



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** held on **Thursday 14th January, 2021**, MS Teams Meeting.

Members Present: Councillors Heather Acton, Susie Burbridge and Aziz Toki

1. MEMBERSHIP

1.1 There were no changes to the membership.

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3. LICENSING APPLICATIONS FOR DETERMINATION

4. BASEMENT AND GROUND FLOOR, 10 HENRIETTA STREET, LONDON WC2E 8PS

WCC LICENSING SUB-COMMITTEE NO. 1

Thursday 14th January 2021

Membership: Councillor Heather Acton (Chair), Councillor Susie Burbridge and Councillor Aziz Toki

Officer Support: Legal Advisor: Vivienne Walker
Policy Officer: Kerry Simpkin
Committee Officer: Tristan Fieldsend
Presenting Officer: Jessica Donovan

Application for a New Premises Licence 20/08977/LIPN
Full Decision

Premises

Basement and Ground Floor
10 Henrietta Street
London
WC2E 8PS

Applicant

Capital & Counties Cg Ltd and Capital & Counties Cg Nominee Ltd
Represented by Alun Thomas (Thomas and Thomas)
Chris Denness (Applicant Company)
Nick Zuppar (Tenant and Operator)

Cumulative Impact Area?

West End Cumulative Impact Area

Ward

St James's

Summary of Application

The Committee considered an application for a new Premises Licence under the Licensing Act 2003 ("the Act"). The Premises intended to operate as a bistro with external seating.

The Premises are located within the West End Cumulative Impact Area.

Proposed Activities and Hours

[Retail Sale of Alcohol \[On and Off Sales\]](#)

Monday to Thursday 10.00 to 23.30
Friday to Saturday 10:00 to 00:00
Sunday 12:00 to 22:30

Seasonal Variations/Non-Standard Timings:

Off sales restricted to 10:00 to 23:00 Monday to Saturday and 12:00 to 22:30 Sunday. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays prior to bank holidays/public holidays extended

to 00:00. An additional hour to the standard and non-standard times on the day British Summertime commences.

Late Night Refreshment [Indoors]

Monday to Thursday 23:00 to 23:30

Friday to Saturday 23:00 to 00:00

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 23:00 to 00:00. An additional hour to the standard and non-standard times on the day British Summertime commences.

Hours premises are open to the public

Monday to Thursday 10.00 to 23.30

Friday to Saturday 10:00 to 00:00

Sunday 12:00 to 22:30

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays extended to 00:00. An additional hour to the standard and non-standard times on the day British Summertime commences.

Representations Received

- Metropolitan Police (PC Nicole Sondh)
- Environmental Health ("EH") (Sally Fabbriatore)
- Licensing Authority (Michelle Steward)
- The Covent Garden Community Association
- Two local residents objecting to the application

Summary of issues raised by objectors

- The application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.
- Residents would be impacted through an increase in public nuisance due to the noise of people arriving and leaving late in the evening in addition to late night rubbish collections and general servicing.
- The style of operation outlined in the application was ambiguous and events for regulated entertainment had the potential to permit a bar-led operation allowing customers to drink alcohol without any food. This would impact

negatively on the residents living in the vicinity and change the nature of the area even further.

Policy Position

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, COMB1, PB2 and RNT1.

DECISION

Having considered all the submissions made by all parties, the Licensing Sub-Committee decided to grant the application subject to amended conditions and an amendment to the hours requested.

The Sub-Committee heard a description of the proposal from Mr Thomas, representing the applicant. The Sub-Committee was advised that the idea of the Premises was to provide a low-key, live music environment to showcase young classical/jazz musicians. The provision of alcohol was ancillary to the Premises operating as a performance venue and/or restaurant. It was confirmed that the regulated entertainment aspect of the proposals had been withdrawn and no residential properties were located above the venue. In terms of the Council's Statement of Licensing Policy, RNT1 made reference to operations which did not fit the entire definition of a policy should be considered to the policy that most closely related to that operation. In this case the Premises operation most closely related to a restaurant. In addition, the Policy stated that the Council wished to see a more diverse range and variety of uses late at night which these proposals would help provide. Mr Thomas highlighted the Applicant's extensive experience of operating premises within Covent Garden and the positive impact they had on the area.

Mr Thomas advised that the key issue with the application was not whether to refuse it but what conditions should be placed on the licence. Licensable activities would be restricted to core hours and alcohol may only be sold to persons either, a) attending a ticketed event before 23:00; b) attending a private pre-booked event which if operating after 23:00 would limited to 50 per year; and c) to those customers seated taking a table meal with waiter/waitress service. A condition had been agreed requiring any external tables and chairs to be rendered unusable after 23:00 along with conditions protecting residents from any potential nuisance issues which would help provide reassurance that the application was suitable for the local area. In response to questions it was explained that the food offer would be cooked off site and then prepared at the Premises, therefore not requiring the installation of a kitchen area.

PC Sondh, representing the Metropolitan Police, highlighted that as the Premises was located within a Cumulative Impact Area (CIA) the application as presented would not promote the licensing objectives under the prevention of crime and disorder licensing objective. There were traditionally high levels of crime and disorder within that locality and the Police had concerns that the application would cause further policing problems in an already demanding area. Further concern was raised over the ambiguity of the style of operation. The Premises had been

described as a restaurant, but the application would permit those customers watching a performance to consume alcohol on the Premises without taking a meal therefore allowing it to operate as a bar.

Ms Steward, representing the Licensing Authority, advised the Sub-Committee of the relevant policy considerations relating to the application. It was confirmed that the regulated activities sought would adhere to the core hours policy. The Premises was located within a CIA however and it was for the applicant to explain how the operation would not add to cumulative impact.

Mrs Fabbriatore, representing Environmental Health, advised that it had concerns over how the application, as presented, would have the likely effect of causing an increase in public nuisance in the CIA and may impact on public safety. In terms of public safety, following discussions with the applicant a condition had been agreed restricting the capacity of the Premises to 150 persons subject to the appropriate works condition. Regarding the public nuisance licensing objective, it was not deemed appropriate to add conditions requiring the installation of a sound limiter or sound lobby but a condition restricting when deliveries could take place to the Premises was deemed necessary.

Mr Brown of the Citizens Advice Bureau, representing one local resident and the Covent Garden Community Association, addressed the Sub-Committee. It was stressed that the key area of concern for local residents living in the local area was that with this application the balance of the street was becoming focused on licensed premises. The Police had raised a concern over the ambiguity of the operation and whether the Premises would operate as a bar, restaurant or performance venue. The proposed conditions meant that the 'table meal' element of the licence would seem to be subsidiary to the non-table meal element. In effect, a bar with regulated entertainment would be permitted until 23:00, and for 50 occasions per year until midnight. Mr Brown advised that this was contrary to the relevant sections of the SLP and was likely to harm the licensing objectives. In addition, the Sub-Committee was advised that up to 120 customers leaving 10 Henrietta Street as late as midnight would be deleterious to residents in being, firstly, an additional licensed premise; and secondly, creating an impact long after any additional impact from 15 Henrietta Street had dissipated.

A local resident addressed the Sub-Committee and expressed concern that the residential nature of Henrietta Street was being gradually changed to one where there were significant numbers of licensed premises. This was to have the likely effect of increasing public nuisance through the noise impact of people arriving and leaving the area later in the evening, to the detriment of local residents' amenity.

A representative from the Covent Garden Community Association (CGCA) advised that an additional licensed premises on Henrietta Street would add to cumulative impact in the local area. The CGCA was not seeking a refusal of the application but sought a reduction in the opening times applied for. Concern was also expressed that the Premises would be able to operate as a bar with live music without the consumption of alcohol being ancillary to taking a meal.

In response to several of the concerns raised Mr Thomas confirmed that when ticketed or pre-booked events were not in operation model condition 66, the full

restaurant condition, could apply to the licence ensuring the sale of alcohol was ancillary to taking a table meal. The Council's Policy Adviser also provided a detailed clarification on the policies which would be applicable for such a premises.

Mr Thomas confirmed that under the SLP the Premises could be classified as a restaurant and was content for the proposed conditions to be amended accordingly so that it was clear it would operate as a restaurant with a performance element. As the Premises aimed to promote grassroot musicians it was requested that customers be able to purchase tickets for these events at the door in order to provide a degree of flexibility to make the operation viable. Finally, the Sub-Committee was advised that the application would promote the licensing objectives with fifty conditions proposed to ensure that this was the case.

The Sub-Committee considered the application carefully and noted that the Premises was located within a Cumulative Impact Area. Concern was expressed that as presented the application would allow the Premises to function as a bar when ticketed performances or private pre-booked events were taking place. This would have the likely effect of undermining the licensing objectives and increasing cumulative impact in the local area. Therefore, to provide reassurance to residents that the primary purpose of the Premises was to operate as a restaurant the proposed condition relating to the sale of alcohol would be amended to reflect this. This would ensure there was clarity regarding how the Premises would operate and restrict the sale of alcohol to those customers taking a table meal. This was considered appropriate due to its location in a CIA and the need to protect local residents living in close proximity. This amendment to the conditions would not prevent live performances from taking place but would ensure there were sufficient protections in place regarding the sale and consumption of alcohol. In addition, the proposal to allow fifty private events per year operating after 23:00 was removed as this would permit the Premises to operate as a bar and have the obvious effect of impacting negatively on the licensing objectives. The applicant would still have the option to apply for Temporary Event Notices if it desired to hold any events beyond its permitted hours. The hours applied for were also carefully considered. The applicant had applied for core hours for regulated activities with an additional thirty minutes to allow people to finish their drinks. As the Premises was located within a CIA the Sub-Committee felt it was appropriate to align both the opening hours and the hours permitting regulated activities to core hours. This would offer residents further protection and minimise the impact of the Premises on the local area.

Therefore, having taken into account all the evidence (with consideration being given to the representations received from local residents), the Sub-Committee was satisfied that subject to the amendments to the conditions and hours detailed above the amended application was suitable for the local area and addressed the concerns raised. The conditions were considered restrictive enough to ensure that it promoted the licensing objectives and would allay the concerns raised by local residents. The Sub-Committee therefore granted the amended application accordingly.

The application is granted as follows:

Retail Sale of Alcohol (On Sales):

Monday to Thursday: 10:00 to 23:30 hours
Friday to Saturday: 10:00 to 00:00 hours
Sunday: 12:00 to 22:30 hours

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays prior to bank holidays/public holidays extended to 00:00. There shall be an additional hour to the standard and non-standard times on the day when British Summertime commences.

Retail Sale of Alcohol (Off Sales):

Monday to Saturday: 10:00 to 23:00 hours
Sunday: 12:00 to 22:30 hours

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays prior to bank holidays/public holidays extended to 00:00. There shall be an additional hour to the standard and non-standard times on the day when British Summertime commences.

Late Night Refreshment [Indoors]

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

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 23:00 to 00:00. There shall be an additional hour to the standard and non-standard times on the day when British Summertime commences.

Opening Hours:

Monday to Thursday 10:00 to 23:30
Friday to Saturday 10:00 to 00:00
Sunday: 12:00 to 22:30 hours

Seasonal Variations/Non-Standard Timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays extended to 00:00. There shall be an additional hour to the standard and non-standard times on the day when British Summertime commences.

The application is granted subject to the following conditions in addition to the Mandatory conditions applicable to this type of application:

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 points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
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 are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. 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.
14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
15. No deliveries to the premises shall take place between 23:00 and 08:00 on the following day.
16. All tables and chairs shall be removed or rendered unusable from the outside area by 23:00 each day.
17. The sale and supply of alcohol for consumption off the premises shall be restricted to sealed containers or alcohol consumed by persons who are

seated in an area appropriately authorised for the use of tables and chairs on the highway.

18. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
19. Unless otherwise agreed with the Council, a minimum of 7 working days' notice shall be given by the Environmental Health Consultation Team when there is a change to the theatrical production.
20. The licensable activities authorised by this licence are subject to the primary use of the premises continuing to be that of a restaurant and the sale and consumption of alcohol being ancillary to the use of the premises as a restaurant.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
23. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system or searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fireworks
 - firearms
 - lasers
 - explosives and highly flammable substances
 - real flame

- strobe lighting
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
 26. 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.
 27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
 28. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
 29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
 30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
 31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
 32. The operators of the business and/or the licensees shall ensure that any capacity limits set for the premises are properly monitored at all times and recorded hourly. Information regarding the capacity shall be given to an authorised officer or Police Officer on request.
 33. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
 34. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
 - Ceiling
 35. All materials used in finishing and furnishing the premises should, as far as it reasonably practicable, be selected so as to be difficult to ignite and provide a low surface spread of flame and low rates of heat release and smoke emission.

36. 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.
37. Save for persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway, 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.
38. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
39. The stage located on the ground floor when not in use shall be used to provide further seating for patrons to sit and have a meal.
40. The premises shall be laid to tables and chairs at all times as shown in the plans, save for the stage area.
41. A host shall be provided at the entrance of the premises as to monitor/control the number of people in and out of premise and ensure that the maximum capacity is not exceeded.
42. 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 the meal. For the avoidance of doubt substantial table meal means a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purpose of a table.
43. Alcohol shall only be supplied to patrons at the bar who are waiting to be seated for a table meal.
44. The sale and supply of alcohol for consumption off the premises shall be restricted to:
 - a. alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only; or
 - b. in sealed containers and not consumed on the premises.
45. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.

46. 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.
47. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 20.00 hours and 08.00 hours.
48. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
49. No deliveries to the premises shall take place between 20:00 and 08:00 on the following day.
50. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
51. 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.
52. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited.

For the purpose of this section:

'Directly' means employ, have control of or instruct.

'Indirectly' means allowing / permitting the service of or through a third party.

53. A dispersal policy to be implemented for the premises as follows: The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal.
54. No licensable activities shall take place at the premises until the works have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
55. Before the premises are opened to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

56. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. The capacity of the premises shall be limited to a maximum of 150 persons.

5. STAR SPORTS, 357 HARROW ROAD, LONDON W9 3NA

WCC LICENSING SUB-COMMITTEE NO. 1

Thursday 14th January 2021

Membership: Councillor Heather Acton (Chair), Councillor Susie Burbridge and Councillor Aziz Toki

Officer Support: Legal Advisor: Vivienne Walker
Policy Officer: Kerry Simpkin
Committee Officer: Tristan Fieldsend
Presenting Officer: Jessica Donovan

Application for a New Premises Licence 20/08158/LIGN
Full Decision

Premises

Star Sports
357 Harrow Road
London
W9 3NA

Applicant

Star Sports (On Course) Ltd
Represented by Philip Kolvin QC
Russell Candler (Managing Director of Applicant Company)
Matthew Davies (Head of Retail for Applicant Company)
Joe Monaghan (Trainee Legal Advisor of the Applicant Company)
Adrian Studd (Independent Licensing Consultant)
Nick Arron (Partner at Poppleston Allen Solicitors)
Felix Faulkner (Trainee Solicitor at Poppleston Allen Solicitors)

Cumulative Impact Area?

Not in a Cumulative Impact Area

Ward

Harrow Road

Summary of Application

The Premises intended to operate as a Betting Shop. The Premises are located in Harrow Road Ward and are not within the Cumulative Impact Area.

Proposed Activities and Hours

[Hours premises are open to the public](#)

Monday to Saturday 08.00 to 22.00

Sunday 08.30 to 22.00

Representations Received

- Metropolitan Police (PC Bryan Lewis) – Now Withdrawn
- Licensing Authority (Kevin Jackaman)
- Six local residents objecting to the application
- Councillors Ruth Bush, Guthrie McKie and Tim Roca (Harrow Road Ward Councillors objecting to the application)

Summary of issues raised by objectors

- The application would not benefit the local area and had the potential to increase anti-social behaviour and crime in the locality.
- The area had a high proportion of vulnerable families or individuals living within it and these would be put at increased levels of risk through the opening of an additional betting shop in the location.
- Given the close proximity of the premises to schools and faith groups the application was within a very sensitive location.

Policy Position

The various policy points had to be considered, namely OBJ1, OBJ2, OBJ3, BET1 and LOC1.

DECISION

Having considered all the submissions made by all parties, the Licensing Sub-Committee decided to grant the application subject to amended conditions.

Mr Kolvin, representing the applicant, advised the Sub-Committee that his clients were licensed by the Gambling Commission, were experienced and competent operators who were considered senior figures within the industry and that the Premises had operated as a licensed betting venue since 1981. The Sub-Committee was advised that two other betting establishments in the local area had no betting conditions on their licences which was the opposite of what this application proposed which would contain 37 stringent conditions. This would afford greater protections and make it a low risk application.

Mr Kolvin acknowledged that in 2015 the Premises had been subject to a review when it operated under William Hill. Following the review, a set of conditions were imposed on the Premises resulting in no enforcement action being taken against the establishment during the following four year period until William Hill vacated the Premises. Concerns had been raised that if the application was granted the same problems would emerge, but the applicant had offered a detailed set of conditions to ensure this would not be the case. Important factors to consider included:

- Conditions proposed to prevent street drinking were considered sufficient to address Police concerns resulting in the withdrawal of their representation.
- William Hill had shown that issues could be resolved through good management.
- Improved physical measures would be implemented including the relocation of the staff counter and CCTV installed outside the Premises.
- The Premises would be double staffed allowing one member of staff to supervise customers on the shop floor.
- Conditions preventing issues arising outside the Premises would be imposed, which went beyond what other operators in the locality currently had.
- The Head of Retail for the applicant company would be present on the Premises for the first four weeks of its operation to ensure the appropriate procedures were in place.
- Street drinking levels in the area had reduced over recent years which was evidenced through the smaller number of representations received to this application.

Mr Kolvin explained that crime levels in the local area had reduced in recent years and there was no evidence to suggest that a gambling premises was likely to exacerbate any of these issues. The protection of children and vulnerable people was taken very seriously by the applicant and this explained why the licence would have a set of very stringent conditions attached to it. No one underage would be permitted into the Premises and there was also no evidence underage gambling was an issue in the locality. The applicant was a small, very experienced operator, whose application was heavily controlled to ensure it would benefit the local area.

Mr Jackaman, representing the Licensing Authority, provided an overview of the policy considerations the Sub-Committee would need to take into account when deciding if it was to grant the application. Under policy LOC1 the locality of the area where the Premises would operate could be considered as sensitive with the potential for exposing children, young people or other vulnerable persons to gambling. The Premises, when operated by William Hill, also had a significant history

of issues which resulted in a review of its licence taking place. Therefore, there was a concern that granting the application could result in these issues arising once more. It was acknowledged that the Police had withdrawn their representation and it was for the Sub-Committee to decide if the application promoted the licensing objectives.

Councillor Ruth Bush addressed the Sub-Committee in her role as Harrow Road Ward Councillor. Cllr Bush explained that Harrow Road was a very sensitive area which had improved in recent years due to the hard work of residents and local organisations. These efforts however were at risk of being undermined through the opening of another gambling premises in the locality. The local area had within it many vulnerable people and children and this application had the potential to impact negatively on their wellbeing. It risked increasing levels of crime and disorder on Harrow Road and it was requested that the application be refused. It was recognised that the applicant had offered a significant range of conditions to mitigate any issues though and if the Sub-Committee was minded to grant the application it was asked that a) the operating hours be reduced and b) conditions be amended to ensure Ward Councillors would be provided with a telephone number and email address of the Premises designated Police and Community Liaison Officer.

In response to questions raised Mr Kolvin confirmed that staff would be trained on local issues and vulnerabilities and was hopeful these staff would come from the local area. The Premises would have a designated Police and Community Liaison Officer and contact would be made with local agencies to address any concerns they had. It was noted that contact had not yet been made with hostels based in the vicinity, but this would be undertaken by the applicant. In addition, there would be no cashpoint located in the Premises which would also be double staffed to ensure there were greater protections throughout the shop. It was advised that an SIA staff member present on the door was not deemed necessary but to provide reassurance it was suggested a review of the Premises could take place after an agreed period from when it opened to assess if one was required. The applicant was also willing to set up a Betwatch scheme in the local area. In terms of the hours requested these were actually already within the default hours for betting shops and shorter than those for the other two betting establishments based in the local area. Combined with the extensive set of conditions proposed for the application this would ensure that there would be no increase in crime and disorder in the local area. Staff employed would be experienced and trained in what the local issues and vulnerabilities were with a commitment to ongoing dialogue with local residents, Councillors and local organisations to ensure no potential issues arose.

The Sub-Committee considered the application carefully and noted that the Police had withdrawn their representation indicating that the agreed conditions had led to reduced concerns over the operation. Important factors also considered included the proposal to ensure double staffing at the Premises so one member of staff could patrol the shop floor, the extensive experience of the operator and the requirement for all staff to have a minimum of 6 months experience working in a licensed betting office. The applicant also had a good understanding of the local issues which had been experienced by the Premises previously under a different operator and was encouraged by the commitment to engage with local residents and organisations. The applicant's commitment to become active members of the local community based crime prevention scheme (Betwatch) in order to share information about anti-

social behaviour and problematic customers in the area and to work in partnership with the Responsible Authorities and Gambling Operators so as to create a safer gambling environment and reduce crime and disorder in and around gambling premises was welcomed. This provided reassurance to the Sub-Committee that despite the sensitivity of the local area the Premises was unlikely to undermine efforts to improve the locality and had enough protections in place to ensure children, young people or other vulnerable persons were not put at risk. To provide further reassurance for local residents the Sub-Committee amended several conditions. This included the undertaking of a risk assessment of the Premises after 6 months, a requirement for a monitor showing CCTV images to be placed above the staff counter and the strengthening of a condition requiring two members of staff to be present on the Premises at all times. Therefore, having taken into account all the evidence (with consideration being given to the representations received from local residents), the Sub-Committee was satisfied that the application was suitable for the local area, was consistent with the licensing objectives and had addressed the concerns raised. Whilst it was recognised that the premises was situated within a sensitive area the conditions were considered appropriate to mitigate the concerns raised and were reassured by the applicant's commitments to engage with the local area. The Sub-Committee therefore granted the application accordingly.

The application is granted as follows:

Betting Shop Premises Licence Hours:

Monday to Saturday: 08:00 to 22:00 hours
Sunday: 08:30 to 22:00 hours

Opening Hours:

Monday to Saturday: 08:00 to 22:00 hours
Sunday: 08:30 to 22:00 hours

The application is granted subject to the following conditions in addition to the Mandatory conditions applicable to this type of application:

Conditions consistent with the operating schedule

10. A notice shall be displayed at all entrances to the betting premises stating that no person under the age of 18 years will be admitted on the premises. The notice shall be clearly visible to people entering the premises.
11. There shall be a minimum of two external CCTV cameras at the front of the premises.
12. Notices indicating that CCTV is in use at the Premises shall be placed at or near the entrance to the Premises and within the Premises.

13. Camera Monitors shall be placed inside the Premises above the front door showing CCTV images of customers entering the Premises and above the counter on the shop floor.
14. The licensee shall:
 - a) provide training on the local risks to the licensing objectives, including staff guarding, that have been identified for these premises as part of the staff induction training programme.
 - b) periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives.

Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable.

15. The licensee shall exclude the following people from the premises and maintain a sign at the entrance to that effect:
 - Anyone who is under the age of 18;
 - Anyone who appears to be under the age of 21 and is unable to provide proof of age that they are over the age of 18;
 - Anyone who is barred from the premises;
 - Anyone who has alcohol on their person.
16. The licensee shall install a “safe haven” to the rear of the counter which includes a secure door with peephole, CCTV monitor, telephone, panic alarm, maglock control button for the front and toilet doors and any other system deemed appropriate by the licensee.
17. The licensee shall install and maintain a magnetic door locking system for the customer toilet operated by staff from behind the Counter.
18. The licensee shall install and maintain an ultra-violet lighting system in the customer toilet.
19. The licensee shall install and maintain a magnetic door locking system on the front door.
20. The licensee shall take reasonable steps to prevent street drinking of alcohol directly outside the Premises and to, in so far as reasonable, ban from the Premises those who do so.
21. The licensee shall place a notice visible from the exterior of the Premises stating that drinking of alcohol directly outside the Premises is forbidden and that those who do so will be banned from the Premises.
22. The licensee shall appoint a named Police and Community Liaison Officer with the authority to implement change at the premises.

23. A telephone number and e-mail address for the Police and Community Liaison Officer shall be supplied to the Police, Licensing Officers, Local Community Representatives and Organisations upon request.
24. The licensee shall provide the Police and Licensing Authority with the following information as soon as practicable upon request and for such a time as the Police and Licensing Authority deem it necessary:
 - A copy of the incident summary
 - A list of those customers banned and the reasons for banning,
 - Such other information or documentation as required by the Police or Licensing Authority.
25. The licensee shall provide its staff and management with telephone numbers for the Safer Neighbourhood Team and the Council Local Neighbourhood Problem Solving Co-ordinator.
26. There shall be no cashpoint or ATM installed or fitted on the premises.
27. Any staff working at the premises shall have a minimum of 6 months experience working in a licensed betting office.
28. The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs.
29. The premises are permitted to operate between the hours of 08:00 and 22:00 on Monday to Saturday and 08:30 and 22:00 on Sunday.
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 are open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. 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 are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
32. At all times the premises are open there shall be a minimum of 2 staff members present and on duty at the premises.
33. The premises will be fitted with panic and intruder alarms to SSIAB standards, and staff members on site shall wear personal panic attack alarms, linked to a central monitoring control.

34. An incident log shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police. Details to include:
- 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 visit by a relevant authority or emergency service.
 - g. any attempts by children and young persons to gain access to the premises to gamble
 - h. any Challenge 25 Refusals.
 - i. Any faults with the CCTV system
35. A Prosync time delayed safe will be installed in the safe staff area.
36. The licensee shall install and main key operated slam lock cash drawers with a drop safe beneath.
37. The licensee shall operate at the premises a Think 25 age challenge policy.
38. The licensee shall install and maintain a full toughened polycarbonate counter screen at the Premises.
39. Within 6 months after the opening of the Premises the Applicant shall carry out a risk assessment to identify whether SIA staff are required. This process shall involve the Responsible Authorities at all of the stages.

The Meeting ended at 3.14 pm

CHAIRMAN: _____

DATE _____