HEARING TO BE CONDUCTED UNDER THE TERMS OF THE LICENSING ACT 2003

City of Westminster

Committee Agenda

Title:	**Licensing Sub-Committee (5)**
Meeting Date:	**Thursday 31st October, 2019**
Time:	**10.00 am**
Venue:	**Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP**
Members:	**Councillors:** Murad Gassanly (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 64 Victoria Street 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. 1 GILLINGHAM STREET LONDON SW1V 1HN

(Pages 1 - 26)

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
1.	Warwick / Not in Cumulative Impact Area	1 Gillingham Street London SW1V 1HN	New Premises Licence	19/11006/LIPN

2. 2 BESSBOROUGH STREET, LONDON, SW1V 2JA **(Pages 27 - 40)**

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
2.	Tachbrook / Not in Cumulative Impact Area	2 Bessborough Street London SW1V 2JA	New Premises Licence	19/09555 /LIPN

3. THE CAVENDISH, 35 NEW CAVENDISH STREET, LONDON W1G 9TR **(Pages 41 - 76)**

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
3.	Marylebone High Street / Not in Cumulative Impact Area	The Cavendish 35 New Cavendish Street London W1G 9TR	Variation of a Premises Licence, Licensing Act 2003	19/0928 9/LIPV

4. SALON 64, 14 BATEMAN STREET, LONDON W1D 3AG **(Pages 77 - 118)**

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
4.	West End / West End Cumulative Impact Area	Salon 64 14 Bateman Street London W1D 3AG	Variation of a Premises Licence, Licensing Act 2003	19/11124/LIPV

Stuart Love
Chief Executive
25 October 2019

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.

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	31 October 2019
Licensing Ref No:	19/11006/LIPN - New Premises Licence
Title of Report:	1 Gillingham Street London SW1V 1HN
Report of:	Director of Public Protection and Licensing
Wards involved:	Warwick
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 September 2019		
Applicant:	Feel Food Limited		
Premises address:	1 Gillingham Street London SW1V 1HN	**Ward:**	Warwick
		Cumulative Impact Area:	None
Premises description:	According to the application form the premises intend to offer both hot and cold food Japanese cuisine.		
Premises licence history:	The premises currently hold a premises licence (licence reference 17/06692/LIPN) a copy of which appears at Appendix 2. A full history for the premises appears at Appendix 3		
Applicant submissions:	During the consultation period the applicant agreed to reduce the hours for sale by retail of alcohol on Sundays from 11:00 to 23:00 to 12:00 to 22:30 in line with Westminster's core hours.		

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	12:00
End:	23:00	23:00	23:00	23:00	23:30	23:30	22:30
Seasonal variations/ Non-standard timings:	None						

Hours premises are open to the public							
Day:	**Mon**	**Tues**	**Wed**	**Thur**	**Fri**	**Sat**	**Sun**
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:00	23:00	23:00	23:00	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:	None						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service ***(Withdrawn)***
Representative:	Caroline Cockshull
Received:	2 October 2019

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

It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime & disorder as there are insufficient conditions within the operating schedule.

On the 22 October 2019 the Metropolitan Police Service withdrew their representation following the applicant agreeing the conditions proposed (as shown at Appendix 4 of this report) and reduced the hours for the sale by retail of alcohol for Sundays in line with Westminster's core hours.

Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	4 October 2019

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety

2-B Other Persons	
Name:	[redacted]
Address and/or Residents Association:	[redacted]
Received:	4 October 2019

I object to a licence for off the premise sale/supply of alcohol.

Under section P, the licencing objectives will not be supported - anti-social behaviour and criminal activity. The area is a constant source of both anti-social behaviour and criminal activity. I have numerous police reports to substantiate this. As well, Westminster council is aware of the issue in Gillingham Row. This has been on-going for over a decade. We regularly note drug deals, homelessness, drug-taking and alcohol consumption, drunk and disorderly behaviour on or near our doorstep. It would be aggravated by the close proximity of a licenced premise. Training of staff and staff awareness would not diminish this activity which is well entrenched in the area.

The objective to prevent a public nuisance should be conditional on ensuring appropriate

delivery as well as consideration of noise to neighbours from a licenced premise operating 7 days a week from mid-morning to late at night [11:00 to 23:00/23:30 (Friday and Saturday)]. I object to deliveries being made via Gillingham Row. The area on the side of [redacted] fenced. The row curves near the back of the premises of SW1V 1HN. This needs to remain clear at all times for access especially for emergency vehicles.

Deliveries should be restricted to Gillingham Street and Vauxhall Bridge Road (if permissable).

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. <u>For premises for the supply of alcohol for consumption on the premises</u>: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30 <u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30
Policy FFP1 applies	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PB1 applies	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1

4. Equality Implications

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

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

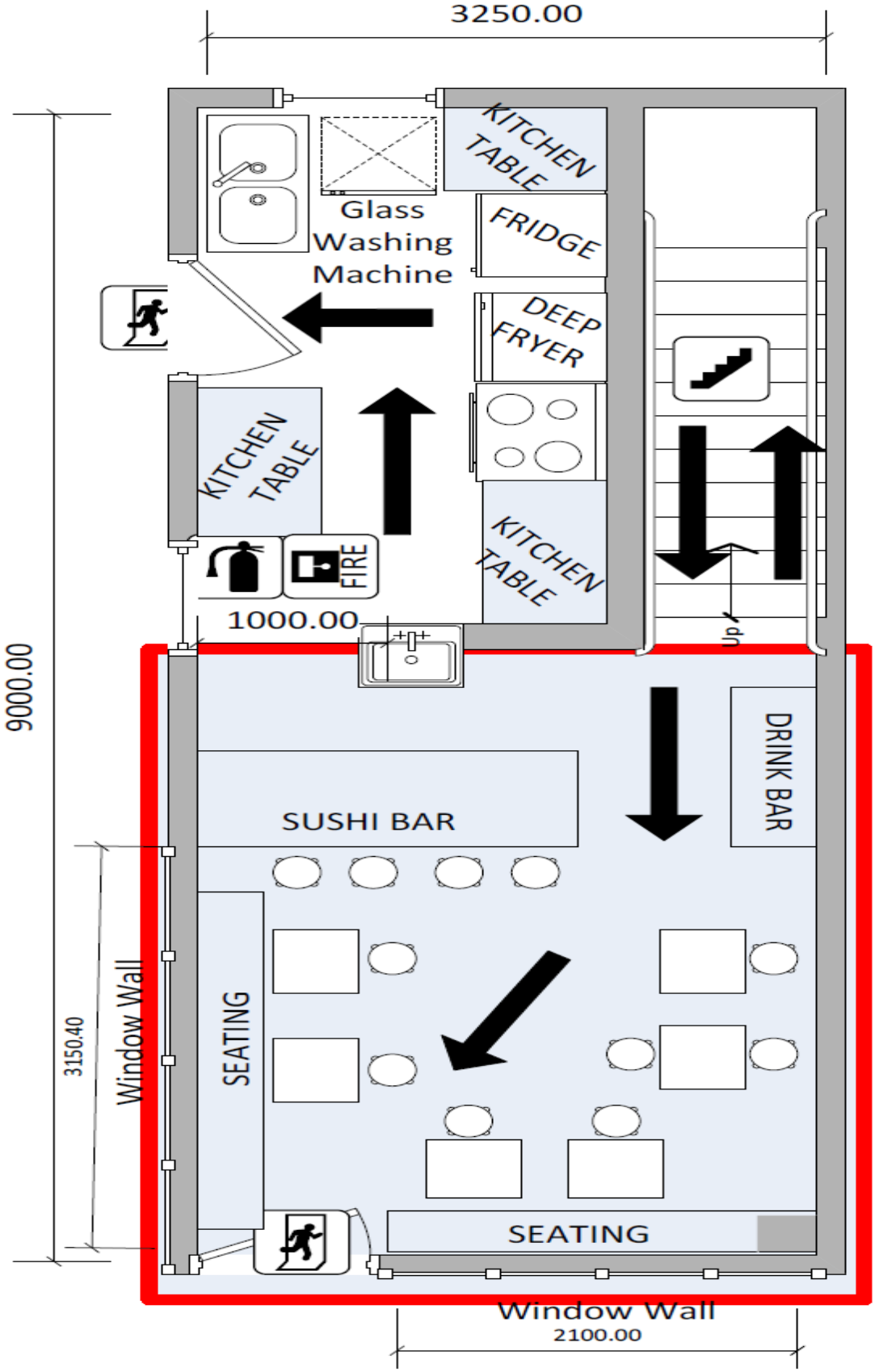
Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 8094 Email: kjackaman@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	7th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service ***(Withdrawn)***	2 October 2019
5	Environmental Health Service	4 October 2019
6	Representation 1	4 October 2019



GROUND FLOOR

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

Schedule 12
Part A

WARD: Warwick
UPRN: 100023340647

Premises licence

Regulation 33, 34

Premises licence number:	17/06692/LIPN
Original Reference:	17/06692/LIPN

Part 1 – Premises details

Postal address of premises:

1 Gillingham Street
London
SW1V 1HN

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol
Monday to Sunday: 11:00 to 21:00

The opening hours of the premises:

Monday to Sunday: 11:00 to 21:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

On Concepts Limited
1 Gillingham Street
SW1V 1HN

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

10826349

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

Name: Loretta Liu

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: LBWands/04785
Licensing Authority: London Borough Of Wandsworth

Date: **26th March 2018**

This licence has been authorised by Miss Yolanda Wade 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 -

$P = D+(DxV)$

Where -

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premise

10. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

11 There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV

12. 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

13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open

14. 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

15. 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

16. 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

17. 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

18. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day

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

20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day

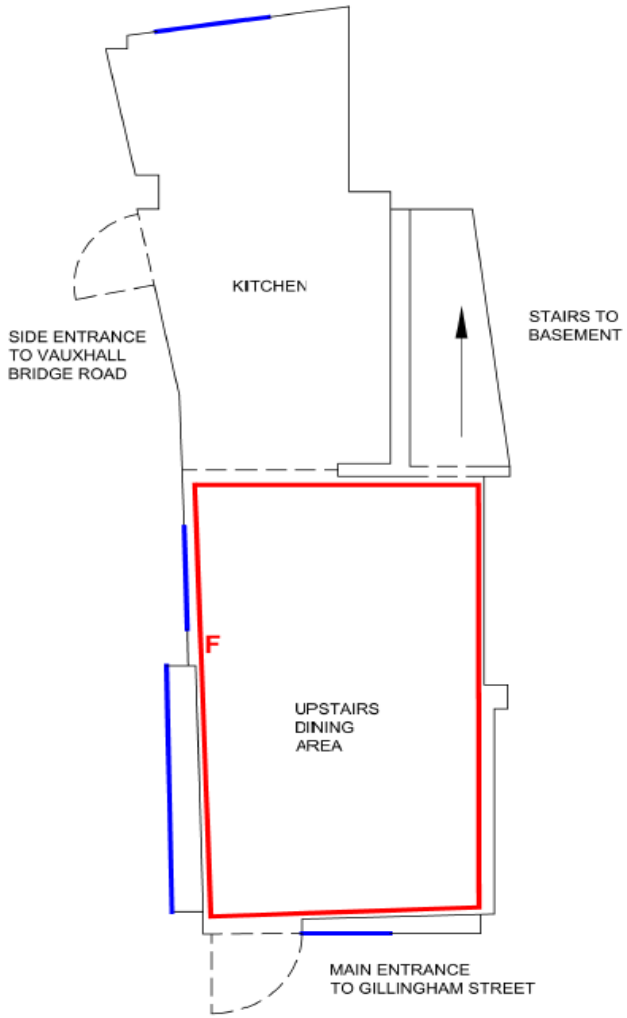
21. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business

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

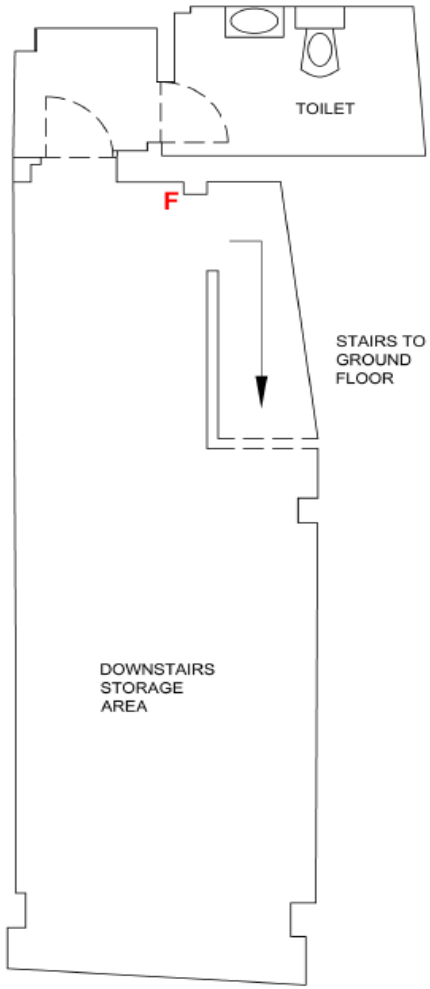
None

Annex 4 – Plans

Attached



GROUND FLOOR



BASEMENT

The information shown on this drawing is the property of On Cafe and is not to be used or the drawing copied, communicated or disclosed, in whole or in part, except in accordance with a contract, or agreement in writing with On Cafe

Notes

1.

Legend

F	Fire extinguisher
	Window
	Licensable area

Rev	Comment	Drawn	Date	Checked	Date	Approved	Date
4	Basement licensable area deleted	BH	25.09.17		--.--.--		--.--.--
3	Licensable area outlined in red	BH	14.07.17		--.--.--		--.--.--
2	Fire exstinguisher locations and legend added	BH	30.06.17		--.--.--		--.--.--
1	Dimension errors corrected following site checks	BH	27.06.17		--.--.--		--.--.--
0	First issue	BH	27.06.17		--.--.--		--.--.--

Scale @ size	Office	Project Number
1:50 @ A3	XXX	XXX

Sign Off

-	A- No Abeyances
-	B- Minor Abeyances
-	C- Do Not Use

Status	Purpose of issue
S-	Fit for Internal review & comment

On Concepts Limited
1 Gillingham Street
London SW1V 1HN
Tel:

Project: On Cafe Gillingham Street

Title: Westminster City Council
Licensing Act 2003 Application
General Layout Plan

Drawing No.	Revision
CSL-DRG10001	4

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

Schedule 12
Part B

Premises licence summary

WARD: Warwick
UPRN: 100023340647

Regulation 33, 34

Premises licence number:	17/06692/LIPN

Part 1 – Premises details

Postal address of premises:

1 Gillingham Street
London
SW1V 1HN

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol
Monday to Sunday: 11:00 to 21:00

The opening hours of the premises:

Monday to Sunday: 11:00 to 21:00

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

Alcohol is supplied for consumption on the Premises.

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

On Concepts Limited
1 Gillingham Street
SW1V 1HN

Registered number of holder, for example company number, charity number (where applicable)
10826349

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

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

Date: **26th March 2018**

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

Premises History **Appendix 3**

Application	Details of Application	Date Determined	Decision
06/13294/LIPN	New premises licence	31.05.2007	Refused by Licensing Sub Committee (subsequently granted on appeal to Westminster Magistrates Court)
09/00606/LIPRW	Surrender of the premises licence	26.01.2009	Granted under delegated authority
17/06692/LIPN	New premises licence	28.09.2017	Granted under delegated authority
19/10592/LIPN	New premises licence	27.08.2019	Withdrawn
19/10597/LIPN	New premises licence	27.08.2019	Withdrawn

Appendix 4

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

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

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

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. No selling of alcohol to underage people (ID always required)

10. No drunk and disorderly behaviour on the premises area

11. Vigilance in preventing the use and sale of illegal drugs at the retail area

12. No violent and anti-social behaviour

13. CCTV System installed to monitor entrances, exits and other parts of premises in order to address the prevention of crime objective.

14. 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. Clear and conspicuous notices warning of potential criminal activity. such as theft, that may target customer will be displayed.

15. Not selling of alcohol to drunk or intoxicated customer.

16. Custom will not be sought by means of personal solicitation outside or in the vicinity of premises.

17. Prevention and vigilance in illegal drug use at the retails unit area.

18. Staff will be well trained in asking customers to use premises in an orderly & respctful

19. A log book in recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute and information complied to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the License ACT 203 or associated legislation.

20. Prominent, Clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

21. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner to prevent nuisance and disturbance to nearby residents.

22. Customers will be asked not to stand around loudly talking in the street outside the premises.

23. Customer will not be admitted to premises above opening hours.

24. The movement of bins and rubbish outside the premises will be kept to minimum after 23.00.

25. Any light on or outside the premises will be positioned and screened.

26. Adequate waste receptacles provided in the local Vicinity

27. Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but look under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or passport) if they wish to buy alcohol.

28. Well trained staff about requirement for persons' Identification, age establishment etc. all the details provided in training record book available the retails unit.

29. Log book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements

Conditions proposed by the Environmental Health

None

Conditions proposed by the Metropolitan Police Service and agreed with the applicant so as to form part of the operating schedule:

30. 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.

31. 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.

32. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

33. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

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

35. 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.

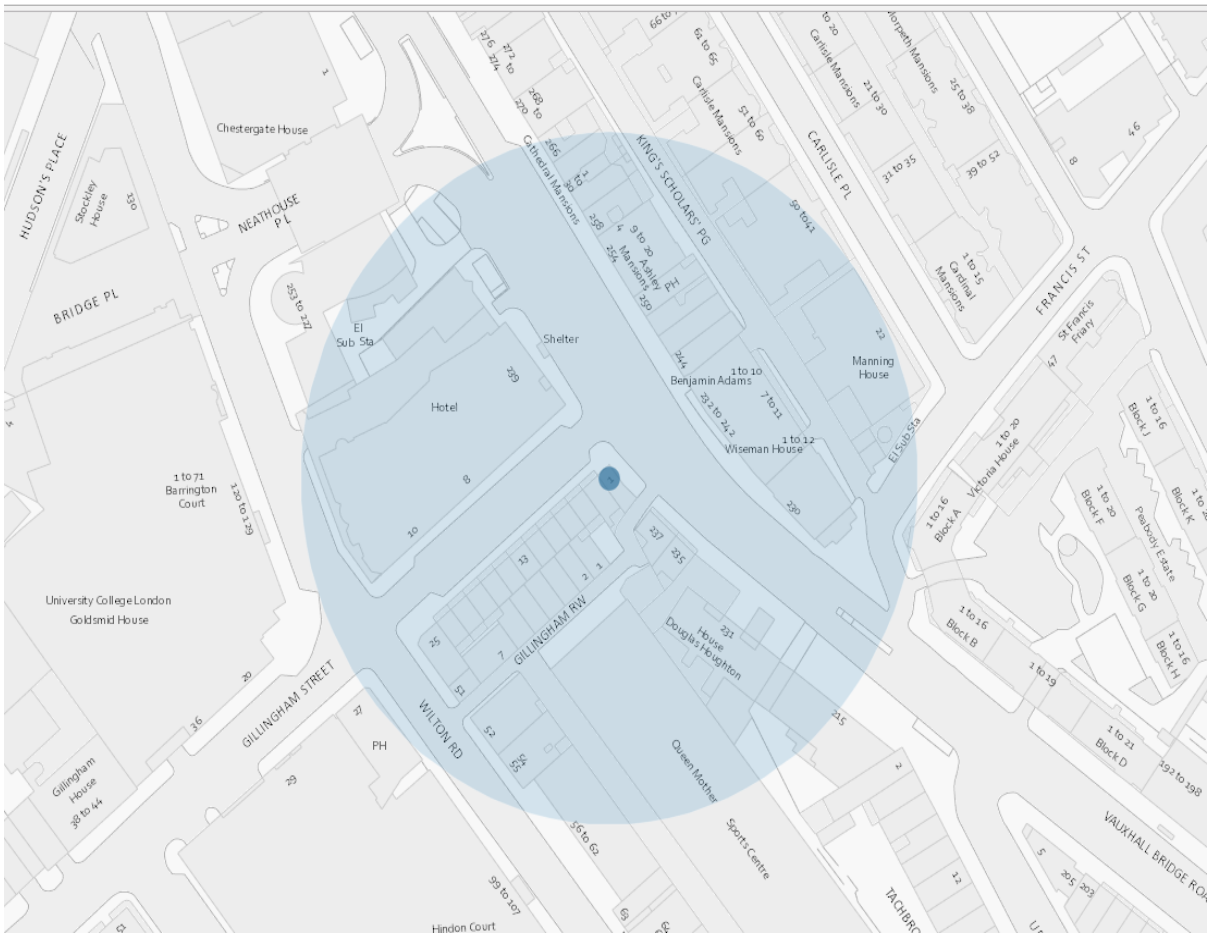
36. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

37. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

38. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

39. There shall be no self service of alcohol.

Residential Map and List of Premises in the Vicinity **Appendix 5**



Resident count: 89

Premises within 75 metres of 1 Gillingham Street, London, SW1V 2JA				
Licence Number	**Premises Name**	**Premises Address**	**Premises Type**	**Hours**
17/06692/LIPN	Not Recorded	1 Gillingham Street London SW1V 1HN	Restaurant	Monday to Sunday; 11:00 - 21:00
19/07975/LIPDPS	Victoria Park Plaza Hotel	239 Vauxhall Bridge Road London SW1V 1EJ	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 00:30 | Monday to Sunday; 00:00 - 00:00 | Monday to Sunday; 10:00 - 02:00 | Sunday; 12:00 - 00:00
14/08028/LIPDPS	The Brass Monkey	250 Vauxhall Bridge Road London SW1V 1AU	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 | Sunday; 12:00 - 23:00

14/10289/LIPDPS	Hardcore Burgers	Ground Floor 52 Wilton Road London SW1V 1DE	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
19/12269/LIPCH	Rosas Victoria	25 Gillingham Street London SW1V 1HN	Restaurant	Monday to Saturday; 08:00 - 23:00 | Sunday; 08:00 - 22:30

City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	31 October 2019
Licensing Ref No:	19/09555/LIPN - New Premises Licence
Title of Report:	2 Bessborough Street London SW1V 2JA
Report of:	Director of Public Protection and Licensing
Wards involved:	Tachbrook
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 August 2019		
Applicant:	Archie's Shops Limited		
Premises address:	2 Bessborough Street London SW1V 2JA	**Ward:**	Tachbrook
		Cumulative Impact Area:	None
Premises description:	According to the application form the premises intend to trade as a small shop selling premium ready made food and drinks		
Premises licence history:	This is a new premises licence application and therefore no premises 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
Day:	**Mon**	**Tues**	**Wed**	**Thur**	**Fri**	**Sat**	**Sun**
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	None						

Hours premises are open to the public							
Day:	**Mon**	**Tues**	**Wed**	**Thur**	**Fri**	**Sat**	**Sun**
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	None						
Adult Entertainment:	None						

2. Representations

2-B Other Persons	
Name:	[redacted]
Address and/or Residents Association:	[redacted]
Received:	4 September 2019

I wish to object to this being granted because:

o There are already several outlets selling alcohol at extended hours in very close proximity (Vauxhall Bridge Road, Lupus Street x2). Why do we need another?
o Sited on the exit to the station, it is further encouragement for irresponsible drinking
o The refuse/recycling facilities already struggle to cope with deposits - extra cans/bottles/rubbish will not help
o Noise nuisance is already a big problem in the street due to the way sound reverberates. The unloading of supplies, the ease of sitting on the steps outside the station, and the disturbance already caused by alcohol and drug abusers would only make the situation worse for the long-suffering residents of this area, especially given the extended hours proposed.

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. <u>For premises for the supply of alcohol for consumption on the premises</u>: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30 <u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30
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.

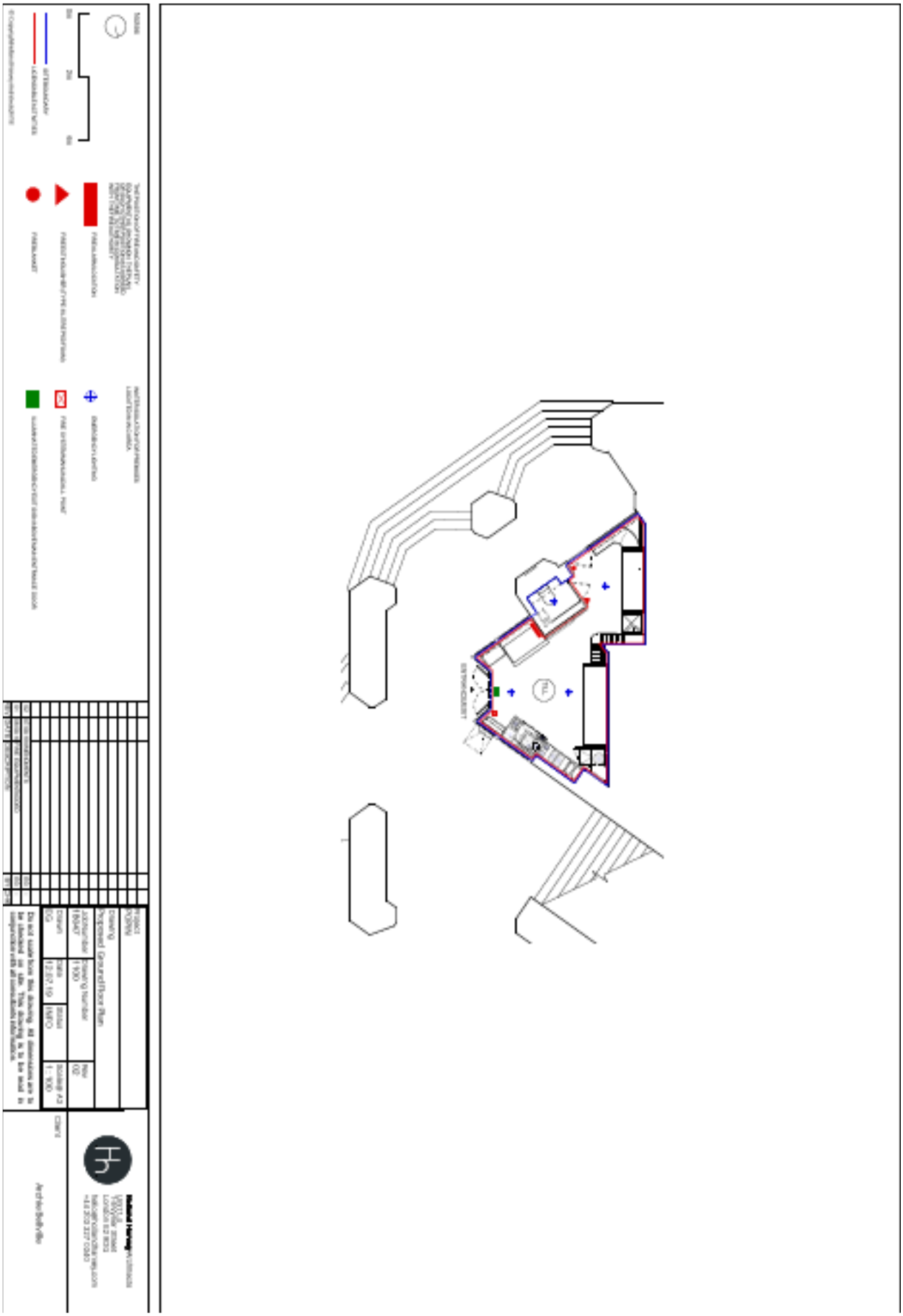
4. Appendices

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

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 8094 Email: kjackaman@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	7th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Interested Party representation	4 September 2019

Premises Plans **Appendix 1**



Applicant Supporting Documents **Appendix 2**

There are no submission from the applicant.

Premises History **Appendix 3**

There is no licence or appeal history for the premises.

Appendix 4

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

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

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

Where -

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

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

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

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

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

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

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

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

Conditions consistent with the operating schedule

9. The 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.

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

11. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

12. 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.

13. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

14. 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.

15. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

16. 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.

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

18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.

19. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

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

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.

22. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
(a) all crimes reported to the venue
(b) all ejections of patrons
(c) any complaints received concerning crime and disorder
(d) any incidents of disorder
(e) all seizures of drugs or offensive weapons
(f) any faults in the CCTV system, searching equipment or scanning equipment
(g) any refusal of the sale of alcohol
(h) any visit by a relevant authority or emergency service.

23. here shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

24. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.

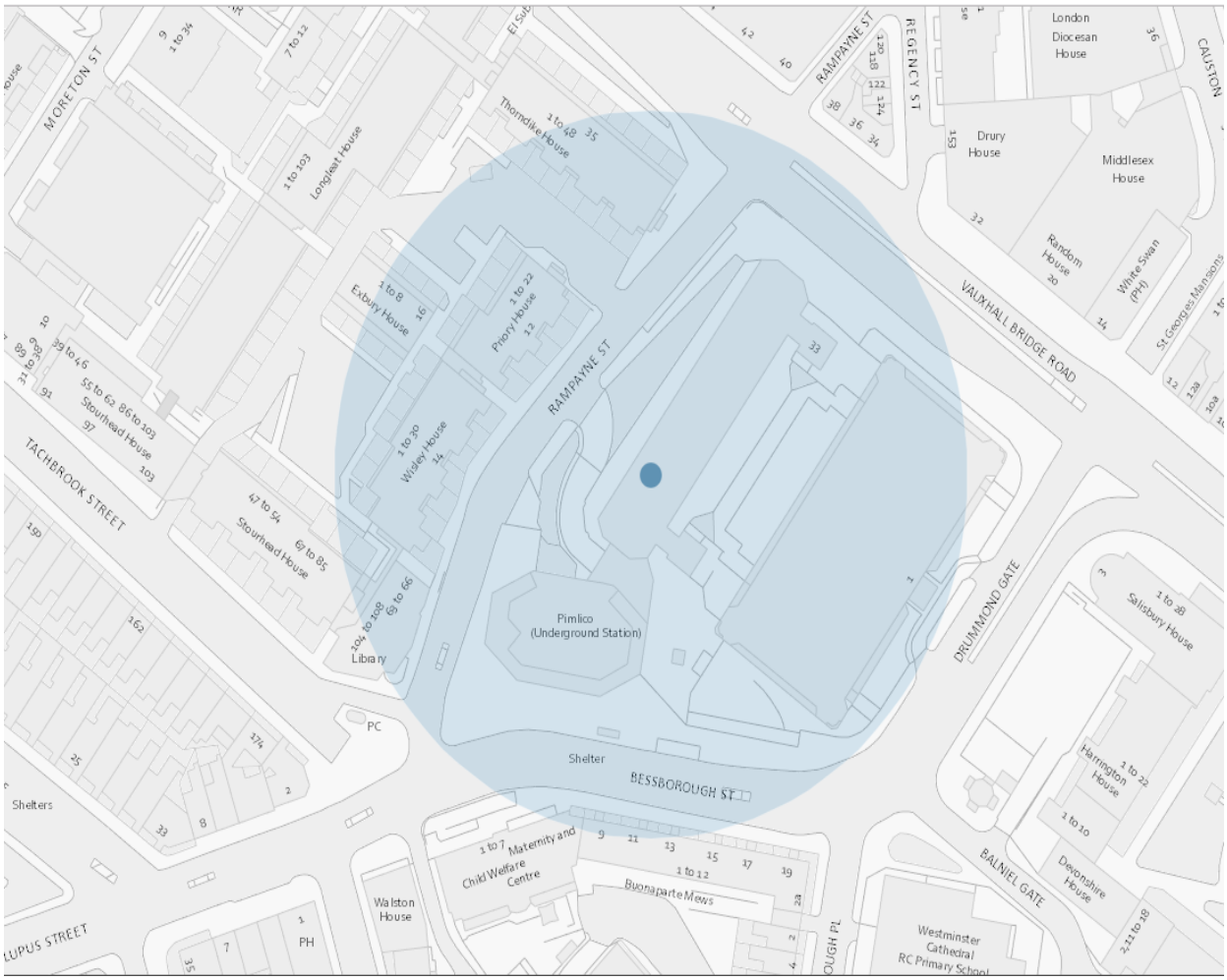
Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

Residential Map and List of Premises in the Vicinity **Appendix 5**



Resident count: 100

Premises within 75 metres of 2 Bessborough Street, London, SW1V 2JA				
Licence Number	**Premises Name**	**Premises Address**	**Premises Type**	**Hours**
16/11120/LIPDPS	One Drummond Gate	1 Drummond Gate London SW1V 2QX	Conference or exhibition centre	Monday to Friday; 08:00 - 21:00 | Saturday; 08:00 - 19:00

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	31 October 2019
Licensing Ref No:	19/09289/LIPV - Premises Licence Variation
Title of Report:	The Cavendish 35 New Cavendish Street London W1G 9TR
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	29 July 2019		
Applicant:	The Cavendish Pub Limited		
Premises:	The Cavendish		
Premises address:	35 New Cavendish Street London W1G 9TR	**Ward:**	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	The premises operates as a two-floor restaurant and bar on New Cavendish Street.		
Variation description:	The changes sought by way of this application is to the provision of a Champagne Breakfast menu, therefore seeking to vary the commencement of the sale by retail of alcohol each day Monday to Saturday, from 10am and Sunday from 12:00 (currently permitted by Premises Licence) to 8am daily. The additional hours applied for will be subject to the following proposed Condition: • Between the hours of 08:00 and 10:00 Monday to Saturday, and 08:00 to 12:00 Sunday, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.		
Premises licence history:	The premises has had the benefit of a premises licence since 2005. The current premises licence 19/05531/LIPCHT is attached at Appendix 3 of this report together with a full licence history.		
Applicant submissions:	There are no submissions from the applicant		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded Music and Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		**Proposed Hours**		**Licensable Area**	
	Start:	**End:**	**Start:**	**End:**	**Current:**	**Proposed:**
Monday	Unrestricted		No Change		Basement and Ground Floor	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations:	**Current:**				**Proposed:**	
	None				No Change	
Non-standard	**Current:**				**Proposed:**	

timings:	None	No Change

Late night refreshment						
Indoors, outdoors or both			**Current :**		**Proposed:**	
			Indoors Only		No Change	
	Current Hours		**Proposed Hours**		**Licensable Area**	
	Start:	**End:**	**Start:**	**End:**	**Current:**	**Proposed:**
Monday	23:00	23:30	No Change		Basement and Ground Floor	No Change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	23:30				
Saturday	23:00	23:30				
Sunday						
Seasonal variations/ Non-standard timings:	**Current:**				**Proposed:**	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Years Day.				No Change	

Sale by Retail of Alcohol						
On or off sales or both			**Current :**		**Proposed:**	
			Both		No Change	
	Current Hours		**Proposed Hours**		**Licensable Area**	
	Start:	**End:**	**Start:**	**End:**	**Current:**	**Proposed:**
Monday	10:00	23:00	08:00	23:00	Basement and Ground Floor	No Change
Tuesday	10:00	23:00	08:00	23:00		
Wednesday	10:00	23:00	08:00	23:00		
Thursday	10:00	23:00	08:00	23:00		
Friday	10:00	23:00	08:00	23:00		
Saturday	10:00	23:00	08:00	23:00		
Sunday	12:00	22:30	08:00	22:30		
Seasonal variations/ Non-standard timings:	**Current:**				**Proposed:**	
	For season variations and non-standard timings, please see condition 9 of the premise licence at Appendix 3.				No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	08:00	23:30	Basement and Ground Floor	No Change
Tuesday	10:00	23:30	08:00	23:30		
Wednesday	10:00	23:30	08:00	23:30		
Thursday	10:00	23:30	08:00	23:30		
Friday	10:00	23:30	08:00	23:30		
Saturday	10:00	23:30	08:00	23:30		
Sunday	12:00	23:00	08:00	23:00		

Seasonal variations/ Non-standard timings:	**Current:**	**Proposed:**
	For season variations and non-standard timings, please see condition 9 of the premise licence at Appendix 3.	No Change

1-C Layout alteration
There are no changes sought to the layout by way of this application.

1-D Conditions to be added
Condition
Between the hours of 08:00 and 10:00 Monday to Saturday, and 08:00 to 12:00 Sunday, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service ***(Withdrawn)***
Representative:	PC Reaz Guerra
Received:	31 July 2019

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention Objective.

There is insufficient detail in the operating schedule to address the Crime Prevention Objective.

The hours sought exceed Westminster's core hours policy.

It is for these reasons that we are objecting to the application.

Following the agreement of conditions, the Metropolitan Police Service withdrew their representation on the 17th October 2019.

Responsible	Environmental Health Service

Authority:	
Representative:	Anil Drayan
Received:	22 August 2019

I refer to the application for variation of the Premises Licence, 19/05531/LIPCHT, for the above premises.

The applicant is seeking the following:

1. Change in the commencement for the sale 'On' and Off' of alcohol each day Monday to Saturday, from 10am and Sunday from 12:00 to 8am daily.

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

1. The extension in hours for the sale 'On' and 'Off' of alcohol may lead to an increase in Public Nuisance in the area.

Environmental Health also make the following further comments:

- An additional condition has been offered and this is under consideration if this is sufficient to allay Environmental Health concerns.
- The request for 'Off' sales needs to be clarified as to why this has been requested and how it will operate.
- Although the external private forecourt is not part of the premises licensed area I understand it is nevertheless utilised with external tables and chairs – clarification is needed as to how this area is managed as there have been complaints made in the past as how this area has been used.

The applicant is requested to contact the undersigned to arrange a site visit and to discuss the above after which Environmental Health is likely suggest additional conditions.

2-B Other Persons			
Name:		[redacted]	
Address and/or Residents Association:		[redacted]	
Status:	Valid	**In support or opposed:**	Opposed
Received:	6 August 2019		

I object based on the considerable nuisance factor. The Cavendish is noisy, the customers block the pavement not only in the supposed seating area but also standing along the street. Customers and staff stand, smoking and talking loudly outside the properties along Westmoreland and De Walden Street. Customers and staff also continue to sit on the steps of the private properties leaving rubbish and cigarette ends throughout the day and late into the evening. Should licensing be extended, for even longer hours, this would cause even more disturbance and be even more inconsiderate to neighbours who are trying to have some quiet time and rest after the working week.

Name:		[redacted]	
Address and/or Residents Association:		[redacted]eet	
Status:	Valid	**In support or opposed:**	Opposed

Received:	2 August 2019		

have seen the application - it is to open at 8a.m every morning for champagne breakfasts. This includes Saturdays & Sundays. Currently they open at 10 in the week & 12 on Sundays.

I object strongly on the grounds that the customers already cause a nuisance by blocking the pavement with their chairs in Westmoreland St, rubbish is often piled on the corner making it difficult to get to the crossing, the customers are frequently noisy when outside in Westmoreland St & New Cavendish St. Staff walk up & down DeW St talking loudly on their phones and smoking, dropping cigarette ends down the street and frequently sitting on the steps of the flats and leaving cigarette ends there.

I think the extra opening hours are unnecessary and if the idea is successful we will be disturbed on weekend mornings by car doors slamming when the customers arrive and noise from 8 onwards as well as weekday mornings. 10 is early enough for breakfast in the week and 12 at weekends.
IF THE LICENCE IS TO BE APPROVED IT SHOULD ONLY BE FOR DRINKS CONSUMED INSIDE THE PREMISES NOT FOR AN OPENAIR NOISY BAR WHICH IT IS BECOMING NOW.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support of opposed:**	Opposed
Received:	8 August 2019		

The customers of the premises currently cause a nuisance as outside chairs chairs are placed over the premises boundary blocking the street in Westmoreland St & New Cavendish St. In addition they are frequently noisy. The staff walk up and down De Walden St smoking, dropping cigarette ends, talking loudly on their phones and sitting on the steps of the flats. In addition rubbish is left on the corner again blocking the streets.

Opening at 8 a.m for the sale of alcohol is likely to mean being woken by the slamming of car doors and loud conversations by the customers. Presumably the target customers for alcohol at 8 a.m. are leaving clubs in search of alcohol. Once the premises becomes known as serving alcohol early in the morning it will attract further noisy customers.

The extra opening hours are unnecessary. This is a residential area which is quiet once the customers of 35 New Cavendish St have left. The current opening hours of 10.a.m weekdays and 12a.m. on Sundays are sufficient. The customers already constitute a nuisance. Serving of alcohol from 8 a.m. would mean the end of peaceful mornings, particularly at weekends.

Opening at 8 a.m. will require staff to arrive at say 7 a.m.causing more noise.

This variation should be refused.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support or opposed:**	Opposed
Received:	5 August 2019		

There is already a problem with this Bar, causing excessive noise and disturbance in a local residential neighbourhood. I therefore object to any further extension to their licence hours.

Rather than extend the hours it would be more useful to ensure they adhere to the existing licence requirement. As Westminster Council is not capable of enforcing this, past complaints have gone unheeded.

I also object to witnessing users of the bar openly snorting cocaine.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support or opposed:**	Opposed
Received:	14 August 2019		

am writing to object to the Cavendish proposal to open their premises for Champagne breakfasts all week.

Since opening The Cavendish management have encouraged their staff to leave their own premises for their "smoko" break. The smokers hang around street corners or seat themselves on the steps of private houses. After polluting the atmosphere in the house they stub out the cigarette on the doorstep. In short the staff are inconsiderate neighbours. You could say the Cavendish management pay their staff to smoke around any property but their own.

Their example and the boisterous drunken behaviour of their customers have created rowdy scenes not common in Marylebone. Oftentimes their guests escape to telephone outside my house away from din. Hot evenings are often very noisy as all the windows are thrown open as their premises lack air conditioning.

The pedestrian crossing on New Cavendish Street is UNSAFE. There should be a minimum of 5m space without dining tables to allow drivers to distinguish the pedestrians from the diners. Local school children and dog walkers use these pavements and the pedestrian crossing and their safety is paramount.

I can tolerate passers by who smoke or friends meeting for a chat on the street corner. I have learned how to confront the worst offending Cavendish staff but they merely move on to another's property. However, my neighbours aren't so bold and they must endure the abusive behaviour of the smokers in silence.

The abolition of smoking in the workplace and eating-on-the-hoof to avoid VAT on food sales have had unintended consequences. I trust that you'll decline The Cavendish proposal. Our children shouldn't have to jostle with drunks on their way to school.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support or opposed:**	Opposed
Received:	6 August 2019		

Please accept this communication as an objection to the current application for a variation:

The additional hours applied for will be subject to the following proposed Condition:
Between the hours of 08:00 and 10:00 Monday to Saturday, and 08:00 to 12:00 Sunday
The objection is founded principally on grounds of noise, the bub being located barely 80 yards from a hospital and in an area housing a large number of elderly people as well as shift workers for whom being woken as 0800 will be a material detraction from their quality of life.

In the event that the Council determines to ignore the above, at the least it is submitted that a condition should be imposed prohibiting the service or consumption of alcohol outside the premises, as the noise from the external tables is clearly audible in nearby residential units and in the evenings is often intolerable.

And it would also be appreciated if the opportunity could be taken to remind the licensee that his tables/chairs should not encroach on the public highway - as they so often do.

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. <u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30 <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 <u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30
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.

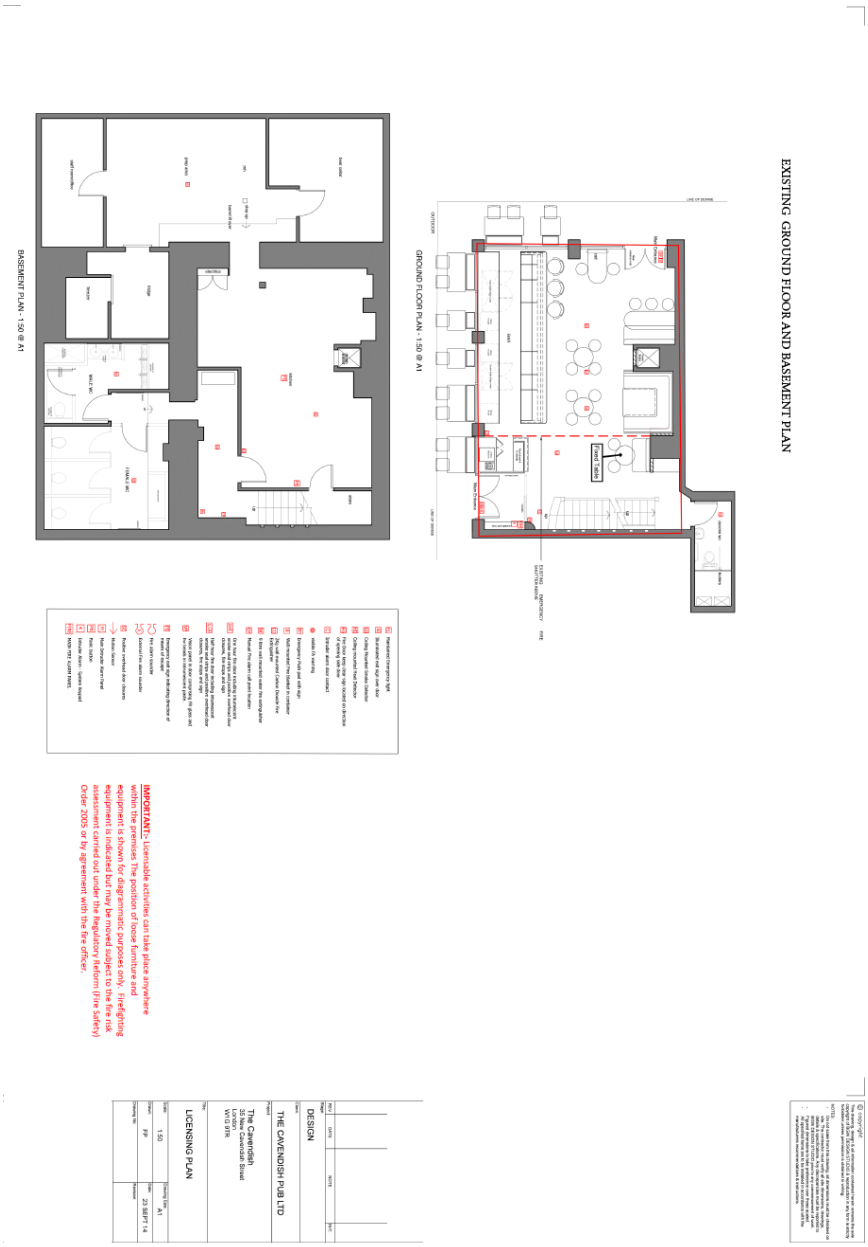
Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4. Appendices

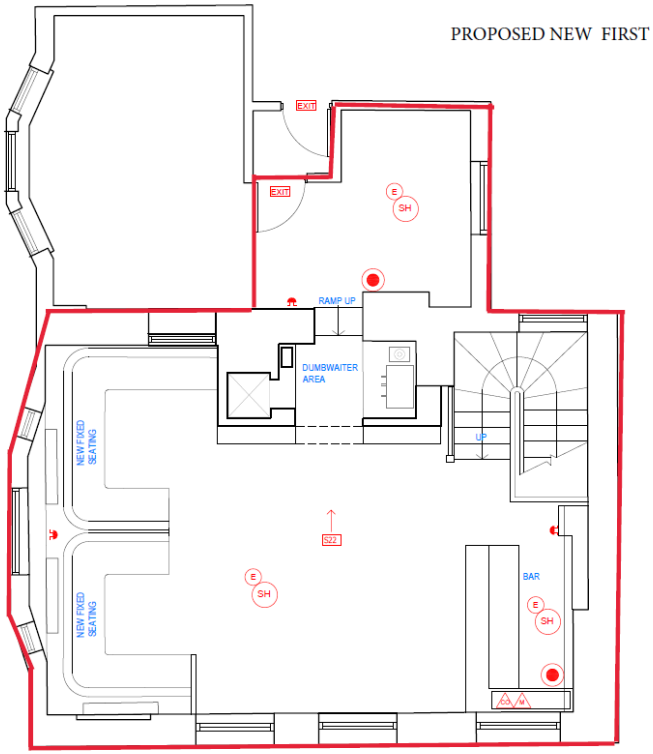
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history and current Premises Licence
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@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 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Representation	22 August 2019
5	Metropolitan Police Service	31 July 2019
6	Representation 1	6 August 2019
7	Representation 2	2 August 2019
8	Representation 3	8 August 2019
9	Representation 4	5 August 2019
10	Representation 5	14 August 2019
11	Representation 6	6 August 2019


EXISTING GROUND FLOOR AND BASEMENT PLAN
Food Sales
GROUND FLOOR PLAN - 1:50 @ A1
BASEMENT PLAN - 1:50 @ A1
IMPORTANT:- Licensable activities can take place anywhere within the premises The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.
DESIGN
THE CAVENDISH PUB LTD
The Cavendish
35 New Cavendish Street
W1G 9PR
LICENSING PLAN
1:50
A1
23 SEPT 14
PP

PROPOSED NEW FIRST FLOOR PLAN



Fire Safety Installation Legend

	Emergency light fitting with neon indicator. Area covered with a system of escape lighting
	Emergency exit sign (illuminated or non-illuminated)
	Fire alarm sounder giving 65dBa output at 1m.
	Fire alarm panel.
	Fire alarm call point / break-glass
	2kg CO2 extinguisher
	6kg ABC Dry Powder extinguisher
	9l Water Additive extinguisher
	Multipurpose extinguisher
	9l Foam extinguisher
	NOTE: All fire extinguishers to be fixed to brackets (type) and support is good practice. Extinguisher attitches to be fixed to wall and painted to match.
	Fire blanket.
	Area covered by smoke detector (BS 5839)
	Area covered by heat detector (BS 5839)
	Area covered by combine smoke & heat detector (BS 5839)
	Sign – "FIRE DOOR KEEP SHUT" – 75mm letters to both sides of door leaf
	Sign – "FIRE DOOR KEEP LOCKED" – 75mm letters to both sides of door leaf
	Doors which are provided with panic bolts. These must be operable by a simple push opening method of opening (min 30mm high handle)
	Sign – "FIRE DOOR KEEP LOCKED" – 75mm letters to both sides of door leaf / (Not with open / digital control.)
	Sign – "FIRE EXIT KEEP CLEAR" – 75mm letters to external face of door leaf.
	Sign – internally illuminated "FIRE EXIT" or graphic pictogram. Fire exit signs to be illuminated. Signs to be provided in the direction indicated. → or ←
	Vision panel
	30 minute fire door
	30 minute self closing fire door
	60 minute fire door
	60 minute self closing fire door
	non fire rated standard door
	FR – Renner Lights
	CCTV Camera

Exit widths and staircases to conform to BS 5588: Part 2 or Part 3. Arrow denotes speed direction. Occupation densities to BS 5588: Part 2 or Part 3 as appropriate.

Exact location of sprinkler to be agreed on site

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

Legal Notice

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All Tibbatts Design Ltd drawings to be read in conjunction with other Architectural, Structural/Civil Engineering, Mechanical & Electrical Consultants and all other specialist Contractor/Suppliers drawings for the Ellerial Envelope, Fit-out areas and associated external works.

The Principal Contractor or his appointed Specialist Sub Contractors are to familiarise themselves, where appropriate, with the site and measure all areas affecting their works. All dimensions and levels to be checked on site by Contractor prior to the commencement of work or the manufacture of any off site components or artifacts. Where dimensions are shown these are subject to final verification by the Contractor or appointed Sub Contractor. Any dimensional discrepancies or non availability of selected materials must be notified immediately in writing to the appropriate Designer. All dimensions to be recorded in millimeters unless specifically stated otherwise.

All works are to be carried out by recommended/competent installation Contractors to Manufacturers instructions/recommendations. All materials & workmanship are to comply with British Standards and E.E.C. codes current at the commencement of the works. Contractor is to ensure that all the works are in compliance with BS, EHO., Building Control, Fire Authority and all other Statutory requirements where applicable.

revisions

status: COMMENT

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client: MICHAEL SECRETAN

project: THE CAVENDISH
35 NEW CAVENDISH ST. MARYLEBONE
LONDON W1G 9TR

title: FIRST FLOOR LICENSING PLAN

scale: 1:50@A3
date: 14.03.19
drawn: MG
checked: SF

job no: 1952
drawing no: 118
revision: -

THE
CAVENDISH
MARYLEBONE

BREAKFAST MENU

French Toast *(Mixed Berries & Honey)* (V)	£ 8.00
Avocado Toast with Poached Eggs (V)	£ 9.00
Scrambled Eggs & Smoked Salmon with Toast & Butter (V)	£12.50
Eggs Florentine/Benedict/Royal	£9 £10 £12
The Cavendish Vegetarian Breakfast *(Cherry Tomatoes, Halloumi, Beans, Hash Brown, Mushroom, two Eggs, Toast & Butter)*	£13.00
The Cavendish Breakfast *(Bacon, Sausage, Cherry Tomatoes, Beans, Hash Brown, Mushroom, two Eggs, Toast & Butter)*	£14.00

Grain, Goodies & Rolls

Porridge with Berries Compote	£6.00
Gronola with Greek Yogurt & Fresh Fruit	£6.00
Pancakes with Mixed Berries & Honey	£8.00
Sausage & Egg Roll	£7.00
Bacon & Egg Roll	£7.00
Avocado & Salmon Roll (V)	£10.50

SIDES

Toast (White or Brown)	£1.50
2 Eggs (Poached, Scrambled, Boiled, Fried)	£5.00
Mushrooms, Cherry Tomatoes, Beans OR Hash Brown	£3.50
Bacon, Sausage OR Avocado	£4.00
Smoked Salmon	£6.50

JUICES & SMOOTHIES £6.50

Clean Carrot
Carrot, Orange, Apple & Ginger

Lean Green
Ginger, Lemon, Romaine, Cucumber, Kale, Spinach & Celery

Berry Boost
Lemon, Mint, Strawberry, & Apple

Super Glow Smoothie
Lemon, Ginger, Banana, Apple, Turmeric & Cayenne

Super Berry Smoothie
Blueberry, Banana, Coconut Milk, Lime, Raspberry, Strawberry & Apple

Coffees

Espresso	£3.00
Macchiato	£3.20
Double Espresso	£3.20
Cappuccino	£3.80
Flat White	£3.80
Latte	£3.80
Hot Chocolate	£4.00

Teas

English Breakfast
Earl Grey
Green Tea
Peppermint
Fresh Mint
Camomille
£ 3.00
Soya, Coconut, Oat & Almond Milk available upon request

A discretionary 12.5% service charge will be added to your bill. For any allergens or dietary requirement, please advice us prior to ordering.
2019

THE
CAVENDISH
MARYLEBONE

THE ROYAL BREAKFAST
5 course Set Menu

THE PRINCESS
Granola with Greek Yogurt & Fresh Fruit

THE PRINCE
Avocado Toast with Chiliflakes and Sunflower Seeds

THE QUEEN
Egg Royal

THE KING
The Cavendish Breakfast
(Bacon or Sausage, Cherry Tomatoes, Beans, Hash Brown, Mushrooms, Egg, Toast & Butter)

ROYAL SWEETNESS
Pancake, Mixed Berries, Honey & Chocolate

£50

Sparkles & Bubbles...

Drappier Brut 1er Cru
Champagne
An elegant champagne that portrays notes of pear, hazelnut & subtle toasty spice
£11.00 (150ml) - £55.00 (bottle)

Drappier Brut Nature Zero Dosage NV
Champagne
A blanc de noirs of compelling purity, it is elegant & dry with delicate mineral & lemon notes, filled out by flavours of pear
£72.00

Ruinart Blanc de Blanc NV
Champagne
Powerful aromas that reminisce fresh fruit with dominant notes of citrus & exotic fruits. Followed by subtle Jasmine & white peaches.
£115.00

A discretionary 12.5% service charge will be added to your bill. For any allergens or dietary requirement, please advice us prior to ordering. 2019

Appendix 3

Licence & Appeal History

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

Schedule 12
Part A

Premises licence

WARD: Marylebone High Street
UPRN: 100022783187

Regulation 33, 34

Premises licence number:	19/05531/LIPCHT
Original Reference:	05/05486/LIPC

Part 1 – Premises details

Postal address of premises:

The Cavendish
35 New Cavendish Street
London
W1G 9TR

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

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

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

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

Part 2

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

The Cavendish Pub Limited
C/O Day Smith And Hunter
Batchworth House
Batchworth Place, Church Street
Rickmansworth
Hertfordshire
WD3 1JE
Mobile Phone Number : 07791 591 527

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

8986805

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

Name: Domenico De Felice

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: 183772
Licensing Authority: London Borough Of Brent

Date: **9 May 2019**

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

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.

3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

   (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

   (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

      (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

   (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

   (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

   (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

   (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

   (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

      (a) a holographic mark, or
      (b) an ultraviolet feature.

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

P = D+(DxV)

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

9. Alcohol may be sold or supplied:

(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
(c) On Good Friday, 12:00 to 22:30;
(d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30;
(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
(f) On New Year's Eve on a Sunday, 12:00 to 22:30;
(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

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

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

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

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

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

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

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

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence;
(b) He resides in the premises, but is not employed there;
(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;
(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

Annex 2 – Conditions consistent with the operating Schedule

12. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

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

14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

15. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

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

17. 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.

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

19. Regulated Entertainment shall not be provided on the Ground Floor and the First Floor until such time as suitable acoustic lobbies on these two floors have been provided and approved by the Environmental Health Consultation Team.

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

None

Annex 4 – Plans

Attached

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

Schedule 12
Part B

Premises licence summary

WARD: Marylebone High Street
UPRN: 100022783187

Regulation 33, 34

Premises licence number:	19/05531/LIPCHT

Part 1 – Premises details

Postal address of premises:

The Cavendish
35 New Cavendish Street
London
W1G 9TR

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	**Unrestricted**
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

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

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

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

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

The Cavendish Pub Limited
C/O Day Smith And Hunter
Batchworth House
Batchworth Place, Church Street
Rickmansworth
Hertfordshire
WD3 1JE

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

8986805

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

Name: Domenico De Felice

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

Restricted

Date: **9 May 2019**

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

Application	Details of Application	Date Determined	Decision
05/05486/LIPC	Conversion of Premises Licence Licensing Act 2003	27 August 2005	Granted under delegated authority
06/07408/LIPDPS	Application to vary the designated premises Supervisor	17 August 2006	Granted under delegated authority
06/08063/WCCMAP	Master Licence	17 August 2006	Granted under delegated authority
08/06690/LIPCH	Change of Details	7 August 2008	Granted under delegated authority
09/02751/LIPDPS	Application to vary the designated premises Supervisor	5 June 2009	Granted under delegated authority
10/00281/LIPT	Application to transfer the premises licence	19 April 2010	Granted under delegated authority
10/02884/LIPT	Application to transfer the premises licence	8 June 2010	Granted under delegated authority
11/01761/LIPVM	Application for a minor variation	31 March 2011	Refused
11/01829/LIPT	Application to transfer the premises licence	5 April 2011	Granted under delegated authority
12/03595/LIPDPS	Application to vary the designated premises supervisor	12 July 2012	Granted under delegated authority
14/07188/LIPT	Application to transfer the premises licence	6 October 2014	Granted under delegated authority
14/08013/LIPDPS	Application to vary the designated premises supervisor	6 October 2014	Granted under delegated authority
15/00119/LIPV	Application to vary the premises licence	24 February 2015	Granted under delegated authority

15/00129/LIPVM	Application for a minor variation	28 January2015	Refused
15/08437/LIPDPS	Application to vary the designated premises supervisor	14 October 2015	Granted under delegated authority
17/11936/LIPDPS	Application to vary the designated premises supervisor	13 November 2017	Granted under delegated authority
19/04238/LIPDPS	Application to vary the designated premises supervisor	01 May 2019	Granted under delegated authority
19/04263/LIPVM	Application for a minor variation	01 May 2019	Granted under delegated authority
19/05531/LIPCHT	Change of Details	09 May 2019	Granted under delegated authority

There is no appeal history

Appendix 4

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.

3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

   (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

   (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

      (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

   (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

(a) a holographic mark, or
(b) an ultraviolet feature.

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

P = D+(DxV)

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

9. Alcohol may be sold or supplied:

(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
(c) On Good Friday, 12:00 to 22:30;
(d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30;
(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
(f) On New Year's Eve on a Sunday, 12:00 to 22:30;
(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

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

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

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

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

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

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

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

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence;
(b) He resides in the premises, but is not employed there;
(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;
(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

Annex 2 – Conditions consistent with the operating Schedule

12. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

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

14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

15. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

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

17. 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.

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

19. Regulated Entertainment shall not be provided on the Ground Floor and the First Floor until such time as suitable acoustic lobbies on these two floors have been provided and approved by the Environmental Health Consultation Team.

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

None

Conditions proposed by the Metropolitan Police Service and agreed with applicant so as to form part of the operating schedule:

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

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

22. There shall be no sales of alcohol for consumption off the premises before 10:00 Monday to Saturday and 12:00 on Sunday's.

23. 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

24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

    (a) all crimes reported to the venue
    (b) all ejections of patrons
    (c) any complaints received concerning crime and disorder
    (d) any incidents of disorder
    (e) all seizures of drugs or offensive weapons
    (f) any faults in the CCTV system, searching equipment or scanning equipment
    (g) any refusal of the sale of alcohol
    (h) any visit by a relevant authority or emergency service.

Conditions proposed by Environmental Health Service and agreed with the applicant so as to form part of the operating schedule:

25. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Residential Map and List of Premises in the Vicinity **Appendix 5**

Resident Count: 251

Premises within 75 metres of The Cavendish 35 New Cavendish Street, London, W1G 9TR				
Licence Number	**Trading Name**	**Address**	**Premises Type**	**Time Period**
19/05531/LIPCHT	The Cavendish	35 New Cavendish Street London W1G 9TR	Public house or pub restaurant	Monday; 10:00 - 23:30 | Tuesday; 10:00 - 23:30 | Wednesday; 10:00 - 23:30 | Thursday; 10:00 - 23:30 | Friday; 10:00 - 23:30 | Sunday; 12:00 - 23:00
16/07748/LIPV	Picture Marylebone	Basement And Ground Floor 19 New Cavendish Street London W1G 9TZ	Restaurant	Thursday to Saturday; 11:00 - 23:00 | Sunday to Wednesday; 11:00 - 22:30

06/10564/WCCMAP	Cafe Gallery	17 New Cavendish Street London W1G 9UA	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	31 October 2019
Licensing Ref No:	19/11124/LIPV - Premises Licence Variation
Title of Report:	Salon 64 14 Bateman Street London W1D 3AG
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	4 September 2019		
Applicant:	Mr Ricky Walters		
Premises:	Salon 64		
Premises address:	14 Bateman Street London W1D 3AG	**Ward:**	West End
		Cumulative Impact Area:	West End
Premises description:	The premises operates as a hair and beauty salon with the provision of licensable activities being ancillary to the main purpose of the premises.		
Variation description:	The applicant is seeking to extend the sale of alcohol terminal hour by 2 hours, Monday to Saturday from 20:00 to 22:00. These are 30 mins less than the existing opening hours of the premises. No variation is sought in respect of the opening hours. The applicant is also seeking to update (in line with Westminster City Council's model conditions), amend and/or delete conditions 11, 14, 15, 16 and 21. A further 7 conditions are being proposed to support the application.		
Premises licence history:	The premises has had the benefit of a premises licence since 2018. The current premises licence 17/15059/LIPN is attached at Appendix 3 together with a full licence history.		
Applicant submissions:	The applicant has provided a letter in support of this application and can be viewed at Appendix 2.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Sale by Retail of Alcohol						
On or off sales			**Current :**		**Proposed:**	
			On Sales Only		No Change	
	Current Hours		**Proposed Hours**		**Licensable Area**	
	Start:	**End:**	**Start:**	**End:**	**Current:**	**Proposed:**
Monday	11:00	20:00	11:00	22:00	Basement and Ground Floor	No Change
Tuesday	11:00	20:00	11:00	22:00		
Wednesday	11:00	20:00	11:00	22:00		
Thursday	11:00	20:00	11:00	22:00		
Friday	11:00	20:00	11:00	22:00		
Saturday	11:00	20:00	11:00	22:00		
Sunday						
Seasonal	**Current:**				**Proposed:**	

variations/ Non-standard timings:	Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 20:00.	Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 22:00.

Hours premises are open to the public						
	Current Hours		**Proposed Hours**		**Premises Area**	
	Start:	**End:**	**Start:**	**End:**	**Current:**	**Proposed:**
Monday	08:00	22:30	No Change		Basement and Ground Floor	No Change
Tuesday	08:00	22:30				
Wednesday	08:00	22:30				
Thursday	08:00	22:30				
Friday	08:00	22:30				
Saturday	08:00	22:30				
Sunday						

Seasonal variations/ Non-standard timings:	**Current:**	**Proposed:**
	Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 20:00.	Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 22:00.

1-C Layout alteration
There are no changes sought to the layout by way of this application.

1-D Conditions being varied	
Condition	**Proposed variation**
11. Alcohol may only be sold to and consumed by patrons attending the premises and using the facilities in relation to, and ancillary to, hairdressing and other cosmetic services provided by the salon.	Alcohol may only be sold to and consumed by (a) patrons attending the premises and using the facilities in relation to hairdressing and other cosmetic services provided by the salon; (b) after 19:00 members of a private members club currently known as “Sixty-Four” and their bonafide guests (not exceeding 2 guests per member).
14. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as driving licence, passport or proof of age card with PASS hologram.	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 driving licence, passport or proof of age card with PASS hologram.
15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all	An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons

times whilst the premises is open.	(c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
16. All drinks served at hairdressing / treatment stations shall be done so by waiter / waitress service.	The supply of alcohol shall be by waiter or waitress service only.

Condition to be deleted:

21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Conditions to be added:

1. No person shall be admitted to membership of the private club unless they are customers of the hairdressing salon and have paid for a haircut or hairstyle in the last 6 months or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their application for membership and their admission.

2. A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book/electronic record showing the names and dates of attendance of any guests introduced by members. Both the list and the book/electronic record shall be produced on demand for inspection by the police or an authorised officer of the Council.

3. Entrance to the premises after 19:00 shall only be to members of a private members club and their bona fide guests or to patrons who have pre-booked a hair or cosmetic service at the premises.

4. Membership of the private members club shall only be available to persons over 21 years old.

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

6. 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.

7. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 50 persons.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service ***(Withdrawn)***
Representative:	PC Caroline Cockshull
Received:	26 September 2019

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

It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder.

The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder.

I would like to arrange a site visit to discuss this further, preferably either Wednesday 9th October or Thursday 10th October, anytime between 1200hrs – 1800hrs.

Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	1 October 2019

I refer to the application for a variation of the Premises Licence for the above premises which is located in the West End Cumulative Impact Area.

The applicant is seeking the following variations:

1. Change the hours for the Supply of Supply of Alcohol 'on' the premises to 11:00 to 22:00 hours Monday to Saturday.

2. Amend and/or delete conditions 11, 14, 15, 16 and 21.

I wish to make the following representation based on the plans and Operating Schedule submitted:

1. The increase in hours requested for the Supply of Alcohol may have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area

2. No representation raised to the proposed changes to conditions.

Environmental Health also make the following further comments:

- The applicant has offered additional conditions for the proposed variation. These are under consideration as to whether they are sufficient to allay Environmental Health concerns.

- Further information is requested on the operation of the 'membership' club.

The applicant is therefore requested to arrange a site visit with the undersigned to discuss all of the above after which Environmental Health may propose additional conditions to allay its concerns.

Should you wish to discuss the matter further please do not hesitate to contact me.	
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	1 October 2019

I write in relation to the application submitted for a variation of the premises licence for 14 Bateman Street, London.
As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks to vary the following;
To extend the sale of alcohol terminal hour by 2 hours, Monday to Saturday from 20:00 to 22:00. These are 30 mins less than the existing opening hours of the premises. No variation is sought in respect of the opening hours.
The applicant is also seeking to update (in line with WCC's model conditions), amend and/or delete conditions 11, 14, 15, 16 and 21. A further 7 conditions are being proposed to support the application. Please see conditions document.
The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1.
The Licensing Authority note that the application suggests the terminal hour for Sale of Alcohol be extended by two hours. Upon original grant of the premises licence for 14 Bateman Street in 2018, the Licensing Authority were content that the application was in line with paragraph 2.4.21 of the Council's Statement of Licence Policy 2016 whereby the sale of alcohol is not permitted beyond 20.00 hours and was therefore unlikely to add to cumulative impact.
The Licensing Authority has concerns as to how the additional 2 hours for licensable activities proposed in this variation application will not add to cumulative impact in the West End cumulative impact area.
It is noted that the applicant has proposed an additional 7 conditions in the operating schedule. A site visit with the applicant would be useful to discuss these conditions due to condition 11 part b and 27 contradicting each other.
The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

2-B Other Persons			
Name:		[redacted]	
Address and/or Residents Association:		[redacted]	
Status:	Valid	**In support or opposed:**	Opposed
Received:	2 October 2019		

I write to make a relevant representation to the above application on behalf of [redacted] objects to this application as it is currently presented, on the grounds of prevention of public nuisance and prevention of crime and disorder.
[redacted] is a charitable company limited by guarantee established in 1972. The

society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

Application summary

- Extend sale of alcohol terminal hour by 2 hours, Monday to Saturday from 20.00 to 22.00
- To update (in line with WCCs model conditions) amend and / or delete conditions 11,14,15,16 and 21. A further 7 conditions are being proposed to support the application
- Supply of alcohol 11.00 - 22.00, Monday - Saturday
- Hours open to the public 08.00 - 22.30
- To create a private members club from 19.00 Monday - Saturday (with a capacity not to exceed 50 persons)

The application

This application aims to create a new 'private members club' and bar selling alcohol from 19.00 -22.00, with a closing hour of 22.30 from Monday to Saturday with a capacity of 50 persons. This is contrary to and fails to meet the criteria in the Licensing Policy 2016, cumulative impact sections 2.4.17 to 2.4.22, which sets out the circumstances where the Council may grant more flexibly to premises not falling within the pubs and bars Policy or restaurant policy. The Salon will transform into a bar where the sole activity is the consumption of alcohol from 19.00 until closing time (as highlighted in the proposed variation to condition 11), therefore this application does not fit the criteria within these sections and policy PB2 public houses and bars applies. This is a new bar in an cumulative impact area and under PB2 the application needs to demonstrate an exception to policy, in our view it fails to do so, there is no exception to policy and the application should be rejected.

The Licensing Objectives

In relation to the licensing objectives our concerns are as follows.

Prevention of crime and disorder

This area is at the forefront of the late night economy in Westminster with its numerous restaurants, bars and entertainment establishments. The area is densely populated at night with people drinking on the street creating loud levels of noise, causing disturbance and anti-social behaviour. Over the past number of years Soho has seen a significant increase in crime and disorder and in particular drug dealing and drug taking on the streets, this activity is concentrated in this part of Soho alongside other criminal activity which is attracted by the night time economy and high numbers of intoxicated people. People are targeted as they leave venues which is evidenced by the local crime figures. Recent figures for Soho highlight a huge increase in robberies, 111 robberies took place within the four-month period from Nov - Feb 2017/18, for the same period in 2018/19 the figure was 266 an increase of 140%. Figures for theft from person also show a similar increase 401 for the same period in 2017/18 to 1,028 in 2018/19, a significant increase of 156%.

The proposed closing time of 22.30 and with a capacity of 50 will add to the number of intoxicated people on the streets. We are in no doubt that customers leaving this bar at night will attract criminal elements and result in an increase in crime and disorder and anti-social behaviour.

Prevention of public nuisance

For residents there is a concern that customers leaving the premises into the surrounding area, coupled with waiting pedicabs and taxis and people loitering in the street will cause a disturbance and noise nuisance as the streets are narrow and noise is amplified especially as the evening progresses into night time.

Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.
The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.
For the reasons we have set out, we believe that the application if granted, would fail to promote the licensing objectives of prevention of public nuisance and the prevention of crime and disorder and set a precedent allowing other retail units in Soho to sell alcohol late at night. We therefore respectfully request this application is rejected.

Name:		[redacted]	
Address and/or Residents Association:		[redacted]	
Status:	Valid	**In support or opposed:**	Support
Received:	25 September 2019		

Being a local business owner (operating out of Soho for over 3 decades), I appreciate the effect of a well-run establishment.

Salon 64 has been a member of the Soho family for several years now, being very popular with its repeat customers due to its unique product offering and professional style of operation.

In many ways the ethics behind Salon 64 are in parallel to my company's - we are the proud receiver or 3 British Academy Awards and 6 Emmy nominations for our work and we understand all aspects of excellence and professionalism within any industry.
An application to vary the hours has been submitted by the licensee and I would like to register my support for this application.

The application terms have been explained to me and I believe that the application will not cause a concern to the local business or residents. I understand the management will continue to ensure the efficient dispersal of customers so as not to cause a concern to the local residents or businesses and continue to liaise with the local stakeholders as and when required.

Their good working relationship with their customers and neighbours has allowed Salon 64 to become a safe and relaxed place to be for many of its customers, including artistes working in our studios.

I fully support this application.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support of opposed:**	Support
Received:	27 September 2019		

I write to you in relation to the recent variation application submitted by Mr Ricky Walters with regards to the above premises. I understand that the licensee has applied for an extension in

their licensing hours.

I am both a local resident, who spends a great deal of my spare time in the vicinity of Bateman Street, and a client of Salon 64.

I wholeheartedly support both the existing Salon 64 business and the proposed application referenced above. Salon 64 is an excellent example of a reputable soho business and the idea of a hair salon that becomes a exclusive club/bar by night is the epitome of modern soho. Granting the application as requested would both capture and enhance the culture of the neighbourhood.

I have known the owner for many years so I have great faith in his sensibilities. Furthermore having heard his plans at length, he has taken great care to consult with and accommodate the neighbouring businesses and residents. He can be relied upon to disperse customers at appropriate times, and the proposed plans should not be a cause for any local concern. Salon 64 will be an exclusive venue, with limited access, bringing a new clientele to Bateman street's nights, in a moderated and respectable manner.

I understand fully the proposal and outcomes of this application, and I support it fully as firstly a client, and more importantly as a local resident who sees it as enriching the area.

Name:		[redacted]	
Address and/or Residents Association		[redacted]	
Status:	Valid	**In support or opposed:**	Support
Received:	27 September 2019		

Soho is one thing to visitors and another to the residents who call it home. It's a community where we know our neighbours and we all look out for each other. As a local resident, I am always focused on preserving the neighbourhood and ensuring that our community continues to feel like a community.

Salon64 has been a valuable addition to the neighbourhood - creating a second home for many of us. It's a gathering space where I can go for a quick coffee or a new look. I value having a place in the heart of Soho that is so focused on cultivating a community that respects the heritage of this special place.

Salon64 has submitted an application to vary the hours and I would like to register my support for this application. Salon64 attracts a respectful clientele and I'm confident this extension to their service hours will result in the continuing courteous and community-focused approach exhibited today.

I fully support this application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
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. For premises for the supply of alcohol for consumption on the premises: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30 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: Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30
Policy PB2 applies:	It is the Licensing Authority’s policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

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

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

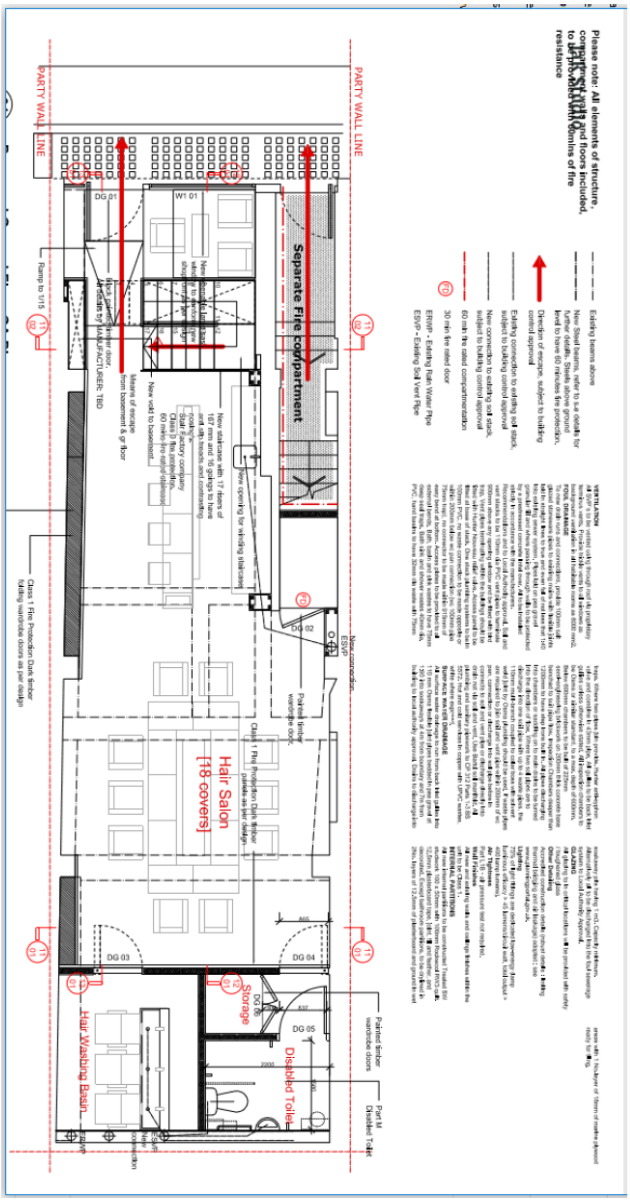
Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4. Appendices

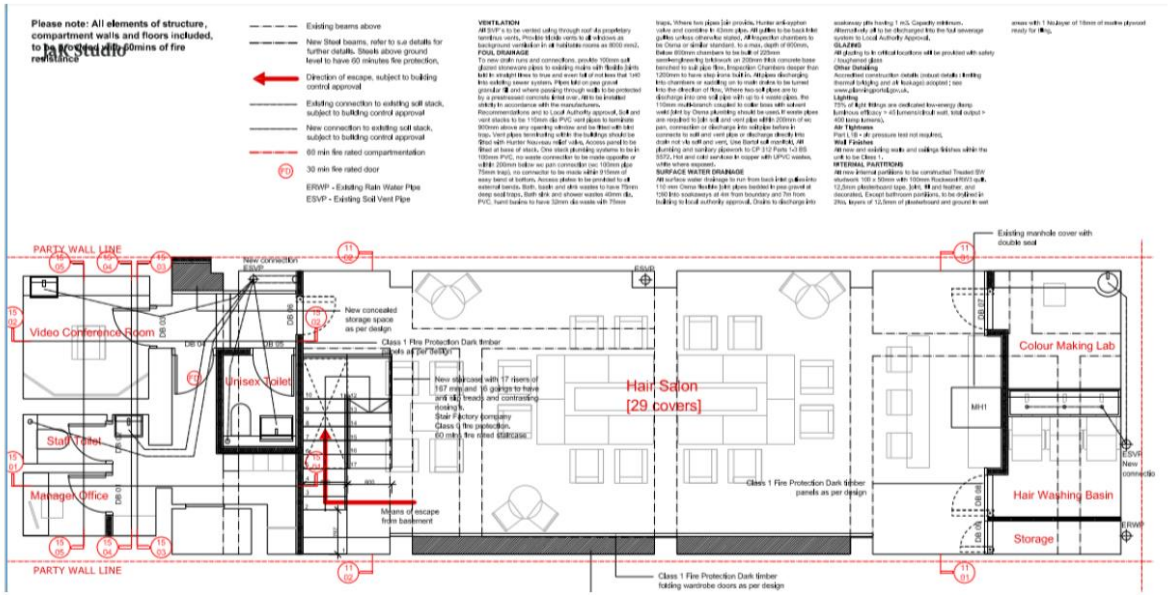
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@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	7th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service ***(Withdrawn)***	26 September 2019
5	Environmental Health Service	1 October 2019
6	Licensing Authority	1 October 2019
7	Public Representation 1	2 October 2019
8	Letter of Support 1	25 September 2019
9	Letter of Support 2	27 September 2019
10	Letter of Support 3	27 September 2019


Ground floor
Separate Fire compartment
PARTY WALL LINE
Hair Salon
(18 covers)
Storage
Disabled Toilet
Hair Washing Basin
DG 01
DG 02
DG 03
DG 04
DG 05
W1 01

Lower ground floor



R[redacted]

The Licensing Team
Westminster City Council
15th Floor, Westminster City Hall
64 Victoria Street
London SW1E 6QP

6th October 2019

Dear Licensing,

19/11124/LIPV- Salon 64 14 Bateman Street, London W1D 3AG

London is constantly evolving and one of the reasons I continue to be a regular visitor to Soho, is that it's a district of London that has both a strong heritage and the ability to keep pace with the times, making it an exciting place to be - both day and night.

I've been visiting Salon64 since it opened and during that time and its great to see a new independent business flourish in Soho. People who have been using the salon have come to rely on it as a friendly place to relax, have a coffee, drop their dogs off or simply have a chat.

Salon64 has submitted an application to vary the hours and I would like to register my support for this application.

I fully support this application. Please reach me directly if I can provide any further support.

Your Sincerely,

[redacted]

[redacted]

The Licensing Team
Westminster City Council
15th Floor, Westminster City Hall
64 Victoria Street
London SW1E 6QP

15th October 2019

Dear Licensing Team,

Application Reference: 19/11124/LIPV
Premises name: Salon 64
Premises Address: 14 Bateman Street, London W1D 3AG

As a regular client at Salon 64 since its opening and having known Ricky Walters since 2012 when he first had the vision to create Salon 64, I am pleased to endorse the serious, honest and determined business leader that Ricky has become. With that in mind I am sure that the application to vary hours and extend the Salon 64 brand to offer a wider customer experience has complete integrity and will only add to the reputation that Salon 64 enjoys with its client base and surrounding community.

I fully support this application. Please reach me directly if I can provide any further support.

Best regards,

[redacted]

[redacted]

The Licensing Team,
Westminster City Council,
64 Victoria Street,
London SW1E 6QP

20th October 2019

Dear Licensing Team,

Licensing Application Reference: 19/11124/LIPV
Premises name/address: Salon 64, 14 Bateman Street, London W1D 3AG

I write in support of Salon 64's application to vary its license in order to diversify its business offer to its existing clients, of which I am one. In particular, I wish to underline the character of the applicant, the general character of the clientele, and the benefit to Soho of his hair styling business, in order to offer some reassurance that in my view a successful application would serve to safeguard an independent business that contributes positively to the overall character of Soho.

I have known Ricky Walters, the applicant, for more than six years since I served as a senior civil servant in a Whitehall department and I was in need of a haircut. It was clear to me that Mr Walters one day wished to build a reputable and sustainable company to do what he did best.

Many years after meeting him, and now working in the private sector in the City of Westminster, I have been pleased to see how his small enterprise has grown since he opened Salon 64 nearly two years ago and he has built a small but loyal customer base through persistence and hard work. All the other clients whom I have had the pleasure to meet are in my view people of sound character – successful in their own lines of work and of a more mature demographic than some other salons – and therefore responsible people whose preferences would be consistent with relaxed, high quality, hospitality environments rather than premises associated with low-cost, vertical drinking behaviour. Mr Walters clearly proposes the former rather than the latter, which would bear no attraction at all to me or any other clients.

Salon 64 has arrived on London's hair styling scene with a bang, enhancing Soho's independent service offering amid furious competition from big hair styling chains. This licensing application is one way in which Mr Walters is seeking to strengthen the viability of his independent, community-enhancing business, and I very much hope that the licensing committee will approve his application.

Yours sincerely,

[redacted]

Appendix 3

Current Licence

Schedule 12
Part A

WARD: West End
UPRN: 100023472446

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:	17/15059/LIPN
Original Reference:	17/15059/LIPN

Part 1 – Premises details

Postal address of premises:

Salon 64
14 Bateman Street
London
W1D 3AG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 20:00

Seasonal Details: Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 20:00

The opening hours of the premises:

Monday to Saturday: 08:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Mr Ricky Walters
14 Bateman Street
London
W1D 3AG
Electronic Mail : [redacted]

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

N/A

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

Name: Mr Ricky Walters

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

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

Licence Number: LN/000011226/2017/1
Licensing Authority: London Borough Of Harrow

Date: 13th April 2018

This licence has been authorised by Miss Yolanda Wade 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+(DxV)

Where -

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

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. 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 council officer throughout the entire 31 day period.

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

11. Alcohol may only be sold to and consumed by patrons attending the premises and using the facilities in relation to, and ancillary to, hairdressing and other cosmetic services provided by the salon.

12, Only champagne, cocktails, whisky and wine to be served.

13. There shall be no self- service of alcohol.

14 A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as driving licence, passport or proof of age card with PASS hologram.

15 A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

16 All drinks served at hairdressing / treatment stations shall be done so by waiter / waitress service.

17 Patrons permitted to temporarily leave and then re-enter the premises, e.g to smoke, shall not be permitted to take drinks or glass containers with them.

18. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

19. Licence intended for use by Salon 64 only and to be surrendered when they leave premises.

20. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed at the point of sale.

21 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

22 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.

23. All waste shall be properly presented and placed out for collection no earlier than 30

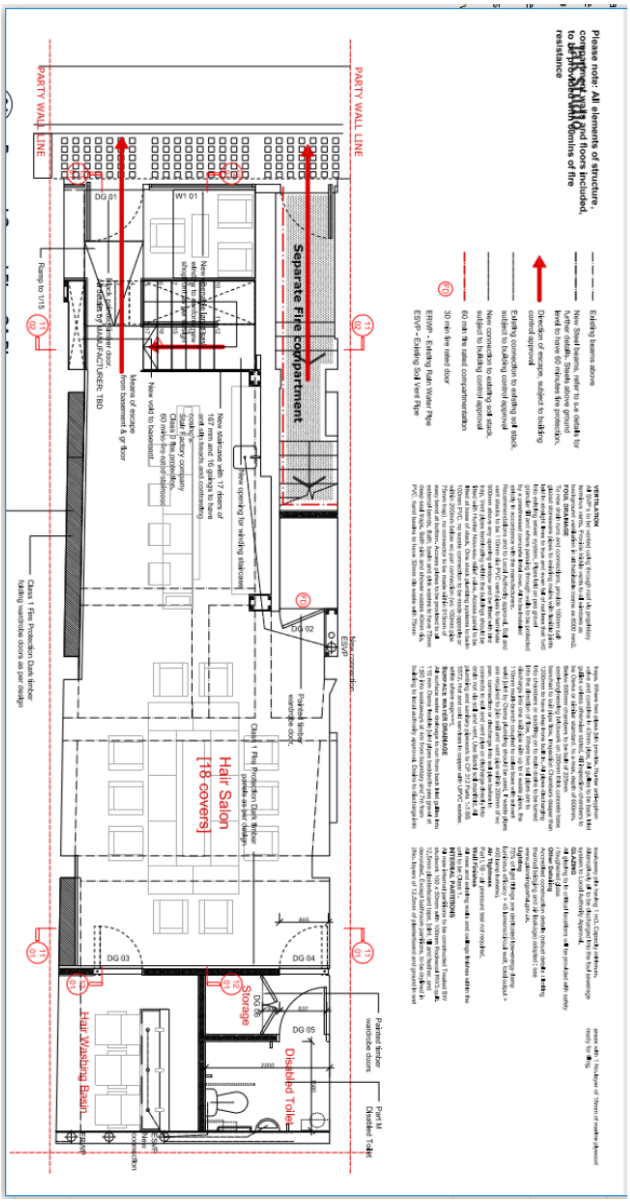
minutes before the scheduled collection times.

24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street .

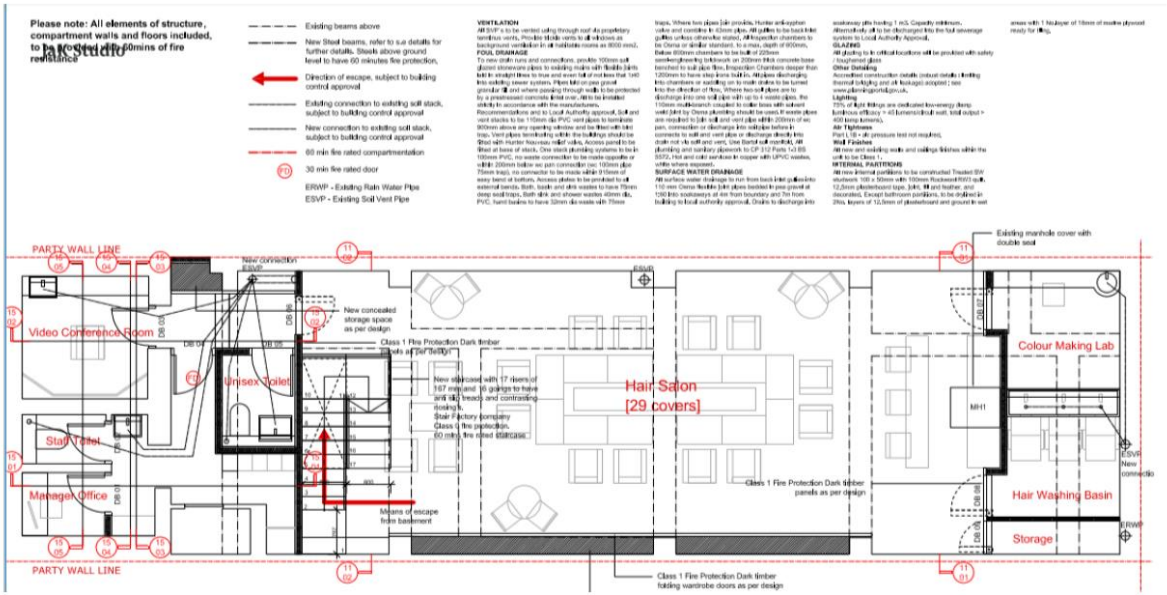
Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans



Lower ground floor



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

Schedule 12
Part B

Premises licence summary

WARD: West End
UPRN: 100023472446

Regulation 33, 34

Premises licence number: 17/15059/LIPN

Part 1 – Premises details

Postal address of premises:

Salon 64
14 Bateman Street
London
W1D 3AG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol
Monday to Saturday: 11:00 to 20:00

Seasonal Details: Christmas Eve and New Years Eve will be open including if the date falls on a Sunday from 11:00 to 20:00

The opening hours of the premises:

Monday to Saturday: 08:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

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

Mr Ricky Walters
14 Bateman Street
London
W1D 3AG

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

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

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

Date: 13th April 2018

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

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
17/15059/LIPN	Application for a new Premise Licence	6 March 2018	Granted under delegated authority
19/02524/LIPV	Application to vary the Premises Licence	Withdrawn	
19/02938/LIPV	Application to vary the Premises Licence	Withdrawn	

There is no appeal history

Appendix 4

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.

3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

   (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

   (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

      (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

   (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

(a) a holographic mark, or
(b) an ultraviolet feature.

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

P = D+(DxV)

Where -

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

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. 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 council officer throughout the entire 31 day period.

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

11. Alcohol may only be sold to and consumed by patrons attending the premises and using the facilities in relation to, and ancillary to, hairdressing and other cosmetic services provided by the salon.

Alternative condition 11 proposed by the Licensing Authority and agreed with the applicant so as to form part of the operating schedule:

11. Alcohol may only be sold to and consumed by
(a) patrons attending the premises and using the facilities in relation to, and ancillary to hairdressing and other cosmetic services provided by the salon;

(b) after 19:00 members of a private members club currently known as "Sixty-Four" and their bonafide guests (not exceeding 2 guests per member).

12. Only champagne, cocktails, whisky and wine shall be served at the premises.

13. There shall be no self- service of alcohol.

14. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as driving licence, passport or proof of age card with PASS hologram.

Alternative condition 14 proposed by the applicant so as to form part of the operating schedule:

14. 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 driving licence, passport or proof of age card with PASS hologram.

15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

Alternative condition 15 proposed by the applicant so as to form part of the operating schedule:

15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
(a) all crimes reported to the venue
(b) all ejections of patrons
(c) any complaints received concerning crime and disorder
(d) any incidents of disorder
(e) all seizures of drugs or offensive weapons
(f) any faults in the CCTV system, searching equipment or scanning equipment
(g) any refusal of the sale of alcohol
(h) any visit by a relevant authority or emergency service.

16. All drinks served at hairdressing / treatment stations shall be done so by waiter / waitress service

Condition 16 proposed by the applicant so as to form part of the operating schedule:

16. The supply of alcohol shall be by waiter or waitress service only.

17. Patrons permitted to temporarily leave and then re-enter the premises, e.g to smoke, shall not be permitted to take drinks or glass containers with them.

18. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

19. Licence intended for use by Salon 64 only and to be surrendered when they leave premises.

20. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed at the point of sale.

Condition 21 proposed to be deleted by the applicant as this is duplicated in condition 17:

21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

22. 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.

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

24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.

Conditions proposed by the applicant by way of this application so as to form part of the operating schedule:

25. No person shall be admitted to membership of the private club unless they are customers of the hairdressing salon and have paid for a haircut or hairstyle in the last 6 months or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their application for membership and their admission.

26. A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book/electronic record showing the names and dates of attendance of any guests introduced by members. Both the list and the book/electronic record shall be produced on demand for inspection by the police or an authorised officer of the Council.

27. Entrance to the premises after 19:00 shall only be to members of a private members club and their bona fide guests or to patrons who have prebooked a hair or cosmetic service at the premises.

28. Membership of the private members club shall only be available to persons over 21 years old.

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

30. 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.

31. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 50 persons.

32. After 19:00, the front windows of the premises shall be obscured, as agreed with the Metropolitan Police, so that persons passing the front of the premises are unable to see into the premises.

33. After 19:00, entrance to the premises, by members of the “Sixty-Four” private members club, shall be by way of facial recognition software.

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

None

Residential Map and List of Premises in the Vicinity **Appendix 5**

Resident Count: 101

Licensed Premises within 75 metres of Salon 64, 14 Bateman Street, London, W1D 3AG				
Licence Number	**Trading Name**	**Address**	**Premises Type**	**Time Period**
17/15059/LIPN	Salon 64	14 Bateman Street London W1D 3AG	Hairdresser or beauty salon	Monday; 08:00 - 22:30 | Tuesday; 08:00 - 22:30 | Wednesday; 08:00 - 22:30 | Thursday; 08:00 - 22:30 | Friday; 08:00 - 22:30 | Saturday; 08:00 - 22:30
16/13602/LIPV	Pix	16 Bateman Street London W1D 3AH	Restaurant	Monday to Thursday; 11:00 - 23:30 | Friday to Saturday; 11:00 - 00:00 | Sunday; 12:00 - 22:30 | New Year's Eve;

				12:00 - 00:00
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Monday to Saturday; 09:00 - 01:30 | Sunday; 09:00 - 00:00
15/03854/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Monday to Thursday; 07:00 - 23:30 | Friday to Saturday; 07:00 - 00:00 | Sunday; 07:00 - 22:50 | Sundays before Bank Holidays; 07:00 - 00:00
16/07867/LIPN	Frith Street Hotel	56-57 Frith Street London W1D 3JG	Hotel, 4+ star or major chain	Monday to Saturday; 07:00 - 23:30 | Monday to Sunday; 00:00 - 00:00 | Sunday; 08:00 - 00:00 | Sundays before Bank Holidays; 12:00 - 23:30 | New Year's Eve; 00:00 - 00:00
19/06909/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Monday to Thursday; 07:00 - 23:30 | Friday to Saturday; 07:00 - 00:00 | Sunday; 07:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00
19/06836/LIPDPS	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 | Monday to Saturday; 07:00 - 00:30 | Friday to Saturday; 07:00 - 00:00 | Sunday; 07:00 - 22:30 |

				Sunday; 07:00 - 00:00 | Sundays before Bank Holidays; 07:00 - 00:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
16/04124/LIPV	Cookhouse Joe	33 Dean Street London W1D 4PW	Restaurant	Monday to Thursday; 09:00 - 23:30 | Friday to Saturday; 09:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00
19/03723/LIPT	Oliver Maki	33 Dean Street London W1D 4PW	Restaurant	Monday to Thursday; 09:00 - 23:30 | Friday to Saturday; 09:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00
16/08358/LIPT	Barrafina Quo Vadis	26 Dean Street London W1D 3LL	Restaurant	Monday to Saturday; 09:00 - 02:30 | Sunday; 09:00 - 00:00
17/07932/LIPN	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 23:59 | Sunday; 12:00 - 22:00
18/03323/LIPDPS	Freak Scene	54 Frith Street London W1D 4SL	Restaurant	Monday to Saturday; 10:00 - 01:30 | Sunday; 12:00 - 01:00
17/09349/LIPRW	Circa	Basement And Ground	Night clubs and discos	Monday to Sunday; 11:00

		Floor 62 Frith Street London W1D 3JN		- 01:00
17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
18/08862/LIPVM	Japes	Ground Floor Townsend House 22 - 25 Dean Street London W1D 3RY	Restaurant	Monday to Saturday; 07:00 - 01:00 | Sunday; 09:00 - 00:00
17/08562/LIPDPS	Flavour Bastard	63 - 64 Frith Street London W1D 3JW	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
19/10221/LIPVM	Not Recorded	63 - 64 Frith Street London W1D 3JW	Restaurant	Monday; 10:00 - 00:30 | Tuesday; 10:00 - 00:30 | Wednesday; 10:00 - 00:30 | Thursday; 10:00 - 00:30 | Friday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
18/03962/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Monday to Thursday; 10:00 - 00:30 | Friday to Saturday; 10:00 - 01:00 | Sunday; 12:00 - 23:00 | Sundays before Bank Holidays; 12:00 - 00:30

16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30
08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Shop	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 23:00
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
19/06686/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Not Recorded	Monday to Sunday; 07:00 - 01:00
19/01586/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
18/16222/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Restaurant	Monday to Saturday; 10:00 - 01:30 | Sunday; 12:00 - 00:30
18/03103/LIPN	Mapa Cafe	3-5 Bateman Street London W1D 4AG	Cafe	Monday to Saturday; 11:00 - 23:00 | Sunday; 12:00 - 16:00
06/07744/WCCMAP	Garlic & Shots	Basement And Ground Floor 14 Frith Street London W1D 4RD	Restaurant	Monday to Saturday; 10:00 - 01:00 | Sunday; 12:00 - 23:30
17/01613/LIPVM	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Monday to Saturday; 08:00 - 00:30 | Sunday; 08:00 - 23:30
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Monday to Saturday; 10:00 - 23:30 | Sunday; 12:00 - 23:00
11/02308/LIPDPS	Prix Fixe Brasserie	Basement And Ground Floor 39 Dean Street	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00

		London W1D 4PU		- 00:00
18/10112/LIPT	The Red Fort	Basement And Ground Floor 77 Dean Street London W1D 3SH	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
19/12190/LIPDPS	Not Recorded	15 Frith Street London W1D 4RE	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
14/07710/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 00:30
13/05652/LIPN	21 Bateman Street	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00 | Sunday to Thursday; 12:00 - 00:00
19/07312/LIPDPS	Soho Theatre Company	First Floor To Second Floor 21 Dean Street London W1D 3NE	Theatre	Monday to Saturday; 09:00 - 00:00 | Sunday; 12:00 - 23:30 | Bank Holiday; 14:00 - 23:30
19/07311/LIPDPS	Soho Theatre	Basement And Ground Floor 21	Theatre	Monday to Saturday; 10:00 - 02:30 |

		Dean Street London W1D 3NE		Sunday; 12:00 - 01:00
11/12180/LIPVM	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Monday to Saturday; 10:00 - 01:30 | Sunday; 12:00 - 01:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 00:30
18/00946/LIPDPS	Blacks	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday to Saturday; 10:00 - 01:30 | Sunday; 12:00 - 01:00
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Monday to Wednesday; 09:00 - 02:00 | Thursday to Saturday; 09:00 - 05:00 | Sunday; 09:00 - 23:00
19/09145/LIPDPS	Simmons	2 Bateman Street London W1D 4AE	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00