



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 11th October, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Angela Harvey (Chairman)
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. THE DRAFT HOUSE, WEST END QUAY, SOUTH WHARF ROAD, LONDON, W2 1LA

(Pages 1 - 66)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Hyde Park Ward/ West End Cumulative Impact Area	The Draft House, West End Quay, South Wharf Road, London, W2 1LA	New Premises Licence	18/09700/LIPN

2. PURE WINES, LOWER GROUND FLOOR, 21 BERNERS STREET, LONDON, W1T 3LP

(Pages 67 - 80)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
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2.	West End Ward/ Not In Cumulative Impact Area	Pure Wines, Lower Ground Floor, 21 Berners Street, London, W1T 3LP	New Premises Licence	18/09777/LIPN
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**3. ITALIAN GARDEN CAFE, KENSINGTON GARDENS,
SERPENTINE ROAD, LONDON, W2 2UH**

**(Pages 81 -
110)**

14A pp No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	Knightsbrid ge and Belgravia Ward/ West End Cumulative Impact Area	Italian Garden Cafe, Kensington Gardens, Serpentine Road, London, W2 2UH	New Premises Licence	18/04177/LIPN

**Stuart Love
Chief Executive
5 October 2018**

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

POLICY CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7th January 2016.

GUIDANCE CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. The most recent version was published in April 2018.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy 2016)

- 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.

Item No:	
Date:	11 October 2018
Licensing Ref No:	18/09700/LIPN - New Premises Licence
Title of Report:	The Draft House West End Quay South Wharf Road London W2 1LA
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	17 August 2018		
Applicant:	Draft House Holding Limited		
Premises:	The Draft House		
Premises address:	West End Quay South Wharf Road London W2 1LA	Ward:	Hyde Park
		Cumulative Impact Area:	None
Premises description:	<p>The premises currently has the benefit of a premises licence (18/00550/LIPT) which is conditioned by the Council's model restaurant condition.</p> <p>The proposed operating hours for licensable activities detailed within the application form for this new premises licence application are not an extension of those already permitted on the existing premises licence.</p> <p>The proposed operating schedule for this new premises licence application differs from that which is detailed on existing premises licence 18/00550/LIPT. According to the application form, this application seeks to relax the condition specifying a requirement for alcohol to be served with food.</p> <p>The applicant has stated that the existing premises licence will be surrendered, should this application be granted. A copy of premises licence 18/00550/LIPT can be found at Appendix 6 of the report.</p>		
Premises licence history:	The premises has been licensed since 2005. Full details of the premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	The applicant has provided a dispersal and smoking policy which can be found at Appendix 2 of the report.		
Application information:	The applicant sought pre-application advice in 2017 to remove the requirement to have alcohol with food both indoors and outdoors. A copy of the pre-application advice report can be found at Appendix 7 of the report.		

1-B Proposed licensable activities and hours							
Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		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:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Mr Dave Nevitt
Received:	12 September 2018
I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>I note the application to change the licensing hours to open and close later than at present. This entails up to 23.30 on weekdays and up to 12 midnight at weekends. I believe that late opening is entirely inappropriate as the premises is located on the ground floor of a residential block of apartments. I believe that 'sociable hours' should end at 22.00 and that 12 midnight is unacceptable for the apartments in the block, particularly those immediately above the premises.</p> <p>Therefore, I do not support this application</p> <p>On 13 September 2018, further submissions were provided by this interested party:</p> <p>This is a follow-up comment to one previously submitted. The residents have been mistaken as to the nature of the application, thinking that it was to extend late-night opening hours. It now transpires that the application is to relax the restrictions on serving alcohol with food. We understand that at present alcohol can be served by itself up to 5 pm but thereafter must be served accompanied by food at the outside tables. We understand that the application is to extend the period of alcohol without food from 5 pm to 8 pm. We also now understand that there is no application to extend late night closing hours. However, we still object to the proposal since it would tend towards making the Draft House a drinking establishment rather than a licenced eating place. We do not think that this is appropriate for a largely residential development. We also believe that any such extension would add to the noise and disturbance beyond 8 pm into unsociable hours.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>I am writing to object the current application from The Draft House to extend their licensing hours. My property is tenanted and concerns have been raised that the level of noise has increased. The area is in an echo chamber and the noise especially the end of the week is disruptive. The staff are not managing the current situation with members of the public are not dispersing quietly thus disturbing residents. There is also an outside area and this becomes very busy and noisy, especially in the past few weeks. To extend the licensing hours is unnecessary and will cause further disruption and noise to the residents.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>I am a neighbour of this property and I strongly object to the renewal of this licence. Our property faces the outside area of this pub and we have to have our windows closed because of the constant high levels of noise and also smoke that enters our property on the third floor. Having this large seating area also attracts a lot of anti social behaviour and people sitting outside that do not even drink or eat at the property this is not controlled from staff. I see in the paper work that the landlord mentions door men/women please can they show when these have been present? I have not seen one. This is a mainly residential area and to have this noisy pub at the base of our property is very unfair on residents living in this area. The landlord also has a disrespect for the environment as all the rubbish is just left on the floor to end up in the canal. Please consider this objection. Maybe a coffee shop or shop would be better placed in a residential area as not to disturb residents who will be trying to rest/sleep in there homes.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>I am a resident in the building over Draft House. The pub's clients are often disruptive at night time with noise pollution in a residential area and loud music from inside.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>As an owner of an apartment in the Peninsula Apartment Block in Praed Street I object to the extension of the opening hours for late night refreshment and the sale of alcohol on a retail basis. I believe that this will lead to attracting individuals to the area that will be to the detriment of the local vicinity. It will also potentially lead to an increase in late night noise and general disturbances.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>The noise from customers represents a considerable disturbance to neighbours especially those who, like myself, overlook the external area of the premises where tables and chairs are placed on WEQ land; I understand that limited permission has been granted for this. But not only is the noise a nuisance, the existence of the premises being open encourages customers to remain within WEQ which is private property. I suggest that the external area of the premises and the entrance/exit from/to WEQ should be closed at 2130/2200; there is another entrance/exit available on Harbet Road. WEQ is a gated development being private property.</p> <p>I would also mention that your letter of 20th August 2018 quoted the incorrect link to access the application; this will not have aided proper consultation and another letter should be issued to ensure that proper consultation does occur.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
<p>I live in an apartment that overlooks the Draft House and already suffers from noise from these premises during their current opening hours. Extension of the hours would increase the nuisance and, given the new times, interfere with sleep.</p> <p>I oppose any extension and would favour a reduction in hours.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
Too much noise and disturbance for residents.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	3 September 2018
Support/Objection:	Objection
As this is mainly residential the trading hours should not be extended till 2330 on weekdays and midnight on weekends. The neighbourhood should be quiet after 2200 so that residents can peacefully enjoy their evenings at home and sleep.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	4 September 2018
Support/Objection:	Objection
I live above the licensed premises and although I am on the fifth floor the noise generated by the pub can be loud and invasive. At present we are frequently disturbed by the clamour especially on Friday and Saturday nights and sometimes long past 11 o'clock.	
Usually the disruption is caused by people's jollification, but it increasingly emanates from tables and chairs being dragged along the ground. It interferes with conversation and the TV with the windows closed and should we go to bed early and a window is open it is impossible to sleep.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	4 September 2018
Support/Objection:	Objection
I object to the extended hours as this is a high density residential area with mixed use shops. Already I have had to complain on numerous occasions via the Manager of West End Quay re noise at night from drunken persons.	
They congregate outside to drink and the noise is unacceptable. Once drunk and the Draft House closes, they stay around shouting and pretending to throw each other into the water for fun, occasionally actually doing so. Thus they disturb my peace.	

I work full time from 8am so have to get up early and hence go to bed well before midnight and my sleep is disturbed, especially as I am on the first floor which picks up all the sound.

However, I am told by neighbours upstairs that the Basin acts as a funnel and the noise on higher folds is equally disturbing.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

4 September 2018

Support/Objection:

Objection

I would like to take this opportunity to express my concerns regarding this. It is a residential area, of which I reside, and the draft house is already a very noisy place. It is not easy to sleep in the weekdays already given the loud noise at closing times, after which the staff also create a lot of noise dragging the tables and chairs. A half hour difference would make a huge difference to those that live in the area.

I cannot stress enough how much it does affect our sleep, and we have not made any formal complaints as legislation states noise can be made before 11pm. I hope this email is strongly considered for the draft house application and I will be taking it further if the application goes through, which due to legislation regarding noise after 11pm, I cannot see how this is possible?

I would be happy to discuss this further if needed.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

4 September 2018

Support/Objection:

Objection

I fiercely oppose the Draft House's Application to extend their business hours to 23.30 on weekdays and Midnight at weekends -the resultant noise and disturbance from the already generously extended opening hours can only be appreciated if you live there. Further extended hours will only result in yet more drunken, loud shouting idiots causing pandemonium to all local residents in adjoining or adjacent apartment buildings and particularly to those who have a young family.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

5 September 2018

Support/Objection:

Objection

Extending the hours at the Draught House would be to increase an existing problem. The location is surrounded by a number of apartment buildings which create a near 'echo' effect of any noise. With the hospital nearby, many of the flat residents are

working shifts and already struggling with sleep patterns. Extending the hours just extends the problem - noisy customers exiting the building already cause issues - please help protect our sleep.

Name:

Address and/or Residents Association

Received:

6 September 2018

Support/Objection:

Objection

The Draft House is in a residential location on the ground floor of residential apartments (Balmoral Apartments) and surrounded by other apartment blocks (West End Quay and Merchant Square).

Whilst the Dispersal Policy reads well, customers leaving by the rear entrance will still be noisy and will be leaving via Praed Street which also has residential apartments and the Metropole Hotel.

With regard to this application, perhaps a compromise would be opening until 23.30 on Fridays and Saturdays only.

Residents have had to accept a lot of noise in the evenings over this hot summer when customers have been drinking and chatting outside, although the staff have to be congratulated on clearing up very quickly and getting the customers inside very quickly at the end of the evening.

Name:

Address and/or Residents Association

Received:

11 September 2018

Support/Objection:

Objection

As a resident who sleeps within earshot of The Draft House (flat in Balmoral apartments) I strongly object to extending the opening hours of this public house. In addition to the closeness of the sound emanating from the pub to residents who value their sleep, the entrance to Balmoral apartments is a matter of only a few paces from the outside seating area of The Draft House; it is easy to see that entering and exiting the apartments in proximity to boisterous, or worse, drinkers could be intimidating especially late at night.

Name:

Address and/or Residents Association

Received:

11 September 2018

Support/Objection:

Objection

On behalf of the West End Quay RTM Company, representing 67% of the 467 residential apartments, I should like to object to this application on the grounds that it is entirely inappropriate to extend the licensing hours of premises on the ground floor of a

residential block. All the owners of the neighbouring apartments would have bought on the basis of knowing that the licence hours were normal and not extended. An extension would represent a significant change in living conditions with increased noise and disturbance during unsociable hours.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

11 September 2018

Support/Objection:

Objection

Draft House already causes noise and disruption to the flats above. The situation can only get worse if licensing hours are extended. This is a residential area and the proposal is entirely inappropriate.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

11 September 2018

Support/Objection:

Objection

There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times. I doubt whether the Bar management would dispute that the noise level is excessive for sleep. So, the only issue is the ability to sleep, for which 10pm is generally accepted as an acceptable time cut-off for noise. Does City of Westminster have a policy for acceptable times for such matters?

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

11 September 2018

Support/Objection:

Objection

This is a residential area and the extended opening time for serving alcoholic beverages will lead to noise and other potential risks associated with alcohol consumption.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>As residents of.900 Balmoral Apartments which directly overlook the Draft House (the applicant for the extension of licensing hours) my wife and I object to this application which seeks to overturn the operating hour constraints that were put in place on the grant of the original license for this location.</p> <p>At the time the Council specifically and repeatedly cited these constraints were invoked to limit noise and air pollution affecting the residents of the multi-storey apartment blocks immediately adjacent to, and on top of, the licensed premises now named Draft House.</p> <p>The original constraints balanced the rights of the occupants with the interests of the operator of the licensed premises and reflected an understanding of the sound funnelling characteristics of the site architecture.</p> <p>Since the original license was granted there has been no change to the architecture or the acoustics and no known change to the auditory condition of the residents - indeed the volume of noise experienced this warm summer arising from clients seated outside the premises reinforced the wisdom of the original operating constraints.</p> <p>I submit there is no basis for changing the balance of interests in favour of the operator. There has been no offer of sound mitigation by limiting the hours permitted for external operation. - or by other means.</p> <p>Furthermore the extension of hours compromises the security arrangements in place to control pedestrian traffic in and out of the Harbet Road entrance to the site (which is closest to the Draft House).</p> <p>On this basis we strongly object to the unmitigated unilateral extension of operating hours to the detriment of the interests of a significant number of residents for whom this would represent substantial additional noise pollution.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<ol style="list-style-type: none"> 1. Nothing should be allowed to diminish this essentially residential area. 2. Noise and voices carry loudly within the precincts of Paddington Basin. 3. Alcohol (& drugs?) consumption is already a problem and has not been effectively dealt with in order to create a safe and pleasant environment. 	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
The peace and quiet of the development will be adversely affected.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>The noise coming from the Draft House pub makes impossible to keep healthy sleep time environment for my children and me as we have to go to bed early (20.00) as children attend school and need to be able to sleep and restore energy.</p> <p>While there are people drinking near the pub, entering the pub and then leaving the pub, the noise prevents children from sleeping.</p> <p>I strongly object to the extension of licensing hours of the pub as that inevitably will attract much more people who shout and drink outside the bar. The Draft house where the crowd usually gathers is directly facing the windows of my flat so the sound pollution is severe and makes all our children have disturbed sleep.</p> <p>I would like to stress that this is a residential area where residents and more importantly their children have the right to have a healthy night rest without hearing the noise of a pub.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>Balmoral apartments is primarily a residential block with people actually living there. The noise from Draft House is already very disturbing for apartments that have windows facing the canal. This applies both to customers sitting at the tables outside but especially at closing times for obvious reasons.</p> <p>Extending the hours of Draft House would make an existing problem even worse.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>We strongly object to the licensing plans proposed by The Draft House. Firstly, since the Draft House has opened our sleep quality has significantly deteriorated. For example even with ear plugs the sound and lighting is a nuisance. Not only have we found guests to be noisy, we have also found the staff to be a nuisance! I will share two stories as an example, one midweek evening from 11:00 to midnight the staff and I presume friends were in and out of the Draft House making noise, one was skateboarding outside. We had been in bed from 10:00 trying to sleep, the sound had caused us to despair and I had to shout at the people to stop making noise. At first ignored then listened to as I became louder in objection. A second example briefly involved a staff member with an Irish accent, a lady. At a late hour she and her friends (or colleagues) sat outside the Draft House talking loudly and making a fair amount of noise. On this occasion another flat tenant shouted at them, in return she became abusive.</p> <p>These stories are about the staff - please now consider the materially louder noise from The Draft House patronage! TDH does not have security to control guests and remind them to be respectful of nearby residents. Nor does its staff request this, upon our last visit to TDH we saw no notices requesting respect when leaving the venue. Leading us to believe they place no regard on resident neighbours.</p> <p>Ultimately this is a residential area with the benefit of commercial space. Residents should not suffer owing to noise or light nuisance from our commercial neighbours. We have 'put up' with noise from TDH until now, we have considered filing a complaint under 'statutory nuisance' (covered by the Environmental Protection Act 1990). We may do so if noise continues as it has.</p> <p>We have raised the nuisance at a Residents Meeting.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>This would appear to be an application for a licence to watch films and consume speciality beers with a significant extension of the current opening hours. The reality -as a visit to their website (https://www.drafthouse.co.uk/locations/paddington) reveals - is that Draft House is a business based on a culture of alcohol-centred late night "Party Party Party" events combined with off-licence sales of food ,wine and beers via services such as Deliveroo and Uber Eats. They already show the Paddington site open till midnight and are stressing the WEQ's waterside facilities are ideal for alfresco drinking, dining and partying.</p>	

I wish to object to the application on the following grounds:

- Increase in Noise disturbance from use of tables and chairs and their storage
- Public health implications of passive smoking
- Disregard for the wellbeing of residents
- Inadequate and ill-conceived policies to mitigate the on-going stress and disruption to the residents
- No offer of compensation to residents for any additional security costs incurred
- Retail off-licence of premium beers and ciders being sold in the proposed external area
- Contradictory Operational Policies "In the external area, all licensable activities shall cease and the area shall cease to be used for drinking and/or dining at 10.30pm daily" Yet "Substantial food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours"

It is also, disturbing to note they expect to have to use SIA staff to control queues of patrons.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection

There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times.

Furthermore, my property was purchased as an investment and placed on long term lease. I would hate to see bars extending their hours to the detriment of my place losing its appeal to current and future renters, most of whom are students at the nearby colleges and by no means happy to live over a late opening bar.

Would love to see this timing rejecting if only to maintain peace in the area and maintain my return on investment, which is not an unfair thing to expect.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection

My family live inevitably above the Draft House. Since the change in licensee the level of noise has risen considerably and has become a nuisance . We believe that the extension of licensing hours will make this intolerable. When we bought the flat the pub had little outside us ena d this has now changed to the detriment of those living in

the flats above the bar. We believe the extension of licensing hours will lead to both excessive noise and disruption on the residential estate of west end quay. We hope the council will reject the application and leave the status quo for no place.

On 14 September, further submissions were provided by this interested party:

This is an objection to the modified terms to the Brew House license. My family live in the block above Brew House . Since Brew House took over the property the level of noise has increased markedly. We believe that extending the time when they can serve alcohol alone will increase this disturbance markedly and intolerably for what is primarily a residential location . The noise is magnified by echoes off the surrounding buildings exacerbating the nuisance to the surrounding flats.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
23:00 hours plus associated disbandment of revellers is sufficient. 24:00 will be an unnecessary and unwelcome extension.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
The location of The Draft House is within the curvature of the buildings at the end of the canal and any noise from customers, whether sitting outside the Draft House or leaving the premises, is already echoed and therefore multiplied much more than one can bear every night. If the opening hours are extended, this noise will be extended well past midnight.	
My apartment has 2 bedrooms towards the canal and therefore I do object to the request to extend the opening hours.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
This is a residential area and additional late opening hours will lead to more noise and anti-social behaviour on our door step.	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
It will bring more crowd and noise to the location and feature our privacy.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
My family objects to this application as it will increase the disturbance in the area and lead to anti-social behaviour.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
I am the leaseholder of Flat 507 at Peninsula Apartments at West End Quay. The neighbourhood is a busy one but at night becomes quieter. There are approximately 450 apartments at West End Quay and hundreds more across the basin from us in a very confined area. Having late night revellers would disrupt all our sleep. I appreciate the amenity of the Draft House and other restaurants in the area but the others close earlier and are good neighbours to us all. I hope you will maintain the quality of life at Paddington Basin by denying this application.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
This application is totally unacceptable. The noise from this establishment is already very loud and intrusive and causes distress to the residents of West End Quay. Patrons often do not leave the area for hours after "closing time" and an extension to the opening hours will only make matters worse for local residents.	
My apartment directly overlooks The Draft House, with my living room and bedroom above the terrace outside the establishment.	
I object strongly to this application to extend the licensing hours at The Draft House.	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>I am concerned that the extended operating hours will mean 'noise' in the late hours of night. A Bar is a place for people to laugh and have a good time socialising and chatting. The patrons may also linger after closing hours in the surrounding area benches to have their last chatter. Their voices will carry, as the way the buildings are arranged throws echoes of their voices around, and becomes 'noise' to nearby residents who wants their peace, quietness, rest or sleep. I think 10 pm Bar closing time is a fair time for all concerned.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>I live on 12th and 13th floors above The Draft House, in Balmoral Apartments.</p> <p>Even so, I still am affected by the noise emanating from the premises, particularly after they have closed and the Staff are dragging (not lifting) the tables back from being scattered around their outdoor space. The tables literally screech as they are moved, making sleep impossible at that stage. To have later hours would be a nightmare; Music has to stop at, for instance, Parties in the Park, by 11 pm., so why should Draft House, attached to a residential block, be authorised to create noise well past that hour? Spare a thought for the babies and young children particularly, living here, being woken past midnight, night after night. We endure enough noise every night during their present opening hours, and the longer customers are allowed to drink, the rowdier they become.</p> <p>Enough is enough. Please, let us have a reasonable night's sleep, not half a night!</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>The location is in a residential setting. By extending the closing times of the venue chances of there being excessive noise and crowds around the site late in the night will then be greater.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times. We doubt whether the Bar management would dispute that the noise level is excessive for sleep. So, the only issue is the ability to sleep, for which 10pm is generally accepted as an acceptable time cut-off for noise.</p> <p>Does City of Westminster have a policy for acceptable times for such matters?</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
<p>There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times. We doubt whether the Bar management would dispute that the noise level is excessive for sleep. So, the only issue is the ability to sleep, for which 10pm is generally accepted as an acceptable time cut-off for noise.</p> <p>Does City of Westminster have a policy for acceptable times for such matters?</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	4 September 2018
Support/Objection:	Objection
<p>I write regarding the subjected application for the extension of the trading hours!</p> <p>The viable reasons for the requested extension are unclear!</p> <p>This extension will however mean more traffic and noise in the unsociable hours, and it</p>	

is going to impact the residents! I therefore want to raise my objection to this application!

Please add my name to the objection list!

On 11 September 2018, further submissions were provided by this interested party:

My flat is facing the front entrance to the hotel opposite, and so one can hear the traffic in the early hours. Extending the opening hours will result in more traffic and noise which are unwelcome distraction for the residents. I therefore object to this application.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
My objection to the Draft House application for extended licensing hours (up to midnight at weekends) located on the ground floor of Balmoral apartments is based on late night noise and disturbance in a residential area beside Peninsula apartments block.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	11 September 2018
Support/Objection:	Objection
My apartment overlooks South Wharf Road. The high buildings and narrow road mean that sound echoes around the buildings and even talking seems to increase in volume. The application for longer opening hours would mean that the already intrusive noise would continue later into the night meaning that any kind of peaceful existence, let alone sleep, would be difficult. With the windows open it would be worse.	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	27 August 2018
Support/Objection:	Objection
It has been brought to my attention by Richard Brown of the Licensing Advice Project that The Draft House is applying for a new licence. I believe this follows on from my complaints about the numerous breaches of their licence since they took over the premises and are effectively making it into a "Drinking Premises " with "food" as an extra to get round the present licence (see attached letter from Juliana Dyer-Hall).	
The new application would only worsen the existing breaches .The main problem here is that the alcohol consumption is mainly by all the "local" office workers. These start at lunch time and persist till 9-10 pm. The noise levels peak and continue from about 5pm	

till 10pm. The existing licence was deliberately meant to ensure that consumption of alcohol outside would be as part of a proper meal and that no drinking alone would take place. By putting back the timing the necessity of being seated will bypass the compulsory need to eat at the same time until most of the harm-i.e noise and bad behavior-has already taken place.

I believe that the existing licence should be retained and no concessions made that will in effect turn this into a Public House.

I was not aware they could sell alcohol for consumption off the premises as this of course allows customers to sidestep the "having to sit, be waitress served and only the obtaining alcohol" restriction.

I do not understand the need for clause 8 of the new application.

This premises are in the middle of a large residential area. The premises are on the ground floor of a 16 story block of flats. On its left are two more blocks (Westcliffe and Peninsula) each of 10 stories and to the right a further 3 blocks of between 16 and 20 stories. Unfortunately because of the U-shaped arrangement of all these residences any noise is "funnelled" upwards to these flats. The nearest offices are nearly 200 yds. away and have several possible drinking /eating venues closer to them.

No notice of this new application has come to our Block and there is no such notice displayed on the said premises. The present owners knew exactly what the existing licence said when they moved in , have flagrantly ignored it and are now trying to legalise their breaches.

I hope the committee will turn down this application as it is against all the guidelines for a strictly residential area.

On 11 September 2018, further submissions were provided by this interested party:

I think my objection letter makes it quite clear that it is PUBLIC NUISANCE that is the prime reason for my objection. This is in the form of noise spread of the customers way beyond the demised area and unruly behaviour. I have appeared before the Licensing Committee and appreciate it aims to prevent such Drinking Venues by strictly controlling them in essentially residential areas.

I believe you will have seen Juliana Dyer-Hall report of 26th June back to me supporting my complaints of several breaches of the existing Licence. The present owners cannot be allowed to flagrantly break the Licence, which was in place to protect the residents, and then try to legalise it by altering the Licence.

I hope the committee will not allow any alteration to the existing Licence .Since writing my letter I have been told that they may also be trying to extend the opening hours-again totally unacceptable.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>This is unacceptable due to increased noise, increased number of drunk people (even more than now), higher risk for parents with kids, bad behaviour by visitors to the restaurant. We have to accept this is a residential area surrounded by many buildings and late night drinking is not acceptable in the area where there are many kids and 2 schools to be opened in the next year.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>I object! The extended hours will cause a disturbance to residents, at times when we wish to go to sleep. The curvature of Balmoral Apartments and the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. Most of the bedrooms overlook the basin and the area outside Draffhouse.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>Please note that I object to this application for an extension of trading hours. As a resident of WEQ affected by the noise I find it rather strange that permission was originally granted to conduct a business of this type in this particular unit whole trading hours and close proximity to residents would almost certainly bring it into conflict with the people living nearby. The noise and activity generated by the business impacts greatly on residents with noise and late night revelry greatly reducing our quality of living in the WEQ development. Currently we are impacted by late night noise from customers who drink in the external areas together with the noise generated by them leaving the premises. I personally have also been affected by the reverberating noise of music which is transmitted through the building structure making it impossible to sleep. This is bad enough but to think that these issues could now be moved on later into the evening and into the early morning at weekends really doesn't bear thinking about. I hope you will take my comments into account when you are making a decision on this application.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>The bedroom in my flat is overlooking the Draft House. Even with the double glazed windows shut the noise from customers outside the draft house is loud enough during normal business hours and makes it difficult to sleep. The proposed later closing hours would make it difficult for us to sleep at reasonable bedtimes during the working week.</p> <p>There are many apartments overlooking the canal and I find it unacceptable that the needs of a few late night customers outweighs the right of many residents to get a good nights sleep.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>We object to the proposal on behalf of our client who is a resident at Balmoral on the basis that there will be excessive noise particularly when closing and also the risk of anti social behaviour. Whilst we accept that it will be well managed and policies are in place, even with the best intentions these are difficult to enforce and can often lead to confrontation.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>Further to my previous comment. Extending the hours will result in huge hidden problems of sleep deprivation for residents.</p> <p>I have just had my grandchildren to stay and the current noise and behaviour was disturbing enough.</p> <p>Any further extension of the hours of drinking at the Draft House would be intolerable and not conducive to what is still a peaceful residential area in Westminster.</p>	

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	12 September 2018
Support/Objection:	Objection
<p>There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times. I doubt whether the Bar management would dispute that the noise level is excessive for sleep. So, the only issue is the ability to sleep, for which 10pm is generally accepted as an acceptable time cut-off for noise.</p> <p>Does City of Westminster have a policy for acceptable times for such matters?</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	13 September 2018
Support/Objection:	Objection
<p>I feel by extending the licensing hours, this would affect my quality of sleep and my subsequent performance at work. I am already disturbed by the crowds in the day and evening time. I would appreciate if their licensing hours are not extended as we live in a residential area.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	13 September 2018
Support/Objection:	Objection
<p>I strongly object to the extension. The crowd is already noisy and disruptive to residents, especially those attempting to sleep at a decent hour.</p> <p>An extension to midnight is unreasonable and totally unacceptable.</p>	
Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	13 September 2018
Support/Objection:	Objection
<p>I would like to object to the new proposed opening hours on the basis of the impact on</p>	

the noise/sleep to residents.

The current noise levels are constantly a problem for over looking residents even with their double glazed windows closed - I believe it would be extremely inconsiderate for residents to tolerate the increased noise until much later at night as there is very much an echo due to the nature of the surrounding buildings when customers are sitting outside and when arriving and departing the public house.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

13 September 2018

Support/Objection:

Objection

I object most strongly to the application to extend the opening hours. The undoubted noise which will arise during the extended hours will be detrimental to the comfort and well being of the many residential tenants and will severely prejudice their use and enjoyment of their apartments. The owners of the Draft House knew when they acquired/opened it that it was in a densely populated residential area. The interests of the existing occupiers of the apartments should take precedence over that of the owners of The Draft House.

I would strongly urge rejection.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

13 September 2018

Support/Objection:

Objection

I most definitely object! This building is already affected by the level of noise generated by customers and an extension will only magnify the disruption. We are suffering due to the outside tables which prevent us from sleeping at a reasonable hour. An extension should not be allowed.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

14 September 2018

Support/Objection:

Objection

SEBRA strongly objects to this application on grounds it will cause substantial harm and possibly crime & disorder issues to adjacent residents in the large blocks of flats immediately adjacent to the premises and to local residents in the general area.

We fully support detailed objection from the PW&MV Society dated 9 September 2018.

We note current hours for 'off sales' longer than hours normally granted by WCC and wish hours to be reduced to line up with standard hours with a restriction on sales

of beer or cider sales of more than 5.5% APV.

We consider if changes proposed to Premises Licence were permitted it would have effect of turning premises into a public house rather than as originally intended for premises to operate primarily as a restaurant.

Of particular concern is use of exterior area and this must be strictly controlled so as to protect residential amenity with special regard to patrons being seated at all times and a dedicated smoking area provided

We trust application will be refused.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

14 September 2018

Support/Objection:

Objection

I object to the application. The application, if approved, will cause unnecessary additional noise and disruption to the quiet enjoyment of the significant number of residential premises above and around the premises.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

14 September 2018

Support/Objection:

Objection

I have understood that the Applicant wishes to extend hours of alcohol sales only (without food) from 5 pm to 8 pm, and as a consequence in this residential area (Balmoral Apartments) this is expected to generate a lot more noise, and possible unruly behavior, which is not acceptable in this location. Apart from the alcohol only extended hours, I also understand the Applicant is applying to extend licensing hours to 23.30-00.00 hours, and again this will give rise to unreasonable noise levels, and on both counts I object, and request rejection of the application on the current basis. I have also understood that the Applicant is planning to operate a cinema club, and I trust the Authorities have satisfied themselves as to the proposed content /type of film, so as to ensure this does not create an undesirable type of clientele in this location.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]

Received:

14 September 2018

Support/Objection:

Objection

It's already noisy enough at the moment during late hours and we're afraid that this licence will only add to the problem.

Name:	[REDACTED]
Address and/or Residents Association	[REDACTED]
Received:	14 September 2018
Support/Objection:	Objection
<p>There is no dispute that noise from well-behaved and managed customers outside the Bar is loud enough to prevent sleep in overlooking bedrooms - even with the double-glazed windows fully closed. Bedrooms simply cannot be kept quiet enough to sleep. On this basis alone, the later hours will be of major impact to the over-looking residents. The curvature of the surrounding buildings makes for an echo chamber and the noise is striking when the outside tables are occupied and during departure of customers at closing time. The proposed outside-use and closing times are later than reasonable bed-times. I doubt whether the Bar management would dispute that the noise level is excessive for sleep. So, the only issue is the ability to sleep, for which 10pm is generally accepted as an acceptable time cut-off for noise.</p> <p>Does City of Westminster have a policy for acceptable times for such matters?</p>	
Name:	Councillor Antonia Cox Chairman of City of Westminster Pension Fund Committee
Address and/or Residents Association	Member of Hyde Park Ward
Received:	14 September 2018
Support/Objection:	Objection
<p>Two ward councillors visited the exterior of the site today and would like to object to the proposed application on grounds of reduced residential amenity. The hours are excessive and could contribute to the antisocial behaviour recently witnessed in the area and raised in recent meetings with the police.</p> <p>The design of West End Quay also makes the residents in the flats around it, including those in social housing at 11 and 2 Harbet Road, particularly vulnerable to noise which is channelled upwards from premises around the quay.</p> <p>We hope the committee will bear this objection, supported by all three ward councillors, in mind.</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></p> <p>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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u></p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. 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
Appendix 6	Premises licence reference 18/00550/LIPT
Appendix 7	Pre-application advice report

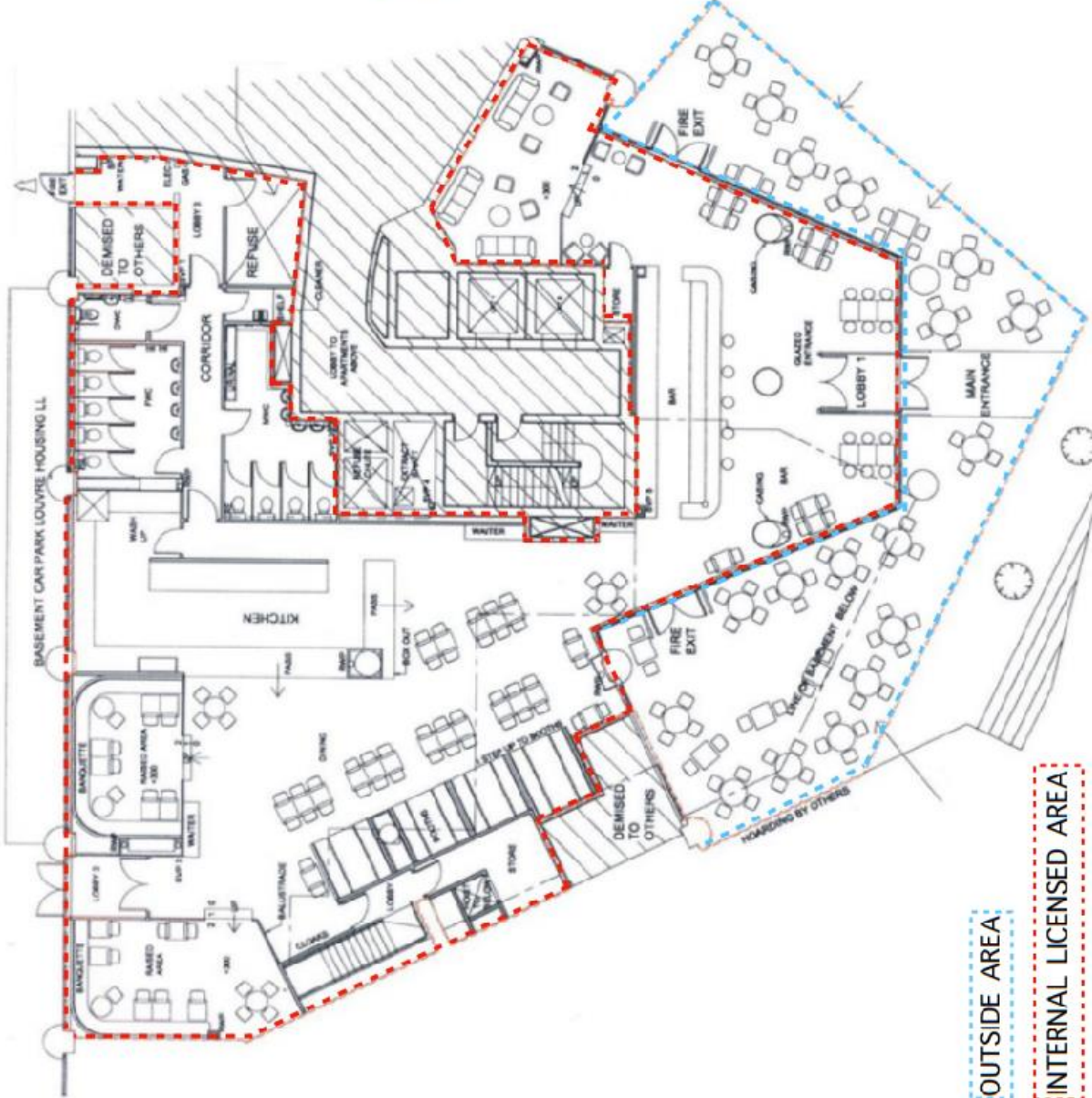
Report author:	Miss Daisy Gadd Senior Licensing Officer
Contact:	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

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	Representation Environmental Health	12 September 2018
5	Representation Interested Party	3 September 2018
6	Representation Interested Party	3 September 2018
7	Representation Interested Party	3 September 2018
8	Representation Interested Party	3 September 2018
9	Representation Interested Party	3 September 2018
10	Representation Interested Party	3 September 2018
11	Representation Interested Party	3 September 2018
12	Representation Interested Party	3 September 2018
13	Representation Interested Party	3 September 2018
14	Representation Interested Party	4 September 2018
15	Representation Interested Party	4 September 2018
16	Representation Interested Party	4 September 2018
17	Representation Interested Party	4 September 2018
18	Representation Interested Party	5 September 2018
19	Representation Interested Party	6 September 2018
20	Representation Interested Party	11 September 2018

GROUND FLOOR PLAN
 -481.5 SQM GROSS INTERNAL AREA
 INTERNAL LICENSED AREA 215 COVERS
 OUTSIDE AREA 120 COVERS





BASEMENT FLOOR PLAN
 STAFF AREA ONLY
 170.0 SQM GROSS INTERNAL AREA

THE DRAFT HOUSE, WEST END QUAY

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this shall not apply in the case of consumption in any delineated external area or in the case of alcohol sold for the purpose of consumption off the premises).
5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

THE DRAFT HOUSE, WEST END QUAY
SMOKING & AL FRESCO DINING POLICY

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff regularly at all times it is in use.
3. The area will be cleaned regularly.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.
8. Alcohol consumption in the external area shall only be by patrons seated at tables.
9. The service of alcohol for consumption in the external area shall be by way of waiter/waitress service.
10. After 8pm, the sale by retail of alcohol in the external area must be ancillary to the provision of a table meal.
11. All licensable activities shall cease and the area shall cease to be used for drinking and/or dining at 10.30pm daily.
12. Furniture in the external area shall be removed or made secure by 11pm daily.
13. After 10.30pm daily, a designated smoking area shall be provided on Harbet Road (the specific area to be agreed with the Environmental Health Consultation Team).
14. After 10.30pm daily, the number of patrons permitted to temporarily leave and then re-enter the premises shall be limited to 20 persons at any one time, and those persons shall not be permitted to take any beverages or food outside with them.

THE DRAFT HOUSE



28 September 2018

Dear Resident,

As Draft House Holding Limited, we are the applicant for a new licence at our property in West End Quay.

The Licensing Authority has passed me a copy of your representation.

Let me emphasise at the outset that we are committed to working in harmony with residents in West End Quay.

It is unfortunate that there appears to be some misunderstanding with regard to the application. As stated both within the application papers and the notice displayed at the premises - there is absolutely no intention to extend licensing hours.

In order to explain our proposals in more detail and how we can offer further reassurance to the community, I would like to invite you to a pre-hearing meeting on Thursday 4th October at 6:30pm at the premises.

It would be helpful if you could let me know whether you can attend.

Kind regards

James

P.S. In the event that you are not able to make 4th October or wish to discuss this personally, please do not hesitate to call me on 07825648632 or send an email to jb@brewdog.com

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/13593/LIPN	New Premises licence application.	09.03.2006	Granted by Licensing Sub-Committee
07/03915/WCCMAP	Master licence	09.03.2006	Granted by Licensing Sub-Committee
07/06419/LIPT	Application to transfer the premises licence from See Woo Foods Ltd to West End Quay Limited.	23.08.2007	Granted under Delegated Authority

Premises licence 07/06419/LIPT was surrendered on 14 April 2011.

Application	Details of Application	Date Determined	Decision
06/05549/LIPN	New Premises licence application.	10.08.2006	Granted under Delegated Authority
07/06402/LIPT	Application to transfer the premises licence from See Woo Foods Limited to West End Quay Limited.	25.07.2007	Granted under Delegated Authority
06/07723/WCCMAP	Master licence	11.08.2006	Granted under Delegated Authority
10/03171/LIPVM	Application for a minor variation that sought to modify the plans of the premises, to remove condition 11 and update conditions.	26.05.2010	Granted under Delegated Authority
11/04304/LIPT	Application to transfer the premises licence from West End Quay Limited to Grand Union Company Ltd.	20.06.2011	Granted under Delegated Authority

11/04305/LIPDPS	Application to vary the Designated Premises Supervisor.	20.06.2011	Granted under Delegated Authority
12/00512/LIPDPS	Application to vary the Designated Premises Supervisor.	28.03.2012	Granted under Delegated Authority
13/03223/LIPDPS	Application to vary the Designated Premises Supervisor.	11.06.2013	Granted under Delegated Authority
13/08370/LIPV	Application to vary the premises licence. The variation sought to remove conditions 10, 11, 12, 13, 15 and 17 from the premises licence.	16.01.2014	Granted by Licensing Sub-Committee.
15/03984/LIPDPS	Application to vary the Designated Premises Supervisor.	25.08.2015	Granted under Delegated Authority
15/06728/LIPDPS	Application to vary the Designated Premises Supervisor.	26.08.2015	Granted under Delegated Authority
16/02746/LIPDPS	Application to vary the Designated Premises Supervisor.	01.04.2016	Granted under Delegated Authority
16/08750/LIPDPS	Application to vary the Designated Premises Supervisor.	11.01.2017	Granted under Delegated Authority
17/07149/LIPDPS	Application to vary the Designated Premises Supervisor.	21.07.2017	Granted under Delegated Authority
17/08137/LIPDPS	Application to vary the Designated Premises Supervisor.	04.09.2017	Granted under Delegated Authority
17/09604/LIPVM	Application for a minor variation that sought a variation in the layout of the premises.	20.09.2017	Granted under Delegated Authority
17/10629/LIPDPS	Application to vary the Designated Premises Supervisor. The name of the premises was also updated from Grand Union to The Draft House.	17.10.2017	Granted under Delegated Authority

18/00550/LIPT	Application to transfer the premises licence from Grand Union Company Limited to Draft House Holding Limited.	05.02.2018	Granted under Delegated Authority
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There is no appeal history

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

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

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers 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. Alcohol consumption in the external area shall only be by patrons seated at tables.
10. The service of alcohol for consumption in the external area shall be by way of waiter/waitress service.
11. After 8pm, the sale by retail of alcohol in the external area must be ancillary to the provision of a table meal.
12. In the external area, all licensable activities shall cease and the area shall cease to be used for drinking and/or dining at 10.30pm daily.
13. Furniture in the external area shall be removed or made secure by 11pm daily.
14. The external area shall be clearly delineated by barriers.
15. After 10.30pm daily, a designated smoking area shall be provided on Harbet Road (the specific area to be agreed with the Environmental Health Consultation Team).
16. After 10.30pm daily, the number of patrons permitted to temporarily leave and then re-enter the premises shall be limited to 20 persons at any one time, and those persons shall not be permitted to take any beverages or food outside with them.
17. Substantial food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
18. All licensable activities shall be on the ground floor only.
19. 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.

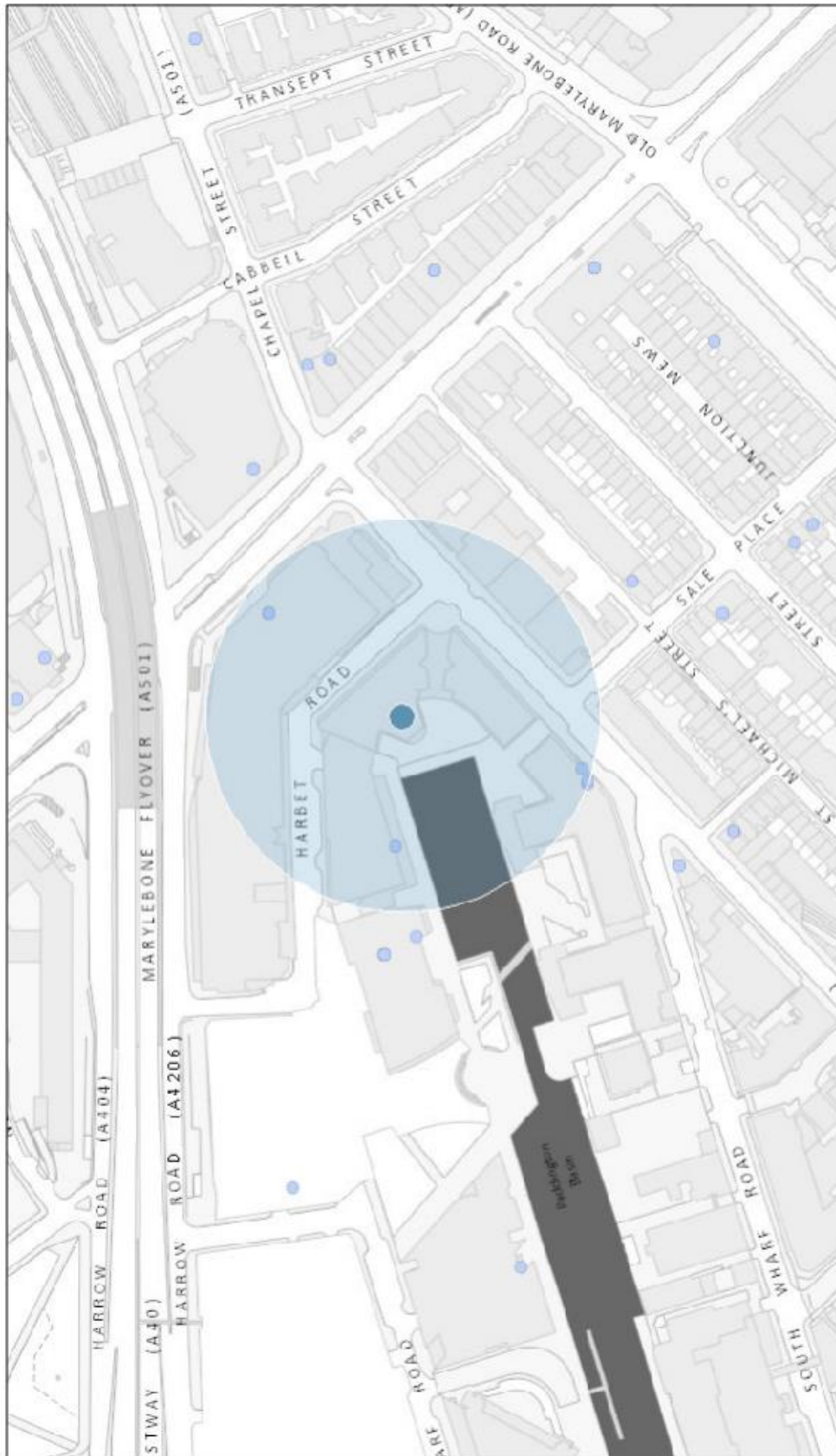
20. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
21. A daily log is to be maintained to ensure that any capacity limit set for the premises is recorded and can be properly monitored. Information regarding the capacity will be given to an authorised officer of a responsible authority on request.
22. All entrance doors to be kept closed after 9pm, save for the immediate access and egress of persons.
23. No speakers shall be located in the entrance lobby area or to any external areas of the premises.
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. Notices will be prominently displayed at exits to the premises warning patrons of the proximity of residential premises, requesting the public to respect the needs of local residents and to leave the premises and the area quietly and in an orderly fashion.
26. All refuse will be properly presented and placed on the street 30 minutes before any agreed collection time. Every endeavour will be made to prevent refuse being left on the street for more than 2.5 hours.
27. No rubbish including bottles will be moved, removed or placed in outside areas between 11pm and 8am daily.
28. No deliveries to the premises shall take place between 11pm and 8am daily.
29. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
30. No super-strength beers, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold for consumption off the premises, except for premium beers and ciders.
31. All off sales of alcohol are to be in sealed containers only and for consumption off the premises only (save for consumption in the delineated external area).

32. All SIA registered door staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
33. SIA licences worn by SIA registered door staff shall be clearly displayed and visible at all times.
34. A daily door supervisor log shall be correctly maintained at the premises and signed at the end of each day by the duty manager. This will include: the print name of the door supervisor, badge number, expiry date of SIA licence and the signature of the door supervisor.
35. 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.
36. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue Licence.
37. 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.
38. An incident log shall be kept at the premises, and made available on request to an authorised office of the council or police, which will record the following:
 - (i) All crimes reported to the venue
 - (ii) All ejections of patrons
 - (iii) Any complaints received concerning crime and disorder
 - (iv) Any incidents of disorder
 - (v) All seizures of drugs or offensive weapons
 - (vi) Any faults in the CCTV system or searching equipment or scanning equipment
 - (vii) Any refusal of the sale of alcohol
 - (viii) Any visit by a relevant authority or emergency service
39. The DPS, or another representative of the premises licence holder, shall join and maintain membership of the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme, if available.
40. The maximum number of persons accommodated at the premises at any one time (including internal and external areas) shall be 335.
41. A Smoking Policy and Dispersal Policy will be implemented and adhered to. **(This is attached at Appendix 2).**

Conditions proposed by the Environmental Health

None

The Draft House



September 24, 2018

● Live Licensing Act

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Resident count = 586

Premises with 75 metres of The Draft House, West End Quay, South Wharf Road			
Licence Number	Trading Name	Address	Licensable hours
16/01609/LIPN	The Pavilion	Merchant Square City Of Westminster London	Monday to Saturday: 12:00 - 22:00; Sunday: 12:00 - 21:00
17/02372/LIPDPS	Hilton London Metropole	Hilton London Metropole And Conference Centre 225 Edgware Road London W2 1DH	Monday to Sunday: 08:00 - 04:00
17/03789/LIPN	23rd Floor Restaurant	Twenty Third Floor And Twenty Fourth Floor Concession Hilton London Metropole And Conference Centre 225 Edgware Road London W2 1DH	Monday to Saturday: 07:00 - 00:30, Sunday: 07:00 - 00:00
13/00300/LIPT	See Cafe	4D Praed Street London W2 1XJ	Monday to Saturday: 09:00 - 23:00, Sunday: 10:00 - 22:30
18/00550/LIPT	The Draft House	Unit 1 West End Quay South Wharf Road London W2 1LA	Monday to Thursday: 09:00 - 23:30, Friday to Saturday: 09:00 - 00:00, Sunday: 09:00 - 22:30
16/00557/LIPCH	Tesco - Paddington Express	Unit 8 West End Quay South Wharf Road London W2 1LA	Monday to Saturday: 08:00 - 23:00, Sunday: 10:00 - 22:30



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

Schedule 12
Part A

WARD: Hyde Park
UPRN: 010033572248

Premises licence

Regulation 33, 34

Premises licence number:

18/00550/LIPT

Original Reference:

06/05549/LIPN

Part 1 – Premises details

Postal address of premises:

The Draft House
Unit 1
West End Quay
South Wharf Road
London
W2 1LA

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 Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Exhibition of a Film

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Performance of Live Music

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Playing of Recorded Music

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

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

Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Saturday: 09:00 to 22:30

Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sale by Retail of Alcohol	
Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

The opening hours of the premises:	
Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

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:

Draft House Holding Limited
 238 Shepherds Bush Road
 London
 W6 7NL
Electronic Mail: m.steward@popall.co.uk

Registered number of holder, for example company number, charity number (where applicable)
 06947531 (PLC)

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

Name: Mr Adam Reihan

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: LB1WANDS/03523
Licensing Authority: London Borough of Wandsworth

Date: 05 February 2018



Signed:

This licence has been authorised by Ms Roxsana Haq 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

Outside Area:

11. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
12. The service of alcohol for consumption in the outside area, shall be by way of waiter/waitress service.
13. After 5pm, the sale by retail of alcohol must be ancillary to the provision of a table meal.
14. All outside Licensable Activities shall cease and any furniture shall be made secure by 11pm Monday to Saturday and 10:30pm Sunday.

Ground Floor Restaurant:

15. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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.
16. The provision of live music and dancing shall be restricted to those areas delineated and called the Restaurant Area on the plan (as amended) dated 6th May REV B numbered 602 LC01.

All of the Premises:

17. Substantial food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
18. All licensable activities shall be on the ground floor only
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
20. A daily log is to be maintained to ensure that any capacity limit set for the premises is recorded and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
21. A noise limiter 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 or businesses. 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.

22. 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.
23. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
24. All entrance doors to be kept closed after 21.00 or when the provision of regulated entertainment is taking place, for the immediate access and egress of persons.
25. No speakers shall be located in the entrance lobby area or to any external areas of the premises.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
28. All refuse will be paid, properly presented and placed on the street 30 minutes before any agreed collection time. Every endeavour will be made to prevent refuse being left on the street for more than 2.5 hours.
29. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
30. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

31. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
32. The certificates listed below shall be submitted to the Licensing Authority upon written request: Any emergency lighting, battery or system, any electrical installation, or any fire alarm system
33. 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.
34. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority.
35. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
36. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
37. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
38. The edges of the treads of steps and stairways shall be maintained so as to

be conspicuous.

39. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
40. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
41. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
42. Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
43. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.
44. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances. real flame.
 - strobe lighting.
45. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
46. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
47. No striptease, no nudity and all persons to be decently attired at all times.
48. Silence notices to be placed by the exits warning patrons leaving the premises of the proximity of residential premises and requesting an orderly exit.

For Alcohol Sold off the Premises

49. No super strength lager or ciders to be sold by retail at these premises. The definition of super strength beer or cider for the purposes of this assurance is on having an ABV of 5.5 % or above.
50. Off sales of alcohol to be in sealed containers only and for consumption off the premises
51. All off sale of alcohol can only be supplied with a take a way food. (No food no alcohol)
52. 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.

53. All SIA staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
54. SIA licences worn by door staff shall be clearly displayed and visible at all times.
55. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the duty Manager. This will include: The printed name of the Door Supervisor/Badge number/Expiry date of SIA Licence and a signature of the Door Supervisor.
56. 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.
57. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
58. 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.
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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
60. As soon as possible, and in any event within one month from the grant of this licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
61. The maximum number of persons accommodated on the premises at any one time
62. A designated smoking area shall be provided which shall be agreed with the Environmental Health Consultation Team.
63. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 20 persons at any one time and smokers shall not take any beverages or food outside with them.
64. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: Hyde Park
UPRN: 010033572248

Premises licence
summary

Regulation 33, 34

Premises licence number:

18/00550/LIPT

Part 1 – Premises details

Postal address of premises:

The Draft House
Unit 1
West End Quay
South Wharf Road
London W2 1LA

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 Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Exhibition of a Film
Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Performance of Live Music
Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Playing of Recorded Music
Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Sunday: 09:00 to 22:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Monday to Thursday: 09:00 to 23:30
Friday to Saturday: 09:00 to 00:00
Saturday: 09:00 to 22:30
Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sale by Retail of Alcohol	
Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

The opening hours of the premises:	
Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

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:

Draft House Holding Limited
238 Shepherds Bush Road
London
W6 7NL

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

06947531 (PLC)

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

Name: Mr Adam Relihan

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

Restricted

Date: 05 February 2018



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.



City of Westminster

Office Name: Ian Watson Designation: Senior Practitioner Environmental Health (Licensing) Date: 14/9/17 Contact number: 020 7641 3183 Email: iwatson@westminster.gov.uk Signed: Ian Watson Uniform Ref Number: 17/08954/PREAPM

Trading name of business and Address: Grand Union, West End Quay, South Wharf Road, W2 Reference Number if Applicable: 17/08954/PREAPM
--

Licence: Yes 16/08750/LIPDPS	Applicant/Solicitor: Clare Eames. Poppleston Allen	Cumulative Impact Area: No
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Type of Business: Restaurant/Bar

Licensed Areas: Ground and Basement Floors

Activities: Supply of Alcohol (Off and On), Late Night Refreshment, Regulated Entertainment.

Alcohol Hours: Monday to Thursday 09.00 to 23.30. Friday to Saturday 09.00 to 00.00. Sunday 09.00 to 22.30.

Pre application advice purpose: To assess the proposed alterations to the ground floor and change of conditions to remove the requirement to have alcohol with food both indoors and outdoors. Advise on both minor variation and new licence applications and technical suitability and policy implications.

Visit carried out by Ian Watson (Environmental Health – EH) to fully assess the proposed plans and activities. The findings are detailed below.

Proposed Alterations.
The proposed changes to the layout are;

- Reconfiguration of the bar servery
- Creation of a new wash-up area
- New fixed seating
- Provision of handrails to rear raised areas

Such changes can be dealt with by way of a minor variation.

Proposed Hours and Activities:

Due to the considerable number of conditions to be removed or varied it is proposed that a new application is made for the same licensable hours but with no regulated entertainment.

It was stated that only the following licensable activities would be sought. Supply of Alcohol, Late

Night Refreshment.

As the premises are not located within any recognised cumulative impact area then there is no presumption to refuse an application, subject to appropriate conditions being included on the premises licence to address the licensing objectives.

The proposed hours of operation would reflect the current permitted hours with the addition of Bank holiday Sunday.

This being

Supply of Alcohol 'On' and 'Off'

Monday to Thursday 09.00 – 23.30 hours.

Friday and Saturday 09.00 – 00.00 hours. (Midnight)

Sunday 09.00 – 22.30 hours.

Sunday before a Bank Holiday Monday 09.00 – 00.00 hours (Midnight)

Late Night Refreshment (Indoors)

Monday to Thursday 23.00 – 23.30 hours.

Friday and Saturday 23.00 – 00.00 hours. (Midnight)

Sunday before a Bank Holiday 23.00 – 00.00. (Midnight)

New Year's Eve end of permitted hours to start of permitted hours on New Year's Day for all licensable activities.

The opening hours of the premises, especially the earlier hours, may be considerably longer than the licensing hours stated above to allow the premises to trade outside their licensable activities for such activities as breakfast/coffee etc. An opening time following the proposed trading hours may need to be considered to permit customers to finish their drinks/food. It is suggested 30 minutes would seem reasonable.

Means of Escape:

It is suggested that the following key points are included in the means of escape strategy:

- Means of escape from the premises should be based on a simultaneous evacuation upon activation of the fire detection and alarm system and the system should ideally be a minimum L2 system in line with BS5839 part 1
- Travel distances are to be in line with both Approved Document B and Technical Standards for Places of Entertainment, (18m in one direction and 45m in two).
- Appropriate floor space factors in line with the Technical Standards for Places of Entertainment should be applied and see table below for guidance.
- The premises are provided with four large escapes of 1800mm wide plus a single escape by the public toilets of 900mm. Such escapes would support a capacity in excess of 1000 persons. Therefore the limitation on capacity would be the available floor space.

General Advice

- All protected exit routes to be provided with a minimum of 30 minutes fire separation to other parts of the premises
- Fire detection and alarm system within the premises is in accordance with BS 5839 Part 1 2002 Category L2 protection (this is advisory but this would give good flexibility with

capacities).

- All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.
- Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4
- It is recommended that a fire suppression system be provided to the open kitchen to prevent the spread of flame/smoke and for building protection.

It is recommended that a fire risk assessment is provided to detail and justify a safe capacity that could be used to support the new application.

Floor Space Factors:

The premises will operate as a bar/restaurant and ADB (Table 1) and the Technical Standards (Table 3) detail the relevant floor space factors applicable for these various types of use and Table 1 details this information purposes and to assist the operators design calculations moving forward. When detailed floor layout plans are available for each licensed space we will be able to carry out a full calculation and advise further.

Table 1: Floor Space Factor Calculator

Area	Overall area M ² (approx)	Capacity at 0.3 M ² per person (live music/ within 2m of bar)	Capacity at 0.5 M ² per person (club/dancing/ reception)	Banquette style seating at 0.45m per person	Loose Seats	Capacity at 1.0-1.5 M ² per person (dining)	Max operational capacity
e.g Ground Floor	TBC	$TBC \div 0.3 =$	$TBC \div 0.5 =$	$TBC \div 0.45 =$	TBC	$TBC \div 1 =$	TBC

NB: Any additional infrastructure introduced that imposes upon the available floor space as detailed in the plans above should be measured and the appropriate corresponding number taken off the maximum capacity

Public Nuisance and Licensing Policy:

It is advised that the current time restriction on the use of the outside area is maintained albeit that there would be no proposed restriction on seating or provision of food. A suitable time should be proposed for clearing this area of customers except for smokers.

No loudspeakers should be placed external to the building or in any external area no matter how low the volume of any music may be.

The toilet provision is 5 x WC's female, 4 x WC's and 5 person slab urinal male plus 1 disabled toilet. Separate staff facilities are provided.

Whilst the premises are not located within any cumulative impact area it is advisable to condition a minimum number of covers/seats so that it is not perceived as vertical drinking premises.

Proposed Conditions:

To address the licensing objectives with regard to the Licensing Policy the following conditions are proposed.

- A minimum of 200 seats shall be provided at all times within the premises.
- A minimum of 60 seats shall be provided at all times in the external area.
- A waiter/waitress service shall be provided.
- The number of persons permitted on the premises at any one time (excluding staff) shall not exceed xxx persons.
- Substantial food and non-intoxicating beverages, including drinking water, shall be available up to 22.00 hours each day in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 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.
- Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 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 premise 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.
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- All external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- 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.
- All tables and chairs shall be removed from the outside area by 23.00 hours.
- There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
- All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 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.
- 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.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
- Licensable activities are permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the highway.
- There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
- Excluding fresh produce, no deliveries to the premises shall take place between 23.00 and 08.00 hours.

The premises have a history of noise complaints from either external drinking or loud music with the following complaints/visits made during the last two years.

3/10/16 at 13:00 hours. Meeting with DPS Joshua Bouaouni and Ops Manager Mark Whitmore to highlight suspected licence breaches. Photographs were attached to the complaint from resident but no times or dates were included. The timings stated on the complaint were contradictory. The management has repeatedly offered to meet with him to resolve any and every issue he may have but he has refused to engage directly.

6/05/17 at 13:24 hours. Visited location following a recent noise complaint, and also to check that the following conditions were being adhered to;

- Outside Area:
- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- The service of alcohol for consumption in the outside area, shall be by way of waiter/waitress service.
- After 5pm, the sale by retail of alcohol must be ancillary to the provision of a table meal.
- All outside Licensable Activities shall cease and any furniture shall be made secure by 11pm Monday to Saturday.

At the time of visit all of the conditions were being complied and there was only one person outside who was smoking. There was no noise emanating from the building.

10/06/17 at 21:15 hours. Monitored over the weekend to assess alleged poor management practices following complaint from local resident.

The following conditions were checked for compliance

- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- The service of alcohol for consumption in the outside area, shall be by way of waiter/waitress service.
- After 5pm, the sale by retail of alcohol must be ancillary to the provision of a table meal.
- All outside Licensable Activities shall cease and any furniture shall be made secure by 11pm Monday to Saturday and 10:30pm Sunday.
- All entrance doors to be kept closed after 21.00 or when the provision of regulated entertainment is taking place, for the immediate access and egress of persons.

No breaches were found at the time of visit.

15/06/17 Observations between 18:40 - 19:25 hours of outside area of premise following on-going reports of breaches to licence conditions;

Approx 32 customers at the tables - either currently eating food or with empty food dishes at the tables.

Approx 8 customers standing at the edge of outside area talking with drinks, later transpired they were part of the large group seated around tall tables.

Waitress/waiter service seen in full affect; taking orders, bringing out drinks and food to tables.

On two occasions customer seen leaving seating area entering premise then returning with a drink in their hands.

One SIA at the main entrance door. Not wearing a high viz jacket however he did not leave the lobby area to main entrance.

Smokers exiting main door - no drinks brought out with them.

Satisfied area being managed on this occasion in accordance with licence conditions.

25/07/17 at 12:50 hours. Meeting with manager Tom, meeting to be arranged with representative of new company who've taken over the pub to discuss previous issues, complaints and how best to manage and minimise them.

Conclusions

It is advised that a new premises licence is considered to operate the existing hours without any regulated entertainment and reduced conditions. It is advised that a capacity is included on the licence to address public safety only. Conditions are proposed to allow a flexible operation both inside and outside the premises although good management of the outside area is essential to minimise nuisance. It is likely that due to the location any application will attract residential objections and additional conditions may be required.

The past noise/nuisance history is not extensive with the majority of visits to the premises to check compliance with existing conditions regarding the external area.

It is advised that conditions are applied to provide for a minimum number of seats both internal and external to demonstrate that the premises will not be vertical drinks led.

As part of the application process it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

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

Item No:	
Date:	11 October 2018
Licensing Ref No:	18/09777/LIPN - New Premises Licence
Title of Report:	Pure Wines Lower Ground Floor 21 Berners Street London W1T 3LP
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:	Shannon Pring Senior Practitioner for Street Trading and Enforcement
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:	21 August 2018		
Applicant:	Pure Wines Ltd		
Premises:	Pure Wines		
Premises address:	Lower Ground Floor 21 Berners Street London W1T 3LP	Ward:	West End
		Cumulative Impact Area:	None
Premises description:	The applicant proposes to operate the premises as an 'online' off-licence in which customers can order alcohol online and have it delivered directly to them. The applicant has advised that customers may also attend the premises to collect orders and attend tasting events, during which they will be able to purchase products at the store.		
Premises licence history:	This is a new premises licence application and therefore no licence history exists.		
Applicant submissions:	There are no submissions from the applicant.		

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:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	24:00	24:00	24:00	24:00	24:00	24:00	24:00
Seasonal variations/ Non-standard timings:		For the avoidance of doubt, the applicant has specified that online off sales will operating 24 hours a day. However, the premises will only be open from 07:00 to 20:00 each day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	24:00	24:00	24:00	24:00	24:00	24:00	24:00
Seasonal variations/ Non-standard timings:		For the avoidance of doubt, the applicant has specified that online off sales will operating 24 hours a day. However, the premises will only be open from 07:00 to 20:00 each day.					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbricatore
Received:	28 August 2018
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>This representation is based on the Operating Schedule and the ground floor plan of the premises, which is titled with the address.</p> <p>The applicant is seeking the following on the ground floor:</p> <ol style="list-style-type: none"> 1. To allow the Supply of Alcohol 'off' the premises Monday to Sunday 00:00-23:59 hours, this is to allow online sales, however the premises will only be open 07:00-20:00 hours. <p>I wish to make the following representation in relation to the above application:</p> <ol style="list-style-type: none"> 1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area. <p>The applicant has proposed conditions within the operating schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance.</p> <p>The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	PC Caroline Cockshull
Received:	31 August 2018
<p>I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder, as there are insufficient conditions within the operating schedule.</p> <p>We also require further information on the general operation of the Company.</p> <p>I believe Sally Fabbricatore of Westminster City Council Environmental Health has been in contact regarding a site visit. Please can I ask that you include me in your reply regarding dates as I would like to come along at the same time if possible.</p> <p>Following the agreement of conditions, the Metropolitan Police Service have withdrawn their representation.</p>	

2-B Other Persons	
Name:	Mr Linus Rees
Address and/or Residents Association:	Fitzrovia Neighbourhood Association 39 Tottenham Street London W1T 4RX
Received:	30 August 2018
<p>We have concerns about the start hours operation of the business and also the nature of the proposed events. We would like to see the premises open for business in the morning to coincide with the council's stated "core hours", conditions on the operation of "tasting events", and restrictions on hours of deliveries and disposal of waste. Our association would also like to see conditions restricting the use of motor vehicles either by the applicant or a third party such as Uber or Deliveroo, for example, delivering food or drink to customers. We are happy to meet the applicant to agree conditions on the application.</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:	Shannon Pring Senior Practitioner for Street Trading and Enforcement
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	30 August 2018
5	Metropolitan Police Service (withdrawn)	31 August 2018
6	Fitzrovia Neighbourhood Association	30 August 2018

PREMISES: PURE WINES, LOWER GROUND FLOOR, 21 BERNERS STREET LONDON W1T 3LP



LICENSABLE AREA

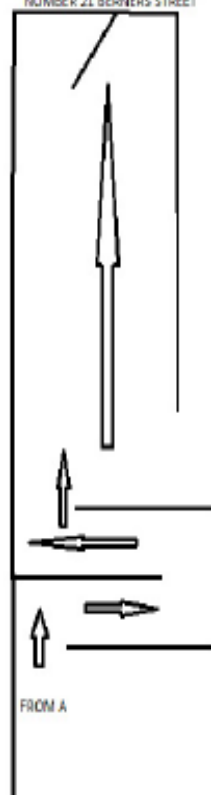
WHOLE OF LICENSABLE AREA TO BE LICENSED FOR ALCOHOL DISPLAY

ANY OTHER SHELVING WILL NOT HINDER ESCAPE ROUTES SO DOES NOT NEED TO BE SHOWN

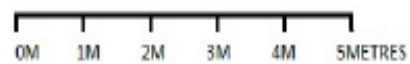


FIRE EXTINGUISHERS
1 X 6LTR FOAM AND 1 2KG CO2 OR EQUIVALENT

GROUND FLOOR ENTRANCE TO NUMBER 21 BERNERS STREET



SCALE BAR 1:100 AT A4



There are no submissions 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

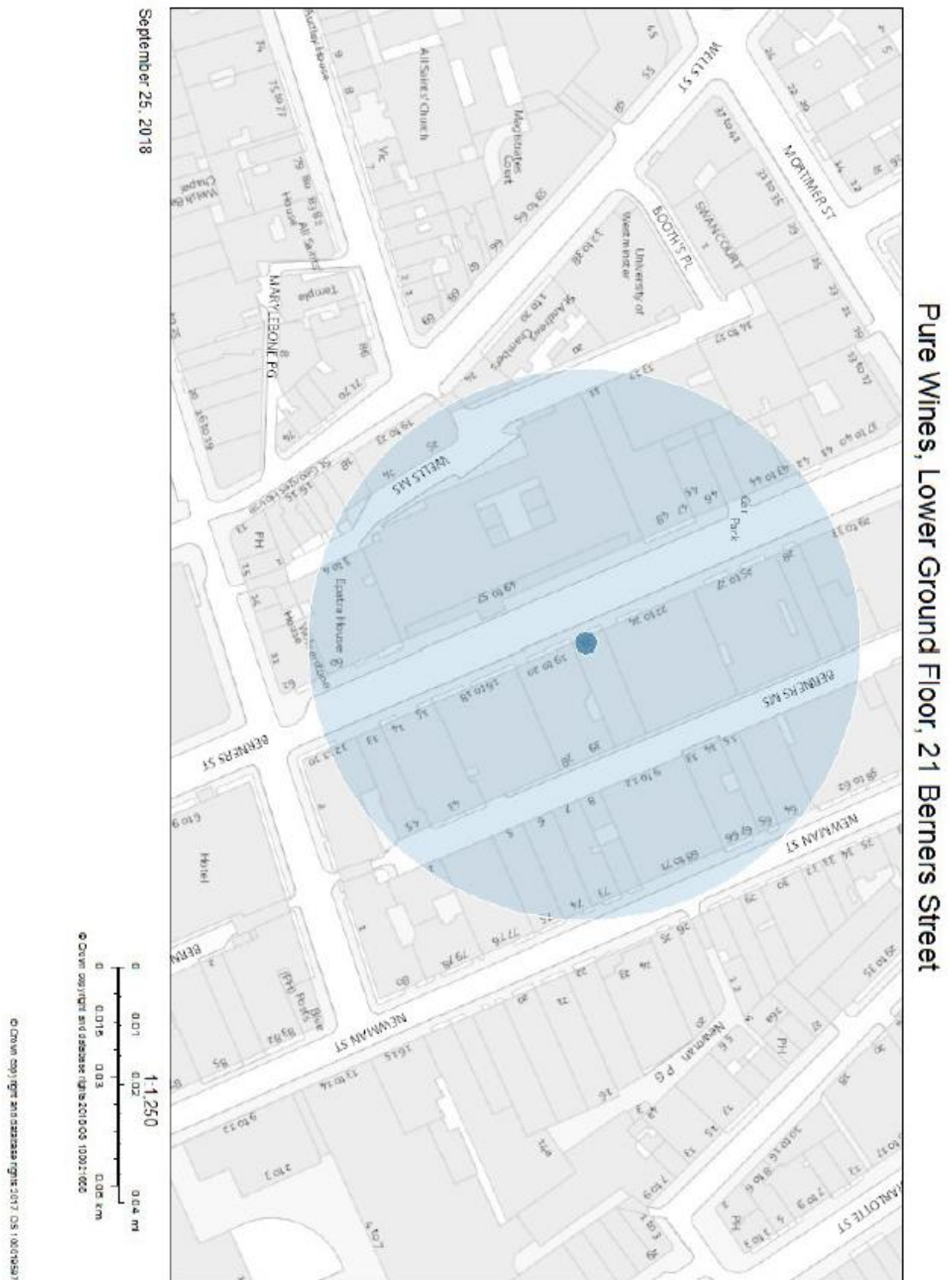
- 6. All persons purchasing alcohol at the premises will have pre ordered and pre-paid for the alcohol and will be admitted to the premises upon presentation of their order number.
- 7. Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years
- 8. Staff training shall be recorded and updated every 6 months. Training shall cover the requirements for ID as part of age verification.
- 9. The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises.

Conditions proposed by the Police and agreed with the applicant

10. All online orders shall be subject to age verification via a third party online database
11. Only wine and fortified wine shall be supplied from the premises
12. Collection of orders shall only be made at the following times: Mon – Sat 0800hrs – 2000hrs Sun 1000hrs – 2000hrs
13. Delivery of orders shall only be made at the following times: Mon – Sat 0800hrs – 2300hrs Sun 1000hrs – 2230hrs
14. A condition of contract shall be in place between the premises licence holder and any third party delivery company that age verification shall be required when orders are delivered. A Challenge 25 proof of age scheme shall be operated 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.
15. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards such as a driving licence, passport or proof of age card with the PASS Hologram.
16. There shall be no advertising of the 'Off' sales of alcohol immediately outside the premises
17. Collection of alcohol from the premises shall only be by persons who have pre-ordered and pre-paid and upon presentation of their order number
18. All tasting sessions shall be by invitation only and the number of persons attending at any one time shall not exceed 8.
19. 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. Viewings of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
20. 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.
21. 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.

Conditions proposed by the Environmental Health

22. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
23. 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.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 20:00 hours and 08:00 hours.
26. No deliveries to the premises shall take place between 23:00 and 08:00 on the following day.
27. Access for public shall only take place through the entrance located on Berners Street and public shall be accompanied by a member of staff at all times.



Resident count: 34

Licensed Premises within 75 metres of Pure Wines, Lower Ground Floor, 21 Berners Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/04970/LIPT	Latium Restaurant	Ground Floor 21 Berners Street London W1T 3LP	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
17/07480/LIPCH	Sanderson Hotel	Sanderson House 50 Berners Street London W1T 3NF	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00



Licensing Sub-Committee Report

Item No:	
Date:	11 October 2018
Licensing Ref No:	18/04177/LIPN - New Premises Licence
Title of Report:	Italian Garden Cafe Kensington Gardens Serpentine Road London W2 2UH
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
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:	18 April 2018		
Applicant:	Ecsi		
Premises:	Italian Garden Cafe		
Premises address:	Kensington Gardens Serpentine Road London W2 2UH	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as café that serves hot and cold drinks, fresh deli items and cakes. The premises has 24 covers internally and an additional 30 covers outside the premises on the deck.		
Premises licence history:	This is a new premises licence application; however, the premises is currently licensed under reference 17/02512/LIPT which is owned by The Royal Parks. The full licence history can be found at Appendix 3.		
Applicant submissions:	The applicant operates the premises under a catering concession agreement with The Royal Parks and the applicant has received permission from The Royal Parks to apply for a new premises licence.		
Note:	The applicant has amended their application to withdraw their application for sales 'Off' the premises.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	19:30	19:30	19:30	19:30	19:30	19:30	19:30
Seasonal variations/ Non-standard timings:		None					

Amended: Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	19:30	19:30	19:30	19:30	19:30	19:30	19:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:30	06:30	06:30	06:30	06:30	06:30	06:30
End:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn</i>)
Representative:	PC Caroline Cockshull
Received:	12 June 2018
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder, as there are insufficient conditions within the operating schedule. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder. Some of the conditions you have touched on in your Application and I have re-worded these as necessary.</p> <p><i>Following the applicant's acceptance of the conditions proposed by the Police, they have withdrawn their representation.</i></p>	

2-B Other Persons	
Name:	Mr John Zamit
Address and/or Residents Association:	South East Bayswater Residents' Association (SEBRA)
Received:	17 June 2018
<p>We are looking into this mater and trying to download application form to look at application and conditions being offered etc</p> <p>We lodge an initial objection as need clarification on position on provision of toilets for customers of cafe purchasing alcohol etc</p>	

We know premises well and are aware no toilets for customers and one nearest toilet is next door at entrance by Marlborough Gate, Kensington Gardens where there is a Royal Parks public toilet where payment fee is at present 20p

Are operators of cafe proposing 'token' system where they offer customers, a 'token' to use adjacent toilet?

We have some concern also if toilets of RP out of order and closed and assume present opening hours of RP toilets are same or more than those of cafe.

Assume is toilet provision on premises for staff.

Also assume consumption of alcohol on the premises is ancillary to taking food

Need to check if 'Off sales' applied for.

As always SEBRA is very happy to meet up and discuss application with applicant or their advisors.

3. Policy & Guidance

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

Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
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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

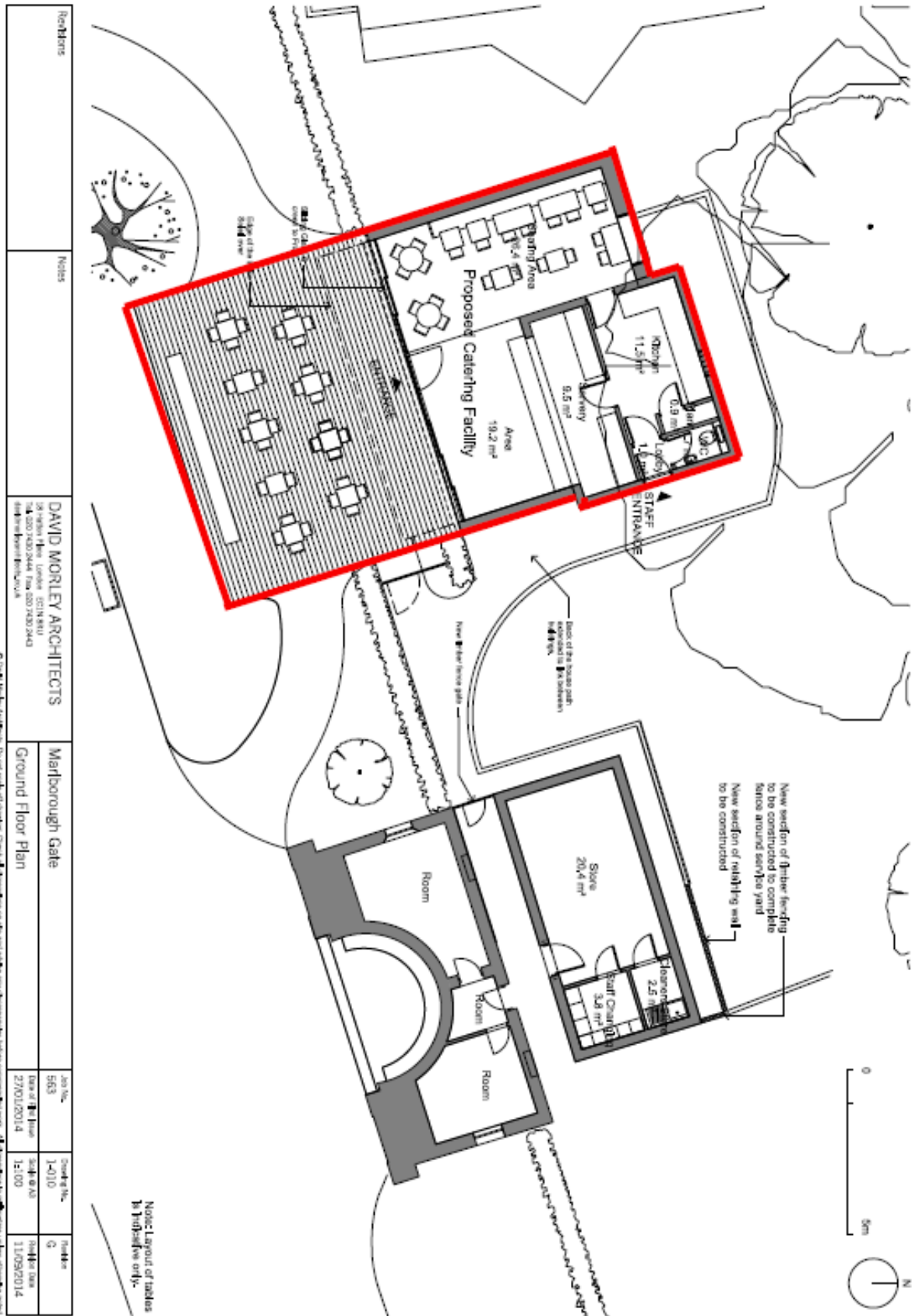
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Premises licence 17/02512/LIPT
Appendix 6	Premises licence 17/02512/LIPT

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	Metropolitan Police representation (withdrawn)	12 June 2018
5	SEBRA representation	17 June 2018



Neighbours	Notes	DAVID MORLEY ARCHITECTS 29 Church Lane, London, EC1N 8JH Tel: 0207 7602044 Fax: 0207 7602043 david@morley-architects.co.uk	
Ground Floor Plan	Marlborough Gate	Plot No.	563
		Date of Issue	27/01/2014
		Scale	1:100
		Drawing No.	0
		Issue Date	11/09/2014

Note: Layout of tables is indicative only.

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the Applicant.

Premises Licence and Appeal History**Appendix 3**

Application	Details of Application	Date Determined	Decision
06/01221/LIPN	Application for a new premises licence	23/03/2006	Granted by Licensing Sub-Committee
06/06356/WCCMAP	Master licence – Premises licence	23/03/2006	Granted by Licensing Sub-Committee
17/02512/LIPT	Application to Transfer the Premises licence	22/06/2017	Granted under delegated authority

There is no appeal history

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

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

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers 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 management controls and effective staff training to ensure that all staff are aware of the premises licence and the requirements to meet the licensing objectives, paying particular attention to:
 - a) No selling of alcohol to underage people;
 - b) No violent and anti-social behaviour;
 - c) No drunk and disorderly behaviour on the premises ;
10. There will be a 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. Clear and conspicuous notices will be displayed warning customers of potential criminal activity, such as theft, that may target customers.
12. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
13. Staff will be trained to request that customers use the premises in an orderly and respectful manner.
14. All alcoholic drinks sold in the premises will be opened at the time of purchase, by the server, to discourage customers purchasing multiple alcoholic drinks and taking them into the park.
15. The premises will not operate beyond park opening times, the sale of alcohol will cease 30 minutes before closing time.

Police proposed amendment to Condition 15:

The premises will not operate beyond park opening hours.

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

16. 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.

This condition has also been requested by the Police

17. 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.

This condition has also been requested by the Police

18. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

This condition has also been requested by the Police

19. 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.

This condition has also been requested by the Police

20. 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.

Police proposed amendment to Condition 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.

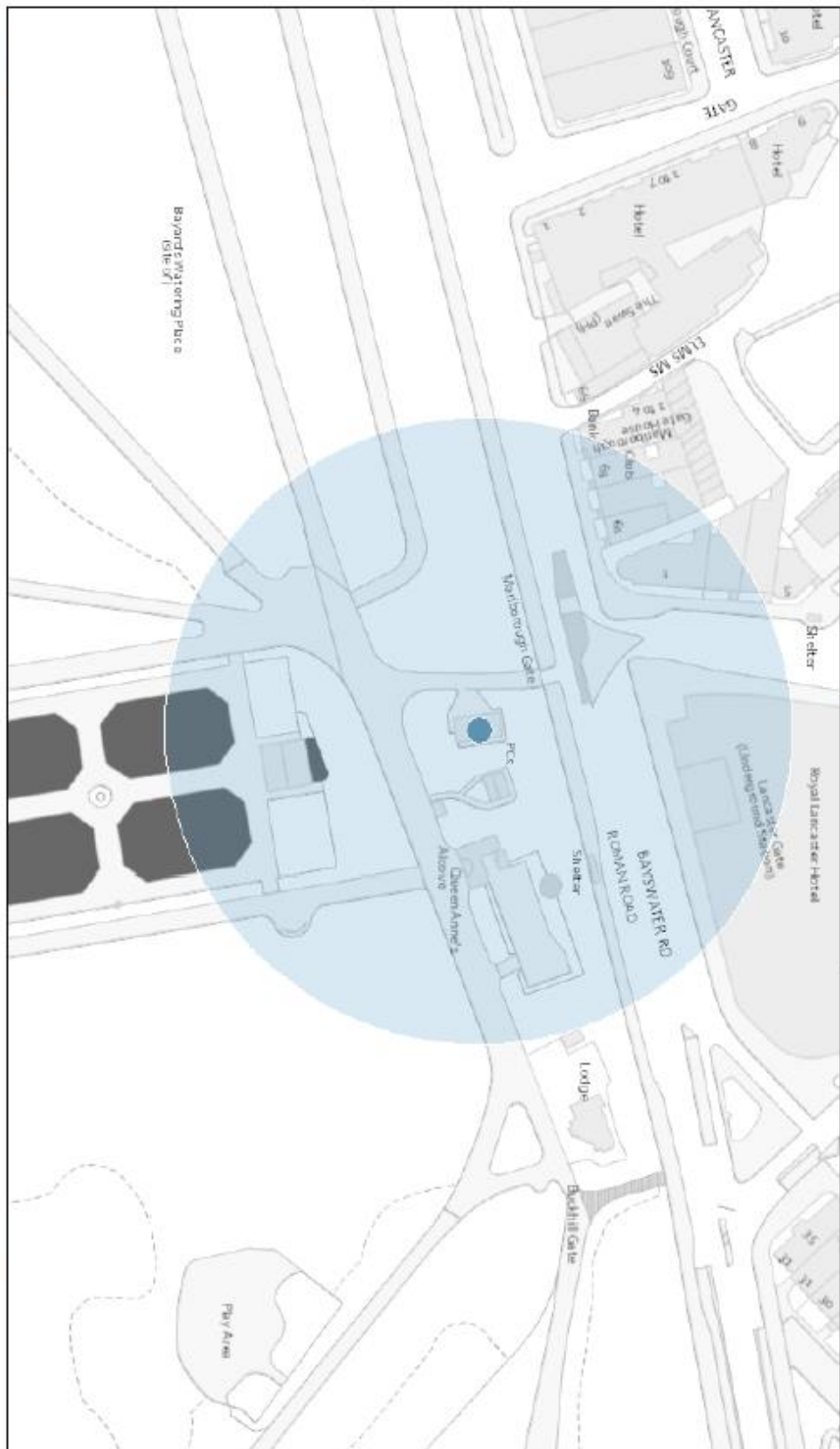
21. The consumption of alcohol at the premises shall only be by patrons who are seated.
22. If customer toilets are not provided at the premises the licence holder shall ensure that access to the nearby public toilets shall be free of charge to customers of the premises.

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

23. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
24. 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.
25. There shall be no self-service of alcohol on the premises.
26. There shall be no draught sales of alcohol.
27. 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.

28. An incident shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) any 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
29. No more than 10% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
30. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and by the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
31. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.

Italian Garden Cafe, Kensington Gardens, Serpentine Road



Resident count: 7

Licensed Premises within 75 metres of Italian Garden Café, Kensington Gardens, Serpentine Road				
Licence Number	Trading Name	Address	Premises Type	Time Period
13/06073/LIPDPS	London Elizabeth Hotel	3 Lancaster Terrace London W2 3PF	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
06/09845/WCCMAP	Soroptimist Club	63 Bayswater Road London W2 3PH	Club or institution	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00



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

Schedule 12
Part A

WARD: Knightsbridge
And Belgravia
UPRN: 010033547202

Premises licence

Regulation 33, 34

Premises licence number:

17/02512/LIPT

Original Reference:

06/01221/LIPN

Part 1 – Premises details

Postal address of premises:

Kensington Gardens
Serpentine Road
London
W2 2UH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Performance of a Play

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

Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for Dancing	
Monday to Sunday:	10:00 to 22:30
Exhibition of a Film	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

Provision of facilities for making Music	
Monday to Sunday:	10:00 to 22:30
Performance of Live Music	
Monday to Sunday:	10:00 to 22:30
Playing of Recorded Music	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	10:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Performance of a Play	
Monday to Sunday:	10:00 to 22:30
5 Major Events per annum Events taking place between 18:30 – 22:00 are limited to 30 Minor Events (not defined as Major) per annum	

The opening hours of the premises:	
Monday to Sunday:	06:00 to 21:30

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
The Royal Parks Limited The Old Police House Hyde Park London W2 2UH

Registered number of holder, for example company number, charity number (where applicable)
10016100

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

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

N/A

Date: 22 June 2017

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

Annex 1 – Mandatory conditions

1. 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.
2. 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

General

3. Unless otherwise agreed, the total number of people to be accommodated for the purpose of this Licence, in any event site at any one time, is 14 999 (excluding security, staff, performers and employees).
4. Save for unanticipated occurrences or emergencies, and with the agreement of relevant officer(s) of the Kensington Gardens Park Licensing & Safety Advisory Group, the hours when the licensable activities will be carried out will be no later than the hours set out above / below.

Regulated Entertainment:
Performance of Play, Live Music, Recorded Music and Performance of Dance:
Monday to Sunday 10:00 – 22:30

Regulated Entertainment:
Anything of a similar description to Live Music or Recorded Music or Performance of Dance, Facilities for Making Music, Facilities for Dancing and Provision of facilities for entertainment of a similar description to Making Music or Dancing:
Monday to Saturday: 10:00 – 22:30

Regulated Entertainment:
Exhibition of Films: Monday to Thursday: 10:00 – 23:30
Friday to Saturday: 10:00 – 00:00
Sunday: 10:00 – 22:30
Sunday before Bank Holiday: 10:00 – 00:00
5. The Agency ("Licensee") shall ensure that risk assessments are produced for each event, and these shall be made available to the Environmental Health Consultation Team no less than 28 days before the event where practicable.
6. External organisers of events shall be referred to the relevant Guides issued by the Agency, copies of which have been deposited with the Licensing Authority.
7. The Licensee will ensure that external organisers are issued with an agreement for hire of the Park, or part thereof. This agreement shall include the conditions attached to the Premises Licence and, if relevant, those agreed as a result of meetings of the Kensington Gardens Park Licensing & Safety Advisory Group.
8. Save for events, to which condition 41 applies, the Licensee will take all reasonable steps to ensure that amplified music will not cause a nuisance.

Conditions applicable to Major Events

9. Unless the prior consent of the Environmental Health Consultation Team has been obtained, the premise may hold Major Events on no more than 5 days in any calendar year.

Major Event' is an event where:
 - a) The playing of live and / or recorded and/or the showing of films or recorded images, as defined by the Licensing Act 2003, is the principle reason for persons attending the Event; and
 - b) Where the number or persons predicted to attend the event (excluding security, staff, performers and employees) exceeds 4,999."

10. Save for events to which Condition 9 applies, licensable activities after 18:30 shall be restricted to no more than 30 days per annum and such activities shall cease no later than 22:00 with the exception of the showing of films where the hours above apply.
11. There will be no more than 4 Film events in any calendar year. "Film Events" means any showing of a film where the persons attending the event at any one time exceeds 4,999.
12. Any major events shall be notified to the Responsible Authorities and Kensington Gardens Park Licensing & Safety Advisory Group with a minimum 28 days notice, unless otherwise agreed. Any member of the Kensington Gardens Park Licensing & Safety Advisory Group may request a meeting for such other events not included in the definition of Major Events set out above.
13. Membership of the Kensington Gardens Park Licensing & Safety Advisory Group will include as a minimum; the Licensee, the event organiser (where the Licensee is not the event organiser), the Licensing Authority, Environmental Health Consultation Team, Westminster Special Events & Emergency Planning, Metropolitan Police Service, LFEPA, London Ambulance Service and Transport for London. Additional members will be invited as appropriate for each meeting.
14. An advertised 'hotline' telephone number to the Licensee shall be available to local residents.
15. Any queue which forms outside the premises shall be stewarded at all times to ensure that minimal disturbance is caused.
16. The Licensee will encourage patrons not to congregate outside the premises after the event has finished.
17. Promotional literature and tickets shall contain information regarding public transport options and public conveniences and shall request persons to leave the area quietly.
18. The Licensee must nominate one person for each Major Event to act as safety co-ordinator, who is authorised by the Licensee to act on his behalf to carry out all reasonable requests made by the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
19. The Licensee must provide the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative with the particulars of the nominated safety co-ordinator.
20. Unless otherwise agreed, no later than 28 days prior to the event the Licensee must ensure an Event Management Plan is presented to the Responsible Authorities and the Kensington Gardens Park Licensing & Safety Advisory Group, or their authorised representative for their comment and advice. The Event Management Plan will include, as a minimum:
 - a) Emergency and Evacuation procedures;
 - b) Crowd management and stewarding arrangements;
 - c) A detailed plan showing site layout and emergency egress points.
21. So far as is reasonably practicable the Event Organiser must ensure that the event is run in accordance with the Event Management Plan.
22. The Licensee shall ensure that there are adequate means of control to ensure that only permitted numbers of persons gain access to the event site.
23. Adequate stewarding within the licensed area must be provided at all times during the licensed event.

24. Upon reasonable request, authorised enforcement officers of the Responsible Authorities: Environmental Health Consultation Team, Metropolitan Police Service and London Fire Brigade, must be provided with security passes for full and free access at all times to each and every part of the licensed area.
25. A communication system must be provided to ensure the effective operation of the site under both normal and emergency evacuation conditions. The Licensee must provide an adequate incident control centre and a rendezvous point for the Police and other emergency services.
26. Adequate rigid barriers or fences designed to adequately resist right-angle and parallel loads commensurate with probable crowd pressure must be provided around any stage and other location where it is necessary to limit crowd pressure in the interests of safety.
27. Details of all marquees, tented structures and temporary structures should be provided including emergency exits and signage, fire warning and fire fighting equipment.
28. All fabric, including curtains and drapes used on stage for tents and marquees, or plastic and weather sheeting, shall be inherently or durably flame retardant to the relevant British Standards. Certificates of compliance must be available upon request by the Kensington Gardens Licensing & Safety Advisory Group or their authorised representative.
29. Full structural design details and calculations of all and any structures to be erected within the licensed area must be submitted to the Westminster City Council Building Control. A certificate from a competent person or engineer that a completed structure has been erected in accordance with the structural drawings and design specification must be available for inspection prior to a relevant structure being used during the licensed event.
30. Any moving flown equipment must contain a device or method whereby failure in the lifting system would not allow the load to fall. All hung scenery and equipment must be provided with a minimum of two securely fixed independent suspensions such that in the event of failure of one suspension the load will be safely sustained.
31. A sufficient number of easily identifiable, readily accessible receptacles for refuse must be provided, including provisions for concessions. Arrangements must be made for regular collection. Public areas must be kept clear of refuse and other combustible waste prior to and so far as reasonably practicable, during the licensed event.
32. After any event any litter remaining shall be collected and removed from the site as soon as physically possible, either overnight or starting daybreak the following day if it is considered impractical to collect the litter in darkness.
33. The Licensee must maintain a regular fire patrol at all times when the public are present in the licensed area to check for and guard against possible fire hazards. The area underneath the stage to be kept clear of flammable materials.
34. A schedule detailing types and locations of fire fighting equipment must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative as required.
35. The Licensee must ensure that competent persons are employed to assess the electrical requirements at the event and the compatibility of the electricity supply with the equipment to be used. Appropriate safety devices (such as 30mA Residual Current Devices at Source) must be used for electrical apparatus, particularly for any electrical equipment exposed to adverse conditions or electrical equipment to be used

in association with hand held devices (e.g. microphones). The competent person must make a certificate of inspection of the electrical installation available for inspection.

36. Emergency exits and entrances to the event are a must be kept clear at all times and must be provided with clearly visible signage.
37. All parts of the licensed area intended to be used in the absence of adequate daylight and all essential safety signage shall be suitably illuminable. Details of the locations and level of illumination must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
38. Electrical generators, where used, must be:
 - (a) Suitably located clear of buildings, marquees and structures, and free from flammable materials;
 - (b) Enclosed to prevent unauthorised access;
 - (c) Able to provide power for the duration of the event;
 - (d) Backed up electrical generators are to be provided to power essential communications, lighting and safety systems in the event of primary generator failure, unless otherwise agreed by LSAG.
39. All spare fuel, including LPG, must be kept and stored safely in accordance with relevant Health and Safety legislation and suitable safety signage and fire fighting equipment provided.
40. Unless otherwise agreed, details of any proposed use and storage of lasers, special effects, fireworks or pyrotechnics shall be presented to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative, and the Environmental Health Consultation Team 28 days in advance of the event.
41. The following noise conditions shall apply:
 - (a) The Agency shall ensure that a noise control consultant shall be appointed, who shall liaise between all parties including the Agency, promoter, sound system supplier, sound engineer and the Environmental Health Consultation Team on all matters relating to noise control prior to the event.
 - (b) For the purposes of monitoring music noise levels during the event and sound check, the noise control consultant shall contact the Environmental Health Consultation Team and agree noise sensitive locations which are to be used to monitor compliance with conditions (d) and (e).
 - (c) A noise propagation test shall be undertaken in consultation with representative(s) of the Environmental Health Consultation Team prior to each Major Event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.
 - (d) The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at 1 metre from the façade of any noise sensitive premises exceed the background noise level by more than 15 dB(A) over a 5 minute period.
 - (e) Rehearsal and sound check times will be limited between the hours of 10:00 and 20:00. Notification of the time(s) and duration of sound checks shall be provided to the Environmental Health Consultation Team at least 24 hours beforehand.

- (f) The Agency shall ensure that the promoter, system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise control consultant regarding noise levels shall be implemented.
 - (g) A communications link should be provided to enable condition (f) above to be complied with and any numbers / radios shall be made available to the Environmental Health Consultation Team prior to the event starting.
 - (h) The appointed noise control consultant shall continuously monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The Environmental Health Consultation Team shall have access to the results of the noise monitoring at all times. The Environmental Health Consultation Team shall have access and facilities to enable them to carry out their own monitoring.
 - (i) No members of the audience shall be allowed within 3 metres of any speakers.
 - (j) The speakers must be located to the satisfaction of the Environmental Health Consultation Team.
 - (k) Residential properties and the relevant amenity group(s) in the immediate vicinity the Park will be contacted as soon as reasonably practicable (and in any event no later than 28 days) prior to any Major Event advising them of the times of the Event and any sound check or rehearsal times and giving them a telephone number to contact in the event that they have any complaints.
42. Adequate medical and first aid cover and facilities appropriate to the licensed event must be provided.
 43. Adequate drinking water points in suitable locations must be provided and maintained to the satisfaction of the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
 44. Adequate sanitary accommodation must be provided and maintained to serve the licensed event to at least the standards contained within the "Guide to Health Safety and Welfare at Pop Concerts and Similar Events", or as advised by the Environmental Health Consultation Team. Suitable arrangements must be made for the collection and disposal of used hand towels, sanitary towels and other refuse from the sanitary accommodation.
 45. Details of the proposed location, level of provision and means of effective maintenance and servicing of sanitary accommodation must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative if requested.
 46. During the build up and break down of the events site, any activities that might cause noise to be audible outside the Park will be limited to the hours of 08:00 to 20:00 Monday - Friday and 10:00 to 18:00 Saturday - Sunday.
 47. Any generators, refrigerators or other machinery running overnight will be silenced, screened or sited so as not to be audible outside the Park.
 48. There shall be a welfare point (or equivalent area) for the reporting and management of lost children. The welfare point will be staffed by trained (and appropriately certified by the Criminal Records Bureau) members of staff who will be in radio contact with the head steward and the safety co-ordinator.
 49. The Event Organiser, contractor and any staff employed thereof shall comply with the Conditions of this Licence.

50. The Agency must ensure all reasonable endeavours to ensure that all functions relating to the setting up, the executions and dismantling of the event, the licensed are and all equipment are carried out in accordance with the Health and Safety at Work etc. Act 1974 and all related regulations, Codes of Practice and Guidance Notes. The Agency must afford all assistance for the necessary inspections relating to Health and Safety both prior to and during the licensed event. All documentation required by the Health and Safety at Work etc. Act 1974 relating to contractors and employees must be available for inspection by authorised officers at all times during the licensed event and must be kept at a location at the licensed area to the nominated by the Agency to the Kensington Gardens Licensing & Safety Advisory Group or their authorised representative.
51. The event organiser will comply with all reasonable requirements of the Environmental Health Consultation Team, Westminster City Council, the London fire and Emergency Planning Authority and the Metropolitan Police Service.



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

Schedule 12
Part B

Premises licence
summary

WARD: Knightsbridge
And Belgravia
UPRN: 010033547202

Regulation 33, 34

Premises licence number:

17/02512/LIPT

Part 1 – Premises details

Postal address of premises:

Kensington Gardens
Serpentine Road
London
W2 2UH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Performance of a Play

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

Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for Dancing	
Monday to Sunday:	10:00 to 22:30
Exhibition of a Film	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

Provision of facilities for making Music	
Monday to Sunday:	10:00 to 22:30
Performance of Live Music	
Monday to Sunday:	10:00 to 22:30
Playing of Recorded Music	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	10:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Performance of a Play	
Monday to Sunday:	10:00 to 22:30
5 Major Events per annum Events taking place between 18:30 – 22:00 are limited to 30 Minor Events (not defined as Major) per annum	

The opening hours of the premises:	
Monday to Sunday:	06:00 to 21:30

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

Name and (registered) address of holder of premises licence:	
The Royal Parks Limited The Old Police House Hyde Park London W2 2UH	

Registered number of holder, for example company number, charity number (where applicable)	
10016100	

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

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

Date: 22 June 2017

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