



CITY OF WESTMINSTER

# MINUTES

## Licensing Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (3)** held on **Thursday 23rd July, 2020**, This will be a virtual meeting.

**Members Present:** Councillors Jacqui Wilkinson (Chairman), Barbara Arzymanow and Aicha Less

#### 1 MEMBERSHIP

1.1 There were no changes to the membership.

#### 2 DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

#### 1 **HARD ROCK CAFÉ, CRITERION BUILDING, 25-229 PICCADILLY, LONDON, W1J 9HR**

### LICENSING SUB-COMMITTEE NO. 3

*Thursday 23 July 2020*

Membership: Jacqui Wilkinson (Chairman) Councillor Barbara Arzymanow and Councillor Aicha Less

Legal Advisor: Horatio Chance

Committee Officer: Georgina Wills

Policy Officer: Aaron Hardy

Presenting Officer: Michelle Steward

### Hard Rock Café, Criterion Building 225-229 Piccadilly London W1J 9HR

### Application for a New Premises Licence [9HR 20/04144/LIPN]

Present: Gary Grant Counsel (Legal Representative, Hard Rock Café ), Niall McCann (Legal Representative, Hard Rock Café ), Des Addis (General Manager, Piccadilly Circus, Hard Rock Café), Dale Swift (Director Of Operations, Hard Rock Café) Andrew

Bamber, (Expert Witness, Hard Rock Café), Dave Nevitt  
(Environmental Health) and Karyn Abbott (Licensing Authority)

## **FULL DECISION**

### **Premises**

Hard Rock Café  
Criterion Building  
225-229 Piccadilly  
London  
W1J 9HR

### **Applicant**

Hard Rock Café (UK) Limited

### **Cumulative Impact Area**

West End

### **Ward**

St James's

### **Summary of Application**

The Sub-Committee has determined an application for a New Premises Licence the above Premises under the Licensing Act 2003 ("The Act"). The Premises operates as a restaurant with bar facilities and is seeking to permit 65 patrons to consume alcohol in the bar area without having to take a table meal in the restaurant, reduce the terminal hour for the sale of alcohol in the bar area from 00.30 Sunday to Thursday and 01.30 Friday and Saturday (22.30 on Sunday, 23.00 Monday to Thursday and midnight Friday and Saturday) and to limit the number of patrons being permitted to queue to 40 persons

### **Proposed Activities and Hours**

#### **Late Night Refreshment (Indoors)**

Sunday to Thursday 23:00 to 01:00 hours  
Friday to Saturday 23:00 to 02:00 hours

#### **Live and Recorded Music (Indoors)**

Sunday to Thursday 10:00 to 01:00 hours  
Friday to Saturday 10:00 to 02:00 hours

#### **Retail Sale of Alcohol (On Sales) (Indoors)**

Sunday to Thursday 10:00 to 00:30 hours

Friday to Saturday 10:00 to 01:30 hours

**Hours premises are open to the public**

Sunday to Thursday 10:00 to 01:30 hours

Friday to Saturday 10:00 to 02:30 hours

***(to include seasonal variations from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's day)***

**Representations Received**

- Environmental Health (Dave Nevitt)
- Metropolitan Police (PC Adam Deweltz) **(withdrawn)**
- Licensing Authority (Karyn Abbott)

**Summary of issues raised by objectors**

- Environmental Health are of the view that the licensable activities applied for can lead to an increase in public nuisance and may impact upon public safety within the CIA.
- The Licensing Authority have concerns amongst other things as to whether the 65 persons with no ancillary nature to a meal will not add to cumulative impact.

**Policy Position**

Policies CIP1, HRS1, PB2 and RNT2 of the City Council's Statement of Licensing Policy will apply. The Premises are located in the West End Area of Cumulative Impact and so will have to demonstrate that granting the application will not add to cumulative impact.

**SUBMISSIONS AND REASONS**

The Sub-Committee considered an application by the Hard Rock Cafe UK Limited (The Applicant) for a New Premises Licence in respect of Criterion Building 225-229 Piccadilly London W1J.

The Presenting Officer introduced the application and advised that the Premises currently operates as a Restaurant. The Applicant sought to increase the number of patrons permitted in the bar area, reduce the terminal hour for the on sale of alcohol and to limit the number of persons queueing outside of the Premises and for the provision for Late Night Refreshment and Live and Recorded Music. The Environmental Health Service and Licensing Authority had maintained representation. The Metropolitan Police withdrew their representation following the Applicants confirmation to adopt Conditions.

Gary Grant, The Applicant's Legal Representative advised the Sub-Committee that the Hard Rock Café was a popular world-renowned restaurant Chain which had a long history with the music industry and that its branches housed a number of notable music memorabilia. He informed that the Premises was the only branch in the restaurant chain which required all drinks to be ancillary to a meal and that the application had been made to alter this. The majority of sales at the Premises are for merchandise and alcoholic beverages was reported to amount to 10% of the revenue. The Sub-Committee was informed that the Premises was a popular tourist attraction and that patrons would view memorabilia and visit the Premises to purchase logo goods and collectable items. The Application sought to commercialise on these patrons who wished to visit the Premises and consume alcohol without a meal. The bar and other internal areas would be used to hold patrons and assist with managing the queue numbers. Mr Grant commented that there would be no additional cumulative impact and advised that the Premises would attract visitors and reduce the number of such persons 'on the street'.

Mr Grant advised that the Premises attracted families and was not alcohol led and that the Applicant sought to reduce the hours of on sales to core hours in the bar area and also for a reduction in the number of vertical drinkers permitted in this area at any one time. He commented that it was sought to increase the number of persons who were permitted access to the bar without consuming a meal. The bar area was reported to not be visible from the street and comprised of a small section of the basement. In response to questions from the Sub-Committee, Mr Grant advised that a New Premises Application was submitted rather than a variation and this was undertaken in order to secure a desirable outcome.

The Sub-Committee was advised that the Premises was well staffed and had two managers on the Premises during operational hours and a number of SIA trained staff members are present after 18:00 hours. There is radio communication between staff members and devices such as clickers are used to count the number of patrons queuing and these figures are shared between hospitality staff. There have been a number of Temporary Events Notice operated at the Premise and no concerns were raised about these events or about the Premises. The Sub-Committee was advised that the Applicant would be implementing measure to ensure that the Premises remains safe during the Covid-19 Pandemic and would explore current technology which enables patrons to be communicated with about reservations and queues prior to their visit to the Restaurant. Following questions from the Sub-Committee, Mr Grant confirmed that the merchandise shop opened an hour before the restaurant and bar and was staffed by retail assistants. The shop is the first and last part or the Premises which patrons view when entering and exiting the establishment.

David Nevitt, Environmental Health Officer advised that he was familiar with the Premises and had dealt with the original Licencing Application. The Applicant had received pre-application advice from the Service and topics such as queues had been discussed. Mr Nevitt confirmed that there were no concerns with the Premises operational style and there was also no history of complaints. Mr Nevitt advised that the bar area was not accessible from the street and that patrons would have to walk through the retail shop before entering the area. There was to be a reduction in the sale of alcohol and the bar area capacity. The Sub-Committee were reminded that the Premises was situated in the Cumulative Impact Area and that the Applicant would have to demonstrate an exception to policy in that the Application would not

add to negative cumulative impact. The Sub-Committee noted that the Applicant has agreed to Conditions which requires the Premises to have a Dispersal Policy and that the Licence would be personal to the Hard Rock Café Ltd.

Karyn Abbott, Licensing Authority confirmed that the Premises was situated in the Cumulative Impact Area and advised that the Applicant would have to demonstrate that the Premises would not add to cumulative impact and deduce evidence as to why the Application should be considered as an exception to policy. Ms Abbott confirmed that the capacity in the bar area for vertical drinking had been reduced alongside the sale of alcohol.

In response to questioning from the Legal Advisor to the Sub-Committee Mr Grant confirmed that Model Condition 64 would be accepted and that signage advising that only 40 persons were permitted to queue would be displayed on the Premises.

Mr Grant confirmed that the Premises had a bar area and that this section of the establishment would have capacity of 65 persons. The Sub-Committee noted that there had been a reduction for the sale of alcohol and that these times now mirrored core hours as well as the numbers permitted to queue outside the Premises had also been reduced. The Sub-Committee was advised that it was proposed to house patrons within the Premises rather than have long ques. Mr Grant reminded the Sub-Committee about the effects of the Covid-19 Pandemic on the tourism and hospitality sector and the importance of supporting this industry.

Having carefully listened to all parties and the Sub-Committee granted the Application. The Sub-Committee agreed that the Application would not add to the cumulative impact and this was on the basis that the Applicant was to surrender their existing Licence, there was to be a reduction in the terminal hour of the sale of alcohol, reduction in the capacity permitted in the bar area and also a reduction in the number of patrons permitted to queue outside the Premises. The Sub-Committee noted that the Licence would be a 'Personal License' to the Hard Rock Café and this was to be recorded by way of condition. The Sub-Committee noted that the Applicant was a good operator that managed their Premises well and was a world- famous international brand. The Sub-Committee also noted that the Premises attracted a large number of international patrons and that the majority of its revenue was from merchandise. There were no objections received from the Local Amenity Societies and the Metropolitan Police had withdrawn their Application. The Applicant had also agreed to adopt Model Condition 64 which required appropriate signage to be displayed on the Premises about the maximum number of visitors permitted to queue.

The Sub-Committee was persuaded by the arguments put forward by Mr Grant in his submissions and that the Application was an exception to policy and that the conditions imposed on the Premises Licence would have the overall effect of promoting the licensing objectives.

**The application is granted for the following activities and hours:**

1. To grant permission for Late Night Refreshment (Indoors) Sunday to Thursday 23:00 to 01:00 hours Friday to Saturday 23:00 to 02:00 hours.

2. To grant permission for Live and Recorded Music (Indoors) Sunday to Thursday 10:00 to 01:00 hours Friday to Saturday 10:00 to 02:00 hours.
3. To grant permission for the On Sale of Alcohol (Indoors) Sunday to Thursday 10:00 to 00:30 hours Friday to Saturday 10:00 to 01:30 hours.
4. To grant permission for the Hours the Premises are Open to the Public Sunday to Thursday 10:00 to 01:30 hours Friday to Saturday 10:00 to 02:30 hours (to include seasonal variations from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day)
5. To grant permission to permit 65 patrons to consume alcohol in the bar area without having to take a table meal in the restaurant.
6. To grant permission to limit the number of patrons permitted outside of the Premises to queue to 40 persons.
7. That the Licence is subject to any relevant mandatory conditions.
8. That the Licence is subject to the following additional conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

#### **Conditions imposed by the Committee after a hearing**

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. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
12. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 18:00 until close, and a minimum of 4 door supervisors shall be on duty from 22:00.

13. 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, 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 Services. 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.
14. 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.
15. All outside tables and chairs shall be rendered unusable by 22:00 each day.
16. There shall be no admittance or re-admittance to the premises after 01:00 except for patrons permitted to temporarily leave the premises to smoke.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. 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.
19. 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 and advertised near the entrance doors of the premises in letters of at least two inches tall.
20. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
21. At all times there shall be promotion of non-alcoholic drinks.
22. 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.
23. The number of persons permitted in the licenced premises at any one time (including staff) shall not exceed 419 persons, reducing to 300 persons at midnight and 200 persons at 01:00 hours.
24. The last entry time to the premises on any given night shall be at least one hour before it closes.

25. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
26. Waiter or waitress service shall always be available in the licensed Premises.
27. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
28. 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.
29. 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 premise is open.
30. 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 refusal of the sale of alcohol; and
  - g) Any visit by a relevant authority or emergency service.
31. Whenever there is a queue outside the premises, it shall be supervised by a minimum of one door supervisor wearing a company branded uniform which will incorporate an element of 'hi vis' and displaying their SIA licence. No more than 40 persons are permitted to be in the queue outside the premises at any one time which shall be restricted to a designated area located out of the front door entrance to the right leading onto Haymarket.
32. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
33. The premises licence shall not be transferrable save to subsidiaries or group companies of Hard Rock Café (UK) Limited.
34. Notwithstanding the condition below (MC66 restaurant condition), alcohol may be supplied and consumed in the basement bar area (designated on the plan in green hatching) by up to a maximum of 65 persons at any one time from



10:00 to midnight on Friday and Saturday, and from 10:00 to 23:00hrs on Monday to Thursday, and 10:00 to 22:30hrs on Sunday.

35. The licensed premises in the basement shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) Where the supply of alcohol is by waiter or waitress service only,
  - (iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) Which do not provide any take away service of food or drink for immediate consumption,
  - (v) Which do not provide any take away service of food or drink after 23:00, and
  - (vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
36. Licensable activities and the consumption of alcohol shall only be carried on in the basement of the premises.
37. The licensee shall operate a written dispersal policy for a period of 45 minutes before the premises closes on any given night. All staff shall receive training and refresher training in the policy. A copy of the most recent version of the policy shall be retained on the premises at all times and shall be produced for immediate inspection at the request of any licensing inspector or police officer.
38. At least 2 SIA door supervisors on duty at the premises shall be equipped with Body Worn Video, capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. BWV must be activated at an early stage during any incident involving conflict.
39. No licensable activities shall take place at the premises until premises 19/05762/LIPDPS (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.
40. There shall be no more than 20 vertical drinkers in the Bar area shown hatched green on the Premises Plan at any one time and appropriate signage shall be displayed at all times in all clearly visible areas to this effect.

If problems are experienced, then an application for a review of the Premises licence can be made.

2 **DIRTY BONES, GROUND FLOOR, 4 DENMAN STREET, LONDON, W1D 7HJ**

**LICENSING SUB-COMMITTEE NO. 3**

*Thursday 23 July 2020*

Membership: Jacqui Wilkinson (Chairman) Councillor Barbara Arzymanow and Councillor Aicha Less

Legal Advisor: Horatio Chance

Committee Officer: Georgina Wills

Policy Officer: Aaron Hardy

Presenting Officer: Michelle Steward

**Dirty Bones Ground Floor 14 Denman Street London W1D 7HJ**

**Application for a Variation of Premises Licence [20/03768/LIPV]**

Present: Alun Thomas Solicitor (Legal Representative, Dirty Bones), Cokey Sulkin (Applicant, Chief Executive Officer, Dirty Bones), Maxwell Koduah, (Environmental Health), Angela Seaward (Licensing Authority) . Richard Brown ( Westminster Citizens Advice representing, the Soho Society) and (Local Resident)

**FULL DECISION**

**Premises**

Dirty Bones  
Ground Floor  
14 Denman Street  
London  
W1D 7HJ

**Applicant**

Db Denham Limited

**Cumulative Impact Area?**

West End Cumulative Impact

**Ward**

West End

**Summary of Application**

The Sub-Committee has determined an application for a Variation of Premises Licence regarding the above Premises under the Licensing Act 2003 ("The Act"). The Premises operates as an American Restaurant and Cocktail Bar and is situated within the West End Ward and the West End Cumulative Impact Area. The Premises have had the benefit of a Premises Licence since September 2005 (Licence Number:19/16055). The Applicant seeks to vary the terminal hour for the sale of alcohol to 01:00 Monday to Saturday, subject to remaining ancillary to a table meal (no change Sunday), the terminal hour for late night refreshment and closing to 01:30 Monday to Saturday (no change Sunday) and remove conditions 9 (no Bar) and embedded restrictions at 12-14, with retention of New Year's Eve permission.

### **Proposed Activities and Hours**

No change save for the terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

### **Representations Received**

- Environmental Health (Maxwell Koduah)
- Metropolitan Police (PC Dave Morgan) (**withdrawn**)
- Licensing Authority (Angela Seaward)
- Jane Doyle (Soho Society)

### **Summary of issues raised by objectors**

- Environmental Health are of the view that the proposed removal of conditions can lead to an increase in public nuisance and may impact upon public safety within the CIA.
- The Licensing Authority would like model restaurant condition 66 imposed (and others) to ensure that the Premises is not drink led although it does run as a restaurant. If granted these conditions will provide clarity as to what the intended nature and style of the operation is.
- The Soho Society in essence have concerns regarding the removal of Condition 9 which would allow for a bar area and the extension of the terminal hour until 01:30 hours. They go onto state **"We believe another late-night Premises which closes at 01:30 would fail to promote the licensing objectives of the prevention of crime and disorder, prevention of public nuisance and public safety and will add negatively to cumulative impact. Considering all the issues raised within this representation we respectfully request this application is rejected"**.

### **Policy Position**

Policies CIP1, HRS1, PB2 and RNT2 apply under the City Council's Statement of Licensing Policy ("SLP"). There is no policy presumption to refuse a restaurant premises provided it does not add to negative cumulative impact.

## **SUBMISSIONS AND REASONS**

The Sub-Committee considered an application by Db Denman Ltd (The Applicant) for a variation of a Premises licence in respect of Ground Floor 14 Denman Street London W1D 7HJ.

The Presenting Officer introduced the application and advised that the Premises currently operates as an American restaurant and cocktail bar. The Applicant sought to vary both the terminal hours for both late night refreshment and the sale of alcohol and the removal of certain conditions, namely condition 9 to prevent a bar area and embedded conditions 12-14 with the retention of New Year's Eve. The Premises have had the benefit of a premises licence since September 2005. The Metropolitan Police withdrew their representation following the Applicant's confirmation to adopt Conditions. There were late representations from the Applicant and The Soho Society and these were circulated to all parties.

Mr Alun Thomas, Solicitor on behalf of the Applicant advised the Sub-Committee that an Application to vary the Licence had been made in order to commercialise on the 'post theatre' trade. The Sub-Committee was advised that the Premises was a good operator and no complaints had been received about its operational style during the past three years. The Premises was reported to have operated several Temporary Events Notice (TENs). There were no concerns raised about these events. Mr Thomas advised that the proposed variation would ensure that the Premises continues to remain commercially viable during the Government's social distance restrictions following the COVID-19 Pandemic. Mr Thomas advised that the bar area would remain a 'service bar' and that patrons would be permitted to consume food in this vicinity. Mr Thomas reminded the Sub-Committee that the Premises was a restaurant and was only required to demonstrate that it would not add negative cumulative impact as the policy presumption was to grant.

Maxwell Koduah on behalf of Environmental Health advised that there was no history of complaints regarding the Premises or concerns regarding its operational style. Mr Koduah advised that representation had been maintained as the hours sought for the sale of alcohol was beyond the core hours.

Angela Seaward, on behalf of the Licensing Authority advised that representation had been maintained as the hours sought was beyond the core hours and to ensure that the Premises does not become a 'drink led' establishment. Ms Seaward advised that Model Condition 61 had been agreed by the Applicant and would restrict the number of persons permitted at the bar to 12. The Sub-Committee was informed that the bar area was ancillary to the Restaurant and that the area was to be used as a 'holding bar'. Ms Seaward advised that the Sub-Committee needed to determine whether the Application should be considered under PB2 of the SLP.

Mr Richard Brown on behalf of the Soho Society raised concerns regarding the extended operational hours. The Sub-Committee was informed that there was a recurring pattern of establishments wishing to extend the hours of their licensable activities during the gradual easing of the lockdown due to the Covid-19 Pandemic. Mr Brown advised that Theatre Performance usually finished at 22:30 hours and that the Applicant should be able to cater to post-theatre patrons within their current hours. The Sub-Committee was advised that there were no concerns

over the Premises operational style. Mr Brown raised concerns over the cumulative impact and Anti-Social Behaviour during the extended hours and possible increase of similar applications being made by other establishments.

A local resident advised the Sub-Committee that potential cumulative impact during the extended hours should be taken into consideration. The resident advised that if the Sub-Committee are minded to grant the application then suitable Conditions should be imposed to ensure that the Licensing Objectives are met. There were no concerns expressed with regard to the Premises operational style.

Mr Thomas reiterated that the hours sought for licensable activities was for an additional 30 minutes. He highlighted that there were no history of complaints about the Premises or its operational style. The Sub-Committee noted that there had been no objections from any of the Residential Amenity Societies and that the Applicant had agreed to Conditions which would mitigate the concerns raised regarding cumulative impact and Anti-Social Behaviour.

Having carefully listened to all parties and consideration of the Agenda Papers the Sub-Committee granted the Application. The Sub-Committee noted that the Premises operated as a restaurant and that the bar area would be a 'service bar and the Premises would not be 'drink led'. The Applicant had agreed to reduce the terminal hour for the sale of alcohol and was to cater to the 'post theatre' trade. The Sub-Committee noted that the Premises was situated near to local theatres and the 'post theatre' crowd would be in the area during the mentioned hours and agreed that there would be no additional cumulative impact as a result. The Applicant had agreed to the Model Condition 66 (Restaurant Condition). The Sub-Committee also took in account the Policy Consideration requirements under PB2 of the SLP and noted that there was no requirement for the Applicant to demonstrate that their Application was an 'exception to policy'. The Sub-Committee noted that the Applicant was a good operator and had no history of complaints. For these reasons the Sub-Committee decided to grant the Application accordingly with Conditions. The Sub-Committee concluded that the Conditions imposed on the Licence are appropriate and proportionate and would have the overall effect of promoting the licensing objectives.

**The application is granted for the following activities and hours:**

1. To grant permission to vary the terminal hour for the sale of alcohol to 00:30 Monday to Saturday, subject to remaining ancillary to a table meal (no change Sunday).
2. To grant permission to vary the terminal hour for late night refreshment and closing to 01:00 Monday to Saturday (no change Sunday).
3. To grant permission to remove conditions 9, 12, 13 and 14 from the Licence but with the retention of New Year's Eve.
- .
4. To add conditions in the terms specified below.
5. That the varied licence is subject to any relevant mandatory conditions.

6. That the existing conditions on the licence shall apply in all respects except in so far as they are varied by this Decision.
7. That the varied licence is subject to the following additional conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

### **Conditions imposed by the Committee after a hearing**

8. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

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. There shall be no sales of alcohol for consumption off the premises after (23.00).
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

13. 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.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service
15. 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
16. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
17. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
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. All windows and external doors shall be kept closed after **23:00** hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
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.

If problems are experienced, then an application for a review of the Premises licence can be made.

**3 MR FOGG'S TAVERN, 58 ST MARTIN'S LANE, LONDON, WC2N 4EA**

**LICENSING SUB-COMMITTEE NO. 3**

*Thursday 23 July 2020*

Membership: Councillor Jacqui Wilkinson (Chairman) Councillor Barbara Arzymanow and Councillor Aicha Less

Legal Advisor: Horatio Chance  
Committee Officer: Georgina Wills  
Policy Officer: Aaron Hardy  
Presenting Officer: Michelle Steward

**Mr Fogg's Tavern 58 St Martin's Lane London WC2N 4EA**

**Application for a New Premises Licence [20/04235/LIPN]**

Present: Sarah Le Fevre Counsel, Andrew Wong and Marcus Lavell (Legal Representatives, Mr Fogg's Tavern), Charlie Gilkes & Duncan Stirling (Founders and Directors, Mr Fogg's Tavern), David Kaner, (Covent Garden Community Association). Richard Brown, (Westminster CAB) for Local Residents 1 and 2, Maxwell Koduah, (Environmental Health) and Angela Seaward (Licensing Authority)

**FULL DECISION**

**Premises**

Mr Fogg's Tavern  
58 St Martin's Lane  
London  
WC2N 4EA

**Applicant**

St Martin's Lane Bar Limited

**Cumulative Impact?**

West End

**Ward**

St James's

**Summary of Application**

The Committee has determined an application for a New Premises Licence under



the Licensing Act 2003 (“The Act”). The Applicant intends to operate the Premises as Lounge and Bar. The Premises have had the benefit of a licence: 19/07667/LIPDPS since 2005 which remains in place. The Applicant seeks licensable activities for Films (Indoors) Recorded Music (Indoors), Late Night Refreshment (both) and the sale of alcohol both on and off the Premises with hours beyond core. The Premises will operate as a restaurant on both ground and first floors after 23:30 hours each day where customers are required to consume alcohol as part of a table meal. The Premises are located within the West End area of Cumulative Impact.

### **Proposed Activities and Hours**

#### **Films and Recorded Music**

Monday to Saturday 10:00 to 01:00 hours  
Sunday 12:00 to 00:00 hours

#### **Late Night Refreshment On and Off the Premises**

Monday to Saturday 23:00 to 01:00 hours  
Sunday 23:00 to 00:00 hours

#### **Supply of Alcohol On and Off the Premises**

Monday to Saturday 10:00 to 01:00 hours  
Sunday 12:00 to 00:00 hours

#### **Hours Open to the Public**

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

#### **Representations Received**

- Environmental Health (“EH”) - Maxwell Koduah,
- The Metropolitan Police - PC Brian Hunter
- The Licensing Authority – Ms Angela Seward
- Two local residents
- Covent Garden Community Association (“CGCA”).

#### **Summary of issues raised by objectors**

- EH are of the view that the licensable activities applied for can lead to an increase in public nuisance and may impact upon public safety within the CIA.
- The Licensing Authority have concerns amongst other things that the application exceeds core hours and that Paragraph 2.5.23 of the Statement of Licensing Policy advises that the licensing authority considers the grant of variations and new licences for pubs and bars in the cumulative impact area should be limited to exceptional circumstances.

- The CGCA have concerns with the terminal hour in that it could lead to an increase in public nuisance. The first local resident objector raises similar concerns in relation to public nuisances and wishes the hours for the premises to be kept within the core hours policy.
- The second local resident objector on the other hand states that I support extending the hours for Mr. Foggs Tavern for recorded music and films and the sale of alcohol / refreshments, BUT only until 12 midnight on Sundays through Thursday evenings (1am is okay for Fridays and Saturdays). St. Martins Lane and New Row have numerous residents living above the shops. The noise from people departing the tavern at 1am will impact residents as sounds echo between the tall buildings. As a city dweller, we expect a degree of noise but would like to limit this during the week where people have to work the next day”.

### **Policy Position**

Policies CIP1, HRS1 and PB2 apply under the City Council’s Statement of Licensing Policy (“SLP”). The Premises are located in the West End Area of Cumulative Impact and must therefore demonstrate an exception to policy.

### **SUBMISSIONS AND REASONS**

The Sub-Committee considered an application by St Martin's Lane Bar Ltd (The Applicant) for a New Premises Licence in respect of 58 St Martin's Lane London WC2N 4EA.

Ms Michelle Steward the Presenting Officer introduced the application and advised that the Premises currently operates as a restaurant. The Applicant intends to operate the Premises as a Lounge and Bar. A New Premises Licence is sought to provide licensable activities for Films (Indoors) Recorded Music (Indoors), Late Night Refreshment (both) and the sale of alcohol both on and off the Premises with hours beyond core. The Premises will operate as a restaurant on both ground and first floors after 23:30 hours each day where customers are required to consume alcohol as part of a table meal. The Premises have had the benefit of a licence since 2005 which remains in place. The Premise is situated in the St James Ward and is located within the West End area of Cumulative Impact (CIA). The Metropolitan Police withdrew their representation following the Applicant’s confirmation to adopt Conditions.

Sarah Le Fevre, Counsel on behalf of the Applicant advised the Sub-Committee that the Applicant was a small specialist operator who was committed to London in particular the Covent Garden Area and the London Theatreland. Ms Le Fevre advised that the Premises was themed around the literature character Phileas Fogg from the novel ‘Around the World in 80 days’. The Premises has been in receipt of awards and has hosted a number of talks from notable persons from the creative industry. The Premises was reported to have operated several Temporary Events Notice (TENs) and there were no concerns raised about these events. Ms Le Fevre stated that the restrictions during the Covid-19 Pandemic had had a detrimental effect on the business and this had resulted in considerable redundancies and a

reduced profit margin. Ms Le Fevre advised that the Application had been made to ensure that the Premises remains commercially viable and recovers from the current economic downturn. The Applicant was reported to be a good operator and be a contributor to the recovery of the West End.

Ms Le Fevre advised that Model Restaurant Condition (MC66) would apply during the extended hours and that the Application fell under Policy RNT2 of the SLP. The Sub-Committee noted that there would be no re-entries after a certain hour and that dispersal from the Premises would be gradual. Ms Le Fevre advised that several proposed Conditions had been accepted and commented that the Police Condition which required for two SIA Staff Members to be present after 22:00hrs (until 30 mins past close on Thursday, Friday and Saturday) would be acceptable if the Licence was granted for both floors. This number should be reduced for the 1<sup>st</sup> Floor only if the Sub-Committee was minded to grant the application. Ms Le Fevre commented that the Licence could be 'time limited' as an option.

Duncan Stirling, Founder and Director, Mr Fogg's Tavern advised that the Premises was established in 2015 and its interior was based on the mentioned literature character and was decorated in the style of 'Victorian Splendour'. Mr Stirling advised that he operated seven Licence Premises in the City of Westminster and that this particular Application had been made in order to address the effects of the Covid-19 Pandemic. The Sub-Committee was advised that a 'time limited' could be considered and a period no less than two years would be preferred. He advised that it was aimed for the Premises to attract regular customers back to the Premises and survival for the business. In response to questions from the Sub-Committee, Mr Stirling advised that several Temporary Event Notices have been operated and these events terminated at 22:00 hours. There were no complaints received or recorded incidents in relation to these TENs.

Following questions from the Sub-Committee, Mr Stirling advised that the Government's guidelines regarding social distancing would be adhered to and that last entry into the Premises would be 00:00 hours. Due to the social-distance requirements the number of patrons permitted in the Premises has been reduced. At current the capacity for the First floor is 50 on the Ground floor it was estimated that 40 patrons could be seated. The capacity for both floors would need to be reconsidered during the social- distance requirements. Mr Stirling advised that MC 66 would apply to both floors after 23:30hours and that alcohol would be ancillary to food after this hour. The Sub-Committee noted that the showing of films was in the current Licence but was not part of the business Plan. Mr Stirling advised that the new Licence would be a personal Licence and that a proposed condition had been offered in this respect.

Maxwell Koduah, appearing on behalf of Environmental Health, advised the Sub-Committee that the Premises had an 'operational bar' and that MC66 would apply after 23:30 hours. Mr Koduah advised that the Ground Floor would need to be transferred into a restaurant after 23:30 hours. He confirmed that the capacity on the first Floor was 50 and that there was no capacity limit on the Ground Floor. The Sub-Committee noted that bars capacities was based on their risk assessment and this was usually up to 95. This number would be reduced due to the Covid-19 Pandemic. He commented that a capacity limit should be made for the Ground Floor

after 11:30 hours. Mr Koduah advised that a time limit on the Licence should also be imposed. The Applicant was reported to have submitted a Dispersal Policy and Smoking Policy and this was noted by the Sub-Committee. Mr Koduah advised that representation had been maintained due to risk of public nuisance and the impact upon public safety within the CIA.

In response to questions from the Sub-Committee Mr Stirling advised to ensure staff member can transfer the ground floor area into a restaurant after 23:30 hours, patrons would be informed about timings in advance. He confirmed that the business is currently exploring Apps which enables patrons to be informed about timings and also place their orders. The Sub-Committee was advised that all external seating would be rendered at 23:00 hours and be waited.

Angela Seaward, appearing on behalf of the Licensing Authority advised that representation had been maintained as the hours sought were beyond the core hours. Ms Seward stated that variations and new licences for pubs and bars in the cumulative impact area should be limited to exceptional circumstances. Ms Seaward advised that the Applicant needed to demonstrate that the Premises would not add to cumulative impact and whether the Sub-Committee should depart from the policy requirements of PB2.

Mr Richard Brown, appearing on behalf of Selwyn Hardy and residents commented that there were no concerns with the operational style of the Premises. He informed that the nearest residential properties were located 50 meters from the Premises and that there were several private dwellings in the vicinity. Mr Brown raised concerns over the terminal hour sought by the Applicant and how the conversion from a bar to a restaurant after 23:30 hours would be managed. There were also concerns on how patrons would be dispersed from the Premises during the extended hours. Mr Brown advised that a time limited Licence would be welcomed and should in his view be limited to the Covid-19 Pandemic recovery and not the proposed two years as had been intimated. He advised that the capacity of the Premises should be limited. Mr Brown commented that Conditions for a SIA staff members to be employed and for a Dispersal Policy to be put in place should also be imposed. There were concerns that the Application would act as a catalyst for other Establishment to apply for similar Licences.

David Kaner, Covent Garden Community Association (CGCA) advised that discussions with the Applicant had taken place over a period of several years and these consultations had been beneficial. Mr Kaner advised that the nearest residential property was located 50 meters from the Premises. He advised that that a Capacity should be set for the Premises and Conditions which required for a SIA staff member, Operational Management Plan and a 'robust' Dispersal Policy should be imposed. Mr Kaner advised that the main primary concerns were related to the operation of the Ground Floor of the Premises. He commented that the Licence should be time limited and be reflective of the Covid-19 recovery.

Mr Koduah advised that a Dispersal Policy and Smoking Policy would mitigate concerns regarding public nuisance. He commented that a capacity limit of 50 (excluding staff) should be made for the Premises after 11:30 hours.

Mr Brown advised that the Licence duration should be 'time limited' and be reflective

of the Government's timetable for the Covid-19 recovery.

Ms Le Fevre advised that a Condition which limited the Premises Capacity to 50 after the core hours would be accepted and that the Applicant would continue to liaise with residents and Residential Amenity Societies so as to maintain a fruitful dialogue. She advised that there would be no off sales after 23:00 hours and once again confirmed that the Applicant would agree for the Licence to be time limited. Ms Le Fevre advised that the current Licence would not be surrendered by the Applicant.

Mr Charlie Gilkes, Founder and Director Mr Fogg's Tavern, advised the Sub-Committee that the Application had been made due to the economic downturn following the Covid-19 Pandemic and to ensure that the Premises remains commercially viable. The extension of the Premises operational hours had been sought in order to achieve this. Mr Gilkes advised that his Business had survived the economic downturn which occurred in 2009 and the current pandemic had reduced sales by some 85%. Mr Gilkes stated that there were a number of fixed costs involved with operating the Premises and that these levies had not been reduced during the 'lock down'. Mr Gilkes advised that all alcohol would be ancillary to a meal after 23:30 hours. Mr Gilkes advised that the Premises had been in receipt of several awards and stressed the importance of supporting the recovery of the Restaurant industry.

The Sub-Committee having carefully listened to all parties and consideration of the Agenda Papers granted the Application. The Sub-Committee has a duty to consider each application on its individual merits. It noted the Applicant was a good operator and acknowledged how the economic downturn during the Covid-19 Pandemic had had a detrimental effect on the Premises. The Sub-Committee noted that the Application had been solely made to ensure that the business continues to remain commercially viable. The Sub-Committee was persuaded by the compelling arguments put forward by Ms LeFevre in her submissions as to why the application should be granted and considered an exception to policy. The Sub-Committee considered the representations made by local residents and concluded that the concerns raised in respect of public nuisance would be mitigated by the conditions imposed on the Licence, particularly those conditions that relate to a last entry time, CCTV and SIA door staff during the applicable times. The Sub-Committee noted that after 23:00 hours all drinks would be ancillary to food with waiter and waitress service. The Sub-Committee included a Condition which would limit the capacity of the Premises to 50 after 23:30 hours and restricted the Licence for a period of two years only. The Sub-Committee agreed this period was appropriate and proportionate in all the circumstances of the case to ensure that the Premises adapts and remains viable and that the time limitation would meet the test for an exception to policy and that the conditions imposed would have the overall effect of promoting the licensing objectives.

**The application is granted for the following activities and hours:**

1. To grant permission for Films and Recorded Music Monday to Saturday 10:00 to 01:00 hours Sunday 12:00 to 00:00 hours.

2. To grant permission for Late Night Refreshment On and Off the Premises Monday to Saturday 23:00 to 01:00 hours Sunday 23:00 to 00:00 hours.
3. To grant permission for the Sale of Alcohol On and Off the Premises Monday to Saturday 10:00 to 01:00 hours Sunday 12:00 to 00:00 hours.
4. To grant permission for the Hours the Premises are Open to the Public Monday to Saturday 10:00 to 01:30 hours Sunday 12:00 to 00:30 hours.
5. That the Licence for the additional hours granted past core hours for licensable activities is to be time limited to a period of two years as specified in the condition below.
6. That the capacity limit for the Premises shall be set a maximum of 50 persons as per the times specified in Condition 12 below.
7. That the Licence is subject to any relevant mandatory conditions.
8. That the Licence is subject to the following additional conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

#### **Conditions imposed by the Committee after a hearing**

1. 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.
2. 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.
3. 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.
4. After 23:30 Monday to Thursday, 00:00 on Friday and Saturday and 22:30 on Sundays (00:00 Sundays before bank holidays), the maximum number of persons permitted on the premises at any one time shall not exceed 50 persons (excluding staff).
  5. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
  6. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
  7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
  8. 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 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.
  9. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
  10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
  11. 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.
  12. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
  13. The provision of films shall be incidental to other licensable activities and there shall be no cinema style showing of films.
  14. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be of durably or inherently flame, retarded fabric.

15. The hours for licensable activities and opening times may be extended from the end of permitted hours on New Year's Eve to the beginning of the permitted hours on New Year's Day.
16. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised so as to ensure that there is no public nuisance or obstruction to the public highway. A written queuing policy shall be in place and kept for inspection at the premises. This policy will control people entering the premises so as to cause minimal impact on the area.
17. On the first floor, the Service of alcohol shall only be by waiter/waitress service.
18. A dispersal policy shall be implemented which directs customers away from nearby residential premises as quickly and swiftly as possible. The Policy shall include the requirement that when the premises are open after Midnight an additional member of staff shall be available on the ground floor to ensure that this happens. The Licence Holder will consult with local residents and the Licensing Authority on this Policy and is required to meet their reasonable requirements.
19. A Smoking policy shall be implemented which will ensure they cause minimal impact on the local area. Such policy shall be available for inspection.
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. All windows shall be kept closed after 23.00 hours, or at any time when regulated entertainment takes place.
22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
24. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. No deliveries to the premises shall take place between 20:00 and 08:00 hours on the following day.
26. 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

27. There shall be a minimum of (1) SIA licensed door supervisors after 22:00 hours until 30 mins past close on Thursday, Friday and Saturday. At all other times the management must complete a written risk assessment to be kept at the venue and made available on request of Police or authorised officials from Westminster City Council.
28. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests or distinctive uniform that is easily identifiable (e.g. butlers uniform/top hat/tails). SIA must wear the approved SIA registered identification.
29. After 23:30 hours on Monday to Thursday; 00:00 hours (midnight) on Friday & Saturday and 22:30 hours on Sunday, the supply of alcohol on 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.
30. Last entry to the Premises shall be 00:00.
31. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
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. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
34. 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.
35. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
36. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
37. 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.
38. After 23:00 hours, 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. The licence only has effect whilst the premises are trading as “olde-worlde” style Victorian tavern with welcoming publicans and friendly waiters and waitresses unspoilt by modernity”.

40. No licensable activities shall take place at the premises after 2 years from the date of grant unless this condition is otherwise removed or varied by a subsequent variation application.

If problems are experienced, then an application for a Review of the Premises Licence can be made.

The Meeting ended at 5.30 pm

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_