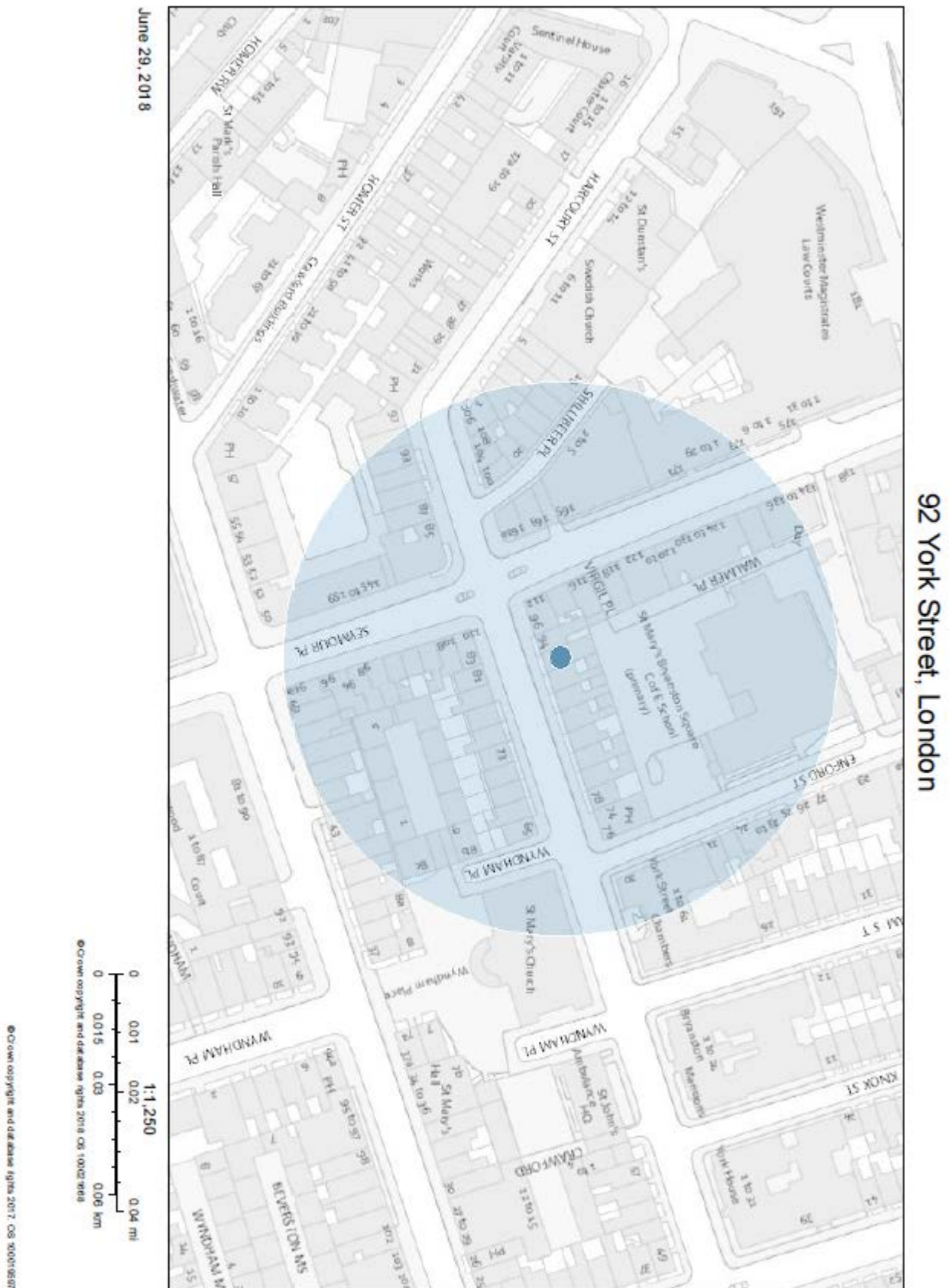
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price 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

Conditions proposed by the Environmental Health and agreed by the applicant to form part of the operating schedule

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

7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. 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.
10. No more than 10% or 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
11. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
12. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. 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.
14. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.



Resident count: 206

Premises within a 75 metre radius of 92 York Street, London, W1H 1QY

Licence Number	Trading Name	Address	Premises Type	Time Period
17/05394/LIPT	Royal Oak	74-76 York Street London W1H 1QN	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:00 Monday to Sunday; 10:00 - 00:30 Sunday; 12:00 - 22:30
17/03151/LIPN	Not Recorded	132 Seymour Place London W1H 1NS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/08449/LIPDPS	The Marylebone Kitchen	106 York Street London W1H 4QN	Not Recorded	Monday to Saturday; 07:00 - 23:00 Sunday; 10:00 - 22:00
18/02008/LIPDPS	Basilico	Basement And Ground Floor 45 Crawford Street London W1H 1JX	Restaurant	Friday to Saturday; 10:00 - 00:30 Sunday to Thursday; 10:00 - 00:00
14/06978/LIPDPS	(Restaurant)	Basement And Ground 42 Crawford Street London W1H 1JX	Restaurant	Monday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 00:00

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Item No:	
Date:	12 July 2018
Licensing Ref No:	18/05043/LIPN - New Premises Licence
Title of Report:	Picpoul Ground Floor and Basement 12 New Quebec Street London W1H 7RF
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
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 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 May 2018		
Applicant:	Margaux Ltd		
Premises:	Picpoul		
Premises address:	Ground Floor and Basement 12 New Quebec Street London W1H 7RF	Ward:	Bryanston and Dorset Square
		Cumulative Impact Area:	No
Premises description:	The applicant proposes to operate the premises as a high-class seafood inspired all day brasserie and oyster bar with 93 covers.		
Premises licence history:	<p>This is a new premises licence application; however, the premises has previously operated as a restaurant with a premises licence (12/09611/LIPT). The existing premises licence was suspended on 26 August 2015 for non-payment of the annual fee. There has been no further communication with the Licensee since that date.</p> <p>Full details of the licence history can be found at Appendix 3.</p>		
Applicant submissions:	The applicant's submissions can be found at Appendix 2 of the report.		
Current planning permission:	<p>The premises currently benefits from the following planning permissions 15/10050/FULL and 14/06004/FULL.</p> <p>14/06004/FULL permits the use of the ground and lower ground floors for retail and restaurant purposes (sui generis) and use of first to third floor levels as three residential flats (Class C3). External alterations include erection of rear extension at first floor level and new kitchen extract system and installation of new timber shopfronts.</p> <p>15/10050/FULL permits the variation of Condition 1 of planning permission dated 07 October 2014 (RN:14/06004) for, 'Use of ground and lower ground floors for retail and restaurant purposes (sui generis) and use of first to third floor levels as three residential flats (Class C3). External alterations include erection of rear extension at first floor level and new kitchen extract system and installation of new timber shopfronts'; namely, to make the following amendments to the approved development: (i) The relocation of the kitchen extract; (ii) The relocation of two rear windows; and (iii) To replace the consented asphalt roofs with single ply.</p>		

1-B Proposed licensable activities and hours							
Regulated Entertainment: Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	08:00	08:00
End:	23:30	23:30	23:30	23:30	23:30	00:00	22:30
Seasonal variations/ Non-standard timings:			None				

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:	00:00	00:00	00:00	00:00	00:00	00:00	
Seasonal variations/ Non-standard timings:			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

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	10:00
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:00
Seasonal variations/ Non-standard timings:			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	08:00	08:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.				
Adult Entertainment:			N/A				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	11 June 2018
Status:	Maintained

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

The applicant has submitted plans of the premises showing the lower ground floor and the ground floor, drawing no. ref. 1893_LP_000 and 1893_LP_001, respectively and dated 10 April 2018.

The following licensable activities are being sought:

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises between 10:00 and 22:30 Monday to Saturday and 10:00 and 22:00 Sunday
2. Provision of Late Night Refreshment 'Indoors' 23:00 and 00:00 Monday to Saturday
3. Provision of Recorded Music 'Indoors' 07:00 and 23:30 Monday to Friday and 08:00 and 00:00 Saturday and 08:00 to 22:30 Sunday.

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 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
3. The hours requested for and the Provision of Recorded Music may lead to an increase in Public Nuisance in the Area

Environmental Health also makes the following further comments:

- An extensive list of conditions have been offered in the operating schedule and these are being considered as to whether they are sufficient to allay Environmental Health concerns
- Clarification is requested on the proposed external seating area – ie is it on a private forecourt or on the public highway - as this will determine the appropriate licence for the use of this area.
- Clarification is also requested on the proposed capacity as the conditions and plans appear to differ markedly. It is unclear if the premises have already undergone refurbishment for the proposed use. In any case the premises will need to be assessed for Public Safety on completion and an appropriate safe capacity restriction determined based on the District Surveyor's Technical Guidance on Places of Entertainment.

- In addition the provision of sanitary accommodation for any proposed capacity is recommended to be in line with the minimum standards as provided in British Standard 6465
- The premises will also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or noise from the operation of any plant and machinery.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Cheryl Boon
Received:	09 May 2018
Status:	Withdrawn

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application at this stage in the application process. The venue is situated outside Westminster's Cumulative Impact Area, however it is our belief that if granted the application would undermine the Licensing Objectives.

Following the applicant's agreement to the conditions proposed by the Police, the Police have withdrawn their representation.

2-B Other Persons	
Representation 1	
Received:	07 June 2018
Status:	Maintained
<p>My objection to this new premises licence application is because of the noise that will be created, primarily at night, by those departing the restaurant. My flat is just [REDACTED] from the proposed restaurant and the noise will be invasive. New Quebec St has a number of restaurants with seating on the pavement and The Grazing Goat is an example of the unacceptable noise level that would emanate from yet another restaurant in this short street.</p> <p>Residents will not want another noisy restaurant with tables on the street and I therefore object to this licence being issued.</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> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
Policy RNT1 applies:	Applications will generally be granted and reviews determined, subject to 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	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	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	Environmental Health Service representation	11 June 2018
5	Metropolitan Police Service representation (Withdrawn)	09 May 2018
6	Resident Representation	07 June 2018
7	Email from the applicant agreeing conditions proposed by the Police	25 May 2018
8	Email from the Police withdrawing representation	25 May 2018

These are new premises to be leased by the applicant ("Margaux") from the Portman Estate, comprising the ground floor and basement (as set out on the attached plan) on New Quebec Street, in the Portman Village, Marylebone.

The Margaux Group's new restaurant, "Picpoul" will be a high class, seafood inspired all-day brasserie and oyster bar, serving breakfast, lunch and dinner. The number of covers indoors is 93, and the table layout is as shown on the plan.

The bar will be positioned as shown on the plan to the front of the premises, and will be used for the preparation of hot and cold drinks, and the retail sale of bottles of wine, croissants and hot drinks for takeaway. Also, there will be a large oyster display and a chef behind the bar preparing cold starters (no cooking will be involved in this area, just prepping raw fish, salads and desserts). There will be no table service in the front area of the premises shown shaded blue on the ground floor plan, but it is envisaged that customers will be able to consume drinks whilst they wait to be seated.

In addition, it is proposed to have outdoor seating for 16 covers at the front of the premises (subject to the necessary planning application).

The kitchen, main food prep and alcohol storage will be to the rear of the basement floor. By way of background, this will be the Margaux Group's third restaurant. It has been running Margaux, a high class French Restaurant and bar on Old Brompton Road, South Kensington since 2013. It opened its second premises, Bandol (an elegant restaurant, showcasing the flavours and style of the South of France), in Chelsea, in 2015.

Premises licence for previous operator of Arabesque Restaurant, Ground Floor and Basement, 12 New Quebec Street

Application	Details of Application	Date Determined	Decision
06/00075/LIPN	Application for a new premises licence	23.03.2006	Granted by Licensing Sub-Committee
06/07314/WCCMAP	Master Licence – Premises Licence	20/03/2008	Granted under delegated authority
08/01944/LIPT	Application to transfer the premises licence	29/12/2005	Granted under delegated authority
12/09611/LIPT (Suspended)	Application to transfer the premises licence	19/11/2012	Granted under delegated authority

Application for the review of a premises licence for the previous operator of Arabesque Restaurant, Ground Floor and Basement, 12 New Quebec Street

Application	Details of Application	Date Determined	Decision
12/08785/LIREVP	Review of a premises licence	17/01/2013	No further action taken

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

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

Conditions consistent with the operating schedule

9. The supply of alcohol at the premises in the restaurant area shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
10. Notwithstanding condition [1], alcohol may be supplied and consumed prior to their meal in the seating at the bar area designated on the plan, by up to a maximum at any one time, of 16 persons dining at the premises.
11. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
12. 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.

Condition 12 has also been requested by the Police

13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Condition 13 has also been requested by the Police

14. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
15. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
16. The number of persons permitted in the premises at any one time (including staff) shall not exceed 150 persons.

Proposed amendment of condition 16 by Environmental Health:

The number of persons permitted at the premises at any one time (excluding staff) shall not exceed 100 persons with a local restriction of:

- 30 in the basement
- 16 seated in the external area

17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. All outside tables and chairs shall be rendered unusable by 22.30 each day.
19. 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.

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

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

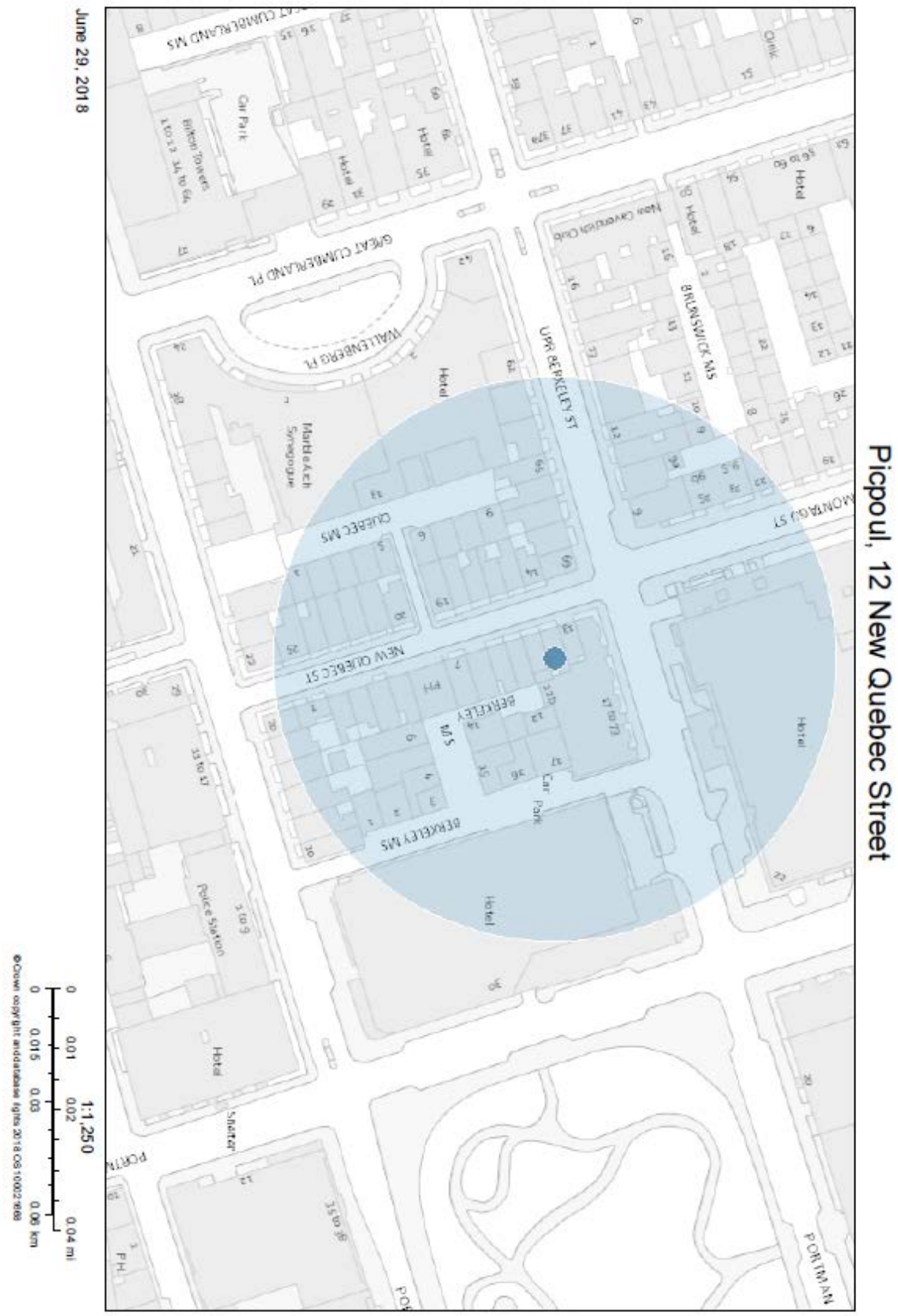
21. The premises shall only operate as a restaurant;
- (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 22.30 Monday-Saturday and 22.00hrs on Sundays, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

22. Notwithstanding condition 3, alcohol may be supplied and consumed prior to their meal in the seating at the bar area designated on the plan, by up to a maximum at any one time, of 16 persons dining at the premises.
23. All outside tables and chairs shall be rendered unusable by 22.30hrs each day.
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
26. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
27. Save for customers who are seated within the outside area, 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.
28. There shall be no self-service of alcohol.

Conditions proposed by the Environmental Health

29. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
30. 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.
31. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
32. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day or as specified on the Council's website for Commercial Waste collection times for the street.
33. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
34. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
35. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Premises Licence by the Licensing Authority. If there are minor changes to the layout during the course of construction new plans shall be submitted when requesting removal of this condition.



Resident count: 172

Premises within 75 metres of Picpoul, 12 New Quebec Street

Licence Number	Trading Name	Address	Premises Type	Time Period
17/15009/LIPCH	The Grazing Goat	6 New Quebec Street London W1H 7RQ	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/06994/LIPN	Not Recorded	Basement And Ground Floor 19 New Quebec Street London W1H 7RY	Not Recorded	Monday to Sunday; 09:30 - 23:00
14/06456/LIPN	La Petite Poissonnerie	Basement And Ground Floor 19 New Quebec Street London W1H 7RY	Shop	Tuesday to Saturday; 09:30 - 19:30
14/07694/LIPT	Philglas & Swiggot	Former First Floor To Third Floor 22 New Quebec Street London	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
16/08377/LIPD	Red Sun	Basement And Ground Floor 2A New Quebec Street London W1H 7RD	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/01615/LIPDPS	Boxcar Butchers Limited	23 New Quebec Street London W1H 7SD	Restaurant	Monday to Saturday; 07:30 - 23:30 Sunday; 07:30 - 22:30
17/11138/LIPDPS	Hyatt Regency The Churchill Hotel	Ground Floor To Seventh Floor 30 Portman Square London W1H 7BH	Hotel, 4+ star or major chain	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:30
08/08312/LIPDPS	Zayna Restaurant	25 New Quebec Street London W1H 7SF	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
13/07491/LIPN	Daisy Green	Basement And Ground Floor 20 Seymour Street London W1H 7HX	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30

17/08356/LIPDPS	Radisson Blu Portman Hotel	22 Portman Square London W1H 7BG	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 23:00 Monday to Saturday; 09:00 - 02:30 Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 Sunday; 09:00 - 00:30 Sunday; 12:00 - 23:00
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Item No:	
Date:	12 July 2018
Licensing Ref No:	18/02152/LIPN - New Premises Licence
Title of Report:	Sushi Murasaki 12 Lauderdale Parade Lauderdale Road London W9 1LU
Report of:	Director of Public Protection and Licensing
Wards involved:	Maida Vale
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 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	26 February 2018		
Applicant:	Izakaya Sasuke Creation Ltd		
Premises:	Sushi Murasaki		
Premises address:	12 Lauderdale Parade Lauderdale Road London W9 1LU	Ward:	Maida Vale
		Cumulative Impact Area:	No
Premises description:	The premises proposes to operate as a Japanese Restaurant offering sushi.		
Premises licence history:	<p>This is a new premises licence application; however, there is an existing premises licence (07/06381/WCCMAP). The existing premises licence was suspended on 16 July 2014 for non-payment of the annual fee. There has been no further communication from the Licensee since that date.</p> <p>Full details of the licence history can be found at Appendix 3.</p>		
Applicant submissions:	There are no submissions from the Applicant.		
Note:	Following the proposal of amended hours by the Paddington Waterways and Maida Vale Society the applicant has agreed with amend the terminal hours for the sale of alcohol in line with the Council's Core Hours policy.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol - Amended				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:00
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00

Seasonal variations/ Non-standard timings:	None
Adult Entertainment:	N/A

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Mr Maxwell Koduah
Received:	04 June 2018
Status:	Maintained
<p>I make a representation to above application on grounds of Public Nuisance & Public Safety as there is insufficient undertakings/conditions within the operating schedule to uphold the Licensing objectives.</p> <p>Attached is proposed conditions to replace those contained within the operating schedule that address the concerns of Environmental Health. Please be advised that the police may propose additional conditions to satisfy their concerns.</p> <p>The applicant agreed the proposed conditions on 07 June 2018.</p>	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Cheryl Boon
Received:	15 May 2018
Status:	Withdrawn
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application at this stage in the application process. The venue is situated outside Westminster's Cumulative Impact Area however it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>I have looked through the application and would like to try and arrange a meeting with you at the venue to discuss this fully and then try and propose some conditions for your application. Would you be free for me to visit in the afternoon of Friday 25th May 2018?</p> <p>Following a visit to the premises the Police have proposed a series of conditions (which can be found at Appendix 4 of the report). The applicant agreed the proposed conditions on 05 June 2018 and following the Applicants agreement to the proposed conditions the Police have withdrawn their representation on 06 June 2018.</p>	

2-B Other Persons	
Name:	Planning And Licensing Paddington Waterways and Maida Vale Society (PWMVS)
Address and/or Residents Association:	4 Browning House 19-21 Formosa Street London W9 2JS
Received:	06 June 2018
Status:	Maintained
<p>As a recognised amenity society by Westminster City Council, we are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents, including those who live in the vicinity.</p> <p>Noticing that the sale of alcohol timings are proposed to be identical to the opening hours, we would ask that</p> <ul style="list-style-type: none"> - Sale of alcohol to finish 10.30pm Mon-Sat, 10pm Sun - Opening time 11pm Mon-Sat, 10.3pm Sun <p>The earlier times on Sundays would be in line with the 'core hours' policy on Sundays and a recognition that residents can expect some more respite before the start of the normal working week.</p> <p>We would also ask that alcohol is ancillary to a table meal and only served to persons seated.</p> <p>We see no need for there to be any noise after 11.00pm and would like the refuse handling to be dealt with by the model condition.</p> <p>There is no mention of any tables and chairs outside and if so, what time they are taken in. If there are to be, then we would like the use of the tables and chairs to be terminated by 10.30pm.</p> <p>On other aspects of operation, we believe model conditions will be imposed.</p> <p>We feel sure that this can all be discussed once this next stage is reached and hopefully be sensibly resolved.</p> <p>We would ask that neighbours' views are taken into account.</p> <p><u>On 26 June 2018 the Licensing Service sent a list of the agreed conditions to the PWMVS for their consideration. On 4 July 2018 the PWMVS replied to the Licensing Service to propose that the Applicant amend their application for the terminal hour for sale of alcohol to be within the Council's Core Hours Policy. The Licensing Service contacted the Applicant to forward the proposal. The applicant responded on 04 July confirming that they are content to amend their application to hours proposed by the PWMVS.</u></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> <p>Core hours when customers are permitted to be on the premises (see Policy HRS1)</p> <ul style="list-style-type: none">• For premises for the supply of alcohol for consumption on the premises: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30

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

Report author:	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	Suspended premises licence 07/06381/WCCMAP	30 July 2007
5	Environmental Health representation	04 June 2018
6	Metropolitan Police representation	15 May 2018
7	Email from Applicant to the Police	05 June 2018
8	Email from Police withdrawing their representation	06 June 2018

There are no supporting documents from the Applicant.

Premises licence (07/06381/WCCMAP) – Suspended on 16 July 2014

Application	Details of Application	Date Determined	Decision
07/03491/LIPN	New premises licence application	17/05/2007	Granted under delegated authority
07/06411/LIPDPS	Application to vary the designated premises supervisor	10/07/2007	Granted under delegated authority
07/06381/WCCMAP	Master Premises Licence	31/07/2007	Granted under delegated authority

Temporary Event Notice History

Notice reference	Date of event	Date determined	Decision
18/01733/LITENP	22/02/2018 – 24/02/2018	20/02/2018	Event allowed to proceed
18/02673/LITENP	17/03/2018 – 23/03/2018	21/03/2018	Event allowed to proceed

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

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

Conditions consistent with the operating schedule

9. There will be effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:
- a) no selling of alcohol to underage people
 - b) no drunk and disorderly behavior on the premises area
 - c) vigilance in preventing the use and sale of illegal drugs at the retail area
 - d) no violent and anti-social behavior
 - e) no any harm to children

10. There will be clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
11. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
12. Internal and external lighting fixed will be provided to promote the public safety objective.
13. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.
14. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
15. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
16. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
17. Customers will be asked not to stand around loudly talking in the street outside the premises.
18. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
19. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Conditions proposed by Environmental Health and accepted by the applicant to form part the operating schedule

20. The supply of alcohol at the premises shall only be to a person seated taking substantial food there and for consumption by such a person as ancillary to their food.

This condition has also been requested by the Paddington Waterways & Maida Vale Society

21. The supply of alcohol shall be by waiter or waitress service only.
22. 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.
12. 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.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

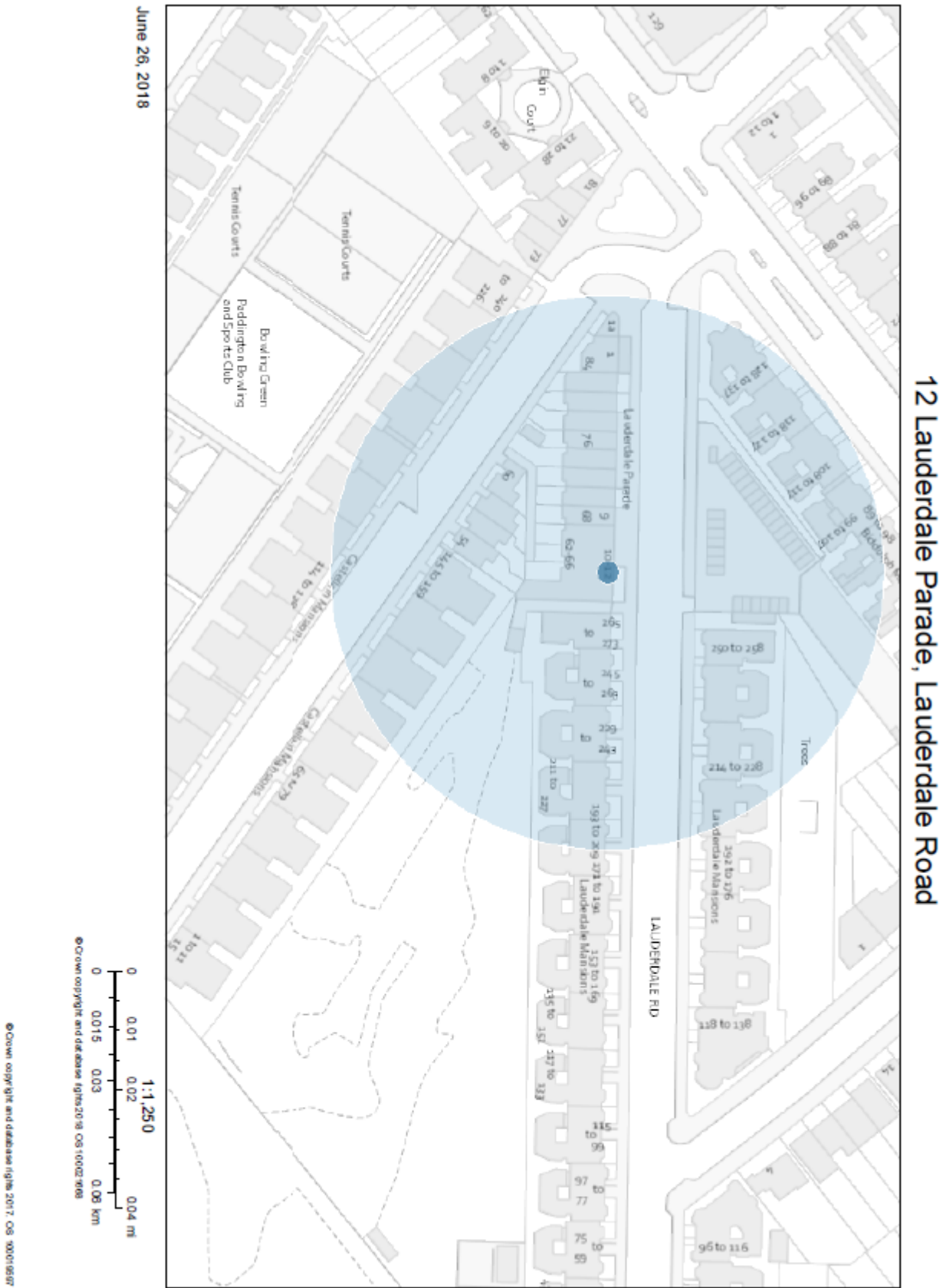
15. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day.
16. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day.

Conditions 15 and 16 have also been requested by the Paddington Waterways & Maida Vale Society

17. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
18. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
19. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Conditions proposed by the Police and accepted by the applicant to form part of the operating schedule

20. 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 shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
22. All outside tables and chairs shall be rendered unusable by 2300hrs each day.
23. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.



Resident count: 320

Premises within 75 metre radius of 12 Lauderdale Parade, Lauderdale Road				
Licence Number	Trading Name	Address	Premises Type	Time Period
16/09147/LIPN	La Piccola Dely	6 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Monday to Saturday; 07:00 - 20:00 Sunday; 07:00 - 19:00
14/07858/LIPDPS	Oddbins	4 Lauderdale Parade Lauderdale Road London W9 1LU	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
06/03719/WCCMAP	Le Cochonnet	Basement And Ground Floor 1 Lauderdale Parade Lauderdale Road London W9 1LU	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00