



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 22 July 2021**

Time: **10.00 am**

Venue: **This will be a virtual meeting**

Members: **Councillors:**  
Jim Glen (Chairman)  
Barbara Arzymanow  
Rita Begum

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.

**Email:** [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk) **Tel:** 0779098018  
**Corporate Website:** [www.westminster.gov.uk](http://www.westminster.gov.uk)

**Note for Members:** Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

#### Licensing Applications for Determination

#### 1. KU BAR, BASEMENT TO FIRST FLOOR, 25 FRITH STREET, W1D 5LB

(Pages 1 - 114)

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
West End West End* None **	Basement To First Floor 25 Frith Street London W1D 5LB	Variation to the Premises Licence	21/01596/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**This will be a virtual meeting. Members of the Public can view the live broadcast using the media links on the Council's website.**

**2. KU BAR, 29 - 30 LISLE STREET, WCH 7BA**

**(Pages 115 -  
252)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
St James's  West End*  None**	Ku Bar 29 - 30 Lisle Street London WC2H 7BA	Variation to the Premises Licence	21/01595/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**This will be a virtual meeting. Members of the Public can view the live broadcast using the media links on the Council's website.**

**Stuart Love  
Chief Executive  
14 July 2021**

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

### **Policy Considerations**

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

### **Guidance Considerations**

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

### **Core hours When Customers Are Permitted to Be on The Premises**

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

**Note:** The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

#### **1. Casinos**

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

#### **2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 09:00 hours to 24:00 hours

#### **3. Hotels**

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

#### **4. Off licences**

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

#### **5. Outdoor Spaces**

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

#### **6. Pubs and bars, Fast Food and Music and Dance venues**

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

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

## **7. Qualifying Clubs**

Monday to Thursday: 09:00 hours to 24:00 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **8. Restaurants**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **9. Sexual Entertainment Venues and Sex Cinemas**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 1.

Item No:	
Date:	22 July 2021
Licensing Ref No:	21/01596/LIPV - Premises Licence Variation
Title of Report:	Ku Bar Basement To First Floor 25 Frith Street London W1D 5LB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

## 1. Application

<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 March 2021		
<b>Applicant:</b>	Allied Promotions Limited		
<b>Premises:</b>	Ku Bar		
<b>Premises address:</b>	Basement To First Floor 25 Frith Street London W1D 5LB	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a bar.		
<b>Variation description:</b>	<p>The application seeks the following:</p> <p>To vary the terminal hour for all licensable activities and the opening hours to 01:00 the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023.</p> <p>To add the following condition until 31 May 2023:</p> <p>The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.</p>		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2005. The current premises licence 18/09821/LIPCH is attached at <b>Appendix 3</b> of this report along with full licence history.		
<b>Applicant submissions:</b>	<p>On submission of the application the applicant provided the following information within the application form:</p> <p>The application, inter alia, is to help the applicant's business survive and recover from the impact of the COVID-19 pandemic. The applicant refers to the supporting documents appended to the application, Policy CCSOS1 Cinemas, Cultural Venues, Live Sport Premises and Outdoor Spaces and Policy paragraphs B28 – B37 on Promoting Equality &amp; Inclusivity.</p> <p>The applicant has additionally provided their Temporary Event Notice history for 2015 to 2020, a dispersal policy, an introduction to the KU Group, a presentation and written submissions which can be found at <b>Appendix 2</b>.</p>		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	09:00	23:30	09:00	01:00	Basement, Ground and First floor	No change
<b>Tuesday</b>	09:00	23:30	09:00	01:00		
<b>Wednesday</b>	09:00	23:30	09:00	01:00		
<b>Thursday</b>	09:00	23:30	09:00	01:00		
<b>Friday</b>	09:00	00:00	09:00	01:00		
<b>Saturday</b>	09:00	00:00	09:00	01:00		
<b>Sunday</b>	09:00	22:30	09:00	22:30		
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b> Sundays before Bank Holidays 09:00 to 00:00.				<b>Proposed:</b> Sunday's immediately before Bank Holiday Monday's 09:00 to 01:00.	

<b>Playing of recorded music</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	09:00	23:30	09:00	01:00	Basement, Ground and First floor	No change
<b>Tuesday</b>	09:00	23:30	09:00	01:00		
<b>Wednesday</b>	09:00	23:30	09:00	01:00		
<b>Thursday</b>	09:00	23:30	09:00	01:00		
<b>Friday</b>	09:00	00:00	09:00	01:00		
<b>Saturday</b>	09:00	00:00	09:00	01:00		
<b>Sunday</b>	09:00	22:30	09:00	22:30		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Sundays before Bank Holidays 09:00 to 00:00.				<b>Proposed:</b> Sunday's immediately before Bank Holiday Monday's 09:00 to 01:00.	

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:00	00:00	No change		Basement, Ground and First floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

**Late night refreshment**

Indoors, outdoors or both		Current :				Proposed:	
		Indoors				No change	
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
<b>Monday</b>	23:00	23:30	23:00	01:00	Basement, Ground and First floor	No change	
<b>Tuesday</b>	23:00	23:30	23:00	01:00			
<b>Wednesday</b>	23:00	23:30	23:00	01:00			
<b>Thursday</b>	23:00	23:30	23:00	01:00			
<b>Friday</b>	23:00	00:00	23:00	01:00			
<b>Saturday</b>	23:00	00:00	23:00	01:00			
<b>Sunday</b>	N/A	N/A	N/A	N/A			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>		
	Sundays before Bank Holidays 23:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 23:00 to 01:00.		

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	01:00	Basement, Ground and First floor	No change
Tuesday	10:00	23:30	10:00	01:00		
Wednesday	10:00	23:30	10:00	01:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	00:00	10:00	01:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays before Bank Holidays 10:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 10:00 to 01:00.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	01:00	Basement, Ground and First floor	No change
Tuesday	10:00	23:30	10:00	01:00		
Wednesday	10:00	23:30	10:00	01:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	00:00	10:00	01:00		
Sunday	10:00	22:30	10:00	22:50		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays before Bank Holidays 10:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 10:00 to 01:00.	

1-C	Conditions proposed to be added
	The permitted terminal hour for licensable activities shall be 1am (the following day) on Monday to Saturday and Sunday's immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.

## 2. Representations

<b>2-A</b>	<b>Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Service ( <i>Withdrawn 28 April 2021</i> )	
<b>Representative:</b>	Anil Drayan	
<b>Received:</b>	01 April 2021	
<p>Representation is made by Environmental Health as the proposed extension in hours for the licensable activities requested may lead to an increase in Public Nuisance in the area which is located in the West End Cumulative Impact Zone.</p> <p><b>Following further assessment, The Environmental Health Service withdrew their representation on 28 April 2021.</b></p>		
<b>Responsible Authority:</b>	Metropolitan Police Service	
<b>Representative:</b>	Adam Deweltz	
<b>Received:</b>	12 March 2021	
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Would it be possible at some point to have a phone call and discuss the details about the application please?</p>		
<b>Responsible Authority:</b>	Licensing Authority	
<b>Representative:</b>	Kevin Jackaman	
<b>Received:</b>	24 March 2021	
<p>I write in relation to the application submitted for a variation of the premises licence for Ku Bar, Basement To First Floor, 25 Frith Street, London, W1D 5LB</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of children from harm</li> </ul> <p>The application seeks the following:</p> <p>A time limited variation of the terminal hour for all licensable activities and opening hours from Core Hours to 1am (the following day) on Monday to Saturday and Sunday's immediately before Bank Holiday Mondays. The applicant proposes that the temporarily extended hours have effect until 31 May 2023.</p>		

The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and PB1.

Policy CIP1 states:

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

Policy PB1(B) states:

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority note that within the application the applicant has made reference to Policy CCSOS1.

Policy CCSOS1 relates to premises where the primary function of the premises is that of a cinema, cultural venue and live sporting premises, defined as follows:

1. Cinema For the exhibition of feature or shorts films to an audience.
2. Cultural Venues a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment.
3. Live sporting premises: the premises or the use to which the licence is intended for
  - a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.
  - b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.
  - c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event.

The applicant is therefore required to make further submissions in respect of the operation of the premises and why Policy CCSOS1 would be applicable in assessing the application?

The Licensing Authority note that this is a time limited application seeking extended hours to help the business recover from the Covid-19 pandemic however it is noted that the extension is for a period beyond the current anticipated lifting of Covid-19 restrictions. The Licensing Authority will therefore require further submissions from the applicant justifying the period sought.

Notwithstanding that this is a time limited application, the applicant is seeking hours in excess of core hours in the West end cumulative impact zone, the applicant will have to demonstrate

exceptional circumstances to allow a departure from the Policy. The Licensing Authority seek clarification for the period of

The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and PB1.

It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed hours of operation.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	17 March 2021		

I am a local restaurateur and resident residing at [REDACTED]  
 I would like to support Ku Bar's application for extended hours at Ku Bar and She located on the corner of Frith Street and Old Compton Street. The venues are an asset to Soho, Westminster and the LGBTQ community.  
 The last year has proved extremely difficult for many Soho businesses. I hope Westminster continue to offer their support with schemes such as the al fresco dining initiative and by granting licence applications like the current proposals submitted by Ku/She Bar.  
 This will help Soho recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area.  
 I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the extension of hours adversely affecting me as a local resident and ask you to kindly grant the application.  
 Thank you for taking into account my views.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		

I am writing to you in support of the above licence applications. I am a resident in the area, and also was a member of the subcommittee on the Late-Night Economy for the Soho Neighbourhood Plan. I have been a regular customer of these establishments going back to the time of the original venue in Charing Cross Road. In my opinion and experience they are well managed and safe with good security staff, and so an increase in the licensing hours should not have any negative impact on public order or safety.  
 The Ku venues are a vital part of the LGBTQ+ community in the Soho area, and with the

obvious difficulties the entire sector is facing as a result of COVID-19 I believe that the Council should do everything possible to assist local businesses.  
I would urge the council to approve these licence applications.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	26 March 2021		

[REDACTED] is a diversity media network that promotes diversity and inclusion within all media.  
We are good friends with KU Group and host a lot of our staff drinks there. We're sending this letter in support of the extended hours application of KU Group.

KU Group are a well behaved and responsible operator and are an integral part of the LGBTQ scene in London. They provide a safe haven for all members of the LGBTQ+ community and their allies to have a safe and enjoyable night out.

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected throughout London.

The past year has had a devastating impact on the hospitality industry across the board.

Extended hours will help KU bar recoup some lost revenue and also help ensure that this amazing LGBTQ venue stays around. LGBTQ safe spaces are limited and we need to do everything we can to ensure as many as possible survive and thrive over the next year or so.

We support Gary and the KU Group wholeheartedly as they try to keep their businesses running.

We commend Gary for his proposals and hope that Westminster City Council grants his proposal to extend his licence hours.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	27 March 2021		

I am a London based theatre producer who, like many, has been hit hard by the recent global pandemic and want to show my support with Ku Group applying for a temporary 2 year licence extension. A fellow businesses who has supported me and my work over the years.

Back when I was a young gay man on the scene not really knowing what I was or who to trust, Ku bar was and still is a place where you can be yourself and feel safe in doing so. A welcoming environment in what can be a cruel and unforgiving scene especially for someone inexperienced as was I back then. The Ku bar established it self as a leader for promoting a safe haven for all who identify as LGBTQ+ and their allies. In all these years, Gary has always maintained a safe environment for his clients.

When I established my production company back in 2014 Ku group were one of the first gay run

businesses to help in championing my work. Even supporting me with an Olivier nomination. An example of this was with Outlaws to In-laws at the King's Head Theatre as part of their Queer Season and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act. Ku Group investment finance and marketing support with the transfer of the hugely successful Kevin Elyot play, Coming Clean, to the West End. Selling out two seasons at the Trafalgar Studios. They helped in the development of a new opera - Opera Undone - a season of two Puccini operas Tosca and La Boheme which gained huge critical success and was deemed as one of the most inspiring productions of La Boheme ever to be staged. Without Ku Group's ongoing support for my work with these productions they may not have been staged.

When things settle down and theatre once again becomes the beating heart of the west end it's important businesses such as Ku have all the support needed to survive. One such thing that will make a huge impact on their survival is being granted an extended license. If anything it would encourage people to come back to the west end to see a show and stay out afterwards and enjoy the later part of the evening especially in a safe and welcoming environment that Ku provides.

The arts are in dire straits and need the continued support of businesses such as Ku Group to help ensure our survival. Please do all you can to help this company to thrive after what has been a tragic time for us all. Without them I fear London will be a much lonelier place to socialise. I know for sure that without them my own business would suffer.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	27 March 2021		

I am a DJ and music and arts secondary teacher in London, and I also run a LGBTQI+ club for younger members of our community in South London.

I have worked as a resident DJ for The Ku Group since 2015, as well as being a regular customer and can honestly say that their group of bars are such an important pillar of London's LGBTQI+ community.

The safe spaces that Ku Group provides gives alot of us a home away from home and someplace to feel like we really belong. All staff and management behind Ku Group and bars are just the warmest people you can find, and I can safely say that with the extended opening hours proposal, the Ku team will continue to help prevent crime, disorder and nuisance in the local area.

I would like to give my deepest support for the applications of extended opening hours at the Ku Group.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	27 March 2021		

I am writing to support the extended hours licence application by Ku Bar at 30 Lisle Street and Little Ku and She Bar at 25 Frith Street.

I am the managing director of the gay men's monthly magazine [REDACTED] and the founder editor of [REDACTED], the news, analysis

and opinion website for lesbians and gay men.

I have known Gary Henshaw, the owner of Ku Bar, since the late 1980s and [REDACTED] has reported on the group since its inception. I have visited the venues on multiple occasions, as have many of my staff, and I have always found Ku venues to be impeccably run with a real focus on the customer and their comfort, safety and security.

Gary Henshaw and the Ku Bar venues always strike me as being very responsible operators and I experienced this first hand last summer when I enjoyed a very pleasant evening at the Lisle Street venue which was extremely professionally organised with a proper table booking system, full PPE for staff including complete visors and well-designed seating areas with protective dividers and constant cleaning.

I have also seen Gary and his Ku team for 20 years and more in action on one of the busiest days for the West End for Pride in London – and again their performance has always been faultless and highly professional despite all the pressure of the numbers of people and the effervescence of the celebratory day.

The Ku venues play a huge part in maintaining the richness and unique atmosphere of the LGBT+ community in Soho. The Ku venues provide an important haven for both lesbians and gay men to have a safe and well-managed night in London's West End. Lesbian women in particular, as I know from running [REDACTED] [REDACTED] [REDACTED] [REDACTED], are very grateful for the professionalism of the She Bar venue.

I have been personally very impressed by Gary and the Ku venues' commitment to fundraising for HIV and AIDS charities. Every year on World AIDS Day week, the Ku venues hold one of the biggest fundraisers of the whole gay scene and it has been a mainstay of HIV support for many years.

Gary Henshaw is very much a community-focused businessman whose operational experience is respected by local authorities and organisations and I know he is often called upon to assist in large-scale event planning for important events like the Chinese New Year celebrations and, of course, Pride in London.

It goes without saying that the last year has had a massive impact on the commercial viability of hospitality venues and the Ku venues are no different from others in having been closed for long periods of the last year or being very limited in their potential customer numbers because of Covid safety measures inside the bars. I and all the [REDACTED] magazine team offer our full support to Gary and the Ku Group as they try to keep their businesses alive in this difficult period.

I therefore highly commend Gary Henshaw for his proposals for the Ku venues and I sincerely hope that Westminster City Council will grant his proposal to extend his licensing hours.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	28 March 2021		

Prior to the Coronavirus Pandemic, I was a regular customer of the Ku Bar Group, both on Frith Street and on Lisle Street. This is a letter of support regarding the proposed extension of licensable hours to the above name premises.

Ku is important to me as I have been going to these premises ever since I was 21, when I finally had the courage to come out as Gay. I have subsequently been going to both premises for the

last 7 years. In that time, I have witnessed the professionalism and commitment of all staff to ensure the safety and enjoyment of its customers. Ku is a place where people from LGBT+ scene can attend and be their true selves. Ku is a place where you go to feel safe, where diversity is celebrated and encouraged.

Whilst I do not know Gary Henshaw on a personal or professional level, I have witnessed his dedication to ensuring Ku is recognised and remembered as a Business that has a positive reputation in the Soho community.

I'd like to add my support to the Ku Group having its license extended. As you are aware, the last year has been unprecedented and has had unimaginable financial implications to the hospitality sector effecting businesses and its staff.

I hope that the Westminster City Council licensing department will grant this extension in order to assist the KU group with their journey back out of lockdown.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	28 March 2021		

I write as a Westminster City Council resident in support of the above License Applications and my address is:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I state at the outset that I have no business or fiduciary connection to Gary Henshaw or any of his companies or businesses save as a customer of his bars over many years and having a respected and valued acquaintanceship with Mr Henshaw as a welcoming host and landlord.

I, and a number of my friends, have met socialised, celebrated and commiserated with each other regularly in Ku Bar, Lisle Street and occasionally in Ku Bar, Frith Street for as long as Mr Henshaw has been in business at those premises and prior to that in other bars that he has owned, managed and run over a period of almost 30 years.

We are a group of gay male friends ranging in age from our 40s to our 70s and we choose to meet and drink in Ku Bar because we are always made to feel welcome by management and staff alike.

Mr Henshaw has taken particular care over many years to train his staff to be customer focused and to show friendship and respect to all his customers irrespective of who or what they are.

I personally hire one of his off duty staff to act as a barman at my annual birthday party and all my many friends and colleagues attending always make warm comments about the service they receive. This is a tangible reflection of the investment in training by Mr Henshaw and his highly effective managers and supervisors.

Perhaps most importantly we, as a group, feel safe in his bar environment. Security is paramount to Mr Henshaw and I can personally state that, no matter the hour, his bars are well managed and I have never witnessed anything to make me feel unsafe in any way.

This is, I know from experience, rare in licensed premises in the West End especially on

weekends. Security staff are well trained, conscientious and alert to dealing with any potential issues almost before they arise.

Mr Henshaw and his businesses are totally committed to LGBTQ+ issues.

His bar operations on London Pride days over the years are second to none and it is where we always choose to gather after the Parade, safe in the knowledge that crowd control and servicing customers will have been carefully planned by Mr Henshaw and his team on what is a crazy day for our community and for bar owners in Soho.

Mr Henshaw raises many thousands of pounds every year for charities to benefit the LGBTQ+ community. An annual charity evening to mark World AIDS Day on 1st December each year is a particular highlight and raises much needed funds for charities working on HIV/AIDS related issues.

I am personally connected to the Albert Kennedy Trust supporting young LGBTQ+ people facing homeless and Mr Henshaw has never failed to give support when asked.

As the hospitality industry emerges from the catastrophic situation they have found themselves in, it is critical that they are given the opportunity to recover and to support the economy of central London at the heart of which are our bars and restaurants.

A 1am extension to the licenses for two years will do exactly that and I am confident that Mr Henshaw is a fit and proper person to take this forward responsibly with no impact on the public and in a safe and well ordered manner.

Mr Henshaw has already shown leadership during the crisis and was at the forefront of making his premises Covid safe as soon as he was allowed to reopen last July.

Ku Bar, Lisle Street and Ku/She Frith Street named in this application are an important part of the Soho and West End hospitality industry and are a welcoming and safe environment for the LGBTQ+ community to regroup and to celebrate our recovery and, in many cases, to mourn and also to rejoice in the lives of those we have lost.

I respectfully appeal to the Licensing Committee to grant this application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	28 March 2021		

I understand that the pandemic has had a devastating impact on licensed trade and that Licensed venues are doing everything that they can to trade and survive. Gary Henshaw has informed me that he is applying to Westminster to ask for a temporary 2 year licence extension to 1am for both Ku venues.

I would like to submit my support for this application - as a former chair of [REDACTED] [REDACTED] that was set up in 2000/01 after the terrible attack on the Admiral Duncan, and as current founder/CEO of [REDACTED] [REDACTED].

The Ku venues are a vital part of our community - in the past Gary has kindly given us space to hold meetings and organise community events - like the London Vigils Against Hate Crime (2009-12) which we organised after the death of Ian Baynham (2009).

Not only has Gary provided us with the space to do our charity work, he has provided a safe

and well managed venue for our community. The venues are well maintained, the staff are more than adequately trained in customer service and hospitality.

A pleasant environment to be able to enjoy drinks after work, to meet friends and celebrate a variety of events. One of the venues provides the only bisexual/lesbian women's spaces in London.

I hope that Westminster will approve this application. Thank you.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	24 March 2021		

My name is [REDACTED] and I am the brand manager for [REDACTED]. We have worked closely with the KU group for years. We are [REDACTED] and sending this letter in support of the extended hours application of KU Group.

KU has not only been an impeccably behaved and responsible operator, but has both added and continue to adds to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing a haven for both gay men and women to have a safe and managed night out.

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable event on hospitality and we know that this business is no different from others in that respect. We support Gary and the Ku Group as they try to keep their businesses alive for the short and longer term.

We commend Gary for his proposals and hope that Westminster City Council grant his proposal to extend his licence hours.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	22 March 2021		

I'm writing to support the extended hours of KU Group.

As a freelance journalist working on a feature about hospitality reopening safely, I had the pleasure of interviewing Gary Henshaw just before the venue reopened last summer. I was impressed and reassured by the measures he had in place to keep Ku and the other bars Covid safe by implementing initiatives such as hand sanitiser, reduced capacity and one-way systems.

Ku has always been an important part of the LGBTQI+ scene in London and it provides a welcoming place for my mixed group of friends to enjoy a safe night out. While other bars might frown upon straight people, Ku is inclusive and friendly. It's so important for gay men and women to have a safe and well-managed night out and Ku provides a safe haven for all.

Last year has had a devastating effect on hospitality and Ku is no different from others in that respect, but as restrictions begin to ease and London's nightlife starts to come alive once again, it's a safe and well-managed place that's a real asset to the LGBTQI+ community as well as the city. I know that Gary and his fantastic team are ideally placed to make sure the extended hours are embraced in a safe way and it's a great way to welcome Ku back when the time comes. I'm not alone in hoping that Westminster City Council grants his proposal to extend the licence hours.

<b>Name:</b>		[REDACTED]	
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<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	18 March 2021		
<p>I'm writing in support of the above applications to extend the operating hours of Ku Lisle Street and Ku/She Frith Street.</p> <p>London's LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, the Mayor committed to supporting these spaces by launching his LGBTQ+ Venues Charter, to protect existing infrastructure and encourage the opening of new venues.</p> <p>The pandemic has had a severe impact on our LGBTQ+ venues. By closing their doors, they have rightly played their part in helping to control the spread of coronavirus. But a rollercoaster of restrictions has brought many of these venues to the edge of bankruptcy. The 10pm curfew, for example, crippled the ability of venues try and recoup some of their losses, with 40% of LGBTQ+ venues' trading hours on a Friday and Saturday being after 10pm.</p> <p>Without help, London could lose many late night venues as a result of COVID-19, not least our much loved LGBTQ+ venues. It's vital that we do all we can to help them get back on their feet to not only survive, but thrive as we move out of the pandemic.</p> <p>Gary Henshaw, who operates both venues applying for extensions, has been an active member of the LGBTQ+ Venues Forum since it was set up in 2017. I know him to be an experienced and responsible operator. I have no doubt that his experience and understanding of the late night landscape of Soho would allow him to operate successfully with increased hours.</p> <p>As Westminster is home to the largest concentration of LGBTQ+ venues in the capital, I encourage the council to support these vital places of cultural infrastructure and look favourably on these two applications, which I wholeheartedly support.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	18 March 2021		
<p>Ku Bar, 25 Frith Street W1D 5LBYour ref : 21/01596/LIPV [REDACTED] was formed by Soho businesses to bring Soho back to life after lockdown. We have been working closely with Westminster City Council and others to help Soho recover as swiftly as possible.</p> <p>The [REDACTED] is quickly evolving into a body representing the full range of Soho businesses, including restaurants, bars, clubs, Retail, Film, Music, Advertising, PR Agencies, Property, Recruitment and others We also intend to provide an interface with residents and have taken early steps to engage with local stakeholders.</p> <p>The current focus of the [REDACTED] is to work with WCC on AL Fresco this Summer and to discuss and comment upon emerging policy. As we evolve, we will focus our attention on planning matters, public realm improvements, licensing, clean waste collection, community deliveries, diversity, reducing crime and homelessness, amongst other matters. We hope to provide a unifying voice for the Soho business community.</p> <p>Our Mission is to act as a unified voice for all businesses in Soho, with the aim of protecting and growing the economic diversity of the area in which we do business, through engaging with each other, our residents, other amenity groups and the Westminster City Council, thereby protecting its unique character.</p>			

SoHo needs its businesses to recover; it needs its restaurants, bars, its life to return. Businesses in Soho bring in millions of pounds into the local and wider economy. They provide jobs, tourism, are an integral part of Soho. They need to be supported and well-run operations deserve credit for the way they manage their businesses and bring benefit to the local community.

As the [REDACTED], we make a representation in support of the application, based upon all four licensing objectives.

Ku and Gary Henshaw have been in business and been a huge part of Soho for at least 15 years. They are a well-managed and responsible venue but of equal importance, have added and continue to add to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing safe venues. It goes without saying that the last year has had an unspeakable effect on hospitality and we know that Ku have been hit hard. They need help. We support their application for extended hours.

For and on behalf of the Board.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	10 March 2021		

I write in support of the application for a temporary extension of the licenses pertaining to the above mentioned premises.

Being 'wet led' businesses both have been hit very hard by the current pandemic.

Both premises are central to the LBGTQ+ community in Soho and London and every effort should and must be made to ensure their ongoing viability and survival.

Mr Henshaw and his team are first class operators and his premises are well run and friendly. They are very welcoming to the local community. I have never witnessed any untoward behaviour at either site.

This is an exceptional request by an exceptional business in exceptional times.

As a local Soho residents we would wish to lend our strong support to this proposal.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	11 March 2021		

We are [REDACTED] and make a representation in support of the application, based upon all four licensing objectives.

The applicant has been a [REDACTED] for 13 years. Not only have they been an impeccably behaved and responsible tenant and operator, but has both added and continue to adds to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing a haven for both gay men and women to have a safe and managed night out.

It goes without saying that the last year has had an unspeakable event on hospitality and we know that this tenant is no different from others in that respect.

We wholeheartedly support their application for extended hours and would have done so irrespective of the pandemic in any event.

Gary Henshaw and Ku Bar have proved to be a credit to the West End and are a shining light for other businesses to aspire to.

**Name:**

██████████

**Address and/or Residents Association**

██  
████████████████████

**Status:**

Valid

**In support or opposed:**

Support

**Received:**

25 March 2021

I am a published author, activist, journalist and curator of ██████████ - London's award-winning LGBTQ+ literary salon, based at the Southbank Centre.

The Ku Group is so much more than a collective of licensed bars. The venues are a longstanding and integral pillar of London's LGBTQ+ community.

As well as the LGBTQ+ entertainment and cultural offerings, Ku supports many smaller community projects and provides safe spaces for community initiatives - for example our Polari book club events and writing workshops, which have been hosted at Ku.

I have always experienced exceptional management and customer care at Ku venues. I can say with all confidence that the professional expertise would be extended during the later hours proposed to ensure no negative impact on local crime or nuisance.

Please consider my support for the applications accordingly, the success of which is dependent on you.

**Name:**

██████████

**Address and/or Residents Association:**

██

**Status:**

Valid

**In support or opposed:**

Support

**Received:**

25 March 2021

As I'm sure you're aware Ku bar is a gay bay, plain and simple. Not everyone's cup of tea, and you know, that's just fine by me. But it is mine, and has been for some 20 years or so.

I cannot express to you in words how important Ku Bar has been to me personally over that time and how vital it continues to be for many others even in this digital age of apps and online dating the LGBTQI+ community still need somewhere they feel safe, secure and un-judged. Ku Bar represents that.

I understand that there is chance to extend Ku Bar's opening hours, I implore to give this serious consideration and please, vote yes. Please do not under estimate how important venues like Ku are to the LGBTQI+ community, for them to stand any chance, post-lockdown, of survival they will need some way to claw back a year of low or zero revenue.

Please, please - allow the temporary extension.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	21 March 2021		

I live at [REDACTED]

I am writing in my capacity as a local resident and local business owner.

Like Gary Henshaw and his business Ku/She, I am one of the longest standing independent LGBTQ+ operators in Westminster. Venues for our community have sadly declined over recent years. It is so important to promote and protect those of us who are still standing, particularly after the devastating impact of the Coronavirus pandemic on our businesses and neighbourhood.

We are all in this together, not just Gary, the last remaining LGBTQ+ operators and myself, but local residents, the wider Soho community and Westminster as a whole. We really need support from you to help keep our businesses alive and continue to play a key part in Westminster's world renowned inclusive and cultural offer.

My businesses have operated alongside the Ku Group for years. I am also a local resident living close by to the Ku venues and other licensed premises. I can say without hesitation that the Ku venue's high standards of management will continue to promote all four licensing objectives during the later hours sought.

In addition, Gary and his team have proved that the proposals will not have a negative impact in the West End because he has been regularly operating to these hours and later under many years of TENs. I appreciate Gary's premises are within the West End cumulative impact area, however I hope you will see that there won't be many other applications coming forward at this time with such defining and exceptional characteristics.

I therefore hope that you do your bit to help support the Ku Group and the Soho community to help us get back on our feet.

Thank you for considering my views.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	30 March 2021		

I would like to put forward my reasons for supporting the extended hours licence application by KU Bar at 30 Lisle street and Little KU and She Bar on 25 Frith Street, Soho , London W1.

I am a Trans activist and the founder of [REDACTED] which is held at [REDACTED] and I also front [REDACTED].

I have known Gary Henshaw since the early 80's. He's such a great source of support to the trans community. Gary also tirelessly raises awareness and funds for HIV and AIDS. KU bar and Gary Henshaw make that difference in our Soho community that's vital for our survival.

During Christmas 2018 KU Bar and his staff raised £12k for [REDACTED]. We have our functions and celebrations at KU Bar, where we also have the support of Kensington Palace and Chelsea Football group. During these events and whenever I visit a KU venue I have always experienced outstanding customer care and management procedures. I am sure Gary's team can continue these standards later at night meaning no negative impact in the local area.

The past 12 months + has had a devastating impact on KU bar and our community. The KU Group's safety measures through Covid have been exemplary and has inevitably led to having very reduced numbers the KU bars.

As a result, I am totally recommending and suggesting that you grant KU Venues the extended hours. I am hoping that Westminster Council show their support for the community and grant his proposal to extend his licensing hours.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association</b>	[REDACTED]

<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
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<b>Received:</b>	26 March 2021
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I am an Alcohol Brand Key Account Manager who has supplied KU with support for our brands within their venue: I am sending this letter in support of the extended hour's application of KU Group.

KU has not only been an impeccably behaved and responsible operator, but has both added and continue to adds to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing a haven for both gay men and women to have a safe and managed night out.

Gary Henshaw and his business, Ku Bar, has been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable event on hospitality and we know that this business is no different from others in that respect. We support Gary and the Ku Group as they try to keep their businesses alive for the short and longer term.

I commend Gary and all the Ku Team for their hard work in the community and for his proposals and hope that Westminster City Council grant his proposal to extend his licence hours, to support and give back to a business that gives to its local community. In the words of the Government - "we are all in this together" and so now is the time for us to be giving back and supporting venues like KU who have sacrificed so much over the past year.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]

<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	29 March 2021		

I am writing today in support of the application for extended hours of KU group, I am the founder and chairperson of [REDACTED], a registered charity that supports the lives of trans adults across the UK [REDACTED]

The venues that KU group operates are integral to the LGBTQ+ community in London,

providing rare safe spaces where its patrons can socialise authentically. KU venues are recognised in London for the high calibre not only of their venue standards but also for the type of customer that frequents them, I have personally been to Ku venues many times and at all times of the day, they operate a well-oiled machine that I and many of my friends know and love, particularly for their opened armed approach to outwardly welcoming the trans community through their doors.

I have known and worked alongside Gary Henshaw on and off for the best part of a decade, I once was the general manager of a fellow LGBTQ nightclub in Soho and from my experience of planning community events such as Pride in London, through to other business interactions that I have had with him over the years, I can confidently say that he is one of the most well-respected venue operators in the West End. Gary cares deeply about the unity of our community, this is reflected in his venues operations and all external events that he lends his expertise to.

With the events that we have all endured during the last 12 months, one of the most overlooked tragedies of the pandemic has been the loss of so many more LGBTQ safe spaces, we saw the numbers of venues operating in London plummet in the few years prior to this and COVID only added fuel to that fire, I'd like to take this opportunity to express my keen support for Gary and the team that operate the KU venues in their plight for extended hours to safeguard their venues and our sacred spaces.

I and the rest of the board of trustees here at [REDACTED] are hopeful and optimistic that Westminster City Council will grant the proposal to extend the licensed hours for the KU Group.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	24 March 2021		

Throughout our long relationship with KU Bar [REDACTED] has worked closely with the whole team over there. They are an integral part of the night-time economy and Soho itself and one of a dwindling number of LGBTQ bars still around.

They have hosted the magazine several times and we have always found them to be impeccable in their service and manner. They are a destination bar and provide a safe & fun a refuge to their patrons

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable effect on the hospitality industry and we know that this business is no different from others in that respect. We support Gary and the Ku Group as they try to keep their businesses alive for the short and longer term.

[REDACTED] commends Gary for his proposals and hope that Westminster City Council grant his proposal to extend his licence hours.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	01 April 2021		

We write to make a relevant representation to the above application on behalf of T [REDACTED]  
[REDACTED]

[REDACTED] objects to this application as it is currently presented, on the grounds of prevention of crime and disorder, prevention of public nuisance, public safety and cumulative impact in the West End Cumulative Impact Area.

**About [REDACTED]**

[REDACTED] is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area’s existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council’s policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

**Application summary**

**Premises Variation :**

- Proposes a time limited variation of the terminal hour for all licensable activities and opening hours from Core Hours to 1 am. The applicant proposes that the temporary extended hours has effect until the 31st of May 2023.
- The application, *inter alia*, is to help the applicant’s business survive and recover from the impact of the COVID-19 pandemic. The applicant refers to the supporting documents appended to the application, Policy CCS0S1 Cinemas, Cultural Venues, Live Sport Premises and Outdoor Spaces and Policy paragraph B28-B37 on Promoting Equality and Inclusivity.
- Proposed condition; the permitted terminal hour for licensable activities shall be 1 am (the following day) on Monday to Saturday and Sunday’s immediately before Bank Holiday Mondays until the 31st of May 2023. From the 1st of June 2023 the terminal hours for licensable activities shall revert back to core hours unless this condition is removed from the premises licence by way of a variation application.

**Current Licence**

**Sale of Alcohol: Mon-Thurs:** 10:00 - 11:30. **Fri - Sat:** 10:00 - 00:00. **Sun:** 10:00 - 22:30

**Exhibition of a Film: Mon-Thurs:** 09:00 - 11:30. **Fri - Sat:** 09:00 - 00:00. **Sun:** 09:00 - 22:30

**Playing Recorded Music: Mon-Thurs:** 09:00 - 11:30. **Fri - Sat:** 09:00 - 00:00. **Sun:** 09:00 - 22:30

**Late Night Refreshment: Mon - Thurs:** 23:00 - 23:30. **Fri - Sat:** 23:00 - 00:00. **Sun:** 23:00 - 00:00

**Opening hours: Mon - Thurs:** 10:00 - 11:30. **Fri - Sat:** 10:00 - 00:00. **Sun:** 10:00 - 22:30

**Capacity: 160** (Basement: 80, Ground Floor: 40, 1st Floor: 40)

**[REDACTED] Position**

- [REDACTED] fully recognises the financial difficulties all businesses have suffered over the past year and we have generally been supportive of measures to help local businesses recover. We also acknowledge the important contribution our LGBTQ+ venues bring to Soho and the community and want to see them all survive. However, this is the latest in a series of applications to extend hours in Soho and we are concerned this trend will continue as a mechanism to support business recovery post COVID. The year on year increase in

licensed premises and especially those granted with later hours has resulted in a deterioration and reduction in residential amenity. Protecting residential amenity is the key aim of the licensing objectives. This is supported by the new Statement of Licensing Policy 2021 which states in its Forward to Policy Section, '*The licensing authorities proposed revisions to the statement of licensing policy will enable the hospitality and entertainment sectors to plan for the short and medium term, whilst maintaining the necessary protection for our residents and promoting the licensing objective as a whole.*'

- **Soho during COVID:** although lockdown afforded respite for residents from the evening and night time noise, residents have once again experienced a reduction in amenity through high levels of noise and disturbance as a result of the AI Fresco scheme. Huge numbers of people returned to the area during the summer of 2020 (Appendix 1) numbers being higher than pre-COVID times which had a negative impact on residents who reported a significant increase in noise and general disturbance. A recent survey by ██████████ asking residents about their experience of these schemes highlighted issues with street noise disturbing sleep, and some saying they were considering moving out of Soho, the full survey results can be found in Appendix 2.
- **Soho post COVID -19;** with the success of the vaccine programme, coupled with the ambition to vaccinate the majority of the population by the summer, we know Soho will quickly recover to pre-COVID times, and the AI Fresco scheme is evidence of this. The high level of cumulative impact described within the Cumulative Impact Assessment 2020 will swiftly return with people flocking to Soho in an attempt to return to a normal life. The impact on residents will be huge, and any extensions to licences cannot, in our view, be justified under any circumstances.
- **Night time economy;** Soho is at the forefront of the late-night economy in Westminster with its numerous restaurants, bars and entertainment establishments. The area is densely populated at night with people out on the streets, resulting in high levels of noise / disturbance, crime and disorder and antisocial behaviour. In Soho between **01:00 - 03:00 there are 107 licensed premises, capacity information being available for 91 premises gives a total of 18,305.** Of the **107, 59 premises hold a 1am licence, with a capacity of 9,104 for 44 premises,** this application if successful will add another 1am licence to an area already saturated which will add to cumulative impact in the West End Cumulative Impact Zone.
- **Frith Street and the surrounds:** this area contains the highest concentration of late night venues in Soho. Soho attracts large numbers of people during the daytime but even greater numbers at night due to the high concentration of venues. **Between the hours of 00:00 - 03:30 Frith Street has 23 licensed premises the capacity for 16 being 2,022 (others not recorded), Old Compton Street 31, capacity for 18, 2,033, Dean Street 29, capacity for 21, 2,505, Greek Street 23, capacity for 19, 3,442. There are 106 in total, with a capacity (where known) of 9,992.**

#### **Statement of Licensing Policy 2021**

This application proposes to extend the hours of operation of bars within the West End Cumulative Impact Zone, as presented it is contrary to the Core Hours Policy HRS1, Pubs & Bars Policy PB1, and Cumulative Impact Policy CIP1.

- **Extension of hours / Bars;** this application seeks to extend the licensable activity of bars from core hours to 1am until 31.5.23, when considering such applications the Council must consider the effect of later opening hours on compliance with the requirements of other policies, in particular CD1 and PN1. Under the Public Houses and Bars Policy PB1 it is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than to, '1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1, 2. Applications to seek to vary the existing licence so as to reduce the

*overall capacity of the premises,' this application fails this test. It goes on, under the reasons for this policy, F80 states, '.... Premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. Pubs and bars present opportunities for crime and they can also give rise to disorder.'*

- **Cumulative Impact Policy CIP1**; this area has been identified by the Westminster City Council as under stress because of the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Cumulative Impact Assessment 2020 highlights the impact of bars in an area, F82 stating, '*among specific premises types assessed within the CIA, pubs and bars were one of the top licensed premises operation types that were most significantly aligned with incidents in their proximity.'*
- The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy). The policy provides an assumption to refuse pubs and bars, music and dance venues and fast food premises, the policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (D.11 of the policy). The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of this historic area. We therefore do not consider the proposed extension of hours to help the business recover post COVID as an exceptional circumstance.

### **The Licensing Objectives**

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including exceptional or otherwise, which would permit an application to be granted if the licensing objectives were harmed. We now consider the impact of this application on these objectives.

### **Prevention of Crime and Disorder - CD1**

Under this Policy the criteria applied is, '*whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.'*

The recently published Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, ***it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.*** It goes on to detail the number and types of crimes in the West End,

- **Public realm crimes:** (serious violence, robberies, theft and drug offences), alcohol-related call-outs incidents, anti-social behaviour and demands on services were prevalent in Westminster between 2017 and 2019, among the highest in London and the country. All incidents observed concentrated in the West End many occurring in the evening and at night as well as weekends.
- **Total incident type 2017-2019:** serious violent crimes Night, 795 - proportion of Borough's incidents (31%). **Robberies Night, 2237 (33%). Theft and Handling Night, 24,407 (33%). Drug Offences Night, 1529 (40%).** Noise Complaints Night, 1389 (16%). Reactive Waste Management, 6630 (10%). Ambulance call outs to locations of licensed premises, 5353 (22%). Anti-Social behaviour on transport Night, 592 (13%), Anti-Social behaviour MPS, 9662

(16%). **Total = 50,594.**

- **Data description of incidents in 2017-2019** found all incident categories observed varied both in space and time. Many occurred in the evening and at night and on weekends when alcohol related activities typically peak. Incidents were primarily concentrated in the West End where licensed premises are disproportionately concentrated.
- **Robberies:** clustered within the West End, Charing Cross, Oxford Street in the evening and night.
- **Serious violent crimes:** recorded between **6pm and 6am** concentrated overwhelmingly in the West End.
- **Drug related crimes:** Westminster recorded the highest volume of drug offences of any borough between 2017-2019. Half of crimes were reported (48%) in the evening and night time. Drug related crimes between **6pm - 6am** were significantly clustered in and around the West End to varying degrees.
- **Theft and Handling:** most common crime type in the borough, in the evening and night they are particularly concentrated in the West End and along Oxford Street.

Crime statistics (September 2019 to February 2020) for this area supports the findings of the CIA, the overall total of crimes being **1,397**.

**Old Compton Street:** Robbery = 19. Theft person = 162. Violence with injury = 47. All crime = 429

**Wardour Street:** Robbery = 6. Theft from person = 70. Violence with injury = 22. All crime = 301

**Dean Street:** Robbery = 12, Theft person = 57, Violence with injury = 30, All crime = 280.

**Greek Street:** Robbery = 12, Theft person = 76, Violence with injury = 33, All crime = 244

**Frith Street:** Robbery = 13, Theft person = 46, Violence with injury = 23, All crime = 143.

For residents living in Soho the findings of the Cumulative Impact Assessment is unsurprising, Soho transforms in the evening and night-time into an area which feels very unsafe and where levels of crime and disorder are high. As evidenced above, criminal activity associated with the large number of late-night venues and the numbers of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night, people are targeted as they leave late night venues which is evidenced by the crime figures. Drug dealing is a particular problem, groups of dealers congregate to sell drugs and specifically target people as they leave premises, there are more dealers in the area at night than during the day, this is directly linked to the large number of late night venues which creates the drug market.

To add another late night licence to an area already saturated will only increase crime and disorder and fail to promote the licensing objectives.

#### **Prevention of Public Nuisance Policy PN1**

Under this Policy the criteria applied states, '*the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of a nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.*'

Residents live along the length of Frith St, Old Compton St and all dispersal routes from these premises, due to the high number of late night licences on these streets residents already suffer from late night noise, disturbance (pedicabs playing loud music, waiting taxis), anti-social behaviour including street fouling and high levels of crime and disorder from the existing number of licensed premises in the area. We are particularly concerned that these residents will be disturbed by intoxicated people leaving the premises at a late hour having been given the opportunity to extend and increase their alcohol consumption by an additional hour.

**Public Safety PS1**

Under this objective the applicant needs to '*... demonstrate that the public will be safe within and in the vicinity of the premises,*' and goes on to state '*Crime, disorder and antisocial behaviour inside and in the vicinity of licensed premises may threaten public safety and affect perceptions of public safety.*' Drunk and highly intoxicated people on the streets late at night are very vulnerable requiring support and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out Westminster City Council with the LGBT foundation has established the Soho Angels. As the Committee will know, these are group of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people on a night out. They work with St. John Ambulance who provide medical assistance at an eight-bedded night hub in St. Anne's Church on Dean Street. In their first year of operation they helped over 1,200 people, with medical assistance being given to 230 cases of which 80 were classed as serious incidents, and 40 crimes where reported. This is further evidence of the impact of the high number of late night uses and large numbers of people out on the streets such that a dedicated team of volunteers is required to help the vulnerable, keeping them safe from harm. However, due to the current COVID-19 restrictions this service has ceased, we would expect it to resume post 21st June following the ending of all legal limits on social contact.

**In summary**

The application proposes a time-limited variation of the terminal hours for all licensable activities and opening hours from core hours to 1am, this being a temporary extension until the 31st of May 2023, as to help the business survive and recover from the impact of the COVID-19 pandemic. As evidenced throughout this representation in our view if granted this application will fail to support the licensing objectives and increase cumulative impact.

Please do not hesitate to contact us if you require any further information.

**Appendix 1 : Old Compton Street, July 2020**





**AI Fresco Dining, Old Compton Street, August 2020**

**Appendix 2 : ██████████ Residents Survey 2021**

**██████████ Residents Survey**

**Key Points from AI Fresco Survey in 2021**

The survey ran from 1 March 2021 until 29 March 2021 and asked Soho residents about their experience of the AI Fresco dining scheme in 2020. An invitation to complete the survey was sent to 1,929 people - members of the Society and all subscribers to the Society's newsletter - on 1 March 2021.

133 residents responded with 72 saying that they lived on a street that was closed under the scheme in 2020. Responses suggested that many respondents were long term Soho residents. On average the respondents had lived in Soho for around 15 years. 15 respondents have lived

in Soho for more than 30 years.

57 were long leasehold or freehold owners and 70 were tenants of which 24 were Soho Housing Association tenants.

28 respondents said they had children under 18 living with them in the household some or all of the time.

19 respondents on closed streets had children under 18 living with them some or all of the time.

When asked to think back on their experience of Al Fresco 2020

- 10 reported that the street noise woke their children
- 38 reported they were commonly unable to sleep, get to sleep or had their sleep disturbed
- 26 that they had problems working at home because of the noise
- 109 reported access problems on foot or by car
- 36 reported that they didn't feel safe in the street where they lived because of the crowds and the police losing control of the situation
- 62 reported they didn't feel safe because there was no social distancing
- 48 reported they didn't go out because of the scheme
- 44 reported that as a resident they were considering moving out of Soho because of this scheme - late night noise makes it impossible to live here any more

The AL Fresco Scheme for Soho in 2021 will see the same streets closed from 12 April 2021 to 30 September 2021 and will likely have a greater adverse impact on residents as the end time will be 11pm not 10pm as happened when the curfew was in effect last year. Also there is a risk of more drunken behaviour as there will be no requirement to serve a meal with the alcohol service.

29 March 2021

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		

I am sending this letter in support of the extended hours application of KU Group. The KU venues have been a vital part of the LGBTQI+ community, and have always offered a safe space for socialising and provide a quality service, which they've managed to maintain despite the stricter social distancing guidelines. As a regular client, I can say that their reputation for being an 'all-inclusive' venue is a flag that they wave proudly, not to mentioned their eagerness to get involved with charity work and anything to do with the arts community. Gary Henshaw and his business, Ku Group, have proven to be an asset to the community and have consistently been involved in many public events over the years such as London Pride, World AIDS day and Chinese New Years celebrations. To have such a business operating in the area is a true inspiration and a landmark for success. Gary's personable approach and attention to detail make him a well-respected mentor. With brighter days ahead of us and hope in our hearts for a successful road to recovery, we really need to protect these businesses which have suffered so greatly due to the Covid 19 pandemic and sadly the hospitality sector and the LGBTQI+ community have suffered severely. In efforts to support the recovery of this sector, I am earnestly appealing to Westminster City Council that Gary's application for extended business hours get serious attention. We need safe spaces like Ku Bar, Little KU and SHE Soho!

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		

We are writing in support of Allied Promotions Limited's (KU Bar) variation to their premises licence (21/01595/LIPV and 21/01596/LIPV) which seeks to increase the terminal hour for licensable activity for a specified amount of time.

[REDACTED], part of the [REDACTED], is a partnership that works across the events and music industry promoting consistency of operations, sharing of best practice, and facilitating information sharing whilst supporting venues, promoters, and artists - creating safer events for all.

In March 2020, [REDACTED] was commissioned by the Greater London Authority to design and manage the LGBTQ+ Venues Business Support Service (part of the Mayor of London's Culture at Risk Fund), and also manage the London LGBTQ+ Venues Forum.

London is renowned for its nightlife and LGBTQ+ venues form an important and integral part of the cultural fabric in our capital city, especially in Westminster which has the largest concentration of LGBTQ+ venues which attracts visitors from all over the UK and indeed the world. Soho, and its venues, also serve as a community hub for many LGBTQ+ Londoners, as well as being integral to the local community. Ku Lisle Street, and Ku Frith Street/She Soho, are important venues to the LGBTQ+ community providing safe and trusted spaces with the latter providing only dedicated only women-priority venue in London.

Over the last 10-year period, London has seen a decrease in the number LGBTQ+ venues of 62%. 2019 saw the first net increase of one venue. The position that venues like Ku find themselves in due to lockdown presents a risk to the future viability of these important cultural venues. Further losses would decimate London's cultural offer and have a huge impact on the LGBTQ+ community more widely which demonstrates the importance of the named variations. This variation would allow this business to recover from the devastating impact of COVID-19 and it is clear from the application that this is the intention of the application demonstrated in the time limited nature of the extension of the terminal hour.

We understand the necessity for our representation to be related to the Licensing Objectives. It is our opinion that Ku venues consistently promote the licensing objectives through the range of policies they have in place, but also through the practical operational procedures which they have in place.

All of the Ku venues are members of our [REDACTED], which is a Business Crime Reduction Partnership. Our aim is to bring together businesses, in partnership, with local authorities and the Police to tackle crime, violence and anti-social behaviour.

Ku is an active member of [REDACTED] regularly using our intelligence systems and radio network to detect and deter crime, attending our [REDACTED] and engaging with the wider business community to make Soho safer for all. This clearly shows their commitment to the prevention of crime and disorder.

Ku also is a member of the [REDACTED], which is cited as best practice in the Westminster City Council Statement of Licensing Policy 2021. Ku has engaged with [REDACTED] throughout our existence and have engaged with a range of services including our training around welfare and vulnerability – showing that the venues take this issue seriously, working to promote safety in everything that they do.

Ku has been an important part of the fabric of LGBTQ+ London for over 25 years and is integral to the LGBTQ+ community. As a member of the London LGBTQ+ Venue Forum, Ku plays a vital role in the community it serves – bringing issues of venues and the wider LGBTQ+ community to the forefront of discussions in London.

Over the last year, the mandated closures of the venue coupled with severe restrictions, including the 10pm curfew and restriction on single households only indoors, meant the business was brought to a point where its very survival was in question.

This variation offers a lifeline to this business and we would encourage the Licensing Sub-Committee to grant this application and support this venue, and the wider LGBTQ+ community. If you have any further questions, or require any other information, please do not hesitate to contact me.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	19 March 2021		

I am the CEO and Chairman of [REDACTED].  
 Ku Bar Lisle Street is a close neighbour, [REDACTED].  
 [REDACTED] I am writing to support for the Ku Group's applications to extend their hours for Lisle Street and Frith Street.  
 [REDACTED] benefits from a 24/7 licence. My management team are highly experienced late-night operators and understand how to run a business right through the day and night without complaint. I have witnessed Ku Group's operational practices at Ku Lisle Street up to 3.00 am under their existing basement licence and during temporary event notices and am impressed by their management and standards. I have no doubt Ku Group can operate later on a regular basis without any adverse impact in the area or on the licensing objectives.  
 Like [REDACTED], the Ku Group have suffered the severe consequences of the Covid pandemic. I hope that the City Council grant both applications to help safeguard the Ku Group business, ensuring we can operate successfully alongside each other for many years to come.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	15 March 2021		

[REDACTED] is a London based charity supporting people living with HIV for over 30 years, and support the extended hours application of the Ku Group.  
 The Ku Group have been incredibly supportive of [REDACTED] for many years, holding regular fundraising events around important dates in the LGBTQ calendar such as London Pride and World AIDS Day (1st December).  
 [REDACTED] receives no statutory funding and relies on community fundraising events to raise money and our profile within the LGBTQ community. Our fundraising events at Ku Bar are always successful and have raised over £82,000 since 2010.  
 Owner Gary Henshaw is well known within the LGBTQ business community and is respected for his longstanding commitment to creating a safe and welcoming space for everyone. The last twelve months have had a devastating effect on the hospitality industry in Soho and beyond. We support Gary and the Ku Group in their endeavours to keep their independent business alive for the short and longer term.  
 An extension to the licence hours would help Gary and the Ku Group to rebuild the business and we hope Westminster City Council grant the proposal and allow the group to continue to support local charities

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	15 March 2021		
<p>My name is [REDACTED] I am a DJ and Club Promoter who has worked for the KU Group for over 15 years. I am writing this letter in support of the extended hours application of Ku's venues.</p> <p>Ku is very important to the LGBTQ+ scene. I run an event at the venue called [REDACTED] which is the only weekly get together in Central London specifically catering to the Trans and Non-Binary community of which I am a part of. Ku has been the only stable establishment for us since we started the club night 6 years ago. We have unfortunately had a run of bad luck with venues we chose to host the night being shut down. Madame JoJo's - The Shadow Lounge - The Black Cap - Muse - The Green Carnation - Her Upstairs - have all been closed. It's vital that Ku Bar is given the opportunity to survive this terrible pandemic and carry on providing a safe environment for us. We cannot risk any more closures. These spaces are needed desperately. On a personal note the owner Gary Henshaw has provided me with stable employment - something that is rare for someone like me who is self employed and a creative. It is also great that the venue is privately owned and not controlled by one of the big companies who don't have personal relationships and loyalties with the community.</p> <p>I support the request for extended licence hours as a way for Ku Group to increase profit margins and hopefully survive this terrible year.</p> <p>Like many the Ku Bar was the first LGBTQ+ venue I stepped foot in when I arrived in London and has been a part of my working and social life ever since - it is a huge part of the community and it is imperative it is given every help to survive.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	15 March 2021		
<p>I write to you to please ask you to consider a licensing extension for the Ku/She on Lisle Street, Soho.</p> <p>While I appreciate that the residents are concerned with late night visitors to Soho I wish to express how essential businesses like She and Ku are.</p> <p>As we all know, being gay can often lead to being isolated from family or other support groups and places like She and Ku provide sanctuary and desperately needed support to a marginalised group. There are not many day time support venues or places of sanctuary, making late night venues like even more important / essential.</p> <p>Please do consider allowing even a temporary late night license. Its been a long and difficult year.</p>			

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> </ol>

	<p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</p> <p>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</p> <p>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a</p>
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	<p>bank holiday: 12pm to 12am.</p> <p>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy PB1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>2. The application and operation of the venue continuing to meet the</li> </ol>

	<p>definition of a Public House or Bar in Clause D.</p> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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#### 4. Equality Implications

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

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

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

#### 5. Appendices

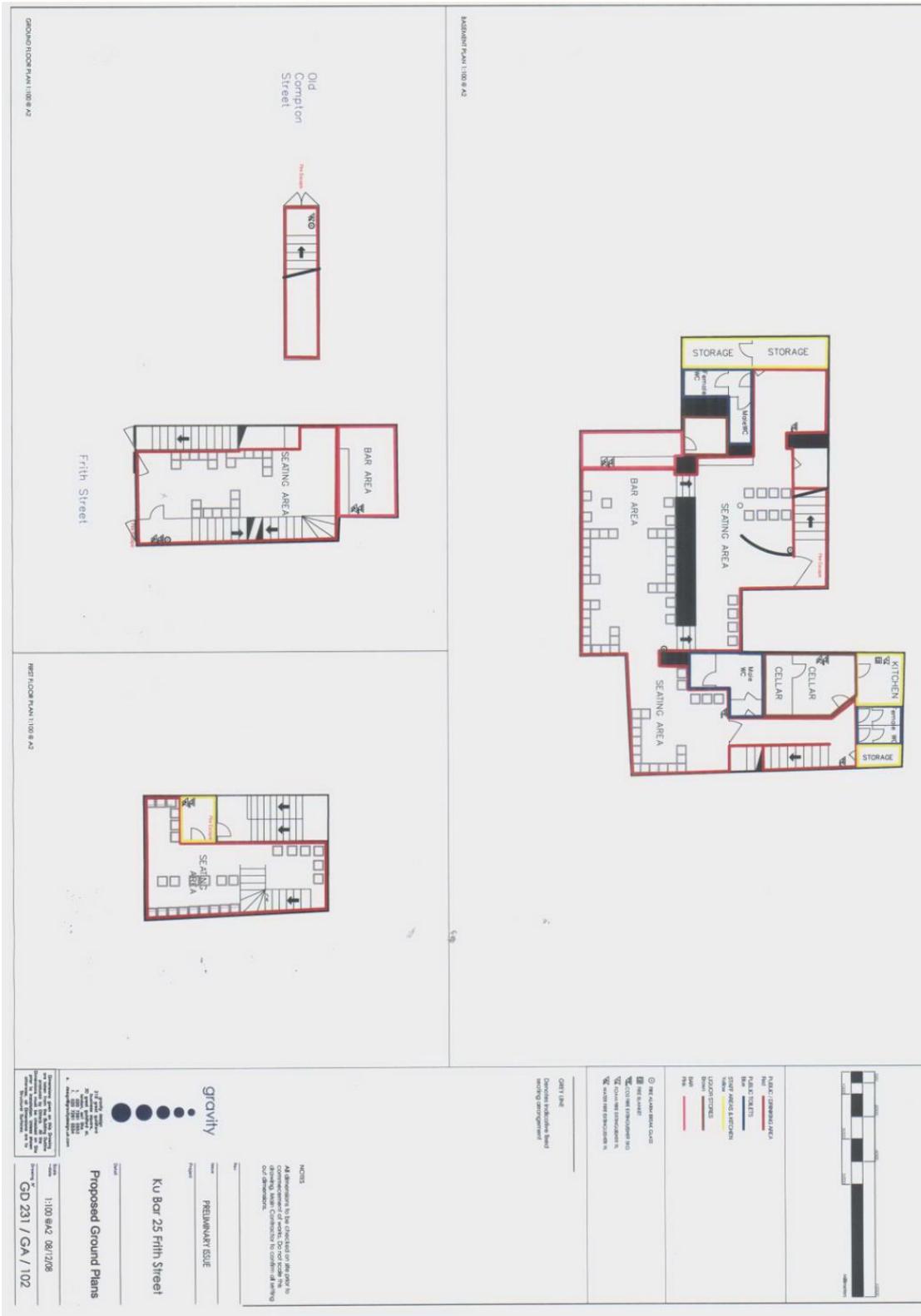
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

**Background Documents – Local Government (Access to Information) Act 1972**

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service ( <b><i>Withdrawn 28 April 2021</i></b> )	01 April 2021
5	Metropolitan Police Service	12 March 2021
6	Licensing Authority	24 March 2021
7	Interested Party 1	17 March 2021
8	Interested Party 2	31 March 2021
9	Interested Party 3	26 March 2021
10	Interested Party 4	27 March 2021
11	Interested Party 5	27 March 2021
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15	Interested Party 9	28 March 2021
16	Interested Party 10	24 March 2021
17	Interested Party 11	22 March 2021
18	Interested Party 12	18 March 2021
19	Interested Party 13	18 March 2021
20	Interested Party 14	10 March 2021
21	Interested Party 15	11 March 2021
22	Interested Party 16	25 March 2021
23	Interested Party 17	25 March 2021
24	Interested Party 18	21 March 2021
25	Interested Party 19	30 March 2021
26	Interested Party 20	26 March 2021
27	Interested Party 21	29 March 2021
28	Interested Party 22	24 March 2021
29	Interested Party 23	01 April 2021
30	Interested Party 24	31 March 2021
31	Interested Party 25	31 March 2021
32	Interested Party 26	19 March 2021
33	Interested Party 27	15 March 2021
34	Interested Party 28	15 March 2021
35	Interested Party 29	15 March 2021



GROUND FLOOR PLAN 1:100 @ A2

FIRST FLOOR PLAN 1:100 @ A2

**gravity**

**NOTES**  
 All dimensions to be checked on the job to ensure accuracy. No liability for errors or omissions in the drawings shall be accepted by the contractor. The contractor shall be responsible for any errors or omissions in the drawings.

**LEGEND**

- ① NEW EXISTING WALLS
- ② NEW EXISTING DOORS
- ③ NEW EXISTING WINDOWS
- ④ NEW EXISTING FLOORS
- ⑤ NEW EXISTING ROOFS
- ⑥ NEW EXISTING CEILING
- ⑦ NEW EXISTING LIGHTING
- ⑧ NEW EXISTING MECHANICAL
- ⑨ NEW EXISTING ELECTRICAL
- ⑩ NEW EXISTING PLUMBING
- ⑪ NEW EXISTING PAINT
- ⑫ NEW EXISTING GLASS
- ⑬ NEW EXISTING METAL
- ⑭ NEW EXISTING WOOD
- ⑮ NEW EXISTING CONCRETE
- ⑯ NEW EXISTING BRICK
- ⑰ NEW EXISTING BLOCK
- ⑱ NEW EXISTING TILE
- ⑲ NEW EXISTING CARPET
- ⑳ NEW EXISTING LINOLEUM
- ㉑ NEW EXISTING RUBBER
- ㉒ NEW EXISTING VINYL
- ㉓ NEW EXISTING PAPER
- ㉔ NEW EXISTING FABRIC
- ㉕ NEW EXISTING LEATHER
- ㉖ NEW EXISTING SUEDE
- ㉗ NEW EXISTING WOOL
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- ㉙ NEW EXISTING LINOEN
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- ㊻ NEW EXISTING Canvas
- ㊼ NEW EXISTING Tarpaulin
- ㊽ NEW EXISTING Polypropylene
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- ㊿ NEW EXISTING PVC
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**CLIENT:**  
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**PROPOSED GROUND PLANS**

**KU Bar 25 Fifth Street**

**1:100 @ A2 08/17/08**

**GD 231 / GA / 102**

**Applicants TEN history 2015 to 2020****Frith Street TENS - 2015****Basement & Ground Floor**

	Dates	Area Used / Capacity	Times
1.	Saturday 31 <sup>st</sup> Jan	170	00:00 to 03:00
2.	Sunday 1 <sup>st</sup> March	170	00:00 to 03:00
3.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> March	170	00:00 to 03:00 each day
4.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> April	170	00:00 to 03:00 each day
5.	Saturday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> May	170	00:00 to 03:00 each day
6.	Saturday 27 <sup>th</sup> & Sunday 28 <sup>th</sup> June	170	00:00 to 03:00 each day
7.	Sunday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> July	170	00:00 to 03:00 each day
8.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> August	170	00:00 to 03:00 each day
9.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> September	170	00:00 to 03:00 each day
10.	Saturday 24 <sup>th</sup> & Sunday 25 <sup>th</sup> October	170	00:00 to 03:00 each day
11.	Saturday 31 <sup>st</sup> October & Sunday 1 <sup>st</sup> November	170	00:00 to 03:00 each day
12.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> November	170	00:00 to 03:00 each day

## Frith Street TENS - 2016

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times
1.	Saturday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> Jan	170	00:00 to 03:00 each day
2.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> Feb	170	00:00 to 03:00 each day
3.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> March	170	00:00 to 03:00 each day
4.	Saturday 30 <sup>th</sup> April & Sunday 1 <sup>st</sup> May	170	00:00 to 03:00 each day
5.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> May	170	00:00 to 03:00 each day
6.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	170	00:00 to 03:00 each day
7.	Sunday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> July	170	00:00 to 03:00 each day
8.	Tuesday 23 <sup>rd</sup> August	170	23:30 to 03:00
9.	Sunday 28 <sup>th</sup> August	170	00:00 to 03:00
10.	Sunday 2 <sup>nd</sup> October	170	00:00 to 03:00
11.	Sunday 30 <sup>th</sup> October	170	00:00 to 03:00
12.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> November	170	00:00 to 03:00 each day

## Frith Street TENS - 2018

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times
1.	Saturday 27 <sup>th</sup> & Sunday 28 Jan	170	00:00 to 03:00 each day
2.	Saturday 24 <sup>th</sup> & Sunday 25 <sup>th</sup> Feb	170	00:00 to 03:00 each day
3.	Friday 30 <sup>th</sup> , Saturday 31 <sup>st</sup> March, Sunday 1 <sup>st</sup> and Monday 2 <sup>nd</sup> April	170	00:00 to 03:00 each day
4.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> April	170	00:00 to 03:00 each day
5.	Sunday 27 <sup>th</sup> May	170	00:00 to 03:00
6.	Sunday 1 <sup>st</sup> July	170	00:00 to 03:00
7.	Sunday 8 <sup>th</sup> July	170	00:00 to 03:00
8.	Sunday 29 <sup>th</sup> July	170	00:00 to 03:00
9.	Sunday 26 <sup>th</sup> August	170	00:00 to 03:00
10.	Sunday 30 <sup>th</sup> September	170	00:00 to 03:00
11.	Sunday 28 <sup>th</sup> October	170	00:00 to 03:00
12.	Sunday 25 <sup>th</sup> November	170	00:00 to 03:00
13.	Sunday 2 <sup>nd</sup> December	170	00:00 to 03:00
14.	Sunday 9 <sup>th</sup> December	170	00:00 to 03:00
15.	Sunday 16 <sup>th</sup> December	170	00:00 to 03:00

**Frith Street TENS - 2019****Basement & Ground Floor**

	Dates	Area Used / Capacity	Times
1.	Sunday 27 <sup>th</sup> Jan	170	00:00 to 03:00
2.	Sunday 24 <sup>th</sup> Feb	170	00:00 to 03:00
3.	Sunday 31 <sup>st</sup> March	170	00:00 to 03:00
4.	Sunday 28 <sup>th</sup> April	170	00:00 to 03:00
5.	Sunday 30 <sup>th</sup> June	170	00:00 to 03:00
6.	Sunday 7 <sup>th</sup> July	170	00:00 to 05:00
7.	Sunday 29 <sup>th</sup> September	170	00:00 to 03:00
8.	Sunday 27 <sup>th</sup> October	170	00:00 to 03:00
9.	Saturday 2 <sup>nd</sup> and Sunday 3 <sup>rd</sup> November	170	00:00 to 03:00
10.	Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> November	170	00:00 to 03:00
11.	Saturday 23 <sup>rd</sup> and Sunday 24 <sup>th</sup> November	170	00:00 to 03:00
12.	Saturday 30 <sup>th</sup> November and Sunday 1 <sup>st</sup> December	170	00:00 to 03:00
13.	Sunday 8 <sup>th</sup> December	170	00:00 to 03:00
14.	Saturday 14 <sup>th</sup> and Sunday 15 <sup>th</sup> December	170	00:00 to 03:00
15.	Sunday 29 <sup>th</sup> December	170	22:30 to 03:00

**Frith Street TENS - 2020****Basement & Ground Floor**

	Dates	Area Used / Capacity	Times
1.	Sunday 01 March	170	00:00 to 03:00



**VENUE DISPERSAL POLICY**

**25 FRITH STREET**

**SAFE, QUIET & CONTROLLED DISPERSAL**

- 1.1 The objective of this Dispersal Policy is to ensure our customers and staff leave **safely, quietly** and in a **controlled** manner – particularly at night.
- 1.2 The departure of our customers must be managed professionally and responsibly to ensure they make their journey home **without causing any disturbance to our neighbours**.
- 1.3 This Dispersal Policy also helps to ensure customers make their journey home **safely and do not become victims of crime**.
- 1.4 We promote the Women's Night Safety Charter for our customers attending and leaving She.

**LOCATION**

- 2.1 The premises are situated at 25 Frith Street.
- 2.2 Despite our central London location and mixed-use area, staff must be constantly aware that there are residential properties close by.

**POINT OF CONTACT**

- 3.1 Contact details for the general manager or the duty manager are made available for use by any person who may wish to speak about any issues relating to the operation of Ku, including the dispersal of customers.

**GENERAL ENTRY/EGRESS**

- 4.1 The main customer entrance and exit for Ku Bar is located on Frith Street.
- 4.2 The main customer entrance and exit for She is located on Old Compton Street.

- 4.3 When leaving customers are reminded to respect the local residents and disperse quietly and quickly. We do not tolerate unruly or anti-social behaviour from customers that may cause a disturbance to our neighbours. Signage is displayed to this effect.

## **SIA SUPERVISION**

- 5.1 During busier periods our SIA registered supervisors supervise the dispersal of customers until they have left the vicinity of the premises safely and quietly.
- 5.2 The requirement for SIA registered supervisors will continue to be risk assessed by management. SIA registered door supervisor numbers may be increased or decreased depending on the number of customers expected on any particular evening.
- 5.3 Our SIA supervisors play a key role in the successful implementation of our dispersal procedures. Where possible regular SIA supervisors are employed who can work in partnership with management to promote and encourage a safe, quiet and controlled dispersal of customers.

## **DISPERSAL**

- 6.1 Towards closing time:
- 6.1.1 customers are politely reminded that the premises is about to close.
  - 6.1.2 music tempo and volume is gradually reduced.
  - 6.1.3 lighting levels are increased.
- 6.2 Members of staff, management and SIA supervisors work together to ensure all customers leave by the authorised closing time. There are no exceptions to this whatsoever.
- 6.3 Customers are encouraged to leave quietly and quickly. Where required, customers are directed away from the local area and not permitted to loiter or cause any disturbance.

## **TRANSPORT**

### **FOOT**

- 7.1.1 A significant number of customers arrive and depart by foot.
- 7.1.2 We are well serviced by public transport links, as set out below. All staff are familiar with these transport links so they can advise customers where required.

## **TUBE**

7.2.1 We are well situated near the following easily accessible stations, with the benefit of the extended night tube services:

- (a) Leicester Square
- (b) Covent Garden
- (c) Tottenham Court Road (including Crossrail)
- (d) Charing Cross
- (e) Oxford Circus

7.2.2 Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

## **RAIL**

7.3.1 The following rail stations are easily accessible by foot, bus or taxi:

- (a) Charing Cross
- (b) Kings Cross
- (c) St Pancras
- (d) Victoria
- (e) Liverpool Street
- (f) Paddington
- (g) Blackfriars

7.3.2 Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

## **TAXI**

7.4.1 Black cabs, and other app-based cabs, are available right through the day and night in the surrounding area.

7.4.2 Guests are encouraged to quickly and quietly disperse towards their waiting vehicle to minimise any noise disruption.

7.4.3 Customers may wait inside before leaving directly into a waiting taxi to avoid loitering on the street.

## **BUSES**

- 7.5.1 We are well serviced by public buses. TFL bus services, including night buses, are accessible by bus stops on Shaftesbury Avenue (Gerrard Place/Chinatown) and Charing Cross Road (Cambridge Circus).
- 7.5.2 Routes include 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41 and N279, which serve a wide range of onwards destinations.
- 7.5.3 Where necessary customers are given directions to the bus stops and are reminded to consider the local residents and businesses when travelling to the bus stops and waiting for buses, particularly at night.
- 7.5.4 Staff are familiar with the local bus services and will advise customers accordingly.

## **SIGNAGE**

- 8.1 Notices are displayed at the exits reminding customers to respect our local residents and to encourage customers to disperse as quickly and as quietly as possible.

## **9. MANAGER'S ROLE**

- 9.1 It is ultimately the responsibility of the General Manager to:
  - a) ensure that any SIA registered door supervisors, other managers and staff act effectively and responsibly to comply with this policy;
  - b) use all reasonable endeavours to dissuade customers from causing any disturbance or nuisance within the vicinity of the premises; and
  - c) prioritise and assist wherever possible in ensuring a quiet, safe and controlled dispersal of customers.

## Ku Group Introduction



### **KU GROUP: AN INTRODUCTION, COVID-19, CULTURE & DIVERSITY**

#### **A. AN INTRODUCTION TO KU GROUP**

Ku Group is a collection of independent LGBTQ+ (and hetero-friendly) bars based in Westminster, consisting of:

##### 30 Lisle Street:

- Ku Bar (ground floor): Ku Group's flagship venue, an Award-Winning Gay Bar which celebrated 25 years of independently owned LGBTQ+ nightlife in 2020.
- Ku Underground (basement): Klub is a popular and vibrant live music venue under Ku Bar.
- Ku Lounge (1<sup>st</sup> floor): A luxury cocktail establishment above Ku Bar, serving food from the newly developed Ku Kitchen.

##### 25 Frith Street:

- Little Ku (ground & 1<sup>st</sup> floor): An alternative, smaller venue providing an intimate bar setting.
- She Soho (basement): London's only dedicated lesbian venue, providing a space for gay/queer women to enjoy entertainment safely.

Ku Group has provided revolutionary hospitality and live music venues to London's LGBTQ+ scene since its creation in the 1990s. They offer a series of safe locations for the LGBTQ+ community in an environment where the values of diversity and inclusion are promoted.

Our 25th anniversary is culturally significant - there are only a handful of LGBTQ+ independent businesses left in operation.

Ku has a host of talented and regular Drag Queen DJs and performers such as Lady Lloyd (who is a key voice on inclusivity of non-binary and trans awareness), Vicki Vivacious, Sum Ting Wong, Cheryl Hole, Tasty Tim and Adam Apple (a drag king who performs in She).

We are proud to also be one of the first bars to have a transgender as General Manager - who is still with us and heavily involved in our operations and social media activity. This has been key to help reach out to marginalised groups - changing the perception of what a gay bar is and can be.

##### Gary Henshaw

Ku was founded by Gary Henshaw over 25 years ago. Born in Dublin in the 60's, Gary began working his life in the family business as a butcher. In the mid-80's he left Dublin and headed to Copenhagen, getting into the leisure business, starting as a bar back in the city's bohemian nightclub Pan. Within a year he had worked as a DJ, Barman and then Assistant Manager. In 1987 he headed to Ibiza and a year later opened his own bar in the city's Old Town called Catwalk.

In 1990 Gary arrived in London and opened a small Mediterranean style venue called Village West One on Hanway Street, just off Oxford Street. Immediately a hit with London's growing gay population, it expanded to its current location - The Village on Wardour St. Gary continued to launch a number of Bars and Club nights, including Kudos, and The Tea Dance at The Limelight, a hugely successful hit with everyone who was anyone.

In 1995 Gary opened the first Ku Bar on Charing Cross road, that quickly became 'my first gay bar' for many who looked for support in the LGBTQ+ community. Ku on Lisle Street opened in 2007 followed by Little Ku on Frith Street in 2009 and then She (formerly operated as Candy Bar on Carlisle Street) in 2011.

Gary opened the first gay venue that had windows to view inside, where most venues still operated behind closed doors. He helped changed the perception for the London gay scene by being proud. Others followed in suit, which helped build acceptance towards the LGBTQ+ community.

More recently, Gary:

- was invited to take part in a BBC London news item praising the success of the AI Fresco scheme in the West End in summer 2020
- was recently elected to the Board of the Soho Business Alliance.
- liaised closely with the Government to publish a case study on the Government website to detail how we are adhering to COVID-19 safe guidelines.

## **B. THE IMPACT OF COVID-19**

### Financial Impact

Due to COVID-19 and the implications surrounding business closures, we have lost revenue of more than £2,000,000. We have mitigated the loss as much as possible by utilising the Coronavirus Business Interruption Loan scheme, furlough, government grants and revised rent deals with landlords. However, there remains a significant shortfall with an uncertain future ahead.

An extension to our licensing hours should help us recover some of the revenue lost as a result of the pandemic. It should also help the business survive during the important recovery period. This will give our business a platform to operate sustainably in the long term and provide greater potential business opportunities by allowing us to open for longer and provide a wider variety of services.

This will also enable us to maintain the above activity upon our planned re-opening with the lifting of restrictions; without this help there is serious risk that our rent, advertising and staffing costs cannot be met in the medium to long term.

Our business is currently closed, with staff on furlough and no revenue being earned. Additional trading hours will help enable us to re-open, viably function again and meet the following key costs:

- Ongoing operational costs, such as rent payments, rates and utility bills;
- Associated staffing costs, such as wages, pensions and National Insurance contributions;
- Advertising and online costs, to continue to raise awareness for our business and maintain networking links with partners and stakeholders.

- Allocating funds to ensure we are compliant with government guidelines upon opening. This includes purchasing additional signage, sanitation and hygiene equipment, refresher training for staff and items to control social distancing.

### Adapting Plans

We have attempted to manage the impact of COVID-19 by remaining open for business as far as practical throughout the pandemic; we have managed risk by adapting to all prevailing government guidance. As a consequence, we have maintained levels of income which have allowed us to be financially sustainable to date. This is not sustainable without our business adapting further.

Ku Group has also worked to adapt our business to function throughout the pandemic. A significant investment was made in Ku Bar, Lisle Street, to build a state-of-the-art kitchen enabling us to provide food across all floors.

Further adaptations include:

- Our venues use a reservation system to limit numbers and provide adequate social distancing.
- Within Ku Bar, our terrace provided outdoor, socially distanced seating and the indoor space was restructured.
- Ku Lounge offered socially distanced and screen protected booths and take-away options.
- Klub offered low key cabaret shows with seated, socially distanced performances.

Through risk assessments and constant communication with the government and local authorities, we will prepare for multiple business scenarios and potential consumer behaviours throughout the period of easing restrictions. This could include having to adapt to lower or higher levels of expected consumer interest, changes to restrictions in the future and the expected levels of expenditure required to maintain the business. We believe the key to adapting is to thoroughly plan for worst- and best-case scenarios, and being open and transparent with regards to new legislative measures to highlight how we are adhering to them.

### Events

Prior to COVID-19, our venues were undertaking regular live music events and hosting varied and interesting live LGBTQ+ entertainment. We held 20 main BOiBOX events in 2018 to celebrate our 23<sup>rd</sup> year anniversary and 11 events in 2019, with popular LGBTQ+ guests delivering innovative performances of drag, dance, cabaret and 'boylesque.' Upon the increased government restrictions in 2020, Ku Group launched 4 BOiBOX online events which received significant success and high levels of online viewers, who enjoyed the entertainment while safe at home.

## **C. CULTURAL ACTIVITIES**

Through planning to re-open during the Spring period, our cultural deliveries include the rejuvenation of our existing live events and the planning of future events and partnerships to enhance our business potential throughout the summer period.

We plan to hold weekly live events across our venues, alongside general reopening and providing of safe spaces for the LGBTQ+ community and people of London to eat, drink and gather. These events range across our venues, from live music planned for our underground venue (Ku Klub, Lisle Street), to socially distanced Drag King performances, cabaret, dancing and virtual karaoke. Undertaking our existing activities within additional guidelines will:

- Enable our local and national performance partners to re-gain exposure;
- Facilitate a source of income for our performer partners, who are mostly self-employed and not been able to work for most of the last 12 months;
- Provide safe entertainment for guests;
- Enable us to determine which are the most popular viable events for future planning.

Throughout the opening period, we will also undertake planning and preparation for the London Pride event during the summer of 2021. This will involve:

- Extensive collaboration with brands for sponsorship throughout the parade and event;
- Discussions with relevant authorities to determine the restrictions and capabilities of the events, such as restricted capacities and social distancing;
- Undertaking marketing and advertising activities to raise awareness for the event and COVID safe practices;
- Planning and preparing our venues, workforce and suppliers to host pride related events in the run up to and during the parade.

We will ensure we have managed any potential risks to enable our activities to go ahead safely and successfully upon confirmation of the event not being postponed further.

### Cultural Significance

Ku Group is prolific within the London and wider UK LGBTQ+ scene, providing industry leading venues, entertainment and service. We take pride in our entertainment, our cultural offer and our overall influence within the history of London's LGBTQ+ community. We aim to showcase the pride in our community and entertainment, which all helps to create a wider acceptance of the LGBTQ+ cause and their efforts to be understood and celebrated.

The title 'London's Award-Winning Gay Bar' on the front of our flagship venue in Leicester Square highlights our pride for our contribution to LGBTQ+ culture.

Our national significance is also highlighted through our frequent collaborations with a host of talented Drag Queen DJs and performers, such as:

- Lady Lloyd, who is very involved with growing awareness and inclusivity of non-binary and trans people within the community;
- Vicki Vivacious, who tours with Little Mix and has performed across the globe;
- Sum Ting Wong and Cheryl Hole, both popular drag artists who participated on RuPaul's Drag Race UK;
- Adam Apple, a drag king who performs in She.

We also work to enhance the reputation of local acts and talents; our various events providing opportunities and a platform for LGBTQ+ artists to showcase their skills.

Ku Group often supports the local LGBTQ+ production company Making Productions, providing the opportunity for LGBTQ+ shows and performances to be shown to a wider audience, and extending the scope of the performing arts scene in England. Previous collaborations include:

- Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.
- Providing finance and marketing investment to successfully transfer the Kevin Elyot play, Coming Clean, to the West End. The play considers differing attitudes to love within the LGBTQ+ community.
- Assisting in the development of a new opera, Opera Undone, which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

## Community

Ku Group also takes a collaborative approach to raising awareness of charitable work and LGBTQ+ related causes within our community. We strive to contribute to the understanding of the LGBTQ+ cause. Our recent charitable efforts include:

- Every weekend, we provide space within our venues for sexual health screenings;
- We have raised over £100,000 for The Food Chain, which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives;
- In December 2019, we raised over £20,000 for a trans-led charity which is part of 56 Dean Street, a sexual health clinic in Soho. The organisation includes 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people;
- Our work with the Switchboard LGBT Charity.

Our work also increases economic opportunities within the locality, through:

- Contributing to increased revenue within the region for food outlets, other venues and accommodation;
- Working with local suppliers and providers;
- Providing full time and flexible employment opportunities to local people.

## **D. DIVERSITY & INCLUSIVITY**

### Employees

We operate a stringent Equal Opportunities Policy, which is guided by our company values of inclusivity, transparency and equality. In keeping with these, and in consideration of our wide-reaching customer base, our current workforce is very diverse and reflective of the different backgrounds, heritages and orientation of the people within our locality. We currently employ 37 staff, 30% of which are female, and ensure any promotions or hiring opportunities are values based, accessible and open to all. Our team undertake regular diversity training to ensure we are up to date with industry best practice and aware of any wider legislation or guidance.

The above policies, principles and experience have been key when reaching out to marginalised groups in efforts to change the perception of what a gay bar is and can be. We hope to be innovative and industry leading when it comes to inclusivity within our workforce and customer base, to ensure this is cascaded to our service provision.

## Customer Diversity

We continuously work with diverse audiences, being an established hetero-friendly LGBTQ+ company. To build upon this, we will work to expand our client base and improve access for even more people. This includes:

- Continuing and building upon our weekly trans nights, providing a safe space for the trans community to meet.
- Expanding on our dedicated lesbian venue, which is the only dedicated lesbian bar in London, ensuring all members of the LGBTQ+ Community feel safe and encouraged to enjoy culture.
- Increasing links with the BAME community and hosting themed events which highlight the various heritages and backgrounds present within our locality.

We also plan to continue our charity work and consider other local charities who could use our support, in the way of providing a venue for meetings and fundraising events. Our continued partnerships with organisations such as London Pride enables us to constantly learn from industry leaders in attracting more diverse audiences.

WE ARE THE  
WE ARE THE

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# KU Group



[WWW.KU-GROUP.COM](http://WWW.KU-GROUP.COM)

Ku are proud of our LGBTQ+ friendly and inclusive venues.

We focus on providing exceptional levels of service in a safe environment for all our customers.

Ku is recognised for our friendly, inviting and professional service provided by our employees.

Our venues offer a range of LGBTQ+ entertainment.

## EXCELLENCE OF SERVICE

We believe in offering the best product quality and service to help welcome new and regular customers, developing our staff on customer service and product knowledge.

## DIVERSITY

We believe in offering a wide range of events, showcasing the LGBTQ+ talent, throughout our venues to cater for a diverse and expanding customer base.

## INCLUSIVITY

We believe in being an inclusive brand, offering spaces to the wider LGBTQ+ community and our hetero-friendly allies. We offer free spaces to not for profit LGBTQ+ organisations.

## CHARITY & THE ARTS

We run fundraising events, raising thousands of pounds for LGBTQ+ focused charities. We are also proud to support the arts, investing capital into independent LGBTQ+ performance's, increasing awareness and support.

TEAMWORK TEAMWORK  
COMMITMENT COMMIMENT  
EXCELLENCE EXCELLENCE  
PERSONALITY PERSONALITY  
OWNERSHIP OWNERSHIP  
COMMUNICATION COMMUNICATION  
ACCOUNTABILITY ACCOUNTABILITY  
CREATIVITY CREATIVITY  
PASSION PASSION  
RESPONSIBILITY RESPONSIBILITY  
TRUST TRUST  
RESPECT RESPECT

## THE KU EXPERIENCE...

To provide our customers with an exceptional experience including excellence in service, competitively priced premium products and the warmest of welcomes in a professionally managed environment from our passionate and personable team. Respecting diversity providing a safe, inclusive and culturally vibrant space for the LGBTQ+ community.

**Develop** our team to ensure they are able to offer excellence in customer service and product knowledge.

Ensure to offer **competitive pricing** whilst maintaining a premium edge with our product range.

Continually grow our **leading reputation in the LGBTQ+ community with a strong cultural entertainment offer.**

Continually reinvest in our venues ensuring a high standard of **safety, design, comfort and style.**

**21/01595/LIPV AND 21/01596/LIPV**

**KU BAR, 29 – 30 LISLE STREET, WC2H 7BA**

**KU BAR & SHE BAR, 25 FRITH STREET, W1D 5LB**

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**APPLICANT SUBMISSIONS**

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**PRELIMINARY MATTERS**

1. The applicant has submitted joint variation applications on similar terms for its premises situated at 29 – 30 Lisle Street (“Ku Lisle Street”) and 25 Frith Street (“Ku/She Frith Street”). The applicant understands that the applications will be determined separately during different sessions on 22 July 2021, albeit heard by the same Licensing Sub-Committee.
2. These submissions, at least in respect of Policy, are made equally in respect of both applications, save where premises-specific submissions are made. The applicant is grateful for the Licensing Sub-Committee’s consideration accordingly, which is hopefully preferred to an alternative requirement to consider two separate, yet largely duplicated, submission documents. It is of course accepted that each application will be considered and determined separately on their individual merits.
3. The applications were duly lodged on 4 March 2021. The statutory consultation completed on 1 April 2021. The Licensing Act 2003 (Hearings) Regulations 2005<sup>1</sup> required a hearing to be scheduled by no later than 29 April 2021. The applications were made on the understanding that

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<sup>1</sup> Regulations 4 and 5

they would be determined in April, when the applicant was planning it's re-opening in accordance with the Coronavirus Steps Regulations.

4. The applications are time critical and time limited, with an effective end date of 31 May 2023. They are made specifically to help the applicant's business survive and recover at an extremely challenging time. The delays and scheduling of these hearings have reduced the amount of time the applicant could benefit from the time limited extensions (if granted) and as a result, the applicant has already had to use up some of this year's TEN allowance since April to authorise the hours proposed.
5. The applicant is sympathetic and understands that the delays are the result of extremely high levels of case loads and scheduling difficulties as part of the remote hearing process. Notwithstanding, the applicant requests that the Licensing Sub-Committee please bears in mind the impact of the delays on the already challenging re-opening plans over the last few months.

## **THE APPLICATIONS**

6. The applications seek authorisation to extend the terminal hour for all licensable activities from Core Hours to 1.00 am Monday to Saturday and Sundays immediately before bank holiday Mondays at Ku/She Frith Street and on the ground floor and first floor of Ku Lisle Street (with no change to the existing 3.00 am terminal hour in the Ku Lisle Street basement).
7. The applications propose that the hours are extended temporarily only, with an end date of 31 May 2023. The objective is to help the businesses survive and recover during the Covid-19 recovery period.

## **SUPPORTING DOCUMENTS**

8. The applicant is grateful for the Licensing Sub-Committee's consideration of the following supporting material:
  - a. Ku Group introduction and overview document.
  - b. Ku Group identity presentation.

- c. Dispersal policy.
- d. Schedule of Temporary Event Notices for each premises between the periods 2015 – 2020. Similar TEN programming was also utilised at each premises in the years prior to 2015.
- e. Schedule of closed LGBTQ+ venues in Westminster.

## **THE KU/SHE VENUES**

### 9. Ku Lisle Street:

- a. Ku Bar (ground floor): Ku Group's flagship venue, an Award-Winning Gay Bar which celebrated 25 years of independently owned LGBTQ+ nightlife in 2020.
- b. Ku Lounge (1<sup>st</sup> floor): A luxury cocktail establishment above Ku Bar, serving food from the newly developed Ku Kitchen.
- c. Ku Underground (basement): Klub is a popular and vibrant live music venue licensed until 3am under Ku Bar (not subject to current applications).

### 10. Ku/She Frith Street:

- a. Little Ku (ground & 1<sup>st</sup> floor): An alternative, smaller and more intimate venue to Ku Lisle Street.
- b. She Soho (basement): London's only dedicated lesbian venue, providing a space for gay/queer women to enjoy entertainment safely.

## **GARY HENSHAW**

11. The sole director and owner of the applicant company is Mr Gary Henshaw.

12. Mr Henshaw is Westminster's longest standing independent LGBTQ+ venue operator. He is one of the West End's most experienced licensed operators with a deserved reputation as a professional,

compliant and safe venue operator. His 25+ year operational record is impeccable. He is a licence holder that Westminster and all the Responsible Authorities can trust.

13. Mr Henshaw is on the board of the recently formed Soho Business Alliance; a member of the Chinatown Stakeholders Association; and a key participant in the annual London Pride event planning. Most recently, he has liaised closely with the government on Covid-19 safe operational practices - with the Ku Group cited as a successful case study on the government guidance website.
14. Above all, Mr Henshaw has an eminent standing in the LGBTQ+ community for the brave and pioneering approach he adopted when opening venues at the start of his career, which he maintains to this day. Over 20 years ago, Mr Henshaw was the first LGBTQ+ venue owner to operate without blocked windows, when most LGBTQ+ venues still operated behind closed doors. This helped change general perception of the London Gay scene by being proud. Others followed Mr Henshaw's lead, which in turn contributed to a greater acceptance of the LGBTQ+ community in London and further afield.

## **EQUALITY, DIVERSITY AND INCLUSION**

### Equality Act 2010

15. The Equality Act 2010<sup>2</sup> sets out the City Council's public sector equality duty when exercising its functions under the Licensing Act 2003. The City Council must have due regard to the need to:
  - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010;
  - b. advance equality of opportunity between persons who share a relevant protected characteristic on persons who do not share it; and
  - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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<sup>2</sup> Section 149

16. The Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation<sup>3</sup>.

#### Equality and Inclusion in Licence Venues – Policy

17. The City of Westminster’s Statement of Licensing Policy 2021 (the “Policy”) recognises these duties of the Licensing Sub-Committee at paragraphs B32 and B33.

18. The applicant has been at the forefront of providing some of Westminster’s most diverse and inclusive licensed venues for over 25 years. The applicant has been striving to achieve the key objectives set out in paragraphs B28 to B37 of the Policy many years before the Policy itself was first implemented under the Licensing Act 2003. The Licensing Authority’s objectives set out in the “*Equality and Inclusion in Licence Venues*” are very closely aligned with the applicant’s underlying principles. By granting the applications, the Licensing Sub-Committee can follow the commendable ambitions set out in Policy paragraph B31:

*“We want to remain one of the most visited places in the world as well as ensuring our local residents continue to access and take advantage of living in the centre of London. This means we need to hold ourselves, as well as the venues and businesses we licence, to account to ensure that together we continue to promote and offer equal opportunities and inclusive experiences for everyone”.*

19. The applicant would also be interested in participating in the “*Equality and Diversity Strategy and Action Plan*”, which is cited at page 123 of the Policy but does not appear to be a publicly accessible document, or at least not available online.

#### LGBTQI+ Venues in Westminster

20. Just 0.56% of licensed venues in Westminster are dedicated LGBTQI+ venues<sup>4</sup>. She Bar Frith Street is the only dedicated and exclusive lesbian licensed venue in London.

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<sup>3</sup> Section 149 (7)

<sup>4</sup> Policy paragraph A2

21. There has been a sad decline of dedicated LGBTQ+ venues in Westminster over recent years, particularly since the original introduction of the West End Cumulative Impact Zone (formerly known as stress area) policies. The applicant is aware of 13 such venues closing in Westminster with a combined capacity of approximately 4755<sup>5</sup>. Westminster has just 21 LGBTQ+ venues left, including the applicant's premises<sup>6</sup>. London has seen an overall decline of 62% of its LGBTQ+ venues in the last 10 years alone<sup>7</sup>.

22. The applicant understands the Licensing Sub-Committee will carefully consider its public sector duty under the Equality Act 2010, particularly when bearing in mind the concerning decline of LGBTQ+ venues in Westminster and the heightened threat these venues face as a result of the Covid-19 pandemic (see below). These applications present an opportunity to help stall that worrying decline.

23. The Soho Neighbourhood Plan 2021 also recognises the importance of LGBTQ+ history in the West End:

*"Soho has also always been a place where new attitudes to sexuality have developed and the current LGBTQ+ community reflects this today".*

#### Equality, Diversity and Inclusion at Ku Group

24. The applicant operates a stringent and comprehensive employment equal opportunities policy, guided by the core company values of inclusivity, transparency and equality. The applicant's workforce is very diverse and reflective of the different backgrounds, heritages and orientation of the people within the community. All members of the applicant's team undertake regular diversity training to ensure they are kept up to date with industry best practice and aware of any wider legislation or guidance.

25. These policies, principles and experience have proved key factors in the applicant's longstanding ambition to reach out to marginalised groups in a constant effort to change the perception of what an LGBTQ+ venue is and can be.

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<sup>5</sup> Please refer to appended schedule of closed LGBTQ+ venues

<sup>6</sup> Policy paragraph A2

<sup>7</sup> Representation of Amy Lane – Mayor of London

26. By its nature, the applicant's customer base is very diverse, being a well-established hetero-friendly LGBTQ+ company. The applicant continues to build and expand its customer base to improve access for even more people. To meet this objective, the applicant continues to promote its weekly trans-nights, providing a safe space for the trans-community to meet. In addition, the applicant continues its commitment to providing the only dedicated lesbian licence venue in London. The applicant is also striving to increase links with the BAME community, for example by hosting theme nights which highlight various heritages and backgrounds present within the community.

### **CULTURAL SIGNIFICANCE**

27. The applicant's varied entertainment is culturally significant within the London and wider UK LGBTQ+ scene, providing industry leading platforms for grass roots and seasoned performers. Proudly showcasing the entertainment in this manner helps to create a wider acceptance of the LGBTQ+ cause and their efforts to be understood and celebrated. The cultural significance of the entertainment offer is highlighted through the applicant's frequent collaborations with a host of talented performers, for example:

- a. Lady Lloyd – who is actively involved in improving awareness and inclusivity of non-binary and trans people.
- b. Vicki Vivacious – who tours with Little Mix and has performed across the globe.
- c. Sum Ting Wong and Cheryl Hole – who are both popular drag artists who participated in Ru Paul's Drag Race UK.
- d. Adam Apple - a drag king who performs in She Frith Street.

28. The applicant also works with talented local acts and performers during various events, providing opportunities for these LGBTQ+ artists to showcase their skills.

29. The majority of these artists are self-employed performers. They have been hit particularly hard by the Covid-19 pandemic. The applicant hopes to provide a platform for these persons to get

back to work and re-establish their careers. The additional hours sought in the applications will increase the time available for programming these acts.

30. The applicant has a longstanding relationship with local LGBTQ+ production company Making Productions, which provides an opportunity for LGBTQ+ shows and performances to be shown to a wider audience. In doing so, this helps to extend the scope of the LGBTQ+ performing arts nationwide. Previous collaborations include:

- a. Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.
- b. Providing finance and marketing investment to successfully transfer the Kevin Elyot play, 'Coming Clean', to the West End. The play considers differing attitudes to love within the LGBTQ+ community.
- c. Assisting in the development of a new opera, 'Opera Undone', which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

#### **LGBTQ+ COMMUNITY & CHARITY**

31. The applicant continues to strive to help raise awareness and support charitable work in the LGBTQ+ community. For example, the applicant has proactively participated in the following charitable causes:

- a. Every weekend, the applicant provides space at its premises for sexual health screenings.
- b. The applicant has raised over £100,000 for The Food Chain, which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives.
- c. In December 2019, the applicant raised over £20,000 for a trans-led charity which is part of 56 Dean Street, a sexual health clinic in Soho. The organisation includes 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people.

- d. Working closely with the Switchboard LGBT Charity.

## REPRESENTATIONS

32. There are no objections to either application from individual local residents.
33. All representations against the applications are predominantly based upon Policy, which is addressed below.
34. The applicant is grateful for [REDACTED] acknowledgement in their representation in respect of Ku/She Frith Street that: *“we ... acknowledge the important contribution our LGBTQ+ venues bring to Soho and the community and want to see them all survive”*. The applicant is also grateful to [REDACTED] for time spent engaging pre-application and during the statutory consultation period.
35. The applications also attracted overwhelming, and possibly unprecedented, levels of wide-ranging support from local residents, local businesses, interest groups, activists, charities, landlords, the London Mayor’s office, industry groups, local stakeholders and even a competitor. The numerous representations in support speak for themselves. An indicative sample is set out below:
  - a. [REDACTED], which is cited as best practice in the Policy 2021<sup>8</sup>:

*Ku has engaged with [REDACTED] throughout our existence and have engaged with a range of services including our training around welfare and vulnerability – showing that the venues take this issue seriously, working to promote safety in everything that they do....Ku has been an important part of the fabric of LGBTQ+ London for over 25 years and is integral to the LGBTQ+ community. As a member of the London LGBTQ+ Venue Forum, Ku plays a vital role in the community it serves – bringing issues of venues and the wider LGBTQ+ community to the forefront of discussions in London. Over the last year, the mandated closures of the venue coupled with severe restrictions, including the 10pm curfew and restriction on single households only indoors, meant the business was brought*

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<sup>8</sup> Policy paragraphs B46 to B50

*to a point where its very survival was in question. This variation offers a lifeline to this business and we would encourage the Licensing Sub-Committee to grant this application and support this venue, and the wider LGBTQ+ community.*

b. [REDACTED] :

*London's LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, the Mayor committed to supporting these spaces by launching his LGBTQ+ Venues Charter, to protect existing infrastructure and encourage the opening of new venues. The pandemic has had a severe impact on our LGBTQ+ venues. Gary Henshaw, who operates both venues applying for extensions, has been an active member of the LGBTQ+ Venues Forum since it was set up in 2017. I know him to be an experienced and responsible operator. I have no doubt that his experience and understanding of the late night landscape of Soho would allow him to operate successfully with increased hours.*

c. [REDACTED] :

*Ku and Gary Henshaw have been in business and been a huge part of Soho for at least 15 years. They are a well-managed and responsible venue but of equal importance, have added and continue to add to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing safe venues. It goes without saying that the last year has had an unspeakable effect on hospitality and we know that Ku have been hit hard. They need help. We support their application for extended hours.*

d. [REDACTED] , for example:

*I am a Trans activist and the founder of [REDACTED]  
[REDACTED]  
[REDACTED] I have known Gary Henshaw since the early 80's. He's such a great source of support to the trans community. Gary also tirelessly raises awareness and funds for HIV and AIDS. KU bar and Gary Henshaw make that difference in our Soho community that's vital for our survival. During Christmas 2020 KU Bar and his staff raised £12k for [REDACTED]*

.....I am sure Gary's team can continue these standards later at night meaning no negative impact in the local area. The past 12 months + has had a devastating impact on KU bar and our community. The KU Group's safety measures through Covid have been exemplary and has inevitably led to having very reduced numbers the KU bars.

e. Local Business Owners, for example [REDACTED]:

*In my opinion, the applicant runs an extremely professional operation. In particular, I have always observed that they pay scrupulous attention to all aspects of safety, security and compliance with statutory and licensing obligations. I have just read Westminster City's licensing objectives; over the years I have witnessed everyone at Ku Bar uphold and promote all four of them, and I am completely confident that they will continue to do so in future. I have noticed that - in certain other establishments - the licensed door staff can sometimes appear to be quite menacing and actually make the street feel less safe. In contrast, the staff at Ku Bar are always respectful and dutiful, and continuously ensure that the whole vicinity is quiet and peaceful. Ku Bar are community-minded: in addition to being constantly vigilant regarding such threats as crime and terrorism, I have - on several occasions - witnessed their staff offer first aid and similar assistance to passers-by who are totally unrelated to their business. They simply do their bit to make the West End a nicer place to be. I fully support any extension of Ku Bar's operating hours. In addition to the wellbeing of the public and the security of my own premises, I am now an OAP and - quite frankly - I believe that my own personal safety is enhanced during their hours of operation.*

f. Local stakeholders, for example [REDACTED]:

*Gary Henshaw and his business, the Ku Bar have been a valued member of the [REDACTED] [REDACTED] for many years. Gary is a responsible and community-focus businessman whose operational experience is respected and often called upon during our own initiative and role in large-scale events planning eg the annual Chinese New Year celebrations and London Pride. Almost all our members including Gary have suffered the severe consequences of the Coronavirus pandemic. We support Gary and all our members as they try to keep their business going for the short and longer term. We commend Gary for his proposal and hope the council would consider granting his time-limited proposal to extend his license hours. Ku Bar is a business with a proven operational track record. We*

*have no reason to be concerned that the extended hours would have any adverse impact in the West End generally or on the key licensing objectives. We therefore offer Gary our support and hope the Council would agree.*

- g. Numerous local residents (for both applications), including residents living in the same building as Ku Lisle Street:

*On the first week of our move to [REDACTED], Gary Henshaw and the staff at Ku Bar reached out to us, shared their contact details and asked us to get in touch if we needed anything. Truth is, we never had to do so, as the staff was very respectful of its neighbours.*

*And:*

*I would like to support Ku Bar's application for extended hours at Ku Bar and She located on the corner of Frith Street and Old Compton Street. The venues are an asset to Soho, Westminster and the LGBTQ community. The last year has proved extremely difficult for many Soho businesses. I hope Westminster continue to offer their support with schemes such as the al fresco dining initiative and by granting licence applications like the current proposals submitted by Ku/She Bar. This will help Soho recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area. I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the extension of hours adversely affecting me as a local resident"*

## **COVID-19**

36. The catastrophic impact of the pandemic on city centres and the hospitality industry is well known. The LGBTQ+ hospitality sub-sector has suffered even more than most.

37. The applicant anticipates a loss revenue of more than £2m as a direct result of the pandemic<sup>9</sup>. The applicant has worked tirelessly to mitigate this loss by utilising the Coronavirus Business

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<sup>9</sup> When compared to comparable trading periods pre Covid-19 pandemic

Interruption Loan scheme, furlough, government grants and revised rent deals with landlords. However, there remains a very significant shortfall with an uncertain future ahead. Business planning is complex with the threat of further variants, new setbacks and low customer confidence during the recovery period.

38. Ongoing costs have continued right through every stage of the pandemic, including:

- a. Ongoing operational costs, ranging from rent payments, rates, utility bills, maintenance, insurance premiums and even vermin control.
- b. Associated staffing costs, such as wages, pensions and National Insurance contributions.
- c. Advertising and online costs, to continue to raise awareness for the business and maintain networking links with partners and stakeholders.
- d. Allocating funds to ensure compliance with government guidelines when permitted to open. This includes purchasing additional signage, sanitation and hygiene equipment, refresher training for staff and items to control social distancing.
- e. Spiralling costs and resources dedicated to human resources and recruitment as a result of industry-wide staff shortages and high levels of employees not returning from furlough.

39. Any potential negative cumulative impact associated with dedicated LGBTQ+ venues is currently at materially lower levels, not just because of the Covid-19 pandemic, but also because so many of them have closed in Westminster in recent times.

40. The 2020 Cumulative Impact Assessment relies predominantly on data gathered pre Covid-19. Policy Paragraph D1 recognises that:

*“However, in March 2020 the COVID-19 pandemic took hold and through lockdowns, government restrictions and the requirement for social distancing the evening and night-time economy within Westminster changed dramatically. The COVID-19 pandemic started at the point when the Licensing Authority had begun its review of this policy.”*

41. One year later, the applicant's premises were closed again due to further lockdowns and restrictions. All being well, the applicant will be able to start trading more normally later this month but has suffered immensely during this time. The pandemic is far from over with the threat of further variants and setbacks very real.
42. The al fresco scheme has helped significantly but has not allowed the applicant to reach trading levels experienced pre pandemic. The al fresco scheme will also likely come to an end at some point. This will present further challenges for the applicant, particularly at Ku/She Frith Street.
43. A hypothetical Cumulative Impact Assessment utilising data from 2020/21 would inevitably conclude that recent levels of cumulative impact and general footfall are, and have been, at unprecedented low levels. The prevailing levels of cumulative impact are a relevant consideration for the Licensing Sub Committee, since the Policy's key objective is to prevent an addition to cumulative impact based upon levels recorded up to 2019. Those levels are no longer an accurate reflection of the status quo.
44. The applicant was reassured by general comments made by Members and the Licensing Authority during the Policy consultation in 2020 that time limited proposals made by licence holders that could demonstrate they had suffered as a result of the pandemic would be considered for grant.
45. Licensing decisions inevitably and should take into account the wider economic impact of a proposal made by a local business. This was recognised by the Court of Appeal in the leading case of *Hope and Glory* [2011] EWCA Civ 31, when Toulson LJ observed [at 42]:
- "Licensing decisions often involve weighing a variety of competing considerations: benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on."*
46. The Licensing Sub Committee should therefore consider the disproportionality high adverse impact Covid-19 has had on the applicant's businesses and the *time limited* proposal to help the businesses survive.

## POLICY

### Policy Context

47. A statement of licensing policy sets out a set of guiding principles that a licensing authority ordinarily follows when determining an application. However, a policy is not absolute. It does not have to be followed and must not undermine the right of any person to apply under the terms of the Licensing Act 2003 for a variety of permissions and to have any such application considered on its individual merits<sup>10</sup>.

48. Similarly, the Section 182 Guidance confirms that a cumulative impact policy should never be absolute. A statement of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. A licensing authority can depart from a cumulative impact policy in light of the individual circumstances of the case<sup>11</sup>.

49. The Policy recognises this recommendation in the Section 182 Guidance at paragraph B3:

*“It will always consider the merits of each application. It may make exceptions to its own policies where it is appropriate to do so in order to promote the licensing objectives and it will give reasons for doing this.”*

50. The applicant’s unparalleled set of defining characteristics present a set of unique individual circumstances in which the Licensing Sub-Committee can and should consider as a proper justification in departing from the usual presumption in the Cumulative Impact Zone Policy. Moreover, the unprecedented challenges presented specifically to the LGBTQ+ community by the Covid-19 pandemic provides further justification why it is proper and proportionate for the Licensing Sub-Committee to adopt a more considered approach to the usual Policy presumption.

51. These are therefore prime examples of applications that ought to be considered flexibly. Adopting this approach is consistent with Policy paragraph D11, which states:

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<sup>10</sup> Paragraph 14.10 Section 182 Guidance

<sup>11</sup> Paragraph 14.44 Section 182 Guidance

*“The licensing authority will not apply these policies in-flexibly. It will always consider the individual circumstances of each application, even where an application is made for a proposal that is apparently contrary to policy”.*

52. Further submissions on Policy CIP1 and the exceptional circumstances are set out in more detail below.

### Core Hours Policy HRS1

53. The applications propose a *temporary* extension to hours beyond Core Hours to help the applicant’s business survive and recover during a unique and extremely challenging time.

54. As above, Policy HRS1 is not, and should not, be absolute, nor is there a presumption to refuse applications outside Core Hours. The HRS1 Policy recognises that:

*“Applications for hours outside the core hours ... will be considered on their merits, subject to other relevant Policies.”*

*And*

*“These are not policies to refuse applications for hours longer than the core hours, and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out under each policy”<sup>12</sup>.*

55. Policy HRS1 places weight on the importance of applications for hours beyond Core Hours to be considered alongside a dispersal policy. A dispersal policy has been lodged with the application, together with schedules of many years of complaint free TENs. This is evidence that the applicant can promote the licensing objectives during the hours proposed.

56. The licensing objectives, related policies and individual merits of the applications that can be considered in the context of Policy HRS1 are addressed further below.

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<sup>12</sup> Policy paragraph E3

## Licensing Objectives & Licensing Objectives Policies

57. Each Licensing Objective Policy begins with the text:

*“The licensing authority will not grant applications that do not promote the [relevant] licensing objective”.*

58. The Licensing Sub-Committee has the benefit of considering applications made by a licence holder that has a 25+ year proven track record of promoting all four licensing objectives in Westminster.

59. The applicant has successfully and continually demonstrated its ability to promote the licensing objectives, not just during normal trading periods, but also during the extended hours authorised under multiple years of operating with fully utilised annual TEN allowances<sup>13</sup>. This is evidence that can be relied upon to demonstrate compliance with all four Licensing Objective Policies.

60. The applicant has tried and tested management systems and operational procedures that take into account and address the relevant criteria listed in each Licensing Objective Policy.

61. For example, the applicant has implemented a safeguarding policy, which has been recognised by [REDACTED] in their representation in support. Safeguarding and public safety is of utmost importance to the applicant, particularly because the venues are enjoyed by groups that have been historically marginalised and victims of hate crimes. The applicant has had to implement comprehensive operational practices and safeguards over and above those found in many more mainstream licensed premises, simply to ensure the safety and security of members of the LGBTQ+ community visiting the premises. This continues to provide a level of “self-policing”, which is often not present with a more typical licensed premises in Westminster.

62. In addition, the applicant has put forward an enhanced dispersal policy for the Licensing Sub-Committee’s consideration to ensure the licensing objectives continue to be promoted during the additional hours proposed. Again, the applicant can, by way of its track record, successfully

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<sup>13</sup> Please refer to schedule of TENS

demonstrate that complaint free dispersal and customer safety can be achieved when operating later under a full allocation of TENS.

63. The existing premises licences have a full complement of premises-specific conditions to continue the ongoing promotion of the licensing objectives and satisfaction of the criteria set out in each Licensing Objective Policy. These conditions will continue to apply during the additional hours proposed.

#### Public Houses and Bars Policy PB1

64. For the purposes of Policy PB1, a public house or bar is defined as a premises that's primary use is the sale of alcohol for consumption on the premises.

65. Policy paragraphs F81 and F82 highlight the importance of applying Policy PB1 to premises that primarily sell alcohol and/or to new pubs and bars. This is because new pubs and bars are more likely to adversely impact upon the licensing objectives and add to cumulative impact.

66. The applicant's premises are not new pubs or bars. They are longstanding LGBTQ+ venues with a range of activities not centred around the sale of alcohol, with a proven track record of promoting the licensing objectives. The venues provide a safe environment for members of the LGBTQ+ community to socialise and enjoy a varied range of important cultural entertainment.

67. As a result, the applications should not be considered in isolation under Policy PB1. A more flexible policy approach, as recommended in Policy paragraph D11, should be adopted in finding that the application premises are not the type of pub or bar typically associated with adversely impacting upon the licensing objectives and adding to cumulative impact. The proposals can, and should, also be considered under Policy CCSOS1, as below.

#### Policy CCSOS1 - Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces

68. The applicant provides multiple platforms for a diverse, inclusive, and interesting range of entertainment to showcase LGBTQ+ talent and culture. The Policy recognises that many licensed operators in Westminster play a pivotal role in sustaining Westminster's visitor economy and

offering a diversity of world-class and cutting-edge cultural experiences<sup>14</sup>. The applicant is a longstanding and key contributor to Westminster's proud reputation in this regard.

69. Furthermore, the applicant contributes to the wide range of entertainment on offer in the West End in accordance with Policy paragraph D9. This helps to reduce the extent of dominance of problem pubs, bars, nightclubs and fast-food premises, which are more typically associated with cumulative impact. The nature of the applicant's proposals will legitimately help broaden the already impressive range of entertainment that Westminster is famous for. This is because the applicant will have more time to programme more LGBTQ+ entertainment.

70. This variety of entertainment uses that Westminster premises offer are of real positive benefit to the area because they provide a wider entertainment offer that is not centred around alcohol, it provides an attractive and alternative experience for customers of a varied age range and can therefore lead to a positive benefit to the local community and visitors to Westminster<sup>15</sup>.

71. The Licensing Sub-Committee is therefore invited to also consider the proposals under the Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces Policy CCSOS1. This is because the applicant will continue to provide live performances in front of audiences and there is no doubt each premises has important cultural significance, as set out above. Although the applicant's premises are not dedicated theatre venues, many of the aspiring performers and LGBTQ+ theatrical productions would not have made it to the bigger stage had it not been for the applicant's support at grass roots level.

72. The CCSOS1 premises use policy does not present a presumption to refuse premises licence applications in the West End Cumulative Impact Zone.

### 2020 Cumulative Impact Assessment

73. The evidence base for Policy CIP1 is the 2020 Cumulative Impact Assessment. This Cumulative Impact Assessment does not:

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<sup>14</sup> Policy paragraph A5

<sup>15</sup> Policy paragraph D26

- a. Include post Covid-19 pandemic data. The evidence basis relies predominantly on data gathered in 2019 and earlier.
- b. Specifically categorise and analyse the contribution (if any) to cumulative impact made by LGBTQ+ venues.
- c. Include any direct evidence that LGBTQ+ venues are the type of premises typically associated with cumulative impact.

74. LGBTQ+ venues are less likely to adversely impact on the licensing objectives and add to cumulative impact because, *inter alia*:

- a. They are highly managed and supervised to ensure the safety of minority groups attending the premises.
- b. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- c. The primary purpose of visit is not centred around the consumption alcohol. Customers attend the premises to safely socialise with other members of the community and enjoy cultural entertainment, which is a characteristic of a premises that the Policy recognises as being less likely to adversely impact on the licensing objectives and therefore less likely to add to cumulative impact<sup>16</sup>.

#### Cumulative Impact Policy CIP1

75. Both premises are located within the West End Cumulative Impact Zone.

76. There is no suggestion or evidence that either premises contributes to the type of problems identified in paragraph D4 of the Policy. Instead, each premises promotes and encourages the provision of a range of LGBTQ+ cultural entertainment, which helps to reduce the extent of

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<sup>16</sup> Policy paragraph D26

dominance of pubs, bars, nightclubs and fast food premises that are more typically associated with contributing to cumulative impact<sup>17</sup>.

77. Paragraph D26 of the Policy also recognises that cultural venues, or at least venues where there are other activities not primarily focussed on the consumption of alcohol, are *significantly less likely to have an impact on the licensing objectives*. This is because there is a direct relationship to the activities that the venue provides and the resultant risk of adversely contributing to cumulative impact. As a result, it would not be fair or proportionate to consider the applicant's premises as the type of pub or bar typically associated with cumulative impact.

78. In accordance with Policy paragraph D11, a more flexible approach should be adopted by recognising the applicant's premises are lower risk because of their defining characteristics, the focus on providing a safe environment for the LGBTQ+ community and the entertainment they provide.

79. These submissions include details of the applicant's impeccable character, unparalleled experience in the LGBTQ+ community and distinguished operational track record. Paragraph D14 of the Policy stipulates that the reputation or good character of the licence holder cannot be considered as an exception to Policy.

80. However, there is no other licence holder in Westminster that can legitimately claim to have the same level of experience, community standing and length of unblemished track record operating in a specific hospitality sub-sector as the applicant.

81. Furthermore, Policy paragraph D14 provides a key reason why the character and track record of an applicant should not be taken into account: licences can be easily transferred. The benefit of the proposed time limited extension of these licences will not be transferred to an operator of lesser experience or reputation. The proposed extensions to hours must end on 31 May 2023.

82. Paragraph D12 of the Policy states:

*"Applicants for premises uses that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted. It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the licensing authority will consider the*

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<sup>17</sup> Policy paragraph D9

*reasons underlying the Westminster cumulative impact zone special policy and the relevant premises use policies when considering applications”.*

83. Policy paragraph 16 goes on to state:

*“A case is most unlikely to be considered exceptional unless it is directed at the underlying reasons for having the policy. Exceptions to the West End Cumulative Impact Zone Policy to refuse certain types of applications must be for genuinely exceptional reasons”.*

84. The applicant invites the Licensing Sub-Committee to consider the following:

- a. The Policy recognises that there can be exceptional circumstances outside the examples cited in the Policy. The applicant’s unique set of circumstances (summarised below) and disproportionate challenges posed by the Covid-19 pandemic are material factors for the Licensing Sub-Committee’s consideration. If this set of circumstances cannot be considered exceptional, it raises the question: what is?
- b. As a result of the foregoing, there is no realistic possibility of the proposals undermining the underlying reasons for the Policy. The underlying reasons for the Policy should not be directed at refusing applications such as this. Instead, the underlying reasons for the Policy are properly directed at introducing a presumption to refuse new or permanent and more typical bar or pub applications in non-Covid-19 times. That is certainly not the case here.

85. The set of circumstances set out below should be considered together and globally. No other premises licence holder in Westminster possesses a combination all of these defining characteristics.

86. Considering all these factors together can, and should, constitute exceptional circumstances for the purposes of Policy CIP1. Adopting this approach is consistent with District Judge Roscoe in *Marc Merran v Westminster City Council 2007* (the ‘Movida’ case) where she decided:

*“...in my view there are reasons that persuade me that there are genuinely exceptional circumstances that take these premises outside the constraints of the [Stress Area] Policy. I should*

*make it clear that there is not one single characteristic that persuades me of this, but that it is a combination of factors and circumstances”.*

87. The combination of factors constituting exceptional circumstances in these applications are, *inter alia*:

- a. The applicant’s unparalleled and impeccable reputation, experience, unblemished track record and defining characteristics; particularly as Westminster’s longest standing LGBTQ+ independent venue operator and bearing in mind the applicant’s provision of London’s only dedicated lesbian venue.
- b. The Licensing Sub-Committee’s public sector duty under the Equality Act 2010, particularly in light of the disproportionate impact the Covid-19 pandemic has had on the LGBTQ+ hospitality sub-sector, together with the deeply concerning backdrop of a 62% decline of LGBTQ+ venues during the last decade. The applicant has suffered more than most as a result of its business model and customer base.
- c. There is a strong element of self-policing in LGBTQ+ venues, since a primary objective is to provide a safe environment for a historically marginalised community. LGBTQ+ venues are therefore generally more highly managed and supervised to ensure the promotion of all four licensing objectives, particularly in terms of public safety. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- d. The overwhelming and unprecedented levels of support from a broad range of local residents, local businesses, activists, special interest groups, stakeholders, and industry groups. The supporters express their confidence in the applicant’s ability to promote all four licensing objectives without adding to cumulative impact in the West End.
- e. The complete lack of objections from individual local residents citing specific and real concerns about the applications’ proposals.
- f. The evidence that the applicant has for many years operated in accordance with the hours sought (and later) under annual maximum TENs without complaint or any indication of adversely impacting upon the licensing objectives or contributing to cumulative impact.

- g. The cultural importance of the applicant's venues and the unique, varied and interesting entertainment provided by LGBTQ+ performers, who are provided with a platform to showcase their talents at the applicant's venues. Many of those performers have been out of work for over a year. The additional hours will provide more time to programme more performances to help them get back to work and re-establish their careers. The Policy recognises that venues providing cultural entertainment are less likely to add to cumulative impact.
- h. The proposals are time limited to help the applicant's businesses survive and recover from the ongoing and very serious threat of the Covid-19 pandemic. The time limited extension will give the applicant's business a lifeline to continue the 25+ year track record as an award-winning, safe and compliant LGBTQ+ venue operator. The time limited extension will come to an end, hopefully at a time when the world is over the worst of the pandemic. The benefit of any time limited extension will not be transferred to a lesser experienced operator.

## **SUMMARY**

88. There is no other licence holder in Westminster that could realistically demonstrate a comparable combination of a unique set of defining characteristics as the applicant. The applications therefore can, and should, be considered exceptional on these particular merits allowing a departure from the Policy presumption with no addition to cumulative impact in the West End.
89. The applications are for a time limited proposal only. The applicant has an impeccable operational record and has provided evidence in the form of the many years of complaint-free operating under TENs that the premises can operate during later hours without adversely impacting upon the licensing objectives.
90. The applicant invites the Licensing Sub-Committee to grant the applications accordingly. In doing so, members can signal their support to Westminster's longest standing independent LGBTQ+ operator trying its best to survive in the most difficult of circumstances.

## Schedule of Closed LGBTQI+ Venues in Westminster

	Premises Name	Address	Terminal Hour	Capacity	Approximate Closure Date
1.	Ghetto	5-6 Falconberg Court	Monday to Saturday 03:00 Sunday 00:30	220	December 2008
2.	Astoria	157 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	2000	January 2009
3.	Trash Palace	11 Wardour Street	Monday to Saturday 03:00 Sunday 22:30	200	June 2009
4.	Kudos	10 Adelaide Street	Monday to Saturday 00:00 Sunday 22:30	n/a	June 2011
5.	Lo Profile	84-86 Wardour Street	Monday 01:00 Tuesday & Wednesday 02:00 Thursday to Saturday 03:00 Sunday 22:30	470	January 2013
6.	Candy Bar*  <i>NB. closed by the applicant and relocated to SHE Frith Street</i>	4 Carlisle Street	Monday to Saturday 03:00 Sunday 00:30	175	January 2014
7.	Green Carnation	4 Greek Street	Monday to Saturday 02:00 Sunday 00:30	260	August 2014
8.	Madame Jo Jo's	8-10 Brewer Street	Monday to Saturday 03:00 Sunday 00:30	180	November 2014
9.	Escape	10A Brewer Street	Monday to Saturday 03:00 Sunday 22:30	120	November 2014
10.	Manbar	79 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	320	January 2015
11.	Bar Titania	75 Charing Cross Road	Monday to Thursday 23:30 Friday to Saturday 00:00 Sunday 22:30	150	Forthcoming closure pending landlord development

12.	Shadow Lounge	3-7 Brewer Street	Monday to Saturday 03:00 Sunday 23:00	280	Late 2016
13.	The Edge Soho	11 Soho Square	Monday to Thursday 01:00 Friday to Saturday 03:30 Sunday 23:30	380	2016

<b>APPROXIMATE TOTAL CAPACITY OF WESTMINSTER CLOSED LGBTQI+ VENUES</b>	<b>4,755</b>
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**Existing Premises licence**

**Appendix 3**



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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033587894

Premises licence

Regulation 33, 34

Premises licence  
number:

18/09821/LIPCH

Original Reference:

05/10990/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

**Telephone Number:** 02074374303

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Exhibition of a Film**

Monday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 00:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

**Playing of Recorded Music**

Monday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 00:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

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

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

Part 2

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

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Mr Gary Henshaw

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

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

Licence Number: PERS-LIC  
Licensing Authority: London Borough Of Camden

**Date:** 16 March 2020

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that –

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

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

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

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

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

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

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

Where -

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

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

- 9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
- 10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

- 11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 12. No striptease, no nudity and all persons on the premises to be decently attired.
- 13. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

14. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
15. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

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

16. On New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

## **Annex 2 – Conditions consistent with the operating Schedule**

19. The number of persons accommodated at the premises shall be:-  
First Floor - 40 persons excluding staff.  
Ground Floor - 40 persons excluding staff.  
Basement - 80 persons excluding staff.
20. External patrols shall be undertaken to monitor noise escape from the premises.
21. Notices shall be displayed at exits asking patrons to disperse quietly and respect neighbours.
22. Loudspeakers shall not be placed in the entrance lobbies or emergency escape route staircases.
23. The door at the bottom of the emergency escape staircase leading to Old Compton Street shall be kept closed at all times except for the immediate access or egress of persons.

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

24. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
25. The means of escape in emergency provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. All windows shall be kept closed after 21.00 hours.
28. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.

Annex 4 – Plans



- ① BAR COUNTER BACK CASE
- ② BAR COUNTER FRONT CASE
- ③ BAR COUNTER FRONT CASE
- ④ BAR COUNTER FRONT CASE
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NOTE: All dimensions to be checked on the paper to confirm that the drawings are correct and that the drawings are consistent with the drawings.

PROJECT NAME: Ku Bar 25 Frith Street

DATE: 08/12/08

SCALE: 1:100

PROJECT NO: GD 231 / GA / 102

PROPOSED GROUND PLANS

Ku Bar 25 Frith Street

PRELIMINARY ISSUE

1:100 @ A2 08/12/08

GD 231 / GA / 102



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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 010033587894

Regulation 33, 34

Premises licence  
number:

18/09821/LIPCH

**Part 1 – Premises details**

**Postal address of premises:**

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

**Telephone Number:** 02074374303

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Exhibition of a Film**

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	09:00 to 00:00

**Playing of Recorded Music**

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Sundays before Bank Holidays: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 22:30  
Sundays before Bank Holidays: 10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 22:30  
Sundays before Bank Holidays: 10:00 to 00:00

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

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

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

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Mr Gary Henshaw

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

Restricted

**Date: 16 March 2020**

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/10990/LIPC	Conversion licence	05.10.2005	Granted Under Delegated Authority
05/13600/LIPT	Transfer application - Miss Nicola Ann Chubb	05.01.2006	Granted Under Delegated Authority
05/13606/LIPDPS	Application to vary the designated premises supervisor	05.01.2006	Granted Under Delegated Authority
06/10212/WCCMAP	Master Licence	29.06.2007	Granted Under Delegated Authority
07/05559/LIPT	Transfer application - Leaseland Ltd	10.07.2007	Granted Under Delegated Authority
07/05561/LIPDPS	Application to vary the designated premises supervisor	10.07.2007	Granted Under Delegated Authority
07/08338/LIPV	Variation application – To remove all restaurant conditions, remove the provision of entertainment, reduce the hours to core hours, vary the layout of the premises and increase the capacity of the premises	23.10.2007	Granted Under Delegated Authority
08/07314/LIPT	Transfer application - Soho Estates Ltd	19.11.2008	Granted Under Delegated Authority
08/11448/LIPT	Transfer application - Allied Promotions Limited	11.03.2009	Granted Under Delegated Authority
08/11450/LIPDPS	Application to vary the designated premises supervisor	11.03.2009	Granted Under Delegated Authority
08/11552/LIPV	Variation application – Change the layout in the basement, Add the Exhibition of Films and remove conditions 13	10.02.2009	Granted Under Delegated Authority

	and 18		
09/01088/LIPRW	Removal of Works Condition	11.03.2009	Granted Under Delegated Authority
12/02077/LIPDPS	Application to vary the designated premises supervisor	17.05.2012	Granted Under Delegated Authority
13/07479/LIPDPS	Application to vary the designated premises supervisor	25.10.2013	Granted Under Delegated Authority
16/03879/LIPDPS	Application to vary the designated premises supervisor	16.06.2016	Granted Under Delegated Authority
18/09821/LIPCH	Change of details	31.08.2018	Granted Under Delegated Authority

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
19/00558/LITENP	Temporary Event Notice	06.06.2019	Event allowed to proceed
19/01854/LITENP	Temporary Event Notice	21.02.2019	Event allowed to proceed
19/01856/LITENP	Temporary Event Notice	15.02.2019	Event allowed to proceed
19/01800/LITENP	Temporary Event Notice	21.03.2019	Event allowed to proceed
19/07126/LITENP	Temporary Event Notice	27.06.2019	Event allowed to proceed
19/07109/LITENP	Temporary Event Notice	15.06.2019	Event allowed to proceed
19/10669/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed

19/10670/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/13612/LITENP	Temporary Event Notice	24.10.2019	Event allowed to proceed
19/14307/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14308/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14309/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14313/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14314/LITENP	Temporary Event Notice	12.11.2019	Event allowed to proceed
19/14558/LITENP	Temporary Event Notice	18.11.2019	Event allowed to proceed
20/01843/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01844/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
21/05359/LITENP	Temporary Event Notice	14.06.2021	Event allowed to proceed
21/05363/LITENP	Temporary Event Notice	14.06.2021	Event allowed to proceed
21/05365/LITENP	Temporary Event Notice	14.06.2021	Event allowed to proceed
21/06220/LITENP	Temporary Event Notice	06.07.2021	Event allowed to proceed

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. No striptease, no nudity and all persons on the premises to be decently attired.
13. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
14. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
15. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

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

16. On New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

## **Annex 2 – Conditions consistent with the operating Schedule**

19. The number of persons accommodated at the premises shall be:-  
First Floor - 40 persons excluding staff.  
Ground Floor - 40 persons excluding staff.  
Basement - 80 persons excluding staff.
20. External patrols shall be undertaken to monitor noise escape from the premises.
21. Notices shall be displayed at exits asking patrons to disperse quietly and respect neighbours.
22. Loudspeakers shall not be placed in the entrance lobbies or emergency escape route staircases.
23. The door at the bottom of the emergency escape staircase leading to Old Compton Street shall be kept closed at all times except for the immediate access or egress of persons.

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

24. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
25. The means of escape in emergency provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. All windows shall be kept closed after 21.00 hours.
28. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.

## **Conditions proposed to be added by the applicant**

29. The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.



Resident Count: 87

<b>Licensed premises within 75 Metres of Basement To First Floor, 25 Frith Street, London, W1D 5LB</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
18/09821/LIPCH	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Night clubs and discos	Sunday; 10:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 10:00 - 00:00
21/04874/LIPDPS	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Shop	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 01:00   Friday to Saturday; 08:00 - 03:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LD	Hairdresser or beauty salon	Sunday; 12:00 - 20:00   Monday to Saturday; 10:00 - 22:00
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Restaurant	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 01:00
17/14888/LIPDPS	Kyoto	26 Romilly Street London W1D 5AJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/11073/LIPCH	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Night clubs and discos	Sunday; 09:00 - 01:00   Monday to Thursday; 09:00 - 01:30   Friday to Saturday; 09:00 - 03:30
18/11987/LIPDPS	Berenjak	27 Romilly Street London W1D 5AL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/02934/LIPDPS	Kettners Townhouse	29 Romilly Street London W1D 5HP	Not Recorded	Monday to Sunday; 00:00 - 00:00

17/14358/LIPDPS	Not Recorded	39 Frith Street London W1D 5LL	Cafe	Monday to Sunday; 06:00 - 03:00
19/02423/LIPDPS	Sushi Eatery	Basement And Ground Floor 40 Frith Street London W1D 5LN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/01489/LIPCH	Cecconi's Soho	19-21 Old Compton Street London W1D 5JJ	Not Recorded	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 03:30   New Year's Eve; 00:00 - 00:00
16/09678/LIPV	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 03:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 01:00
20/06321/LIPT	Balans Cafe	34 Old Compton Street London W1D 4TR	Restaurant	Sunday; 12:00 - 05:00   Monday to Saturday; 10:00 - 05:00
19/03302/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Restaurant	Sunday; 12:00 - 23:30   Monday to Saturday; 12:00 - 00:00
18/15717/LIPDPS	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 01:30
20/02323/LIPDPS	Wingmans	29 - 31 Old Compton Street London W1D 5JS	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/04050/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Restaurant	Sunday; 11:00 - 00:00   Monday to

				Saturday; 11:00 - 00:30
19/00938/LIPDPS	Not Recorded	Basement 23 Frith Street London W1D 4RR	Restaurant	Sunday; 09:00 - 01:00   Monday to Saturday; 09:00 - 03:30
21/02866/LIPDPS	Cafe Boheme	Basement And Ground Floor 13 - 17 Old Compton Street London W1D 5JH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 05:00
17/01437/LIPVM	Caffe Nero	Ground Floor 43 Frith Street London W1D 4SA	Cafe	Thursday to Saturday; 23:00 - 04:00   Sunday to Wednesday; 23:00 - 02:00
18/08872/LIPDPS	Assa	23 Romilly Street London W1D 5AQ	Club or institution	Sunday; 12:00 - 00:00   Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30   Monday to Saturday; 10:00 - 00:30
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Sunday; 12:00 - 05:00   Monday to Saturday; 10:00 - 05:00
20/11213/LIPT	Old Compton Brasserie	36 Old Compton Street London W1D 4US	Restaurant	Monday to Sunday; 07:00 - 01:30
21/02815/LIPDPS	Soho House	40 Greek Street London W1D 4EB	Club or institution	Saturday; 10:00 - 03:30   Sunday; 10:00 - 23:00   Monday to Friday; 08:00 - 03:30
21/02319/LIPVM	Neat Meat	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday; 11:00 - 23:30   Tuesday; 11:00 - 23:30   Wednesday; 11:00 - 23:30   Thursday; 11:00 - 23:30   Friday; 11:00 - 00:00   Saturday;

				11:00 - 00:00   Sunday; 11:00 - 22:30   Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/06737/LIPCH	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 01:00   New Year's Eve; 00:00 - 00:00
06/06018/WCCMAP	Y Ming	35 - 36 Greek Street London W1D 5DL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Casino or gambling club	Monday to Sunday; 00:00 - 23:59
19/08490/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Cinema	Monday; 09:00 - 02:30   Tuesday; 09:00 - 02:30   Wednesday; 09:00 - 02:30   Thursday; 09:00 - 02:30   Friday; 09:00 - 02:30   Saturday;

				09:00 - 02:30   Sunday; 09:00 - 00:00
18/10183/LIPDPS	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 01:00
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Restaurant	Monday to Sunday; 09:00 - 05:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4LR	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
18/02552/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Wine bar	Monday; 10:00 - 23:00   Tuesday; 10:00 - 23:00   Wednesday; 10:00 - 23:00   Thursday; 10:00 - 23:00   Friday; 10:00 - 00:00   Saturday; 10:00 - 00:00   Sunday; 10:00 - 22:00
21/04987/LIPDPS	Laxsa In Soho	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/13568/LIPN	Not Recorded	44 Old Compton Street London W1D 4TY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/05700/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 03:30
20/05990/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street	Shop	Sunday; 12:00 - 23:00   Monday to Saturday;

		London W1D 5BF		10:00 - 23:30
20/04250/LIPDPS	Le Relais De Venise L'Entrecote	50 Dean Street London W1D 5BQ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 03:30
20/09290/LIPDPS	Wands & Wizard Exploratorium	26 Greek Street London W1D 5DE	Restaurant	Sunday; 10:00 - 23:00   Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30
21/02047/PREAPM	Not Recorded	26 Greek Street London W1D 5DE	Not Recorded	
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Shop	Sunday; 08:00 - 22:00   Monday to Saturday; 07:00 - 01:00
20/07132/LIPCH	Coach & Horses Public House	29 Greek Street London W1D 5DH	Pub or pub restaurant with lodge	Sunday; 12:00 - 22:50   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Public house or pub restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/11180/LIPN	Maison Berteaux	28 Greek Street London W1D 5DQ	Food store (large)	Monday to Sunday; 08:00 - 23:00
20/02992/LIPVM	Three Greyhounds Public House	The Three Greyhounds Public House 25 Greek Street London W1D 5DD	Public house or pub restaurant	Monday; 07:00 - 00:00   Tuesday; 07:00 - 00:00   Wednesday; 07:00 - 00:00   Thursday; 07:00 - 00:00   Friday; 07:00 - 00:30   Saturday; 07:00 - 00:30   Sunday; 07:00 - 23:00

				Monday to Thursday; 07:00 - 00:00   Friday to Saturday; 07:00 - 00:30   Sundays before Bank Holidays; 07:00 - 00:30
19/15029/PREAPM	Not Recorded	44-45 Dean Street London W1D 4QB	Not Recorded	
21/01417/LIPCH	The Groucho Club	44-45 Dean Street London W1D 4QB	Club or institution	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 02:30
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Sunday; 09:00 - 23:00   Monday to Wednesday; 09:00 - 02:00   Thursday to Saturday; 09:00 - 05:00
17/01613/LIPVM	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Sunday; 08:00 - 23:30   Monday to Saturday; 08:00 - 00:30
17/02045/LIPVM	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
17/14701/LIPCH	Cay Tre (Soho)	42 - 43 Dean Street London W1D 4PZ	Restaurant	Monday to Sunday; 09:30 - 01:30
20/10972/LIPDPS	Wuns Tea Room	23 - 24 Greek Street London W1D 4DZ	Restaurant	Monday to Sunday; 09:00 - 03:30
20/05291/LIPT	Ceviche	Basement And Ground	Restaurant	Sunday; 12:00 - 01:00

		Floor 17 Frith Street London W1D 4RG		Monday to Saturday; 10:00 - 01:30
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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 2.

Item No:	
Date:	22 July 2021
Licensing Ref No:	21/01595/LIPV - Premises Licence Variation
Title of Report:	Ku Bar 29 - 30 Lisle Street London WC2H 7BA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

## 1. Application

<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 March 2021		
<b>Applicant:</b>	Allied Promotions Limited		
<b>Premises:</b>	Ku Bar		
<b>Premises address:</b>	29 - 30 Lisle Street London WC2H 7BA	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a bar.		
<b>Variation description:</b>	<p>The application seeks the following:</p> <ul style="list-style-type: none"> <li>To vary the terminal hour on the ground and first floor for all licensable activities and the opening hours to 01:00 the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31<sup>st</sup> May 2023.</li> <li>To add Recorded Music on the ground floor and first floor until 31<sup>st</sup> May 2023.</li> <li>To add the following condition until 31<sup>st</sup> May 2023:</li> </ul> <p>The permitted terminal hour for licensable activities on the ground and first floors shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.</p> <ul style="list-style-type: none"> <li>Amend condition 29 until 31<sup>st</sup> May 2021 to reflect the new proposed terminal hours</li> <li>Amend condition 30 until 31<sup>st</sup> May 2021 to the following:</li> </ul> <p>On the Ground and First Floors, customers to be off the premises by 01:00am Monday to Saturday and on Sundays immediately prior to Bank Holidays and 22:50 on Sundays.</p>		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2005. The current premises licence 18/09822/LIPCH is attached at <b>Appendix 3</b> of this report along with full licence history.		
<b>Applicant submissions:</b>	<p>On submission of the application the applicant provided the following information within the application form:</p> <p>The application, inter alia, is to help the applicants business</p>		

	<p>survive and recover from the impact of the COVID19 pandemic. The applicant refers to the supporting documents appended to the application, Policy CCSOS1 Cinemas, Cultural Venues, Live Sport Premises and Outdoor Spaces and Policy paragraphs B28 to B37 on Promoting Equality &amp; Inclusivity.</p> <p>The applicant has additionally provided their Temporary Event Notice history for 2015 to 2020, a dispersal policy, an introduction to the KU Group, a presentation and written submissions which can be found at <b>Appendix 2</b>.</p>
<b>Applicant amendments:</b>	Following the consultation period, The applicant withdrew their proposal to add Recorded Music on the ground floor and first floor until 31 <sup>st</sup> May 2023 following confirmation that the existing premises licence states that Recorded Music is unrestricted.

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	09:00	03:00	No change		Basement	No change
<b>Tuesday</b>	09:00	03:00				
<b>Wednesday</b>	09:00	03:00				
<b>Thursday</b>	09:00	03:00				
<b>Friday</b>	09:00	03:00				
<b>Saturday</b>	09:00	03:00				
<b>Sunday</b>	09:00	00:00				
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b> See condition 21 for existing Seasonal/Non-Standard timings.					

<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	10:00	01:00	Ground and First Floor	No change
<b>Tuesday</b>	10:00	23:30	10:00	01:00		
<b>Wednesday</b>	10:00	23:30	10:00	01:00		
<b>Thursday</b>	10:00	23:30	10:00	01:00		
<b>Friday</b>	10:00	00:00	10:00	01:00		
<b>Saturday</b>	10:00	00:00	10:00	01:00		
<b>Sunday</b>	12:00	22:30	12:00	22:30		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Sundays before Bank Holidays: 12:00 to 00:00.					

Performance of Dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:00	No change		Basement	No change
Tuesday	09:00	03:00				
Wednesday	09:00	03:00				
Thursday	09:00	03:00				
Friday	09:00	03:00				
Saturday	09:00	03:00				
Sunday	09:00	00:00				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	See condition 21 for existing Seasonal/Non-Standard timings.				No change	

Indoor Sporting Events						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No change		Basement	No change
Tuesday	10:00	03:00				
Wednesday	10:00	03:00				
Thursday	10:00	03:00				
Friday	10:00	03:00				
Saturday	10:00	03:00				
Sunday	10:00	00:00				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	See condition 21 for existing Seasonal/Non-Standard timings.				No change	

Performance of Live Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:00	No change		Basement	No change
Tuesday	09:00	03:00				
Wednesday	09:00	03:00				
Thursday	09:00	03:00				
Friday	09:00	03:00				
Saturday	09:00	03:00				
Sunday	09:00	00:00				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	See condition 21 for existing Seasonal/Non-Standard timings.				No change	

Performance of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground Floor & First floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:00	No change		Basement	No change
Tuesday	09:00	03:00				
Wednesday	09:00	03:00				
Thursday	09:00	03:00				
Friday	09:00	03:00				
Saturday	09:00	03:00				
Sunday	09:00	00:00				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	See condition 21 for existing Seasonal/Non-Standard timings.				No change	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	03:30	No change		Basement	No change
Tuesday	23:00	03:30				
Wednesday	23:00	03:30				
Thursday	23:00	03:30				
Friday	23:00	03:30				
Saturday	23:00	03:30				
Sunday	23:00	00:30				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.				No change	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	01:00	Ground and First floor	No change
Tuesday	23:00	23:30	23:00	01:00		
Wednesday	23:00	23:30	23:00	01:00		
Thursday	23:00	23:30	23:00	01:00		
Friday	23:00	23:30	23:00	01:00		
Saturday	23:00	23:30	23:00	01:00		
Sunday	N/A	N/A	N/A	N/A		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.			The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day. Sunday's immediately before Bank Holiday Monday's 23:00 to 01:00.	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground Floor & First floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No change		Basement	No change
Tuesday	10:00	03:00				
Wednesday	10:00	03:00				
Thursday	10:00	03:00				
Friday	10:00	03:00				
Saturday	10:00	03:00				
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:		Current: See condition 21 for existing Seasonal/Non-Standard timings.				

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	01:00	Ground and First floor	No change
Tuesday	10:00	23:30	10:00	01:00		
Wednesday	10:00	23:30	10:00	01:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	10:00	10:00	01:00		
Sunday	12:00	22:30	12:00	22:30		
Seasonal variations/ Non-standard timings:		Current: Sundays before Bank Holidays: 12:00 to 00:00				

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:30	No change		Basement	No change
Tuesday	09:00	03:30				
Wednesday	09:00	03:30				
Thursday	09:00	03:30				
Friday	09:00	03:30				
Saturday	09:00	03:30				
Sunday	09:00	00:30				
Seasonal variations/ Non-standard timings:		Current: See condition 21 for existing Seasonal/Non-Standard timings.				

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	10:00	01:00	Ground and First floor	No change
<b>Tuesday</b>	10:00	23:30	10:00	01:00		
<b>Wednesday</b>	10:00	23:30	10:00	01:00		
<b>Thursday</b>	10:00	23:30	10:00	01:00		
<b>Friday</b>	10:00	00:00	10:00	01:00		
<b>Saturday</b>	10:00	00:00	10:00	01:00		
<b>Sunday</b>	12:00	22:30	12:00	22:50		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays: 12:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 12:00 to 01:00.	

1-C	Conditions proposed to be added
	The permitted terminal hour for licensable activities on the ground and first floors shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.

1-D	Conditions proposed to be varied
Condition	Proposed variation
<p>29. Ground and First Floors: Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) Monday to Thursday 10.00 to 23.30.</p> <p>(b) Friday to Saturday 10:00 to 00:00.</p> <p>(c) Sundays 12.00 to 22.30.</p> <p>(d) Sundays immediately prior to Bank Holidays 12:00 to 00:00</p> <p>(e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>a) the sale or supply of alcohol to or the consumption of alcohol</p>	<p>The applicant proposes to vary condition 29 until 31<sup>st</sup> May 2021 to reflect the proposed terminal hours.</p>

<p>by any person residing in the licensed premises;</p> <p>b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</p> <p>c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;</p> <p>d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;</p> <p>e) the taking of alcohol from the premises by a person residing there;</p> <p>f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;</p> <p>g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.</p> <p>In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.</p>	
<p>30. On the Ground and First Floors, customers to be off the premises by 23:30 Monday to Thursday, 00:00 Friday and Saturday, 22:50 on Sunday and 00:00 on Sunday immediately prior to Bank Holidays.</p>	<p>30. On the Ground and First Floors, customers to be off the premises by 01:00am Monday to Saturday and on Sundays immediately prior to Bank Holidays and 22:50 on Sundays.</p>

## 2. Representations

<b>2-A</b>	<b>Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Service ( <i>Withdrawn 28 April 2021</i> )	
<b>Representative:</b>	Anil Drayan	
<b>Received:</b>	01 April 2021	
<p>Representation is made by Environmental Health as the proposed extension in hours for the licensable activities requested may lead to an increase in Public Nuisance in the area which is located in the West End Cumulative Impact Zone.</p> <p><b>Following further assessment, The Environmental Health Service withdrew their representation on 28 April 2021.</b></p>		
<b>Responsible Authority:</b>	Metropolitan Police Service	
<b>Representative:</b>	Adam Deweltz	
<b>Received:</b>	12 March 2021	
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application. The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Would it be possible at some point to have a phone call and discuss the details about the application please?</p>		
<b>Responsible Authority:</b>	Licensing Authority	
<b>Representative:</b>	Roxsana Haq	
<b>Received:</b>	31 March 2021	
<p>I write in relation to the application submitted for a variation of the premises licence for: <b>Ku Bar, 29 - 30 Lisle Street, London WC2H 7BA</b></p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of children from harm</li> </ul> <p><b>The application seeks the following:</b></p> <p>A time limited variation of the terminal hour for all licensable activities and opening hours from Core Hours to 1am (the following day) on Monday to Saturday and Sunday's immediately before Bank Holiday Mondays. The applicant proposes that the temporarily extended hours have effect until 31 May 2023.</p>		

The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and PB1.

Policy CIP1 states:

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

Policy PB1(B) states:

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority note that within the application the applicant has made reference to Policy CCSOS1.

Policy CCSOS1 relates to premises where the the primary function of the premises is that of a cinema, cultural venue and live sporting premises, defined as follows:

1. Cinema For the exhibition of feature or shorts films to an audience.
2. Cultural Venues a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment.
3. Live sporting premises: the premises or the use to which the licence is intended for
  - a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.
  - b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.
  - c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event.

The applicant is therefore required to make further submissions in respect of the operation of the premises and why Policy CCSOS1 would be applicable in assessing the application?

The Licensing Authority note that this is a time limited application seeking extended hours to help the business recover from the Covid-19 pandemic however it is noted that the extension is for a period beyond the current anticipated lifting of Covid-19 restrictions. The Licensing Authority will therefore require further submissions from the applicant justifying the period sought.

Notwithstanding that this is a time limited application, the applicant is seeking hours in excess of core hours in the West end cumulative impact zone, the applicant will have to demonstrate exceptional circumstances to allow a departure from the Policy.

The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and PB1.

It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed hours of operation.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	09 March 2021		

In addition to being a local resident, I am the owner of [REDACTED] the applicant's premises, Ku Bar.

So, for many years, I have been able to observe the applicant's operation at all times of day and throughout the weekly and seasonal cycles.

In my opinion, the applicant runs an extremely professional operation. In particular, I have always observed that they pay scrupulous attention to all aspects of safety, security and compliance with statutory and licensing obligations.

I have just read Westminster City's licensing objectives; over the years I have witnessed everyone at Ku Bar uphold and promote all four of them, and I am completely confident that they will continue to do so in future.

I have noticed that - in certain other establishments - the licensed door staff can sometimes appear to be quite menacing and actually make the street feel less safe. In contrast, the staff at Ku Bar are always respectful and dutiful, and continuously ensure that the whole vicinity is quiet and peaceful.

Ku Bar are community-minded: in addition to being constantly vigilant regarding such threats as crime and terrorism, I have - on several occasions - witnessed their staff offer first aid and similar assistance to passers-by who are totally unrelated to their business. They simply do their bit to make the West End a nicer place to be.

I fully support any extension of Ku Bar's operating hours. In addition to the wellbeing of the public and the security of my own premises, I am now an OAP and - quite frankly - I believe that my own personal safety is enhanced during their hours of operation.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	17 March 2021		

I am a local restaurateur and resident residing at [REDACTED].  
 I would like to support Ku Bar's application for extended hours at Ku Bar and She located on the corner of Frith Street and Old Compton Street. The venues are an asset to Soho, Westminster and the LGBTQ community.  
 The last year has proved extremely difficult for many Soho businesses. I hope Westminster continue to offer their support with schemes such as the al fresco dining initiative and by granting licence applications like the current proposals submitted by Ku/She Bar.  
 This will help Soho recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area.  
 I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the extension of hours adversely affecting me as a local resident and ask you to kindly grant the application.  
 Thank you for taking into account my views.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	19 March 2021		

I am the CEO and Chairman of [REDACTED].  
 Ku Bar Lisle Street is a close neighbour, [REDACTED].  
 [REDACTED] I am writing to support for the Ku Group's applications to extend their hours for Lisle Street and Frith Street.  
 [REDACTED] benefits from a 24/7 licence. My management team are highly experienced late-night operators and understand how to run a business right through the day and night without complaint. I have witnessed Ku Group's operational practices at Ku Lisle Street up to 3.00 am under their existing basement licence and during temporary event notices and am impressed by their management and standards. I have no doubt Ku Group can operate later on a regular basis without any adverse impact in the area or on the licensing objectives.  
 Like [REDACTED], the Ku Group have suffered the severe consequences of the Covid pandemic. I hope that the City Council grant both applications to help safeguard the Ku Group business, ensuring we can operate successfully alongside each other for many years to come.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	27 March 2021		

I am writing to support the extended hours licence application by Ku Bar at 30 Lisle Street and Little Ku and She Bar at 25 Frith Street.

I am the managing director of the gay men's monthly magazine [REDACTED] and the

founder editor of [REDACTED] the news, analysis and opinion website for lesbians and gay men.

I have known Gary Henshaw, the owner of Ku Bar, since the late 1980s and [REDACTED] has reported on the group since its inception. I have visited the venues on multiple occasions, as have many of my staff, and I have always found Ku venues to be impeccably run with a real focus on the customer and their comfort, safety and security.

Gary Henshaw and the Ku Bar venues always strike me as being very responsible operators and I experienced this first hand last summer when I enjoyed a very pleasant evening at the Lisle Street venue which was extremely professionally organised with a proper table booking system, full PPE for staff including complete visors and well-designed seating areas with protective dividers and constant cleaning.

I have also seen Gary and his Ku team for 20 years and more in action on one of the busiest days for the West End for Pride in London – and again their performance has always been faultless and highly professional despite all the pressure of the numbers of people and the effervescence of the celebratory day.

The Ku venues play a huge part in maintaining the richness and unique atmosphere of the LGBT+ community in Soho. The Ku venues provide an important haven for both lesbians and gay men to have a safe and well-managed night in London’s West End. Lesbian women in particular, as I know from running [REDACTED] [REDACTED] [REDACTED] [REDACTED], are very grateful for the professionalism of the She Bar venue.

I have been personally very impressed by Gary and the Ku venues’ commitment to fundraising for HIV and AIDS charities. Every year on World AIDS Day week, the Ku venues hold one of the biggest fundraisers of the whole gay scene and it has been a mainstay of HIV support for many years.

Gary Henshaw is very much a community-focused businessman whose operational experience is respected by local authorities and organisations and I know he is often called upon to assist in large-scale event planning for important events like the Chinese New Year celebrations and, of course, Pride in London.

It goes without saying that the last year has had a massive impact on the commercial viability of hospitality venues and the Ku venues are no different from others in having been closed for long periods of the last year or being very limited in their potential customer numbers because of Covid safety measures inside the bars. I and all the [REDACTED] magazine team offer our full support to Gary and the Ku Group as they try to keep their businesses alive in this difficult period.

I therefore highly commend Gary Henshaw for his proposals for the Ku venues and I sincerely hope that Westminster City Council will grant his proposal to extend his licensing hours.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	26 March 2021		

[REDACTED] is a diversity media network that promotes diversity and inclusion within all media.  
We are good friends with KU Group and host a lot of our staff drinks there. We’re sending this letter in support of the extended hours application of KU Group.  
KU Group are a well behaved and responsible operator and are an integral part of the LGBTQ

scene in London. They provide a safe haven for all members of the LGBTQ+ community and their allies to have a safe and enjoyable night out.

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected throughout London.

The past year has had a devastating impact on the hospitality industry across the board. Extended hours will help KU bar recoup some lost revenue and also help ensure that this amazing LGBTQ venue stays around. LGBTQ safe spaces are limited and we need to do everything we can to ensure as many as possible survive and thrive over the next year or so. We support Gary and the KU Group wholeheartedly as they try to keep their businesses running.

We commend Gary for his proposals and hope that Westminster City Council grants his proposal to extend his licence hours.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	27 March 2021		

I am a London based theatre producer who, like many, has been hit hard by the recent global pandemic and want to show my support with Ku Group applying for a temporary 2 year licence extension. A fellow businesses who has supported me and my work over the years.

Back when I was a young gay man on the scene not really knowing what I was or who to trust, Ku bar was and still is a place where you can be yourself and feel safe in doing so. A welcoming environment in what can be a cruel and unforgiving scene especially for someone inexperienced as was I back then. The Ku bar established it self as a leader for promoting a safe haven for all who identify as LGBTQ+ and their allies. In all these years, Gary has always maintained a safe environment for his clients.

When I established my production company back in 2014 Ku group were one of the first gay run businesses to help in championing my work. Even supporting me with an Olivier nomination. An example of this was with Outlaws to In-laws at the King's Head Theatre as part of their Queer Season and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act. Ku Group investment finance and marketing support with the transfer of the hugely successful Kevin Elyot play, Coming Clean, to the West End. Selling out two seasons at the Trafalgar Studios. They helped in the development of a new opera - Opera Undone - a season of two Puccini operas Tosca and La Boheme which gained huge critical success and was deemed as one of the most inspiring productions of La Boheme ever to be staged. Without Ku Group's ongoing support for my work with these productions they may not have been staged.

When things settle down and theatre once again becomes the beating heart of the west end it's important businesses such as Ku have all the support needed to survive. One such thing that will make a huge impact on their survival is being granted an extended license. If anything it would encourage people to come back to the west end to see a show and stay out afterwards and enjoy the later part of the evening especially in a safe and welcoming environment that Ku provides.

The arts are in dire straits and need the continued support of businesses such as Ku Group to help ensure our survival. Please do all you can to help this company to thrive after what has been a tragic time for us all. Without them I fear London will be a much lonelier place to socialise. I know for sure that without them my own business would suffer.

<b>Name:</b>	[REDACTED]		
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<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	27 March 2021		
<p><i>I am a DJ and music and arts secondary teacher in London, and I also run a LGBTQI+ club for younger members of our community in South London.</i></p> <p><i>I have worked as a resident DJ for The Ku Group since 2015, as well as being a regular customer and can honestly say that their group of bars are such an important pillar of London's LGBTQI+ community.</i></p> <p><i>The safe spaces that Ku Group provides gives alot of us a home away from home and someplace to feel like we really belong. All staff and management behind Ku Group and bars are just the warmest people you can find, and I can safely say that with the extended opening hours proposal, the Ku team will continue to help prevent crime, disorder and nuisance in the local area.</i></p> <p><i>I would like to give my deepest support for the applications of extended opening hours at the Ku Group.</i></p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	28 March 2021		
<p>Prior to the Coronavirus Pandemic, I was a regular customer of the Ku Bar Group, both on Frith Street and on Lisle Street. This is a letter of support regarding the proposed extension of licensable hours to the above name premises.</p> <p>Ku is important to me as I have been going to these premises ever since I was 21, when I finally had the courage to come out as Gay. I have subsequently been going to both premises for the last 7 years. In that time, I have witnessed the professionalism and commitment of all staff to ensure the safety and enjoyment of its customers. Ku is a place where people from LGBT+ scene can attend and be their true selves. Ku is a place where you go to feel safe, where diversity is celebrated and encouraged.</p> <p>Whilst I do not know Gary Henshaw on a personal or professional level, I have witnessed his dedication to ensuring Ku is recognised and remembered as a Business that has a positive reputation in the Soho community.</p> <p>I'd like to add my support to the Ku Group having its license extended. As you are aware, the last year has been unprecedented and has had unimaginable financial implications to the hospitality sector effecting businesses and its staff.</p> <p>I hope that the Westminster City Council licensing department will grant this extension in order to assist the KU group with their journey back out of lockdown.</p>			

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	28 March 2021		

I write as a Westminster City Council resident in support of the above License Applications and my address is:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I state at the outset that I have no business or fiduciary connection to Gary Henshaw or any of his companies or businesses save as a customer of his bars over many years and having a respected and valued acquaintanceship with Mr Henshaw as a welcoming host and landlord.

I, and a number of my friends, have met socialised, celebrated and commiserated with each other regularly in Ku Bar, Lisle Street and occasionally in Ku Bar, Frith Street for as long as Mr Henshaw has been in business at those premises and prior to that in other bars that he has owned, managed and run over a period of almost 30 years.

We are a group of gay male friends ranging in age from our 40s to our 70s and we choose to meet and drink in Ku Bar because we are always made to feel welcome by management and staff alike.

Mr Henshaw has taken particular care over many years to train his staff to be customer focused and to show friendship and respect to all his customers irrespective of who or what they are.

I personally hire one of his off duty staff to act as a barman at my annual birthday party and all my many friends and colleagues attending always make warm comments about the service they receive. This is a tangible reflection of the investment in training by Mr Henshaw and his highly effective managers and supervisors.

Perhaps most importantly we, as a group, feel safe in his bar environment. Security is paramount to Mr Henshaw and I can personally state that, no matter the hour, his bars are well managed and I have never witnessed anything to make me feel unsafe in any way.

This is, I know from experience, rare in licensed premises in the West End especially on weekends. Security staff are well trained, conscientious and alert to dealing with any potential issues almost before they arise.

Mr Henshaw and his businesses are totally committed to LGBTQ+ issues.

His bar operations on London Pride days over the years are second to none and it is where we always choose to gather after the Parade, safe in the knowledge that crowd control and servicing customers will have been carefully planned by Mr Henshaw and his team on what is a crazy day for our community and for bar owners in Soho.

Mr Henshaw raises many thousands of pounds every year for charities to benefit the LGBTQ+ community. An annual charity evening to mark World AIDS Day on 1st December each year is a particular highlight and raises much needed funds for charities working on HIV/AIDS related issues.

I am personally connected to the Albert Kennedy Trust supporting young LGBTQ+ people

facing homeless and Mr Henshaw has never failed to give support when asked.

As the hospitality industry emerges from the catastrophic situation they have found themselves in, it is critical that they are given the opportunity to recover and to support the economy of central London at the heart of which are our bars and restaurants.

A 1am extension to the licenses for two years will do exactly that and I am confident that Mr Henshaw is a fit and proper person to take this forward responsibly with no impact on the public and in a safe and well ordered manner.

Mr Henshaw has already shown leadership during the crisis and was at the forefront of making his premises Covid safe as soon as he was allowed to reopen last July.

Ku Bar, Lisle Street and Ku/She Frith Street named in this application are an important part of the Soho and West End hospitality industry and are a welcoming and safe environment for the LGBTQ+ community to regroup and to celebrate our recovery and, in many cases, to mourn and also to rejoice in the lives of those we have lost.

I respectfully appeal to the Licensing Committee to grant this application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	28 March 2021		

I understand that the pandemic has had a devastating impact on licensed trade and that Licensed venues are doing everything that they can to trade and survive.

Gary Henshaw has informed me that he is applying to Westminster to ask for a temporary 2 year licence extension to 1am for both Ku venues.

I would like to submit my support for this application - as a former chair of [REDACTED] that was set up in 2000/01 after the terrible attack on the Admiral Duncan, and as current founder/CEO of [REDACTED]

The Ku venues are a vital part of our community - in the past Gary has kindly given us space to hold meetings and organise community events - like the London Vigils Against Hate Crime (2009-12) which we organised after the death of Ian Baynham (2009).

Not only has Gary provided us with the space to do our charity work, he has provided a safe and well managed venue for our community. The venues are well maintained, the staff are more than adequately trained in customer service and hospitality.

A pleasant environment to be able to enjoy drinks after work, to meet friends and celebrate a variety of events. One of the venues provides the only bisexual/lesbian women's spaces in London.

I hope that Westminster will approve this application. Thank you.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	29 March 2021		
<p>I am writing today in support of the application for extended hours of KU group, I am the founder and chairperson of [REDACTED] a registered charity that supports the lives of trans adults across the UK [REDACTED].</p> <p>The venues that KU group operates are integral to the LGBTQ+ community in London, providing rare safe spaces where its patrons can socialise authentically. KU venues are recognised in London for the high calibre not only of their venue standards but also for the type of customer that frequents them, I have personally been to Ku venues many times and at all times of the day, they operate a well-oiled machine that I and many of my friends know and love, particularly for their opened armed approach to outwardly welcoming the trans community through their doors.</p> <p>I have known and worked alongside Gary Henshaw on and off for the best part of a decade, I once was the general manager of a fellow LGBTQ nightclub in Soho and from my experience of planning community events such as Pride in London, through to other business interactions that I have had with him over the years, I can confidently say that he is one of the most well-respected venue operators in the West End. Gary cares deeply about the unity of our community, this is reflected in his venues operations and all external events that he lends his expertise to.</p> <p>With the events that we have all endured during the last 12 months, one of the most overlooked tragedies of the pandemic has been the loss of so many more LGBTQ safe spaces, we saw the numbers of venues operating in London plummet in the few years prior to this and COVID only added fuel to that fire, I'd like to take this opportunity to express my keen support for Gary and the team tat operate the KU venues in their plight for extended hours to safeguard their venues and our sacred spaces.</p> <p>I and the rest of the board of trustees here at [REDACTED] are hopeful and optimistic that Westminster City Council will grant the proposal to extend the licensed hours for the KU Group.</p>			

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		
<p>I am writing to you in support of the above licence applications. I am a resident in the area, and also was a member of the subcommittee on the Late-Night Economy for the Soho Neighbourhood Plan. I have been a regular customer of these establishments going back to the time of the original venue in Charing Cross Road. In my opinion and experience they are well managed and safe with good security staff, and so an increase in the licensing hours should not have any negative impact on public order or safety.</p> <p>The Ku venues are a vital part of the LGBTQ+ community in the Soho area, and with the obvious difficulties the entire sector is facing as a result of COVID-19 I believe that the Council should do everything possible to assist local businesses.</p> <p>I would urge the council to approve these licence applications.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	21 March 2021		
<p>I live at [REDACTED].</p> <p>I am writing in my capacity as a local resident and local business owner.</p> <p>Like Gary Henshaw and his business Ku/She, I am one of the longest standing independent LGBTQ+ operators in Westminster. Venues for our community have sadly declined over recent years. It is so important to promote and protect those of us who are still standing, particularly after the devastating impact of the Coronavirus pandemic on our businesses and neighbourhood.</p> <p>We are all in this together, not just Gary, the last remaining LGBTQ+ operators and myself, but local residents, the wider Soho community and Westminster as a whole. We really need support from you to help keep our businesses alive and continue to play a key part in Westminster's world renowned inclusive and cultural offer.</p> <p>My businesses have operated alongside the Ku Group for years. I am also a local resident living close by to the Ku venues and other licensed premises. I can say without hesitation that the Ku venue's high standards of management will continue to promote all four licensing objectives during the later hours sought.</p> <p>In addition, Gary and his team have proved that the proposals will not have a negative impact in the West End because he has been regularly operating to these hours and later under many years of TENS. I appreciate Gary's premises are within the West End cumulative impact area, however I hope you will see that there won't be many other applications coming forward at this time with such defining and exceptional characteristics.</p> <p>I therefore hope that you do your bit to help support the Ku Group and the Soho community to</p>			

help us get back on our feet.

Thank you for considering my views.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	26 March 2021		

I am an Alcohol Brand Key Account Manager who has supplied KU with support for our brands within their venue: I am sending this letter in support of the extended hour's application of KU Group.

KU has not only been an impeccably behaved and responsible operator, but has both added and continue to adds to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing a haven for both gay men and women to have a safe and managed night out.

Gary Henshaw and his business, Ku Bar, has been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is

respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable event on hospitality and we know that this business is no different from others in that respect. We support Gary and the Ku Group as they try to keep their businesses alive for the short and longer term.

I commend Gary and all the Ku Team for their hard work in the community and for his proposals and hope that Westminster City Council grant his proposal to extend his licence hours, to support and give back to a business that gives to its local community. In the words of the Government - "we are all in this together" and so now is the time for us to be giving back and supporting venues like KU who have sacrificed so much over the past year.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	11 March 2021		

I am writing to express my support in the application of a temporary 2 year license extension to 1am, on behalf of Ku Bar Lisle Street and Ku Bar Frith Street (Ku Lisle Street - 21/01595/LIPV and Ku/She Frith Street - 21/01596/LIPV).

[REDACTED] and a landlord in the area in general, I have seen first hand the devastating effect the multiple lockdowns and restrictions have had on hospitality businesses. Granting a temporary license extension to Ku would enable longer trading hours and a greater chance of them being able to recover from this financial downturn. This would mean not only saving jobs, but it would also be saving an important part of the Soho and LGBTQ community.

Ku have been [REDACTED] for 13 years, and have always been a very responsible and well behaved tenant and operator, and are an asset to Soho.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	22 March 2021		
<p>I'm writing to support the extended hours of KU Group.</p> <p>As a freelance journalist working on a feature about hospitality reopening safely, I had the pleasure of interviewing Gary Henshaw just before the venue reopened last summer. I was impressed and reassured by the measures he had in place to keep Ku and the other bars Covid safe by implementing initiatives such as hand sanitiser, reduced capacity and one-way systems.</p> <p>Ku has always been an important part of the LGBTQI+ scene in London and it provides a welcoming place for my mixed group of friends to enjoy a safe night out. While other bars might frown upon straight people, Ku is inclusive and friendly. It's so important for gay men and women to have a safe and well-managed night out and Ku provides a safe haven for all.</p> <p>Last year has had a devastating effect on hospitality and Ku is no different from others in that respect, but as restrictions begin to ease and London's nightlife starts to come alive once again, it's a safe and well-managed place that's a real asset to the LGBTQI+ community as well as the city. I know that Gary and his fantastic team are ideally placed to make sure the extended hours are embraced in a safe way and it's a great way to welcome Ku back when the time comes. I'm not alone in hoping that Westminster City Council grants his proposal to extend the licence hours.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	18 March 2021		
<p>I'm writing in support of the above applications to extend the operating hours of Ku Lisle Street and Ku/She Frith Street.</p> <p>London's LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, the Mayor committed to supporting these spaces by launching his LGBTQ+ Venues Charter, to protect existing infrastructure and encourage the opening of new venues.</p> <p>The pandemic has had a severe impact on our LGBTQ+ venues. By closing their doors, they have rightly played their part in helping to control the spread of coronavirus. But a rollercoaster of restrictions has brought many of these venues to the edge of bankruptcy. The 10pm curfew, for example, crippled the ability of venues try and recoup some of their losses, with 40% of LGBTQ+ venues' trading hours on a Friday and Saturday being after 10pm.</p> <p>Without help, London could lose many late night venues as a result of COVID-19, not least our much loved LGBTQ+ venues. It's vital that we do all we can to help them get back on their feet to not only survive, but thrive as we move out of the pandemic.</p> <p>Gary Henshaw, who operates both venues applying for extensions, has been an active member</p>			

of the LGBTQ+ Venues Forum since it was set up in 2017. I know him to be an experienced and responsible operator. I have no doubt that his experience and understanding of the late night landscape of Soho would allow him to operate successfully with increased hours.

As Westminster is home to the largest concentration of LGBTQ+ venues in the capital, I encourage the council to support these vital places of cultural infrastructure and look favourably on these two applications, which I wholeheartedly support.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	24 March 2021		

My name is [REDACTED] and I am the brand manager for [REDACTED]. We have worked closely with the KU group for years. We are the [REDACTED] and sending this letter in support of the extended hours application of KU Group.

KU has not only been an impeccably behaved and responsible operator, but has both added and continue to adds to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing a haven for both gay men and women to have a safe and managed night out.

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable event on hospitality and we know that this business is no different from others in that respect. We support Gary and the Ku Group as they try to keep their businesses alive for the short and longer term.

We commend Gary for his proposals and hope that Westminster City Council grant his proposal to extend his licence hours.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	24 March 2021		

Throughout our long relationship with KU Bar [REDACTED] has worked closely with the whole team over there. They are an integral part of the night-time economy and Soho itself and one of a dwindling number of LGBTQ bars still around.

They have hosted the magazine several times and we have always found them to be impeccable in their service and manner. They are a destination bar and provide a safe & fun a refuge to their patrons

Gary Henshaw and his business, Ku Bar, have been a valued member of the area for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during our own initiatives and role in large-scale event planning, including the Chinese New Year celebrations and London Pride.

It goes without saying that the last year has had an unspeakable effect on the hospitality industry and we know that this business is no different from others in that respect. We support



Being able to open until 1am, not only will this help Ku Bar recoup a fraction of the lost revenue and contribute to the nightlife economy of Westminster, but will also help secure it's space in the already at risk LGBTQ+ sector of which 56% has already been lost since 2006.

From the day I moved in and throughout my tenancy Ku Bar has kept me updated with any relevant information needed. I was given a direct line to the Management team and always felt comfortable communicating with the team and even the owner. I have never had any issues in getting access [REDACTED], even during Pride. Ku Bar goes out of their way to ensure my everyday life isn't affected to the best of their ability.

The above points reflected my view of Ku Bar and my support in the 1am extension across the ground and first floors. I firmly believe in Ku Bar's ability to operate and maintain the levels they have previously done.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	10 March 2021		

I write in support of the application for a temporary extension of the licenses pertaining to the above mentioned premises.

Being 'wet led' businesses both have been hit very hard by the current pandemic. Both premises are central to the LGBTQ+ community in Soho and London and every effort should and must be made to ensure their ongoing viability and survival.

Mr Henshaw and his team are first class operators and his premises are well run and friendly. They are very welcoming to the local community. I have never witnessed any untoward behaviour at either site.

This is an exceptional request by an exceptional business in exceptional times. As a local Soho residents we would wish to lend our strong support to this proposal.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	25 March 2021		

I am a published author, activist, journalist and curator of [REDACTED] - London's award-winning LGBTQ+ literary salon, based at the Southbank Centre.

The Ku Group is so much more than a collective of licensed bars. The venues are a longstanding and integral pillar of London's LGBTQ+ community.

As well as the LGBTQ+ entertainment and cultural offerings, Ku supports many smaller community projects and provides safe spaces for community initiatives - for example our Polari book club events and writing workshops, which have been hosted at Ku.

I have always experienced exceptional management and customer care at Ku venues. I can say with all confidence that the professional expertise would be extended during the later hours proposed to ensure no negative impact on local crime or nuisance.

Please consider my support for the applications accordingly, the success of which is dependent on you.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support

<b>Received:</b>	25 March 2021
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As I'm sure you're aware Ku bar is a gay bay, plain and simple. Not everyone's cup of tea, and you know, that's just fine by me. But it is mine, and has been for some 20 years or so.

I cannot express to you in words how important Ku Bar has been to me personally over that time and how vital it continues to be for many others even in this digital age of apps and online dating the LGBTQI+ community still need somewhere they feel safe, secure and un-judged. Ku Bar represents that.

I understand that there is chance to extend Ku Bar's opening hours, I implore to give this serious consideration and please, vote yes. Please do not under estimate how important venues like Ku are to the LGBTQI+ community, for them to stand any chance, post-lockdown, of survival they will need some way to claw back a year of low or zero revenue.

Please, please - allow the temporary extension.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		

<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
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<b>Received:</b>	30 March 2021
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I would like to put forward my reasons for supporting the extended hours licence application by KU Bar at 30 Lisle street and Little KU and She Bar on 25 Frith Street, Soho , London W1.

I am a Trans activist and the founder of [REDACTED] which is held at [REDACTED] and I also front [REDACTED].

I have known Gary Henshaw since the early 80's. He's such a great source of support to the trans community. Gary also tirelessly raises awareness and funds for HIV and AIDS. KU bar and Gary Henshaw make that difference in our Soho community that's vital for our survival.

During Christmas 2018 KU Bar and his staff raised £12k for [REDACTED]. We have our functions and celebrations at KU Bar, where we also have the support of Kensington Palace and Chelsea Football group. During these events and whenever I visit a KU venue I have always experienced outstanding customer care and management procedures. I am sure Gary's team can continue these standards later at night meaning no negative impact in the local area.

The past 12 months + has had a devastating impact on KU bar and our community. The KU Group's safety measures through Covid have been exemplary and has inevitably led to having very reduced numbers the KU bars.

As a result, I am totally recommending and suggesting that you grant KU Venues the extended hours. I am hoping that Westminster Council show their support for the community and grant his proposal to extend his licensing hours.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	11 March 2021		

Gary Henshaw and his business, the Ku Bar have been a valued member of the [REDACTED] [REDACTED] for many years. Gary is a responsible and community-focus businessman whose operational experience is respected and often called upon during our own initiative and role in large-scale events planning eg the annual Chinese New Year celebrations and London Pride.

Almost all our members including Gary have suffered the severe consequences of the Coronavirus pandemic. We support Gary and all our members as they try to keep their business going for the short and longer term. We commend Gary for his proposal and hope the council would consider granting his time-limited proposal to extend his license hours.

Ku Bar is a business with a proven operational track record. We have no reason to be concerned that the extended hours would have any adverse impact in the West End generally or on the key licensing objectives. We therefore offer Gary our support and hope the Council would agree.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	11 March 2021		

My name is [REDACTED], my wife is [REDACTED] [REDACTED] [REDACTED], and we are writing to offer our support to the requested licence extension to 1 am for Ku Lisle Street activities on the ground floor as well as on the 1st floor.

To put my support in perspective, I currently [REDACTED] than Ku bar operates from, and [REDACTED].

It is also worth noting that I exercise the profession of Group Internal Auditor for an international company specialised in catering [REDACTED], where I inspect food and bar sites of the business with a focus on operations but also health and safety.

Hence, I think I can offer an objective view on how Ku Bar operates, participates in the community, and deals with its direct neighbors.

How Ku Bar operates:

- Before the covid crisis:
  - Ku Bar on Lisle street is by far the cleanest bar in the whole city of London. It is also the safest in my opinion. The staff on the premises is well trained and organised, from the security at the entrance door, the staff at the bar, or the site manager, everyone is extremely kind and welcoming.
- Once covid crisis hit:
  - The business adapted splendidly to the Health and Safety requirements, allowing entrance to only one door, and an exit to another door, both at each extremities of the bar. Would you want to enter, a staff member would offer a hand sanitiser spray, and require a registration on an application using a code bar, enabling the tracking of a client interactions if he/she was tested Covid positive at some point.

No entry was permitted if these steps were not completed. Once these steps were completed, only one person could enter at the time, pass an order, pay for it through contactless payment, and the waiter would bring the drinks to a table in an open air environment in front of the bar. Each table outside were spread out, and offered a very safe environment. Staff constantly kept a facemask, and did not hesitate to correct a client's attitude towards health and safety requirements. It was, by far, the safest bar to go to in central London during this terrible pandemic. I have been a regular client during the pandemic, and have been tested for covid every 3 weeks for my job - I have never been positive.

How Ku Bar participates in the community:

- It is and has been a monument for the LGBT community, and has helped to raise awareness on the acceptance of everyone as who they are. In difficult times more than in times of peace, it is essential to offer support for those who face difficulties because they do not fit in the "accepted social norms".
- By offering employment, Ku bar will help (on its scale) reduce the weight of the Furlough scheme currently supported by the government, and offer a much needed feeling of accomplishment to its staff. Mental health is a key point of focus, and the absence of work is one of its strongest poison.
- By being able to open until 1am, Ku bar also contributes to the economical life of its borough, city, but also its suppliers.

How Ku Bar interacts with their neighbors:

- On the first week of our move to [REDACTED], Gary Henshaw and the staff at Ku Bar reached out to us, shared their contact details and asked us to get in touch if we needed anything. Truth is, we never had to do so, as the staff was very respectful of its neighbors. For example, the main entrance door to the building, leading to the [REDACTED], has always been kept as a "free from obstacle" space and we never had any issues of access. Not once in 3 years. As well, regarding the music sound level, Ku Bar has always been respectful and always kept a very acceptable volume (then again, no one moves to Soho to enjoy the silence).

As a conclusion:

Thanks to the NHS, vaccination campagne and everyone's individual effort throughtout this pandemic, we can finally see the light at the end of the tunnel, and we would need our key institutions to remain active and open to contribute to society.

I truly believe that granting Ku bar a temporary 2 year licence extension to 1 am for their ground and first floor will give them a chance to survive the aftermath of this economical disaster.

Please feel free to contact me would you need any more information/testimony.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		

We are writing in support of Allied Promotions Limited's (KU Bar) variation to their premises licence (21/01595/LIPV and 21/01596/LIPV) which seeks to increase the terminal hour for licensable activity for a specified amount of time.

[REDACTED], part of the [REDACTED], is a partnership that works across the events and music industry promoting consistency of operations, sharing of best practice, and facilitating information sharing whilst supporting venues, promoters, and artists -

creating safer events for all.

In March 2020, [REDACTED] was commissioned by the Greater London Authority to design and manage the LGBTQ+ Venues Business Support Service (part of the Mayor of London's Culture at Risk Fund), and also manage the London LGBTQ+ Venues Forum.

London is renowned for its nightlife and LGBTQ+ venues form an important and integral part of the cultural fabric in our capital city, especially in Westminster which has the largest concentration of LGBTQ+ venues which attracts visitors from all over the UK and indeed the world. Soho, and its venues, also serve as a community hub for many LGBTQ+ Londoners, as well as being integral to the local community. Ku Lisle Street, and Ku Frith Street/She Soho, are important venues to the LGBTQ+ community providing safe and trusted spaces with the latter providing only dedicated only women-priority venue in London.

Over the last 10-year period, London has seen a decrease in the number LGBTQ+ venues of 62%. 2019 saw the first net increase of one venue. The position that venues like Ku find themselves in due to lockdown presents a risk to the future viability of these important cultural venues. Further losses would decimate London's cultural offer and have a huge impact on the LGBTQ+ community more widely which demonstrates the importance of the named variations. This variation would allow this business to recover from the devastating impact of COVID-19 and it is clear from the application that this is the intention of the application demonstrated in the time limited nature of the extension of the terminal hour.

We understand the necessity for our representation to be related to the Licensing Objectives. It is our opinion that Ku venues consistently promote the licensing objectives through the range of policies they have in place, but also through the practical operational procedures which they have in place.

All of the Ku venues are members of our [REDACTED], which is a Business Crime Reduction Partnership. Our aim is to bring together businesses, in partnership, with local authorities and the Police to tackle crime, violence and anti-social behaviour.

Ku is an active member of [REDACTED] regularly using our intelligence systems and radio network to detect and deter crime, attending our [REDACTED] and engaging with the wider business community to make Soho safer for all. This clearly shows their commitment to the prevention of crime and disorder.

Ku also is a member of the [REDACTED], which is cited as best practice in the Westminster City Council Statement of Licensing Policy 2021. Ku has engaged with [REDACTED] throughout our existence and have engaged with a range of services including our training around welfare and vulnerability – showing that the venues take this issue seriously, working to promote safety in everything that they do.

Ku has been an important part of the fabric of LGBTQ+ London for over 25 years and is integral to the LGBTQ+ community. As a member of the London LGBTQ+ Venue Forum, Ku plays a vital role in the community it serves – bringing issues of venues and the wider LGBTQ+ community to the forefront of discussions in London.

Over the last year, the mandated closures of the venue coupled with severe restrictions, including the 10pm curfew and restriction on single households only indoors, meant the business was brought to a point where its very survival was in question.

This variation offers a lifeline to this business and we would encourage the Licensing Sub-Committee to grant this application and support this venue, and the wider LGBTQ+ community. If you have any further questions, or require any other information, please do not hesitate to contact me.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	31 March 2021		

I am sending this letter in support of the extended hours application of KU Group.  
The KU venues have been a vital part of the LGBTQI+ community, and have always offered a

safe space for socialising and provide a quality service, which they've managed to maintain despite the stricter social distancing guidelines.

As a regular client, I can say that their reputation for being an 'all-inclusive' venue is a flag that they wave proudly, not to mention their eagerness to get involved with charity work and anything to do with the arts community.

Gary Henshaw and his business, Ku Group, have proven to be an asset to the community and have consistently been involved in many public events over the years such as London Pride, World AIDS day and Chinese New Years celebrations.

To have such a business operating in the area is a true inspiration and a landmark for success.

Gary's personable approach and attention to detail make him a well-respected mentor.

With brighter days ahead of us and hope in our hearts for a successful road to recovery, we really need to protect these businesses which have suffered so greatly due to the Covid 19 pandemic and sadly the hospitality sector and the LGBTQI+ community have suffered severely.

In efforts to support the recovery of this sector, I am earnestly appealing to Westminster City Council that Gary's application for extended business hours get serious attention.

We need safe spaces like Ku Bar, Little KU and SHE Soho!

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
[REDACTED]	[REDACTED]	<b>In support or opposed:</b>	Support
<b>Received:</b>	15 March 2021		

My name is [REDACTED] I am a DJ and Club Promoter who has worked for the KU Group for over 15 years. I am writing this letter in support of the extended hours application of Ku's venues.

Ku is very important to the LGBTQ+ scene. I run an event at the venue called [REDACTED] which is the only weekly get together in Central London specifically catering to the Trans and Non-Binary community of which I am a part of. Ku has been the only stable establishment for us since we started the club night 6 years ago. We have unfortunately had a run of bad luck with venues we chose to host the night being shut down. Madame JoJo's - The Shadow Lounge - The Black Cap - Muse - The Green Carnation - Her Upstairs - have all been closed. It's vital that Ku Bar is given the opportunity to survive this terrible pandemic and carry on providing a safe environment for us. We cannot risk any more closures. These spaces are needed desperately.

On a personal note the owner Gary Henshaw has provided me with stable employment - something that is rare for someone like me who is self employed and a creative. It is also great that the venue is privately owned and not controlled by one of the big companies who don't have personal relationships and loyalties with the community.

I support the request for extended licence hours as a way for Ku Group to increase profit margins and hopefully survive this terrible year.

Like many the Ku Bar was the first LGBTQ+ venue I stepped foot in when I arrived in London and has been a part of my working and social life ever since - it is a huge part of the community and it is imperative it is given every help to survive.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	15 March 2021		
<p>I write to you to please ask you to consider a licensing extension for the Ku/She on Lisle Street, Soho.</p> <p>While I appreciate that the residents are concerned with late night visitors to Soho I wish to express how essential businesses like She and Ku are.</p> <p>As we all know, being gay can often lead to being isolated from family or other support groups and places like She and Ku provide sanctuary and desperately needed support to a marginalised group. There are not many day time support venues or places of sanctuary, making late night venues like even more important / essential.</p> <p>Please do consider allowing even a temporary late night license. Its been a long and difficult year.</p>			

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	19 March 2021		

We would be grateful if the City Council could please consider [REDACTED] support in respect of Ku Bar's application to extend the licence hours for a limited period of two years to help the business recover from the Covid-19 pandemic.

[REDACTED]

[REDACTED] owns and manages a 16-acre property portfolio in some of the busiest parts of London's West End. Ku Bar is one of our licensed tenants at the application premises. Our holdings are focused on restaurants, bars, leisure and retail in the highly popular locations of Carnaby, Chinatown and Seven Dials. We also hold property in east and west Covent Garden, Soho and Fitzrovia. The portfolio comprises 607 restaurants, bars, cafes, pubs and shops, extending to 1.1 million sq. ft, 616 apartments and 0.4 million sq. ft of offices. We focus on the sustainable repurposing of existing buildings and aim to minimise the environmental impact of our operations across the business.

We work closely with the City Council as part of our strategy for long-term investment in our key locations. This forms part of a long-term commitment to support and improve our areas through refurbishment and enhancing the profile and visitor experience via carefully curated tenant mixes and an ongoing programme of promotional events and initiatives. We work in partnership with the City Council in public realm improvement schemes and long-term participation in local stakeholder initiatives. For example, we worked with the City Council in respect of public realm improvement works on Newport Place, which is adjacent to Ku Bar.

We are supporting our hospitality and retail tenants to help them survive and recover from the impact of the Covid-19 pandemic. We understand that Ku Bar has identified a time-limited extension of the licence hours as a key lifeline to the business, which has been hit particularly hard by Covid-19.

**Ku Bar & Mr Gary Henshaw**

Mr Henshaw's company has been [REDACTED] at Ku Bar 30 Lisle Street for over 10 years. Mr Henshaw has an impeccable track record and reputation in the LGBTQ+ community and the West End as a whole. His venues and entertainment provide an attractive and safe place for the LGBTQ+ community, which should be commended by the City Council.

We took an active part in the City Council's recent statement of licensing policy consultation. We are aware that Mr Henshaw's proposals engage the West End cumulative impact area policy. Notwithstanding, we hope that Members will agree that this is an exceptional application in exceptional circumstances and will not have an adverse impact in the West End. By granting the application, the City Council would be helping to support a long standing and respected West End hospitality business through the Covid-19 recovery period.

We have no hesitation in supporting Mr Henshaw's proposals, particularly bearing in mind his proven operational track record in Westminster; his deserved standing in the LGBTQ+ community; and the fact that his business is a prime example of one that has suffered most as a result of the Covid-19 pandemic. Ku Bar has a long history of successfully promoting the Licensing Objectives and we believe that it will continue to do so within the proposed hours.

Thank you for taking into account our views. We hope the content of this letter is helpful and that the Licensing Sub-Committee grants the application accordingly.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> </ol>

	<p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</p> <p>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</p> <p>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a</p>
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	<p>bank holiday: 12pm to 12am.</p> <p>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy PB1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>4. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>2. The application and operation of the venue continuing to meet the</li> </ol>

	<p>definition of a Public House or Bar in Clause D.</p> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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#### 4. Equality Implications

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

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

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

#### 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Existing premises licence and premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

**Background Documents – Local Government (Access to Information) Act 1972**

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service <b>(Withdrawn 28 April 2021)</b>	01 April 2021
5	Metropolitan Police Service	12 March 2021
6	Licensing Authority	31 March 2021
7	Interested Party 1	09 March 2021
8	Interested Party 2	17 March 2021
9	Interested Party 3	19 March 2021
10	Interested Party 4	27 March 2021
11	Interested Party 5	26 March 2021
12	Interested Party 6	27 March 2021
13	Interested Party 7	27 March 2021
14	Interested Party 8	28 March 2021
15	Interested Party 9	28 March 2021
16	Interested Party 10	28 March 2021
17	Interested Party 11	29 March 2021
18	Interested Party 12	31 March 2021
19	Interested Party 13	21 March 2021
20	Interested Party 14	26 March 2021
21	Interested Party 15	11 March 2021
22	Interested Party 16	22 March 2021
23	Interested Party 17	18 March 2021
24	Interested Party 18	24 March 2021
25	Interested Party 19	24 March 2021
26	Interested Party 20	15 March 2021
27	Interested Party 21	16 March 2021
28	Interested Party 22	10 March 2021
29	Interested Party 23	25 March 2021
30	Interested Party 24	25 March 2021
31	Interested Party 25	30 March 2021
32	Interested Party 26	11 March 2021
33	Interested Party 27	11 March 2021
34	Interested Party 28	31 March 2021
35	Interested Party 29	31 March 2021
36	Interested Party 30	15 March 2021
36	Interested Party 31	15 March 2021
36	Interested Party 32	19 March 2021









**Applicants TEN history 2015 to 2020****Lisle Street TENS - 2015****Basement**

	Dates	Area Used / Capacity	Times
1.	Saturday 31 <sup>st</sup> October & Sunday 1 <sup>st</sup> November	160	03:00 to 05:00 each day
2.	Saturday 7 <sup>th</sup> & Sunday 8 <sup>th</sup> November	160	03:00 to 05:00 each day
3.	Saturday 14 <sup>th</sup> & Sunday 15 <sup>th</sup> November	160	03:00 to 05:00 each day
4.	Saturday 21 <sup>st</sup> & Sunday 22 <sup>nd</sup> November	160	03:00 to 05:00 each day
5.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	160	03:00 to 05:00 each day
6.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> November	160	03:00 to 05:00 each day
7.	Saturday 5 <sup>th</sup> , Sunday 6 <sup>th</sup> & Monday 7 <sup>th</sup> December	160	03:00 to 05:00 Saturday & Sunday, 00:00 to 03:00 Monday
8.	Saturday 12 <sup>th</sup> , Sunday 13 <sup>th</sup> & Monday 14 <sup>th</sup> December	160	03:00 to 05:00 Saturday & Sunday, 00:00 to 03:00 Monday
9.	Saturday 19 <sup>th</sup> , Sunday 20 <sup>th</sup> & Monday 21 <sup>st</sup> December	160	03:00 to 05:00 Saturday & Sunday, 00:00 to 03:00 Monday
10.	Monday 28 <sup>th</sup> December	160	00:00 to 03:00

**Ground & First Floor**

	Dates	Area Used / Capacity	Times
1.	Sunday 1 <sup>st</sup> March	335	00:00 to 03:00
2.	Friday 3 <sup>rd</sup> April	335	22:30 to 23:59
3.	Sunday 28 <sup>th</sup> June	335	00:00 to 03:00

## Ground Floor

	Dates	Area Used / Capacity	Times
1.	Sunday 30 <sup>th</sup> August	220	00:00 to 03:00
2.	Sunday 1 <sup>st</sup> November	220	00:00 to 03:00
3.	Saturday 7 <sup>th</sup> & Sunday 8 <sup>th</sup> November	220	00:00 to 03:00 each day
4.	Saturday 14 <sup>th</sup> & Sunday 15 <sup>th</sup> November	220	00:00 to 03:00 each day
5.	Saturday 21 <sup>st</sup> & Sunday 22 <sup>nd</sup> November	220	00:00 to 03:00 each day
6.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> November	220	00:00 to 03:00 each day
7.	Saturday 5 <sup>th</sup> & Sunday 6 <sup>th</sup> December	220	00:00 to 03:00 each day
8.	Saturday 12 <sup>th</sup> & Sunday 13 <sup>th</sup> December	220	00:00 to 03:00 each day
9.	Saturday 19 <sup>th</sup> & Sunday 20 <sup>th</sup> December	220	00:00 to 03:00 each day

## First Floor

	Dates	Area Used / Capacity	Times
1.	Sunday 30 <sup>th</sup> August	120	00:00 to 03:00
2.	Sunday 1 <sup>st</sup> November	120	00:00 to 03:00
3.	Saturday 7 <sup>th</sup> & Sunday 8 <sup>th</sup> November	120	00:00 to 03:00 each day
4.	Saturday 14 <sup>th</sup> & Sunday 15 <sup>th</sup> November	120	00:00 to 03:00 each day
5.	Saturday 21 <sup>st</sup> & Sunday 22 <sup>nd</sup> November	120	00:00 to 03:00 each day
6.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> November	120	00:00 to 03:00 each day
7.	Saturday 5 <sup>th</sup> & Sunday 6 <sup>th</sup> December	120	00:00 to 03:00 each day
8.	Saturday 12 <sup>th</sup> & Sunday 13 <sup>th</sup> December	120	00:00 to 03:00 each day
9.	Saturday 19 <sup>th</sup> & Sunday 20 <sup>th</sup> December	120	00:00 to 03:00 each day

## Lisle Street TENS - 2016

### Basement

	Dates	Area Used / Capacity	Times
11.	Saturday 27 <sup>th</sup> & Sunday 28 <sup>th</sup> February	160	03:00 to 05:00 each day
12.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> March	160	03:00 to 05:00 each day
13.	Saturday 29 <sup>th</sup> & Sunday 30 <sup>th</sup> April	160	03:00 to 05:00 each day
14.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> May	160	03:00 to 05:00 each day
15.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	160	03:00 to 05:00 each day
16.	Sunday 31 <sup>st</sup> July	160	03:00 to 05:00
17.	Sunday 28 <sup>th</sup> August	160	03:00 to 05:00
18.	Sunday 2 <sup>nd</sup> October	160	03:00 to 05:00
19.	Sunday 30 <sup>th</sup> October	160	03:00 to 05:00
20.	Sunday 27 <sup>th</sup> November	160	03:00 to 05:00
21.	Saturday 3 <sup>rd</sup> & Sunday 4 <sup>th</sup> December	160	03:00 to 05:00 each day
22.	Saturday 10 <sup>th</sup> & Sunday 11 <sup>th</sup> December	160	03:00 to 05:00 (each day)
23.	Saturday 17 <sup>th</sup> and Sunday 18 <sup>th</sup> December	160	03:00 to 05:00 (each day)

## Ground Floor

	Dates	Area Used / Capacity	Times
10.	Saturday 27 <sup>th</sup> & Sunday 28 <sup>th</sup> February	210	00:00 to 03:00 each day
11.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> March	210	00:00 to 03:00 each day
12.	Saturday 29 <sup>th</sup> & Sunday 30 <sup>th</sup> April	210	00:00 to 03:00 each day
13.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> May	210	00:00 to 03:00
14.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	210	00:00 to 03:00
15.	Sunday 31 <sup>st</sup> July	210	00:00 to 03:00
16.	Sunday 28 <sup>th</sup> August	210	00:00 to 03:00
17.	Sunday 2 <sup>nd</sup> October	210	00:00 to 03:00
18.	Sunday 30 <sup>th</sup> October	210	00:00 to 03:00
19.	Sunday 27 <sup>th</sup> November	210	00:00 to 03:00
20.	Saturday 3 <sup>rd</sup> & Sunday 4 <sup>th</sup> December	210	00:00 to 03:00
21.	Saturday 10 <sup>th</sup> & Sunday 11 <sup>th</sup> December	210	00:00 to 03:00 each day
22.	Saturday 17 <sup>th</sup> and Sunday 18 <sup>th</sup> December	210	00:00 to 03:00 each day

## First Floor

	Dates	Area Used / Capacity	Times
5.	Saturday 27 <sup>th</sup> & Sunday 28 <sup>th</sup> February	160	00:00 to 03:00 each day
6.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> March	160	00:00 to 03:00 each day
7.	Saturday 29 <sup>th</sup> & Sunday 30 <sup>th</sup> April	160	00:00 to 03:00 each day
8.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> May	160	00:00 to 03:00
5.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	160	00:00 to 03:00
6.	Sunday 31 <sup>st</sup> July	160	00:00 to 03:00
7.	Sunday 28 <sup>th</sup> August	160	00:00 to 03:00
8.	Sunday 2 <sup>nd</sup> October	160	00:00 to 03:00
9.	Sunday 30 <sup>th</sup> October	160	00:00 to 03:00
10.	Sunday 27 <sup>th</sup> November	160	00:00 to 03:00
11.	Saturday 3 <sup>rd</sup> & Sunday 4 <sup>th</sup> December	160	00:00 to 03:00
12.	Saturday 10 <sup>th</sup> & Sunday 11 <sup>th</sup> December	160	00:00 to 03:00
13.	Saturday 17 <sup>th</sup> and Sunday 18 <sup>th</sup> December	160	00:00 to 03:00 each day

## Lisle Street TENS - 2017

### Basement

	Dates	Area Used / Capacity	Times
24.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> Jan	160	03:00 to 05:00 each day
25.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> Feb	160	03:00 to 05:00 each day
26.	Saturday 1 <sup>st</sup> and Sunday 2 <sup>nd</sup> April	160	03:00 to 05:00 each day
27.	Sunday 30 <sup>th</sup> April	160	03:00 to 05:00
28.	Sunday 28 <sup>th</sup> May	160	03:00 to 05:00
29.	Sunday 9 <sup>th</sup> July	160	03:00 to 05:00
30.	Sunday 30 <sup>th</sup> July	160	03:00 to 05:00
31.	Sunday 27 <sup>th</sup> August	160	03:00 to 05:00
32.	Sunday 1 <sup>st</sup> October	160	03:00 to 05:00
33.	Sunday 29 <sup>th</sup> October	160	03:00 to 05:00
34.	Sunday 26 <sup>th</sup> November	160	03:00 to 05:00
35.	Saturday 2 <sup>nd</sup> & Sunday 3 <sup>rd</sup> December	160	03:00 to 05:00 each day
36.	Saturday 9 <sup>th</sup> Sunday 10 <sup>th</sup> December	160	03:00 to 05:00 (each day)
37.	Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> December	160	03:00 to 05:00 (each day)
38.	Saturday 30 <sup>th</sup> December	160	03:00 to 05:00

## Ground Floor

	Dates	Area Used / Capacity	Times
23.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> Jan	210	00:00 to 03:00 each day
24.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> Feb	210	00:00 to 03:00 each day
25.	Saturday 1 <sup>st</sup> and Sunday 2 <sup>nd</sup> April	210	00:00 to 03:00 each day
26.	Sunday 30 <sup>th</sup> April	210	00:00 to 03:00
27.	Sunday 28 <sup>th</sup> May	210	00:00 to 03:00
28.	Sunday 9 <sup>th</sup> July	210	00:00 to 03:00
29.	Sunday 30 <sup>th</sup> July	210	00:00 to 03:00
30.	Sunday 27 <sup>th</sup> August	210	00:00 to 03:00
31.	Sunday 1 <sup>st</sup> October	210	00:00 to 03:00
32.	Sunday 29 <sup>th</sup> October	210	00:00 to 03:00
33.	Sunday 26 <sup>th</sup> November	210	00:00 to 03:00
34.	Saturday 2 <sup>nd</sup> & Sunday 3 <sup>rd</sup> December	210	00:00 to 03:00 each day
35.	Saturday 9 <sup>th</sup> Sunday 10 <sup>th</sup> December	210	00:00 to 03:00 each day
36.	Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> December	210	00:00 to 03:00 each day
37.	Saturday 30 <sup>th</sup> December	210	00:00 to 03:00 each day

## First Floor

	Dates	Area Used / Capacity	Times
9.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> Jan	160	00:00 to 03:00 each day
10.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> Feb	160	00:00 to 03:00 each day
11.	Saturday 1 <sup>st</sup> and Sunday 2 <sup>nd</sup> April	160	00:00 to 03:00 each day
12.	Sunday 30 <sup>th</sup> April	160	00:00 to 03:00
5.	Sunday 28 <sup>th</sup> May	160	00:00 to 03:00
6.	Sunday 9 <sup>th</sup> July	160	00:00 to 03:00
7.	Sunday 30 <sup>th</sup> July	160	00:00 to 03:00
8.	Sunday 27 <sup>th</sup> August	160	00:00 to 03:00
9.	Sunday 5 <sup>th</sup> November	160	00:00 to 03:00
10.	Sunday 12 <sup>th</sup> November	160	00:00 to 03:00
11.	Sunday 19 <sup>th</sup> November	160	00:00 to 03:00
12.	Sunday 26 <sup>th</sup> November	160	00:00 to 03:00
13.	Saturday 2 <sup>nd</sup> and Sunday 3 <sup>rd</sup> December	160	00:00 to 03:00 each day
14.	Saturday 9 <sup>th</sup> and Sunday 10 <sup>th</sup> December	160	00:00 to 03:00 each day
15.	Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> December	160	00:00 to 03:00 each day

## Lisle Street TENS - 2018

Yearly allowance is **15 TENS**. Each covers **max 499 people** and can last **up to 7 days**, with a cumulative total of **max 21 days** to be used.

A minimum of 10 working days' notice to be given to the Council (not including day of submission or day of event)

### Basement

	Dates	Area Used / Capacity	Times	No TENS used	Cumulative Days	Holder
39.	Sunday 28 Jan	160	03:00 to 05:00	1	1	Gary
40.	Sunday 25 Feb	160	03:00 to 05:00	2	2	Gary
41.	Friday 30th, Saturday 31st March, Sunday 1st and Monday 2nd April	160	03:00 to 05:00 each day	3	6	Gary
42.	Saturday 28th & Sunday 29th April	160	03:00 to 05:00 each day	4	8	Gary
43.	Sunday 27th May	160	03:00 to 05:00	5	(1) 9	Gary
44.	Sunday 13th May	160	03:00 to 05:00	6	(1) 10	Gary
45.	Sunday 1st July (to extend Saturday night)	160	03:00 to 05:00	7	(1)11	Gary
46.	Sunday 8th July (to extend Saturday night)	160	03:00 to 05:00	8	(1)12	Gary
47.	Sunday 29th July (to extend Saturday night)	160	03:00 to 05:00	9	(1)13	Gary
48.	Sunday 26th August (to extend Saturday night)	160	03:00 to 05:00	10	(1)14	Gary
49.	Sunday 30th September (to extend Saturday night)	160	03:00 to 05:00	11	(1)15	Gary
50.	Sunday 28th October (to extend Saturday night)	160	03:00 to 05:00	12	(1)16	Gary
51.	Sunday 25th November (to extend Saturday night)	160	03:00 to 05:00	13	(1)17	Gary
52.	Saturday 15th Sunday 16th December (to extend Friday & Saturday night)	160	03:00 to 05:00 (each day)	14	(2)19	Gary
53.	Saturday 1st and Sunday 2nd December (to extend Friday & Saturday night)	160	03:00 to 05:00 (each day)	15	(2) 21	Gary
	<b>Remaining</b>			<b>0</b>	<b>0</b>	

## Ground Floor

	Dates	Area Used / Capacity	Times	No TENs used	Cumulative Days	Holder
38.	Sunday 28 Jan	210	00:00 to 03:00	1	1	Gary
39.	Sunday 25 Feb	210	00:00 to 03:00	2	2	Gary
40.	Friday 30th, Saturday 31st March, Sunday 1st and Monday 2nd April	210	00:00 to 03:00 each day	3	6	Gary
41.	Sunday 13th May	210	00:00 to 03:00	4	7	Gary
42.	Sunday 27th May (to extend Saturday night)	210	00:00 to 03:00	5	(1) 8	Gary
43.	Sunday 1st July (to extend Saturday night)	210	00:00 to 03:00	6	(1)9	Gary
44.	Sunday 8th July (to extend Saturday night)	210	00:00 to 03:00	7	(1)10	Gary
45.	Sunday 29th July (to extend Saturday night)	210	00:00 to 03:00	8	(1)11	Gary
46.	Sunday 26th August (to extend Saturday night)	210	00:00 to 03:00	9	(1)12	Gary
47.	Sunday 30th September (to extend Saturday night)	210	00:00 to 03:00	10	(1)13	Gary
48.	Sunday 28th October (to extend Saturday night)	210	00:00 to 03:00	11	(1)14	Gary
49.	Sunday 25th November (to extend Saturday night)	210	00:00 to 03:00	12	(1)15	Gary
50.	Saturday 1st and Sunday 2nd December (to extend Friday & Saturday night)	210	00:00 to 03:00	13	(2)17	Gary
51.	Saturday 8th & Sunday 9th December (to extend Friday & Saturday night)	210	00:00 to 03:00	14	(2)19	Gary
52.	Saturday 15th & Sunday 16th December (to extend Friday & Saturday night)	210	00:00 to 03:00	15	(2)21	Gary
	<b>Remaining</b>			<b>0</b>	<b>0</b>	

## First Floor

	Dates	Area Used / Capacity	Times	No TENs used	Cumulative Days	Holder
13.	Sunday 04 Feb (to extend Saturday night)	160	00:00 to 03:00	1	1	Gary
14.	Saturday 3 <sup>rd</sup> & Sunday 4 <sup>th</sup> March (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	2	3	Gary
15.	Saturday 7 <sup>th</sup> & Sunday 8 <sup>th</sup> April (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	3	5	Gary
16.	Saturday 5 <sup>th</sup> & Sunday 6 <sup>th</sup> May (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	4	7	Gary
5.	Sunday 7 <sup>th</sup> October (to extend Saturday night)	160	00:00 to 03:00	5	8	Scott
6.	Sunday 14 <sup>th</sup> October (to extend Saturday night)	160	00:00 to 03:00	6	9	Scott
7.	Sunday 21 October (to extend Saturday night)	160	00:00 to 03:00	7	10	Scott
8.	Sunday 28 October (to extend Saturday night)	160	00:00 to 03:00	8	11	Scott
9.	Sunday 4 <sup>th</sup> November (to extend Saturday night)	160	00:00 to 03:00	9	12	Scott
10.	Sunday 11 <sup>th</sup> November (to extend Saturday night)	160	00:00 to 03:00	10	13	Scott
11.	Sunday 18 <sup>th</sup> November (to extend Saturday night)	160	00:00 to 03:00	11	14	Scott
12.	Sunday 25 <sup>th</sup> November (to extend Saturday night)	160	00:00 to 03:00	12	15	Scott
13.	Saturday 1 <sup>st</sup> and Sunday 2 <sup>nd</sup> December (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	13	17	Scott
14.	Saturday 8 <sup>th</sup> and Sunday 9 <sup>th</sup> December (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	14	19	Scott
15.	Saturday 15 <sup>th</sup> and Sunday 16 <sup>th</sup> December (to extend Friday & Saturday night)	160	00:00 to 03:00 each day	15	21	Scott
	<b>Remaining</b>			<b>0</b>	<b>0</b>	

## Lisle Street TENS - 2019

### Basement

	Dates	Capacity	Times
54.	Sunday 24 Feb	160	03:00 to 05:00
55.	Sunday 31 Mar	160	03:00 to 05:00
56.	Sun 28 Apr	160	03:00 to 05:00
57.	Sun 30 Jun	160	03:00 to 05:00
58.	Sun 7 <sup>th</sup> July	160	03:00 to 05:00
59.	Sun 29 <sup>th</sup> September	160	03:00 to 05:00
60.	Sun 27 <sup>th</sup> October	160	03:00 to 05:00
61.	Sun 10 <sup>th</sup> November		03:00 to 05:00
62.	Sun 17 <sup>th</sup> November	160	03:00 to 05:00
63.	Saturday 23 <sup>rd</sup> and Sunday 24 <sup>th</sup> November	160	03:00 to 05:00
64.	Saturday 30 <sup>th</sup> November, Sunday 1 <sup>st</sup> and Monday 2 <sup>nd</sup> December	160	03:00 to 05:00 (Sat/Sun) 00:00 to 05:00 (Mon)
65.	Saturday 7 <sup>th</sup> and Sunday 8 <sup>th</sup> December	160	03:00 to 05:00
66.	Saturday 14 <sup>th</sup> and Sunday 15 <sup>th</sup> December	160	03:00 to 05:00
67.	Saturday 21 <sup>st</sup> and Sunday 22 <sup>nd</sup> December	160	03:00 to 05:00
68.	Monday 30 <sup>th</sup> December	160	00:00 to 05:00

### Ground Floor

	Dates	Capacity	Times
53.	Sunday 24 Feb	210	00:00 to 03:00
54.	Sunday 31 Mar	210	00:00 to 03:00
55.	Sun 28 Apr	210	00:00 to 03:00
56.	Sun 30 Jun	210	00:00 to 03:00
57.	Sun 7 <sup>th</sup> July	210	00:00 to 05:00
58.	Sun 29 <sup>th</sup> September	210	00:00 to 03:00

59.	Sun 27 <sup>th</sup> October	210	00:00 to 03:00
60.	Sun 17 <sup>th</sup> November	210	00:00 to 03:00
61.	Saturday 23 <sup>rd</sup> and Sunday 24 <sup>th</sup> November	210	00:00 to 03:00
62.	Saturday 30 <sup>th</sup> November, Sunday 1 <sup>st</sup> and Monday 2 <sup>nd</sup> December	210	00:00 to 03:00 (Sat/Sun) 22:30 to 03:00 (Sun)
63.	Saturday 7 <sup>th</sup> and Sunday 8 <sup>th</sup> December	210	00:00 to 03:00
64.	Saturday 14 <sup>th</sup> and Sunday 15 <sup>th</sup> December	210	00:00 to 03:00
65.	Saturday 21 <sup>st</sup> and Sunday 22 <sup>nd</sup> December	210	00:00 to 03:00
66.	Sunday 29 <sup>th</sup> December	210	22:30 to 03:00

### First Floor Light Lounge

	Dates	Area Used / Capacity	Times
17.	Sunday 3 <sup>rd</sup> March	160	00:00 to 03:00
18.	Sunday 7 <sup>th</sup> April	160	00:00 to 03:00
19.	Sunday 5 <sup>th</sup> May	160	00:00 to 03:00
20.	Sunday 7 <sup>th</sup> July	160	00:00 to 05:00
21.	Sunday 8 <sup>th</sup> September	160	00:00 to 03:00
22.	Sunday 5 <sup>th</sup> October	160	00:00 to 03:00
23.	Sunday 27 <sup>th</sup> October	160	00:00 to 03:00
24.	Sunday 3 <sup>rd</sup> November	160	00:00 to 03:00
25.	Sunday 10 <sup>th</sup> November	160	00:00 to 03:00
26.	Sunday 17 <sup>th</sup> November	160	00:00 to 03:00
27.	Sunday 24 <sup>th</sup> November	160	00:00 to 03:00
28.	Saturday 30 <sup>th</sup> November Sunday 1 <sup>st</sup> December	160	00:00 to 03:00
29.	Saturday 7 <sup>th</sup> and Sunday 8 <sup>th</sup> December	160	00:00 to 03:00
30.	Friday 13 <sup>th</sup> , Saturday 14 <sup>th</sup> and Sunday 14 <sup>th</sup> December	160	00:00 to 03:00
31.	Friday 20 <sup>th</sup> , Saturday 21 <sup>st</sup> and Sunday 22 <sup>nd</sup> December	160	00:00 to 03:00

## Lisle Street TENS - 2020

### Basement

	Dates	Capacity	Times
69.	Sunday 1 <sup>st</sup> March	160	03:00 to 05:00

### Ground Floor

	Dates	Capacity	Times
67.	Sunday 1 <sup>st</sup> March	210	00:00 to 03:00

### First Floor Light Lounge

	Dates	Area Used / Capacity	Times
32.	Sunday 8 <sup>th</sup> March	160	00:00 to 03:00

## Dispersal policy

### KU GROUP

#### VENUE DISPERSAL POLICY

##### 30 LISLE STREET

#### 1. SAFE, QUIET & CONTROLLED DISPERSAL

- 1.1 The objective of this Dispersal Policy is to ensure our customers and staff leave **safely, quietly** and in a **controlled** manner – particularly at night.
- 1.2 The departure of our customers must be managed professionally and responsibly to ensure they make their journey home **without causing any disturbance to our neighbours**.
- 1.3 This Dispersal Policy also helps to ensure customers make their journey home **safely and do not become victims of crime**.

#### 2. LOCATION

- 2.1 The premises are situated at 30 Lisle Street.
- 2.2 Despite our central London location and mixed-use area, staff must be constantly aware that there are residential properties close by.

#### 3. POINT OF CONTACT

- 3.1 Contact details for the general manager or the duty manager are made available for use by any person who may wish to speak about any issues relating to the operation of Ku, including the dispersal of customers.

#### 4. GENERAL ENTRY/EGRESS

- 4.1 The main customer entrance and exit for Ku Bar is located at on the corner of Lisle Street and Newport Place. An additional entrance and exit is located on Lisle Street.
- 4.2 The main customer entrance and exit for Ku Lounge is located at on the corner on Newport Place. The main exit for Ku Klub is located on Lisle Street.
- 4.3 Customers are directed to the Lisle Street exits during later night dispersal.
- 4.4 When leaving customers are reminded to respect the local residents and disperse quietly and quickly. We do not tolerate unruly or anti-social behaviour from customers that may cause a disturbance to our neighbours. Signage is displayed to this effect.

## **5. SIA SUPERVISION**

- 5.1 During busier periods our SIA registered supervisors supervise the dispersal of customers until they have left the vicinity of the premises safely and quietly.
- 5.2 The requirement for SIA registered supervisors will continue to be risk assessed by management. SIA registered door supervisor numbers may be increased or decreased depending on the number of customers expected on any particular evening.
- 5.3 Our SIA supervisors play a key role in the successful implementation of our dispersal procedures. Where possible regular SIA supervisors are employed who can work in partnership with management to promote and encourage a safe, quiet and controlled dispersal of customers.

## **6. DISPERSAL**

- 6.1 Towards closing time:
  - 6.1.1 customers are politely reminded that the premises is about to close.
  - 6.1.2 music tempo and volume is gradually reduced.
  - 6.1.3 lighting levels are increased.
- 6.2 Members of staff, management and SIA supervisors work together to ensure all customers leave by the authorised closing time. There are no exceptions to this whatsoever.
- 6.3 Customers are encouraged to leave quietly and quickly. Where required, customers are directed away from the local area and not permitted to loiter or cause any disturbance.

## **7. TRANSPORT**

### **7.1 FOOT**

- 7.1.1 A significant number of customers arrive and depart by foot.
- 7.1.2 We are well serviced by public transport links, as set out below. All staff are familiar with these transport links so they can advise customers where required.

### **7.2 TUBE**

- 7.2.1 We are well situated near the following easily accessible stations, with the benefit of the extended night tube services:

- (a) Leicester Square
- (b) Covent Garden
- (c) Tottenham Court Road (including Crossrail)
- (d) Charing Cross
- (e) Oxford Circus

7.2.2 Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

### 7.3 **RAIL**

7.3.1 The following rail stations are easily accessible by foot, bus or taxi:

- (a) Charing Cross
- (b) Kings Cross
- (c) St Pancras
- (d) Victoria
- (e) Liverpool Street
- (f) Paddington
- (g) Blackfriars

7.3.2 Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

### 7.4 **TAXI**

7.4.1 Black cabs, and other app-based cabs, are available right through the day and night in the surrounding area.

7.4.2 Guests are encouraged to quickly and quietly disperse towards their waiting vehicle to minimise any noise disruption.

7.4.3 Customers may wait inside before leaving directly into a waiting taxi to avoid loitering on the street.

### 7.5 **BUSES**

7.5.1 We are well serviced by public buses. TFL bus services, including night buses, are accessible by bus stops on Shaftesbury Avenue (Gerrard Place/Chinatown) and Charing Cross Road (Cambridge Circus).

- 7.5.2 Routes include 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41 and N279, which serve a wide range of onwards destinations.
- 7.5.3 Where necessary customers are given directions to the bus stops and are reminded to consider the local residents and businesses when travelling to the bus stops and waiting for buses, particularly at night.
- 7.5.4 Staff are familiar with the local bus services and will advise customers accordingly.

## **8. SIGNAGE**

- 8.1 Notices are displayed at the exits reminding customers to respect our local residents and to encourage customers to disperse as quickly and as quietly as possible.

## **9. MANAGER'S ROLE**

- 9.1 It is ultimately the responsibility of the General Manager to:
  - a) ensure that any SIA registered door supervisors, other managers and staff act effectively and responsibly to comply with this policy;
  - b) use all reasonable endeavours to dissuade customers from causing any disturbance or nuisance within the vicinity of the premises; and
- c) prioritise and assist wherever possible in ensuring a quiet, safe and controlled dispersal of customers.

## Ku Group Introduction

### **KU GROUP: AN INTRODUCTION, COVID-19, CULTURE & DIVERSITY**

#### **A. AN INTRODUCTION TO KU GROUP**

Ku Group is a collection of independent LGBTQ+ (and hetero-friendly) bars based in Westminster, consisting of:

##### 30 Lisle Street:

- Ku Bar (ground floor): Ku Group's flagship venue, an Award-Winning Gay Bar which celebrated 25 years of independently owned LGBTQ+ nightlife in 2020.
- Ku Underground (basement): Klub is a popular and vibrant live music venue under Ku Bar.
- Ku Lounge (1<sup>st</sup> floor): A luxury cocktail establishment above Ku Bar, serving food from the newly developed Ku Kitchen.

##### 25 Frith Street:

- Little Ku (ground & 1<sup>st</sup> floor): An alternative, smaller venue providing an intimate bar setting.
- She Soho (basement): London's only dedicated lesbian venue, providing a space for gay/queer women to enjoy entertainment safely.

Ku Group has provided revolutionary hospitality and live music venues to London's LGBTQ+ scene since its creation in the 1990s. They offer a series of safe locations for the LGBTQ+ community in an environment where the values of diversity and inclusion are promoted.

Our 25th anniversary is culturally significant - there are only a handful of LGBTQ+ independent businesses left in operation.

Ku has a host of talented and regular Drag Queen DJs and performers such as Lady Lloyd (who is a key voice on inclusivity of non-binary and trans awareness), Vicki Vivacious, Sum Ting Wong, Cheryl Hole, Tasty Tim and Adam Apple (a drag king who performs in She).

We are proud to also be one of the first bars to have a transgender as General Manager - who is still with us and heavily involved in our operations and social media activity. This has been key to help reach out to marginalised groups - changing the perception of what a gay bar is and can be.

##### Gary Henshaw

Ku was founded by Gary Henshaw over 25 years ago. Born in Dublin in the 60's, Gary began working his life in the family business as a butcher. In the mid-80's he left Dublin and headed to Copenhagen, getting into the leisure business, starting as a bar back in the city's bohemian nightclub Pan. Within a year he had worked as a DJ, Barman and then Assistant Manager. In 1987 he headed to Ibiza and a year later opened his own bar in the city's Old Town called Catwalk.

In 1990 Gary arrived in London and opened a small Mediterranean style venue called Village West One on Hanway Street, just off Oxford Street. Immediately a hit with London's growing gay population, it expanded to its current location - The Village on Wardour St. Gary continued to launch a number of Bars and Club nights, including Kudos, and The Tea Dance at The Limelight, a hugely successful hit with everyone who was anyone.

In 1995 Gary opened the first Ku Bar on Charing Cross road, that quickly became 'my first gay bar' for many who looked for support in the LGBTQ+ community. Ku on Lisle Street opened in 2007 followed by Little Ku on Frith Street in 2009 and then She (formerly operated as Candy Bar on Carlisle Street) in 2011.

Gary opened the first gay venue that had windows to view inside, where most venues still operated behind closed doors. He helped changed the perception for the London gay scene by being proud. Others followed in suit, which helped build acceptance towards the LGBTQ+ community.

More recently, Gary:

- was invited to take part in a BBC London news item praising the success of the AI Fresco scheme in the West End in summer 2020
- was recently elected to the Board of the Soho Business Alliance.
- liaised closely with the Government to publish a case study on the Government website to detail how we are adhering to COVID-19 safe guidelines.

## **B. THE IMPACT OF COVID-19**

### Financial Impact

Due to COVID-19 and the implications surrounding business closures, we have lost revenue of more than £2,000,000. We have mitigated the loss as much as possible by utilising the Coronavirus Business Interruption Loan scheme, furlough, government grants and revised rent deals with landlords. However, there remains a significant shortfall with an uncertain future ahead.

An extension to our licensing hours should help us recover some of the revenue lost as a result of the pandemic. It should also help the business survive during the important recovery period. This will give our business a platform to operate sustainably in the long term and provide greater potential business opportunities by allowing us to open for longer and provide a wider variety of services.

This will also enable us to maintain the above activity upon our planned re-opening with the lifting of restrictions; without this help there is serious risk that our rent, advertising and staffing costs cannot be met in the medium to long term.

Our business is currently closed, with staff on furlough and no revenue being earned. Additional trading hours will help enable us to re-open, viably function again and meet the following key costs:

- Ongoing operational costs, such as rent payments, rates and utility bills;
- Associated staffing costs, such as wages, pensions and National Insurance contributions;
- Advertising and online costs, to continue to raise awareness for our business and maintain networking links with partners and stakeholders.
- Allocating funds to ensure we are compliant with government guidelines upon opening. This includes purchasing additional signage, sanitation and hygiene equipment, refresher training for staff and items to control social distancing.

### Adapting Plans

We have attempted to manage the impact of COVID-19 by remaining open for business as far as practical throughout the pandemic; we have managed risk by adapting to all prevailing

government guidance. As a consequence, we have maintained levels of income which have allowed us to be financially sustainable to date. This is not sustainable without our business adapting further.

Ku Group has also worked to adapt our business to function throughout the pandemic. A significant investment was made in Ku Bar, Lisle Street, to build a state-of-the-art kitchen enabling us to provide food across all floors.

Further adaptations include:

- Our venues use a reservation system to limit numbers and provide adequate social distancing.
- Within Ku Bar, our terrace provided outdoor, socially distanced seating and the indoor space was restructured.
- Ku Lounge offered socially distanced and screen protected booths and take-away options.
- Klub offered low key cabaret shows with seated, socially distanced performances.

Through risk assessments and constant communication with the government and local authorities, we will prepare for multiple business scenarios and potential consumer behaviours throughout the period of easing restrictions. This could include having to adapt to lower or higher levels of expected consumer interest, changes to restrictions in the future and the expected levels of expenditure required to maintain the business. We believe the key to adapting is to thoroughly plan for worst- and best-case scenarios, and being open and transparent with regards to new legislative measures to highlight how we are adhering to them.

## Events

Prior to COVID-19, our venues were undertaking regular live music events and hosting varied and interesting live LGBTQ+ entertainment. We held 20 main BOiBOX events in 2018 to celebrate our 23<sup>rd</sup> year anniversary and 11 events in 2019, with popular LGBTQ+ guests delivering innovative performances of drag, dance, cabaret and 'boylesque.' Upon the increased government restrictions in 2020, Ku Group launched 4 BOiBOX online events which received significant success and high levels of online viewers, who enjoyed the entertainment while safe at home.

## **C. CULTURAL ACTIVITIES**

Through planning to re-open during the Spring period, our cultural deliveries include the rejuvenation of our existing live events and the planning of future events and partnerships to enhance our business potential throughout the summer period.

We plan to hold weekly live events across our venues, alongside general reopening and providing of safe spaces for the LGBTQ+ community and people of London to eat, drink and gather. These events range across our venues, from live music planned for our underground venue (Ku Klub, Lisle Street), to socially distanced Drag King performances, cabaret, dancing and virtual karaoke. Undertaking our existing activities within additional guidelines will:

- Enable our local and national performance partners to re-gain exposure;
- Facilitate a source of income for our performer partners, who are mostly self-employed and not been able to work for most of the last 12 months;
- Provide safe entertainment for guests;
- Enable us to determine which are the most popular viable events for future planning.

Throughout the opening period, we will also undertake planning and preparation for the London Pride event during the summer of 2021. This will involve:

- Extensive collaboration with brands for sponsorship throughout the parade and event;
- Discussions with relevant authorities to determine the restrictions and capabilities of the events, such as restricted capacities and social distancing;
- Undertaking marketing and advertising activities to raise awareness for the event and COVID safe practices;
- Planning and preparing our venues, workforce and suppliers to host pride related events in the run up to and during the parade.

We will ensure we have managed any potential risks to enable our activities to go ahead safely and successfully upon confirmation of the event not being postponed further.

### Cultural Significance

Ku Group is prolific within the London and wider UK LGBTQ+ scene, providing industry leading venues, entertainment and service. We take pride in our entertainment, our cultural offer and our overall influence within the history of London's LGBTQ+ community. We aim to showcase the pride in our community and entertainment, which all helps to create a wider acceptance of the LGBTQ+ cause and their efforts to be understood and celebrated.

The title 'London's Award-Winning Gay Bar' on the front of our flagship venue in Leicester Square highlights our pride for our contribution to LGBTQ+ culture.

Our national significance is also highlighted through our frequent collaborations with a host of talented Drag Queen DJs and performers, such as:

- Lady Lloyd, who is very involved with growing awareness and inclusivity of non-binary and trans people within the community;
- Vicki Vivacious, who tours with Little Mix and has performed across the globe;
- Sum Ting Wong and Cheryl Hole, both popular drag artists who participated on RuPaul's Drag Race UK;
- Adam Apple, a drag king who performs in She.

We also work to enhance the reputation of local acts and talents; our various events providing opportunities and a platform for LGBTQ+ artists to showcase their skills.

Ku Group often supports the local LGBTQ+ production company Making Productions, providing the opportunity for LGBTQ+ shows and performances to be shown to a wider audience, and extending the scope of the performing arts scene in England. Previous collaborations include:

- Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.
- Providing finance and marketing investment to successfully transfer the Kevin Elyot play, Coming Clean, to the West End. The play considers differing attitudes to love within the LGBTQ+ community.
- Assisting in the development of a new opera, Opera Undone, which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

### Community

Ku Group also takes a collaborative approach to raising awareness of charitable work and LGBTQ+ related causes within our community. We strive to contribute to the understanding of the LGBTQ+ cause. Our recent charitable efforts include:

- Every weekend, we provide space within our venues for sexual health screenings;
- We have raised over £100,000 for The Food Chain, which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives;
- In December 2019, we raised over £20,000 for a trans-led charity which is part of 56 Dean Street, a sexual health clinic in Soho. The organisation includes 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people;
- Our work with the Switchboard LGBT Charity.

Our work also increases economic opportunities within the locality, through:

- Contributing to increased revenue within the region for food outlets, other venues and accommodation;
- Working with local suppliers and providers;
- Providing full time and flexible employment opportunities to local people.

## **D. DIVERSITY & INCLUSIVITY**

### Employees

We operate a stringent Equal Opportunities Policy, which is guided by our company values of inclusivity, transparency and equality. In keeping with these, and in consideration of our wide-reaching customer base, our current workforce is very diverse and reflective of the different backgrounds, heritages and orientation of the people within our locality. We currently employ 37 staff, 30% of which are female, and ensure any promotions or hiring opportunities are values based, accessible and open to all. Our team undertake regular diversity training to ensure we are up to date with industry best practice and aware of any wider legislation or guidance.

The above policies, principles and experience have been key when reaching out to marginalised groups in efforts to change the perception of what a gay bar is and can be. We hope to be innovative and industry leading when it comes to inclusivity within our workforce and customer base, to ensure this is cascaded to our service provision.

### Customer Diversity

We continuously work with diverse audiences, being an established hetero-friendly LGBTQ+ company. To build upon this, we will work to expand our client base and improve access for even more people. This includes:

- Continuing and building upon our weekly trans nights, providing a safe space for the trans community to meet.
  - Expanding on our dedicated lesbian venue, which is the only dedicated lesbian bar in London, ensuring all members of the LGBTQ+ Community feel safe and encouraged to enjoy culture.
  - Increasing links with the BAME community and hosting themed events which highlight the various heritages and backgrounds present within our locality.
- We also plan to continue our charity work and consider other local charities who could use our support, in the way of providing a venue for meetings and fundraising events. Our continued partnerships with organisations such as London Pride enables us to constantly learn from industry leaders in attracting more diverse audiences.

WE ARE THE  
WE ARE THE

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# KU Group



[WWW.KU-GROUP.COM](http://WWW.KU-GROUP.COM)

Ku are proud of our LGBTQ+ friendly and inclusive venues.

We focus on providing exceptional levels of service in a safe environment for all our customers.

Ku is recognised for our friendly, inviting and professional service provided by our employees.

Our venues offer a range of LGBTQ+ entertainment.

## EXCELLENCE OF SERVICE

We believe in offering the best product quality and service to help welcome new and regular customers, developing our staff on customer service and product knowledge.

## DIVERSITY

We believe in offering a wide range of events, showcasing the LGBTQ+ talent, throughout our venues to cater for a diverse and expanding customer base.

## INCLUSIVITY

We believe in being an inclusive brand, offering spaces to the wider LGBTQ+ community and our hetero-friendly allies. We offer free spaces to not for profit LGBTQ+ organisations.

## CHARITY & THE ARTS

We run fundraising events, raising thousands of pounds for LGBTQ+ focused charities. We are also proud to support the arts, investing capital into independent LGBTQ+ performance's, increasing awareness and support.

TEAMWORK TEAMWORK  
COMMITMENT COMMIMENT  
EXCELLENCE EXCELLENCE  
PERSONALITY PERSONALITY  
OWNERSHIP OWNERSHIP  
COMMUNICATION COMMUNICATION  
ACCOUNTABILITY ACCOUNTABILITY  
CREATIVITY CREATIVITY  
PASSION PASSION  
RESPONSIBILITY RESPONSIBILITY  
TRUST TRUST  
RESPECT RESPECT

## THE KU EXPERIENCE...

To provide our customers with an exceptional experience including excellence in service, competitively priced premium products and the warmest of welcomes in a professionally managed environment from our passionate and personable team. Respecting diversity providing a safe, inclusive and culturally vibrant space for the LGBTQ+ community.

**Develop** our team to ensure they are able to offer excellence in customer service and product knowledge.

Ensure to offer **competitive pricing** whilst maintaining a premium edge with our product range.

Continually grow our **leading reputation in the LGBTQ+ community with a strong cultural entertainment offer.**

Continually reinvest in our venues ensuring a high standard of **safety, design, comfort and style.**

**21/01595/LIPV AND 21/01596/LIPV**

**KU BAR, 29 – 30 LISLE STREET, WC2H 7BA**

**KU BAR & SHE BAR, 25 FRITH STREET, W1D 5LB**

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**APPLICANT SUBMISSIONS**

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**PRELIMINARY MATTERS**

1. The applicant has submitted joint variation applications on similar terms for its premises situated at 29 – 30 Lisle Street (“Ku Lisle Street”) and 25 Frith Street (“Ku/She Frith Street”). The applicant understands that the applications will be determined separately during different sessions on 22 July 2021, albeit heard by the same Licensing Sub-Committee.
2. These submissions, at least in respect of Policy, are made equally in respect of both applications, save where premises-specific submissions are made. The applicant is grateful for the Licensing Sub-Committee’s consideration accordingly, which is hopefully preferred to an alternative requirement to consider two separate, yet largely duplicated, submission documents. It is of course accepted that each application will be considered and determined separately on their individual merits.
3. The applications were duly lodged on 4 March 2021. The statutory consultation completed on 1 April 2021. The Licensing Act 2003 (Hearings) Regulations 2005<sup>1</sup> required a hearing to be scheduled by no later than 29 April 2021. The applications were made on the understanding that

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<sup>1</sup> Regulations 4 and 5

they would be determined in April, when the applicant was planning it's re-opening in accordance with the Coronavirus Steps Regulations.

4. The applications are time critical and time limited, with an effective end date of 31 May 2023. They are made specifically to help the applicant's business survive and recover at an extremely challenging time. The delays and scheduling of these hearings have reduced the amount of time the applicant could benefit from the time limited extensions (if granted) and as a result, the applicant has already had to use up some of this year's TEN allowance since April to authorise the hours proposed.
5. The applicant is sympathetic and understands that the delays are the result of extremely high levels of case loads and scheduling difficulties as part of the remote hearing process. Notwithstanding, the applicant requests that the Licensing Sub-Committee please bears in mind the impact of the delays on the already challenging re-opening plans over the last few months.

## **THE APPLICATIONS**

6. The applications seek authorisation to extend the terminal hour for all licensable activities from Core Hours to 1.00 am Monday to Saturday and Sundays immediately before bank holiday Mondays at Ku/She Frith Street and on the ground floor and first floor of Ku Lisle Street (with no change to the existing 3.00 am terminal hour in the Ku Lisle Street basement).
7. The applications propose that the hours are extended temporarily only, with an end date of 31 May 2023. The objective is to help the businesses survive and recover during the Covid-19 recovery period.

## **SUPPORTING DOCUMENTS**

8. The applicant is grateful for the Licensing Sub-Committee's consideration of the following supporting material:
  - a. Ku Group introduction and overview document.
  - b. Ku Group identity presentation.

- c. Dispersal policy.
- d. Schedule of Temporary Event Notices for each premises between the periods 2015 – 2020. Similar TEN programming was also utilised at each premises in the years prior to 2015.
- e. Schedule of closed LGBTQ+ venues in Westminster.

## **THE KU/SHE VENUES**

### 9. Ku Lisle Street:

- a. Ku Bar (ground floor): Ku Group's flagship venue, an Award-Winning Gay Bar which celebrated 25 years of independently owned LGBTQ+ nightlife in 2020.
- b. Ku Lounge (1<sup>st</sup> floor): A luxury cocktail establishment above Ku Bar, serving food from the newly developed Ku Kitchen.
- c. Ku Underground (basement): Klub is a popular and vibrant live music venue licensed until 3am under Ku Bar (not subject to current applications).

### 10. Ku/She Frith Street:

- a. Little Ku (ground & 1<sup>st</sup> floor): An alternative, smaller and more intimate venue to Ku Lisle Street.
- b. She Soho (basement): London's only dedicated lesbian venue, providing a space for gay/queer women to enjoy entertainment safely.

## **GARY HENSHAW**

11. The sole director and owner of the applicant company is Mr Gary Henshaw.

12. Mr Henshaw is Westminster's longest standing independent LGBTQ+ venue operator. He is one of the West End's most experienced independent LGBTQ+ venue operators with a deserved reputation as a professional,

compliant and safe venue operator. His 25+ year operational record is impeccable. He is a licence holder that Westminster and all the Responsible Authorities can trust.

13. Mr Henshaw is on the board of the recently formed Soho Business Alliance; a member of the Chinatown Stakeholders Association; and a key participant in the annual London Pride event planning. Most recently, he has liaised closely with the government on Covid-19 safe operational practices - with the Ku Group cited as a successful case study on the government guidance website.
14. Above all, Mr Henshaw has an eminent standing in the LGBTQ+ community for the brave and pioneering approach he adopted when opening venues at the start of his career, which he maintains to this day. Over 20 years ago, Mr Henshaw was the first LGBTQ+ venue owner to operate without blocked windows, when most LGBTQ+ venues still operated behind closed doors. This helped change general perception of the London Gay scene by being proud. Others followed Mr Henshaw's lead, which in turn contributed to a greater acceptance of the LGBTQ+ community in London and further afield.

## **EQUALITY, DIVERSITY AND INCLUSION**

### Equality Act 2010

15. The Equality Act 2010<sup>2</sup> sets out the City Council's public sector equality duty when exercising its functions under the Licensing Act 2003. The City Council must have due regard to the need to:
  - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010;
  - b. advance equality of opportunity between persons who share a relevant protected characteristic on persons who do not share it; and
  - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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<sup>2</sup> Section 149

16. The Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation<sup>3</sup>.

#### Equality and Inclusion in Licence Venues – Policy

17. The City of Westminster’s Statement of Licensing Policy 2021 (the “Policy”) recognises these duties of the Licensing Sub-Committee at paragraphs B32 and B33.

18. The applicant has been at the forefront of providing some of Westminster’s most diverse and inclusive licensed venues for over 25 years. The applicant has been striving to achieve the key objectives set out in paragraphs B28 to B37 of the Policy many years before the Policy itself was first implemented under the Licensing Act 2003. The Licensing Authority’s objectives set out in the “*Equality and Inclusion in Licence Venues*” are very closely aligned with the applicant’s underlying principles. By granting the applications, the Licensing Sub-Committee can follow the commendable ambitions set out in Policy paragraph B31:

*“We want to remain one of the most visited places in the world as well as ensuring our local residents continue to access and take advantage of living in the centre of London. This means we need to hold ourselves, as well as the venues and businesses we licence, to account to ensure that together we continue to promote and offer equal opportunities and inclusive experiences for everyone”.*

19. The applicant would also be interested in participating in the “*Equality and Diversity Strategy and Action Plan*”, which is cited at page 123 of the Policy but does not appear to be a publicly accessible document, or at least not available online.

#### LGBTQI+ Venues in Westminster

20. Just 0.56% of licensed venues in Westminster are dedicated LGBTQI+ venues<sup>4</sup>. She Bar Frith Street is the only dedicated and exclusive lesbian licensed venue in London.

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<sup>3</sup> Section 149 (7)

<sup>4</sup> Policy paragraph A2

21. There has been a sad decline of dedicated LGBTQ+ venues in Westminster over recent years, particularly since the original introduction of the West End Cumulative Impact Zone (formerly known as stress area) policies. The applicant is aware of 13 such venues closing in Westminster with a combined capacity of approximately 4755<sup>5</sup>. Westminster has just 21 LGBTQ+ venues left, including the applicant's premises<sup>6</sup>. London has seen an overall decline of 62% of its LGBTQ+ venues in the last 10 years alone<sup>7</sup>.

22. The applicant understands the Licensing Sub-Committee will carefully consider its public sector duty under the Equality Act 2010, particularly when bearing in mind the concerning decline of LGBTQ+ venues in Westminster and the heightened threat these venues face as a result of the Covid-19 pandemic (see below). These applications present an opportunity to help stall that worrying decline.

23. The Soho Neighbourhood Plan 2021 also recognises the importance of LGBTQ+ history in the West End:

*"Soho has also always been a place where new attitudes to sexuality have developed and the current LGBTQ+ community reflects this today".*

#### Equality, Diversity and Inclusion at Ku Group

24. The applicant operates a stringent and comprehensive employment equal opportunities policy, guided by the core company values of inclusivity, transparency and equality. The applicant's workforce is very diverse and reflective of the different backgrounds, heritages and orientation of the people within the community. All members of the applicant's team undertake regular diversity training to ensure they are kept up to date with industry best practice and aware of any wider legislation or guidance.

25. These policies, principles and experience have proved key factors in the applicant's longstanding ambition to reach out to marginalised groups in a constant effort to change the perception of what an LGBTQ+ venue is and can be.

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<sup>5</sup> Please refer to appended schedule of closed LGBTQ+ venues

<sup>6</sup> Policy paragraph A2

<sup>7</sup> Representation of Amy Lane – Mayor of London

26. By its nature, the applicant's customer base is very diverse, being a well-established hetero-friendly LGBTQ+ company. The applicant continues to build and expand its customer base to improve access for even more people. To meet this objective, the applicant continues to promote its weekly trans-nights, providing a safe space for the trans-community to meet. In addition, the applicant continues its commitment to providing the only dedicated lesbian licence venue in London. The applicant is also striving to increase links with the BAME community, for example by hosting theme nights which highlight various heritages and backgrounds present within the community.

### **CULTURAL SIGNIFICANCE**

27. The applicant's varied entertainment is culturally significant within the London and wider UK LGBTQ+ scene, providing industry leading platforms for grass roots and seasoned performers. Proudly showcasing the entertainment in this manner helps to create a wider acceptance of the LGBTQ+ cause and their efforts to be understood and celebrated. The cultural significance of the entertainment offer is highlighted through the applicant's frequent collaborations with a host of talented performers, for example:

- a. Lady Lloyd – who is actively involved in improving awareness and inclusivity of non-binary and trans people.
- b. Vicki Vivacious – who tours with Little Mix and has performed across the globe.
- c. Sum Ting Wong and Cheryl Hole – who are both popular drag artists who participated in Ru Paul's Drag Race UK.
- d. Adam Apple - a drag king who performs in She Frith Street.

28. The applicant also works with talented local acts and performers during various events, providing opportunities for these LGBTQ+ artists to showcase their skills.

29. The majority of these artists are self-employed performers. They have been hit particularly hard by the Covid-19 pandemic. The applicant offers to provide a platform for these persons to get

back to work and re-establish their careers. The additional hours sought in the applications will increase the time available for programming these acts.

30. The applicant has a longstanding relationship with local LGBTQ+ production company Making Productions, which provides an opportunity for LGBTQ+ shows and performances to be shown to a wider audience. In doing so, this helps to extend the scope of the LGBTQ+ performing arts nationwide. Previous collaborations include:

- a. Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.
- b. Providing finance and marketing investment to successfully transfer the Kevin Elyot play, 'Coming Clean', to the West End. The play considers differing attitudes to love within the LGBTQ+ community.
- c. Assisting in the development of a new opera, 'Opera Undone', which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

#### **LGBTQ+ COMMUNITY & CHARITY**

31. The applicant continues to strive to help raise awareness and support charitable work in the LGBTQ+ community. For example, the applicant has proactively participated in the following charitable causes:

- a. Every weekend, the applicant provides space at its premises for sexual health screenings.
- b. The applicant has raised over £100,000 for The Food Chain, which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives.
- c. In December 2019, the applicant raised over £20,000 for a trans-led charity which is part of 56 Dean Street, a sexual health clinic in Soho. The organisation includes 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people.

- d. Working closely with the Switchboard LGBT Charity.

## REPRESENTATIONS

32. There are no objections to either application from individual local residents.
33. All representations against the applications are predominantly based upon Policy, which is addressed below.
34. The applicant is grateful for [REDACTED] acknowledgement in their representation in respect of Ku/She Frith Street that: *“we ... acknowledge the important contribution our LGBTQ+ venues bring to Soho and the community and want to see them all survive”*. The applicant is also grateful to [REDACTED] for time spent engaging pre-application and during the statutory consultation period.
35. The applications also attracted overwhelming, and possibly unprecedented, levels of wide-ranging support from local residents, local businesses, interest groups, activists, charities, landlords, the London Mayor’s office, industry groups, local stakeholders and even a competitor. The numerous representations in support speak for themselves. An indicative sample is set out below:

- a. [REDACTED], which is cited as best practice in the Policy 2021<sup>8</sup>:

*Ku has engaged with [REDACTED] throughout our existence and have engaged with a range of services including our training around welfare and vulnerability – showing that the venues take this issue seriously, working to promote safety in everything that they do....Ku has been an important part of the fabric of LGBTQ+ London for over 25 years and is integral to the LGBTQ+ community. As a member of the London LGBTQ+ Venue Forum, Ku plays a vital role in the community it serves – bringing issues of venues and the wider LGBTQ+ community to the forefront of discussions in London. Over the last year, the mandated closures of the venue coupled with severe restrictions, including the 10pm curfew and restriction on single households only indoors, meant the business was brought*

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<sup>8</sup> Policy paragraphs B46 to B50

*to a point where its very survival was in question. This variation offers a lifeline to this business and we would encourage the Licensing Sub-Committee to grant this application and support this venue, and the wider LGBTQ+ community.*

b. [REDACTED]

*London's LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, the Mayor committed to supporting these spaces by launching his LGBTQ+ Venues Charter, to protect existing infrastructure and encourage the opening of new venues. The pandemic has had a severe impact on our LGBTQ+ venues. Gary Henshaw, who operates both venues applying for extensions, has been an active member of the LGBTQ+ Venues Forum since it was set up in 2017. I know him to be an experienced and responsible operator. I have no doubt that his experience and understanding of the late night landscape of Soho would allow him to operate successfully with increased hours.*

c. [REDACTED]:

*Ku and Gary Henshaw have been in business and been a huge part of Soho for at least 15 years. They are a well-managed and responsible venue but of equal importance, have added and continue to add to the rich and unique mix of the Soho Community and particularly the LGBTQ community, providing safe venues. It goes without saying that the last year has had an unspeakable effect on hospitality and we know that Ku have been hit hard. They need help. We support their application for extended hours.*

d. [REDACTED], for example:

*I am a Trans activist and the founder of [REDACTED]  
[REDACTED]  
[REDACTED] I have known Gary Henshaw since the early 80's. He's such a great source of support to the trans community. Gary also tirelessly raises awareness and funds for HIV and AIDS. KU bar and Gary Henshaw make that difference in our Soho community that's vital for our survival. During Christmas 2019 KU Bar and his staff raised £12k for [REDACTED]*

.....I am sure Gary's team can continue these standards later at night meaning no negative impact in the local area. The past 12 months + has had a devastating impact on KU bar and our community. The KU Group's safety measures through Covid have been exemplary and has inevitably led to having very reduced numbers the KU bars.

e. Local Business Owners, for example ( ):

*In my opinion, the applicant runs an extremely professional operation. In particular, I have always observed that they pay scrupulous attention to all aspects of safety, security and compliance with statutory and licensing obligations. I have just read Westminster City's licensing objectives; over the years I have witnessed everyone at Ku Bar uphold and promote all four of them, and I am completely confident that they will continue to do so in future. I have noticed that - in certain other establishments - the licensed door staff can sometimes appear to be quite menacing and actually make the street feel less safe. In contrast, the staff at Ku Bar are always respectful and dutiful, and continuously ensure that the whole vicinity is quiet and peaceful. Ku Bar are community-minded: in addition to being constantly vigilant regarding such threats as crime and terrorism, I have - on several occasions - witnessed their staff offer first aid and similar assistance to passers-by who are totally unrelated to their business. They simply do their bit to make the West End a nicer place to be. I fully support any extension of Ku Bar's operating hours. In addition to the wellbeing of the public and the security of my own premises, I am now an OAP and - quite frankly - I believe that my own personal safety is enhanced during their hours of operation.*

f. Local stakeholders, for example ( ):

*Gary Henshaw and his business, the Ku Bar have been a valued member of ( ) for many years. Gary is a responsible and community-focus businessman whose operational experience is respected and often called upon during our own initiative and role in large-scale events planning eg the annual Chinese New Year celebrations and London Pride. Almost all our members including Gary have suffered the severe consequences of the Coronavirus pandemic. We support Gary and all our members as they try to keep their business going for the short and longer term. We commend Gary for his proposal and hope the council would consider granting his time-limited proposal to extend his license hours. Ku Bar is a business with a proven operational track record. We*

*have no reason to be concerned that the extended hours would have any adverse impact in the West End generally or on the key licensing objectives. We therefore offer Gary our support and hope the Council would agree.*

- g. Numerous local residents (for both applications), including residents living in the same building as Ku Lisle Street:

*On the first week of our move to [REDACTED] Gary Henshaw and the staff at Ku Bar reached out to us, shared their contact details and asked us to get in touch if we needed anything. Truth is, we never had to do so, as the staff was very respectful of its neighbours.*

*And:*

*I would like to support Ku Bar's application for extended hours at Ku Bar and She located on the corner of Frith Street and Old Compton Street. The venues are an asset to Soho, Westminster and the LGBTQ community. The last year has proved extremely difficult for many Soho businesses. I hope Westminster continue to offer their support with schemes such as the al fresco dining initiative and by granting licence applications like the current proposals submitted by Ku/She Bar. This will help Soho recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area. I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the extension of hours adversely affecting me as a local resident"*

## **COVID-19**

36. The catastrophic impact of the pandemic on city centres and the hospitality industry is well known. The LGBTQ+ hospitality sub-sector has suffered even more than most.

37. The applicant anticipates a loss revenue of more than £2m as a direct result of the pandemic<sup>9</sup>. The applicant has worked tirelessly to mitigate this loss by utilising the Coronavirus Business

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<sup>9</sup> When compared to comparable trading periods pre Covid-19 pandemic

Interruption Loan scheme, furlough, government grants and revised rent deals with landlords. However, there remains a very significant shortfall with an uncertain future ahead. Business planning is complex with the threat of further variants, new setbacks and low customer confidence during the recovery period.

38. Ongoing costs have continued right through every stage of the pandemic, including:

- a. Ongoing operational costs, ranging from rent payments, rates, utility bills, maintenance, insurance premiums and even vermin control.
- b. Associated staffing costs, such as wages, pensions and National Insurance contributions.
- c. Advertising and online costs, to continue to raise awareness for the business and maintain networking links with partners and stakeholders.
- d. Allocating funds to ensure compliance with government guidelines when permitted to open. This includes purchasing additional signage, sanitation and hygiene equipment, refresher training for staff and items to control social distancing.
- e. Spiralling costs and resources dedicated to human resources and recruitment as a result of industry-wide staff shortages and high levels of employees not returning from furlough.

39. Any potential negative cumulative impact associated with dedicated LGBTQ+ venues is currently at materially lower levels, not just because of the Covid-19 pandemic, but also because so many of them have closed in Westminster in recent times.

40. The 2020 Cumulative Impact Assessment relies predominantly on data gathered pre Covid-19. Policy Paragraph D1 recognises that:

*“However, in March 2020 the COVID-19 pandemic took hold and through lockdowns, government restrictions and the requirement for social distancing the evening and night-time economy within Westminster changed dramatically. The COVID-19 pandemic started at the point when the Licensing Authority had begun its review of this policy.”*

41. One year later, the applicant's premises were closed again due to further lockdowns and restrictions. All being well, the applicant will be able to start trading more normally later this month but has suffered immensely during this time. The pandemic is far from over with the threat of further variants and setbacks very real.
42. The al fresco scheme has helped significantly but has not allowed the applicant to reach trading levels experienced pre pandemic. The al fresco scheme will also likely come to an end at some point. This will present further challenges for the applicant, particularly at Ku/She Frith Street.
43. A hypothetical Cumulative Impact Assessment utilising data from 2020/21 would inevitably conclude that recent levels of cumulative impact and general footfall are, and have been, at unprecedented low levels. The prevailing levels of cumulative impact are a relevant consideration for the Licensing Sub Committee, since the Policy's key objective is to prevent an addition to cumulative impact based upon levels recorded up to 2019. Those levels are no longer an accurate reflection of the status quo.
44. The applicant was reassured by general comments made by Members and the Licensing Authority during the Policy consultation in 2020 that time limited proposals made by licence holders that could demonstrate they had suffered as a result of the pandemic would be considered for grant.
45. Licensing decisions inevitably and should take into account the wider economic impact of a proposal made by a local business. This was recognised by the Court of Appeal in the leading case of *Hope and Glory* [2011] EWCA Civ 31, when Toulson LJ observed [at 42]:
- "Licensing decisions often involve weighing a variety of competing considerations: benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on."*
46. The Licensing Sub Committee should therefore consider the disproportionality high adverse impact Covid-19 has had on the applicant's businesses and the *time limited* proposal to help the businesses survive.

## POLICY

### Policy Context

47. A statement of licensing policy sets out a set of guiding principles that a licensing authority ordinarily follows when determining an application. However, a policy is not absolute. It does not have to be followed and must not undermine the right of any person to apply under the terms of the Licensing Act 2003 for a variety of permissions and to have any such application considered on its individual merits<sup>10</sup>.

48. Similarly, the Section 182 Guidance confirms that a cumulative impact policy should never be absolute. A statement of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. A licensing authority can depart from a cumulative impact policy in light of the individual circumstances of the case<sup>11</sup>.

49. The Policy recognises this recommendation in the Section 182 Guidance at paragraph B3:

*“It will always consider the merits of each application. It may make exceptions to its own policies where it is appropriate to do so in order to promote the licensing objectives and it will give reasons for doing this.”*

50. The applicant’s unparalleled set of defining characteristics present a set of unique individual circumstances in which the Licensing Sub-Committee can and should consider as a proper justification in departing from the usual presumption in the Cumulative Impact Zone Policy. Moreover, the unprecedented challenges presented specifically to the LGBTQ+ community by the Covid-19 pandemic provides further justification why it is proper and proportionate for the Licensing Sub-Committee to adopt a more considered approach to the usual Policy presumption.

51. These are therefore prime examples of applications that ought to be considered flexibly. Adopting this approach is consistent with Policy paragraph D11, which states:

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<sup>10</sup> Paragraph 14.10 Section 182 Guidance

<sup>11</sup> Paragraph 14.44 Section 182 Guidance

*“The licensing authority will not apply these policies in-flexibly. It will always consider the individual circumstances of each application, even where an application is made for a proposal that is apparently contrary to policy”.*

52. Further submissions on Policy CIP1 and the exceptional circumstances are set out in more detail below.

### Core Hours Policy HRS1

53. The applications propose a *temporary* extension to hours beyond Core Hours to help the applicant’s business survive and recover during a unique and extremely challenging time.

54. As above, Policy HRS1 is not, and should not, be absolute, nor is there a presumption to refuse applications outside Core Hours. The HRS1 Policy recognises that:

*“Applications for hours outside the core hours ... will be considered on their merits, subject to other relevant Policies.”*

*And*

*“These are not policies to refuse applications for hours longer than the core hours, and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out under each policy”<sup>12</sup>.*

55. Policy HRS1 places weight on the importance of applications for hours beyond Core Hours to be considered alongside a dispersal policy. A dispersal policy has been lodged with the application, together with schedules of many years of complaint free TENs. This is evidence that the applicant can promote the licensing objectives during the hours proposed.

56. The licensing objectives, related policies and individual merits of the applications that can be considered in the context of Policy HRS1 are addressed further below.

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<sup>12</sup> Policy paragraph E3

## Licensing Objectives & Licensing Objectives Policies

57. Each Licensing Objective Policy begins with the text:

*“The licensing authority will not grant applications that do not promote the [relevant] licensing objective”.*

58. The Licensing Sub-Committee has the benefit of considering applications made by a licence holder that has a 25+ year proven track record of promoting all four licensing objectives in Westminster.

59. The applicant has successfully and continually demonstrated its ability to promote the licensing objectives, not just during normal trading periods, but also during the extended hours authorised under multiple years of operating with fully utilised annual TEN allowances<sup>13</sup>. This is evidence that can be relied upon to demonstrate compliance with all four Licensing Objective Policies.

60. The applicant has tried and tested management systems and operational procedures that take into account and address the relevant criteria listed in each Licensing Objective Policy.

61. For example, the applicant has implemented a safeguarding policy, which has been recognised by [REDACTED] in their representation in support. Safeguarding and public safety is of utmost importance to the applicant, particularly because the venues are enjoyed by groups that have been historically marginalised and victims of hate crimes. The applicant has had to implement comprehensive operational practices and safeguards over and above those found in many more mainstream licensed premises, simply to ensure the safety and security of members of the LGBTQ+ community visiting the premises. This continues to provide a level of “self-policing”, which is often not present with a more typical licensed premises in Westminster.

62. In addition, the applicant has put forward an enhanced dispersal policy for the Licensing Sub-Committee’s consideration to ensure the licensing objectives continue to be promoted during the additional hours proposed. Again, the applicant can, by way of its track record, successfully

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<sup>13</sup> Please refer to schedule of TENS

demonstrate that complaint free dispersal and customer safety can be achieved when operating later under a full allocation of TENS.

63. The existing premises licences have a full complement of premises-specific conditions to continue the ongoing promotion of the licensing objectives and satisfaction of the criteria set out in each Licensing Objective Policy. These conditions will continue to apply during the additional hours proposed.

#### Public Houses and Bars Policy PB1

64. For the purposes of Policy PB1, a public house or bar is defined as a premises that's primary use is the sale of alcohol for consumption on the premises.

65. Policy paragraphs F81 and F82 highlight the importance of applying Policy PB1 to premises that primarily sell alcohol and/or to new pubs and bars. This is because new pubs and bars are more likely to adversely impact upon the licensing objectives and add to cumulative impact.

66. The applicant's premises are not new pubs or bars. They are longstanding LGBTQ+ venues with a range of activities not centred around the sale of alcohol, with a proven track record of promoting the licensing objectives. The venues provide a safe environment for members of the LGBTQ+ community to socialise and enjoy a varied range of important cultural entertainment.

67. As a result, the applications should not be considered in isolation under Policy PB1. A more flexible policy approach, as recommended in Policy paragraph D11, should be adopted in finding that the application premises are not the type of pub or bar typically associated with adversely impacting upon the licensing objectives and adding to cumulative impact. The proposals can, and should, also be considered under Policy CCSOS1, as below.

#### Policy CCSOS1 - Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces

68. The applicant provides multiple platforms for a diverse, inclusive, and interesting range of entertainment to showcase LGBTQ+ talent and culture. The Policy recognises that many licensed operators in Westminster play a pivotal role in sustaining Westminster's visitor economy and

offering a diversity of world-class and cutting-edge cultural experiences<sup>14</sup>. The applicant is a longstanding and key contributor to Westminster's proud reputation in this regard.

69. Furthermore, the applicant contributes to the wide range of entertainment on offer in the West End in accordance with Policy paragraph D9. This helps to reduce the extent of dominance of problem pubs, bars, nightclubs and fast-food premises, which are more typically associated with cumulative impact. The nature of the applicant's proposals will legitimately help broaden the already impressive range of entertainment that Westminster is famous for. This is because the applicant will have more time to programme more LGBTQ+ entertainment.

70. This variety of entertainment uses that Westminster premises offer are of real positive benefit to the area because they provide a wider entertainment offer that is not centred around alcohol, it provides an attractive and alternative experience for customers of a varied age range and can therefore lead to a positive benefit to the local community and visitors to Westminster<sup>15</sup>.

71. The Licensing Sub-Committee is therefore invited to also consider the proposals under the Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces Policy CCSOS1. This is because the applicant will continue to provide live performances in front of audiences and there is no doubt each premises has important cultural significance, as set out above. Although the applicant's premises are not dedicated theatre venues, many of the aspiring performers and LGBTQ+ theatrical productions would not have made it to the bigger stage had it not been for the applicant's support at grass roots level.

72. The CCSOS1 premises use policy does not present a presumption to refuse premises licence applications in the West End Cumulative Impact Zone.

### 2020 Cumulative Impact Assessment

73. The evidence base for Policy CIP1 is the 2020 Cumulative Impact Assessment. This Cumulative Impact Assessment does not:

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<sup>14</sup> Policy paragraph A5

<sup>15</sup> Policy paragraph D26

- a. Include post Covid-19 pandemic data. The evidence basis relies predominantly on data gathered in 2019 and earlier.
- b. Specifically categorise and analyse the contribution (if any) to cumulative impact made by LGBTQ+ venues.
- c. Include any direct evidence that LGBTQ+ venues are the type of premises typically associated with cumulative impact.

74. LGBTQ+ venues are less likely to adversely impact on the licensing objectives and add to cumulative impact because, *inter alia*:

- a. They are highly managed and supervised to ensure the safety of minority groups attending the premises.
- b. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- c. The primary purpose of visit is not centred around the consumption alcohol. Customers attend the premises to safely socialise with other members of the community and enjoy cultural entertainment, which is a characteristic of a premises that the Policy recognises as being less likely to adversely impact on the licensing objectives and therefore less likely to add to cumulative impact<sup>16</sup>.

#### Cumulative Impact Policy CIP1

75. Both premises are located within the West End Cumulative Impact Zone.

76. There is no suggestion or evidence that either premises contributes to the type of problems identified in paragraph D4 of the Policy. Instead, each premises promotes and encourages the provision of a range of LGBTQ+ cultural entertainment, which helps to reduce the extent of

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<sup>16</sup> Policy paragraph D26

dominance of pubs, bars, nightclubs and fast food premises that are more typically associated with contributing to cumulative impact<sup>17</sup>.

77. Paragraph D26 of the Policy also recognises that cultural venues, or at least venues where there are other activities not primarily focussed on the consumption of alcohol, are *significantly less likely to have an impact on the licensing objectives*. This is because there is a direct relationship to the activities that the venue provides and the resultant risk of adversely contributing to cumulative impact. As a result, it would not be fair or proportionate to consider the applicant's premises as the type of pub or bar typically associated with cumulative impact.

78. In accordance with Policy paragraph D11, a more flexible approach should be adopted by recognising the applicant's premises are lower risk because of their defining characteristics, the focus on providing a safe environment for the LGBTQ+ community and the entertainment they provide.

79. These submissions include details of the applicant's impeccable character, unparalleled experience in the LGBTQ+ community and distinguished operational track record. Paragraph D14 of the Policy stipulates that the reputation or good character of the licence holder cannot be considered as an exception to Policy.

80. However, there is no other licence holder in Westminster that can legitimately claim to have the same level of experience, community standing and length of unblemished track record operating in a specific hospitality sub-sector as the applicant.

81. Furthermore, Policy paragraph D14 provides a key reason why the character and track record of an applicant should not be taken into account: licences can be easily transferred. The benefit of the proposed time limited extension of these licences will not be transferred to an operator of lesser experience or reputation. The proposed extensions to hours must end on 31 May 2023.

82. Paragraph D12 of the Policy states:

*"Applicants for premises uses that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted. It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the licensing authority will consider the*

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<sup>17</sup> Policy paragraph D9

*reasons underlying the Westminster cumulative impact zone special policy and the relevant premises use policies when considering applications”.*

83. Policy paragraph 16 goes on to state:

*“A case is most unlikely to be considered exceptional unless it is directed at the underlying reasons for having the policy. Exceptions to the West End Cumulative Impact Zone Policy to refuse certain types of applications must be for genuinely exceptional reasons”.*

84. The applicant invites the Licensing Sub-Committee to consider the following:

- a. The Policy recognises that there can be exceptional circumstances outside the examples cited in the Policy. The applicant’s unique set of circumstances (summarised below) and disproportionate challenges posed by the Covid-19 pandemic are material factors for the Licensing Sub-Committee’s consideration. If this set of circumstances cannot be considered exceptional, it raises the question: what is?
- b. As a result of the foregoing, there is no realistic possibility of the proposals undermining the underlying reasons for the Policy. The underlying reasons for the Policy should not be directed at refusing applications such as this. Instead, the underlying reasons for the Policy are properly directed at introducing a presumption to refuse new or permanent and more typical bar or pub applications in non-Covid-19 times. That is certainly not the case here.

85. The set of circumstances set out below should be considered together and globally. No other premises licence holder in Westminster possesses a combination all of these defining characteristics.

86. Considering all these factors together can, and should, constitute exceptional circumstances for the purposes of Policy CIP1. Adopting this approach is consistent with District Judge Roscoe in *Marc Merran v Westminster City Council 2007* (the ‘Movida’ case) where she decided:

*“...in my view there are reasons that persuade me that there are genuinely exceptional circumstances that take these premises outside the constraints of the [Stress Area] Policy. I should*

*make it clear that there is not one single characteristic that persuades me of this, but that it is a combination of factors and circumstances”.*

87. The combination of factors constituting exceptional circumstances in these applications are, *inter alia*:

- a. The applicant’s unparalleled and impeccable reputation, experience, unblemished track record and defining characteristics; particularly as Westminster’s longest standing LGBTQ+ independent venue operator and bearing in mind the applicant’s provision of London’s only dedicated lesbian venue.
- b. The Licensing Sub-Committee’s public sector duty under the Equality Act 2010, particularly in light of the disproportionate impact the Covid-19 pandemic has had on the LGBTQ+ hospitality sub-sector, together with the deeply concerning backdrop of a 62% decline of LGBTQ+ venues during the last decade. The applicant has suffered more than most as a result of its business model and customer base.
- c. There is a strong element of self-policing in LGBTQ+ venues, since a primary objective is to provide a safe environment for a historically marginalised community. LGBTQ+ venues are therefore generally more highly managed and supervised to ensure the promotion of all four licensing objectives, particularly in terms of public safety. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- d. The overwhelming and unprecedented levels of support from a broad range of local residents, local businesses, activists, special interest groups, stakeholders, and industry groups. The supporters express their confidence in the applicant’s ability to promote all four licensing objectives without adding to cumulative impact in the West End.
- e. The complete lack of objections from individual local residents citing specific and real concerns about the applications’ proposals.
- f. The evidence that the applicant has for many years operated in accordance with the hours sought (and later) under annual maximum TENs without complaint or any indication of adversely impacting upon the licensing objectives or contributing to cumulative impact.

- g. The cultural importance of the applicant's venues and the unique, varied and interesting entertainment provided by LGBTQ+ performers, who are provided with a platform to showcase their talents at the applicant's venues. Many of those performers have been out of work for over a year. The additional hours will provide more time to programme more performances to help them get back to work and re-establish their careers. The Policy recognises that venues providing cultural entertainment are less likely to add to cumulative impact.
- h. The proposals are time limited to help the applicant's businesses survive and recover from the ongoing and very serious threat of the Covid-19 pandemic. The time limited extension will give the applicant's business a lifeline to continue the 25+ year track record as an award-winning, safe and compliant LGBTQ+ venue operator. The time limited extension will come to an end, hopefully at a time when the world is over the worst of the pandemic. The benefit of any time limited extension will not be transferred to a lesser experienced operator.

## **SUMMARY**

88. There is no other licence holder in Westminster that could realistically demonstrate a comparable combination of a unique set of defining characteristics as the applicant. The applications therefore can, and should, be considered exceptional on these particular merits allowing a departure from the Policy presumption with no addition to cumulative impact in the West End.
89. The applications are for a time limited proposal only. The applicant has an impeccable operational record and has provided evidence in the form of the many years of complaint-free operating under TENs that the premises can operate during later hours without adversely impacting upon the licensing objectives.
90. The applicant invites the Licensing Sub-Committee to grant the applications accordingly. In doing so, members can signal their support to Westminster's longest standing independent LGBTQ+ operator trying its best to survive in the most difficult of circumstances.

## Schedule of Closed LGBTQI+ Venues in Westminster

	Premises Name	Address	Terminal Hour	Capacity	Approximate Closure Date
1.	Ghetto	5-6 Falconberg Court	Monday to Saturday 03:00 Sunday 00:30	220	December 2008
2.	Astoria	157 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	2000	January 2009
3.	Trash Palace	11 Wardour Street	Monday to Saturday 03:00 Sunday 22:30	200	June 2009
4.	Kudos	10 Adelaide Street	Monday to Saturday 00:00 Sunday 22:30	n/a	June 2011
5.	Lo Profile	84-86 Wardour Street	Monday 01:00 Tuesday & Wednesday 02:00 Thursday to Saturday 03:00 Sunday 22:30	470	January 2013
6.	Candy Bar*  <i>NB. closed by the applicant and relocated to SHE Frith Street</i>	4 Carlisle Street	Monday to Saturday 03:00 Sunday 00:30	175	January 2014
7.	Green Carnation	4 Greek Street	Monday to Saturday 02:00 Sunday 00:30	260	August 2014
8.	Madame Jo Jo's	8-10 Brewer Street	Monday to Saturday 03:00 Sunday 00:30	180	November 2014
9.	Escape	10A Brewer Street	Monday to Saturday 03:00 Sunday 22:30	120	November 2014
10.	Manbar	79 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	320	January 2015
11.	Bar Titania	75 Charing Cross Road	Monday to Thursday 23:30 Friday to Saturday 00:00 Sunday 22:30	150	Forthcoming closure pending landlord development

12.	Shadow Lounge	3-7 Brewer Street	Monday to Saturday 03:00 Sunday 23:00	280	Late 2016
13.	The Edge Soho	11 Soho Square	Monday to Thursday 01:00 Friday to Saturday 03:30 Sunday 23:30	380	2016

<b>APPROXIMATE TOTAL CAPACITY OF WESTMINSTER CLOSED LGBTQI+ VENUES</b>	<b>4,755</b>
--	--------------



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

**Schedule 12  
Part A**

**WARD: St James's  
UPRN: 010033537486**

**Premises licence**

Regulation 33, 34

**Premises licence  
number:**

18/09822/LIPCH

**Original Reference:**

05/04939/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Ku Bar  
29-30 Lisle Street  
London  
WC2H 7BA

**Telephone Number:** 020 7479 7981

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Indoor Sporting Event  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Monday to Thursday: 10:00 to 23:30 (Ground and First Floors)  
Friday to Saturday: 10:00 to 00:00 (Ground and First Floors)  
Sunday: 09:00 to 00:00 (Basement)  
Sunday: 12:00 to 22:30 (Ground and First Floors)  
Sundays before Bank Holidays: 12:00 to 00:00 (Ground and First Floors)

**Indoor Sporting Event**

Monday to Saturday: 10:00 to 03:00 (Basement)  
Sunday: 10:00 to 00:00 (Basement)

**Performance of Live Music**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Playing of Recorded Music**

Unrestricted

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

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30 (Basement)  
Monday to Saturday: 23:00 to 23:30 (Ground and First Floors)  
Sunday: 23:00 to 00:30 (Basement)

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00 (Basement)  
Monday to Thursday: 10:00 to 23:30 (Ground and First Floors)  
Friday to Saturday: 10:00 to 00:00 (Ground and First Floors)  
Sunday: 12:00 to 00:00 (Basement)  
Sunday: 12:00 to 22:30 (Ground and First Floors)  
Sundays before Bank Holidays: 12:00 to 00:00 (Ground and First Floors)

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

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 09:00 to 00:30  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

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

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

**Part 2**

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

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Gary Henshaw

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

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

**Licence Number:** PERS-LIC/704  
**Licensing Authority:** London Borough Of Camden

**Date:** 31 August 2018

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

Where -

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

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

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions relating to regulated entertainment: Basement Floor**

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following and from 23:00 to midnight Sundays.
- 12. The sound system(s) used or installed on the premises shall not be operated without being set and governed to the satisfaction of an authorised officer from the Environmental Health Department.
- 13. No alteration or modification to any existing sound system should be effected without prior knowledge of the Environmental Health Department.
- 14. No doors giving access/egress to the premises shall be fixed open after 11pm unless the sound limiter has been set with the doors open.
- 15. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All Floors:

16. The exhibition of films is restricted to films not involving the use of real film (e.g. Video) where exhibitions are incidental or subsidiary to the main use of the premises.

**Conditions for Sale of Alcohol**

17. On any event where the premises or part of the premises are open for the purpose of Music and Dancing and a Special Hours Certificate is being operated, intoxicating liquor shall not be sold or supplied after 22:30, to persons entering that part of the premises except: a) persons who have paid or had paid on their behalf, a minimum admission fee, such fee to be specified when the Special Hours Certificate is granted, and such fee not to be credited against intoxicating liquor or consumables; or b) artistes or persons employed at premises; or c) persons attending a private function on the premises.
18. No striptease, no nudity and all persons on the premises to be decently attired.
19. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
20. Substantial food and non-intoxicating beverages shall be equally available throughout the permitted hours.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.**

For the Basement Floor:

21. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect.
  - (i) with the substitution of references to 04.00 for references to 03.00
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00:30 on those days where there are private functions
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;

- (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Years Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE: The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

22. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) to take all other reasonable precautions for the safety of the children.

23. This licence (or certificate) will be subject to any restrictions imposed on the use of the Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.

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

## **Annex 2 – Conditions consistent with the operating Schedule**

25. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
27. 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
  - d) any incidents of disorder
  - e) any faults in the CCTV system or searching equipment or scanning equipment
  - f) any refusal of the sale of alcohol
  - g) any visit by a relevant authority or emergency service.
28. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed the following:

Basement: 150 persons  
Ground Floor: 200 persons  
First Floor: 100 persons

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

29. Ground and First Floors: Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) Monday to Thursday 10.00 to 23.30.
- (b) Friday to Saturday 10:00 to 00:00.
- (c) Sundays 12.00 to 22.30.
- (d) Sundays immediately prior to Bank Holidays 12:00 to 00:00
- (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

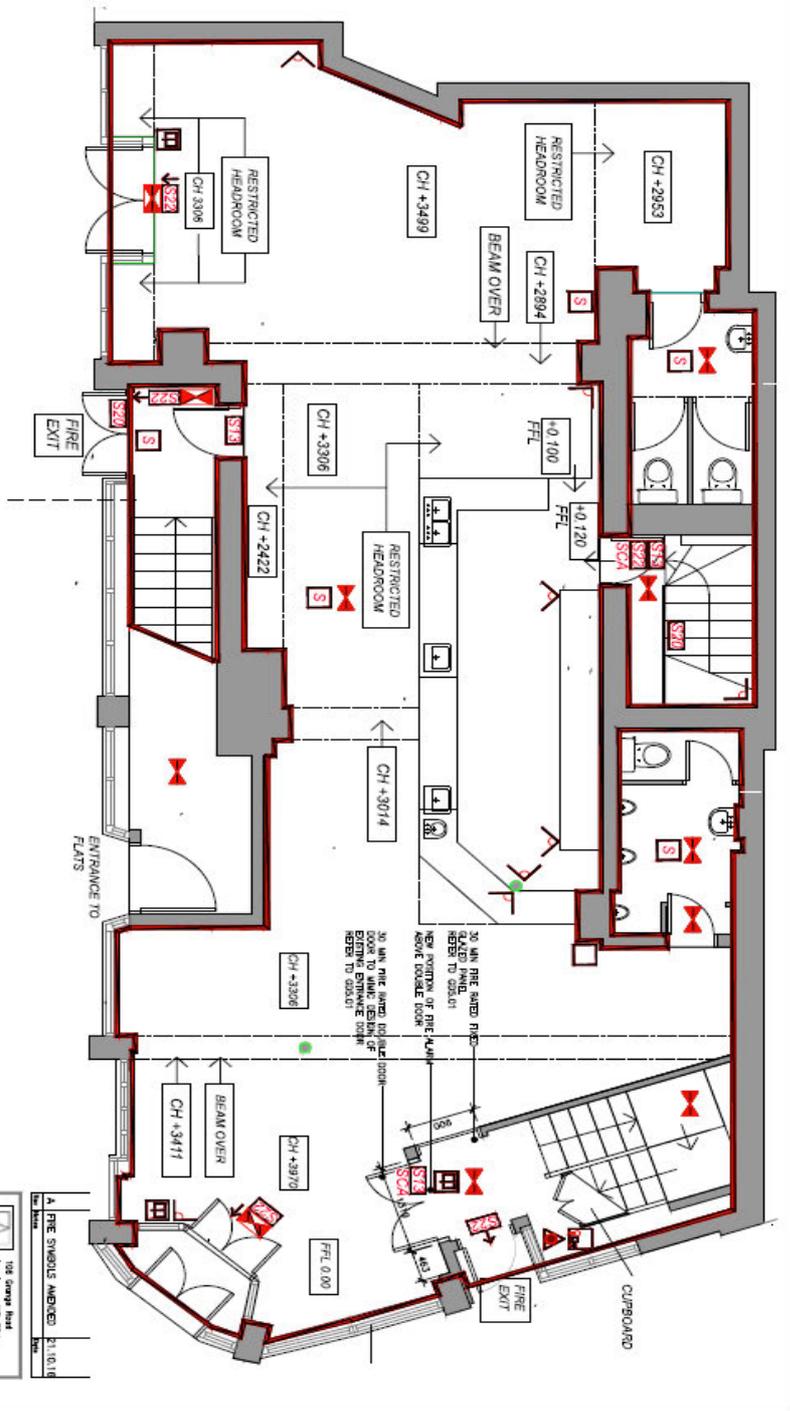
- a) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e) the taking of alcohol from the premises by a person residing there;
- f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

30. On the Ground and First Floors, customers to be off the premises by 23:30 Monday to Thursday, 00:00 Friday and Saturday, 22:50 on Sunday and 00:00 on Sunday immediately prior to Bank Holidays.
31. On the Basement Floor, customers to be off the premises by 03:30 Monday to Saturday and 00:30 on Sunday.
32. Credit card sales to be allowed, subject to the proviso that customers are to be presented with an itemised bill.
33. All persons under the age of 14 shall be accompanied at all times by an adult. No person under 14 shall be allowed to remain in the bar area after 21:00 (21:30 if taking a table meal accompanied by an adult).







NOTE: THIS PLAN TO BE READ IN CONJUNCTION WITH USBS/MS PLAN SPECIFICATION

**A** PROPOSED LIGHT LOUNGE ENTRANCE

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Gary Harshbaw Arup	
Ku Bar Leicester Square	
Drawing Title Proposed Entrance to Light Lounge Remodel	
Date Issued 1:30	Date 21.10.16
Drawing No. KU-01	Revision A





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

Schedule 12  
Part B

Premises licence  
summary

WARD: St James's  
UPRN: 010033537486

Regulation 33, 34

Premises licence  
number:

18/09822/LIPCH

Part 1 – Premises details

Postal address of premises:

Ku Bar  
29-30 Lisle Street  
London  
WC2H 7BA

Telephone Number: 020 7479 7981

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Indoor Sporting Event  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Exhibition of a Film**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Monday to Thursday: 10:00 to 23:30 (Ground and First Floors)  
Friday to Saturday: 10:00 to 00:00 (Ground and First Floors)  
Sunday: 09:00 to 00:00 (Basement)  
Sunday: 12:00 to 22:30 (Ground and First Floors)  
Sundays before Bank Holidays: 12:00 to 00:00 (Ground and First Floors)

**Indoor Sporting Event**

Monday to Saturday: 10:00 to 03:00 (Basement)  
Sunday: 10:00 to 00:00 (Basement)

**Performance of Live Music**

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Playing of Recorded Music**

**Unrestricted**

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

Monday to Saturday: 09:00 to 03:00 (Basement)  
Sunday: 09:00 to 00:00 (Basement)

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30 (Basement)  
Monday to Saturday: 23:00 to 23:30 (Ground and First Floors)  
Sunday: 23:00 to 00:30 (Basement)

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** **Unrestricted**

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00 (Basement)  
Monday to Thursday: 10:00 to 23:30 (Ground and First Floors)  
Friday to Saturday: 10:00 to 00:00 (Ground and First Floors)  
Sunday: 12:00 to 00:00 (Basement)  
Sunday: 12:00 to 22:30 (Ground and First Floors)  
Sundays before Bank Holidays: 12:00 to 00:00 (Ground and First Floors)

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

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 09:00 to 00:30  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

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

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

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

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Gary Henshaw

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

Restricted

**Date:** 31 August 2018

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**

### Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/04939/LIPCV	Conversion licence	08.05.2005	Granted under delegated authority
06/00446/LIPDPS	Application to vary the designated premises supervisor	31.01.2006	Granted under delegated authority
06/00239/LIPDPS	Application to vary the designated premises supervisor	25.01.2006	Granted under delegated authority
06/08971/LIPT	Transfer application - Shaftesbury Chinatown Ltd	20.09.2006	Granted under delegated authority
06/13130/LIPT	Transfer application - Allied Promotion Limited	05.01.2007	Granted under delegated authority
06/13144/LIPDPS	Application to vary the designated premises supervisor	05.01.2007	Granted under delegated authority
06/04933/WCCMAP	Master licence	05.01.2007	Granted under delegated authority
08/07098/LIPV	Variation application – To vary the licence to permit some licensable activities throughout the whole premises.	18.09.2008	Granted under delegated authority
09/00893/LIPV	Variation application – To extend the terminal hour on the ground and first floor for the retail sale of alcohol, late night refreshment and Exhibition of films to 01:00. To remove condition 23.	26.03.2009	Refused by Licensing Sub-Committee
12/06820/LIPVM	Minor variation application – To add 3 CCTV conditions	22.08.2012	Granted under delegated authority
14/09264/LIPVM	Minor Variation application – To add a works condition and a capacity condition 'The	19.11.2014	Granted under delegated authority

	number of persons accommodated at any one time (excluding staff) shall not exceed 260 on the ground floor'		
14/11117/LIPV	Variation application – To vary the first floor to introduce a new area for licensable activities	13.01.2015	Granted under delegated authority
15/02805/LIPVM	Minor Variation application – To vary the layout of the ground and first floor	05.05.2015	Granted under delegated authority
15/03988/LIPRW	Removal of a works condition	24.07.2015	Granted under delegated authority
16/11554/LIPVM	Minor Variation application – To regularize a reconfiguration of the ground floor entrance to the first floor	19.12.2016	Granted under delegated authority

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
19/01801/LITENP	Temporary Event Notice	21.03.2019	Event allowed to proceed
19/01802/LITENP	Temporary Event Notice	21.03.2019	Event allowed to proceed
19/01804/LITENP	Temporary Event Notice	21.03.2019	Event allowed to proceed
19/01860/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed
19/01861/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed
19/01862/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed
19/01864/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed

19/01865/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed
19/01866/LITENP	Temporary Event Notice	17.05.2019	Event allowed to proceed
19/07131/LITENP	Temporary Event Notice	18.06.2019	Event allowed to proceed
19/07133/LITENP	Temporary Event Notice	18.06.2019	Event allowed to proceed
19/07134/LITENP	Temporary Event Notice	18.06.2019	Event allowed to proceed
19/07111/LITENP	Temporary Event Notice	15.06.2019	Event allowed to proceed
19/07113/LITENP	Temporary Event Notice	15.06.2019	Event allowed to proceed
19/10541/LITENP	Temporary Event Notice	12.09.2019	Event allowed to proceed
19/10671/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/10674/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/10682/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/10672/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/10675/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/10683/LITENP	Temporary Event Notice	02.09.2019	Event allowed to proceed
19/13610/LITENP	Temporary Event Notice	24.10.2019	Event allowed to proceed

19/14097/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14098/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14099/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14100/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14101/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14103/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14105/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14118/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14121/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14123/LITENP	Temporary Event Notice	08.11.2019	Event allowed to proceed
19/14126/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14131/LITENP	Temporary Event Notice	04.11.2019	Event allowed to proceed
19/14127/LITENP	Temporary Event Notice	05.11.2019	Event allowed to proceed
19/14128/LITENP	Temporary Event Notice	11.11.2019	Event allowed to proceed
19/14129/LITENP	Temporary Event Notice	05.11.2019	Event allowed to proceed

19/14130/LITENP	Temporary Event Notice	04.11.2019	Event allowed to proceed
19/14119/LITENP	Temporary Event Notice	04.11.2019	Event allowed to proceed
19/14133/LITENP	Temporary Event Notice	04.11.2019	Event allowed to proceed
19/14135/LITENP	Temporary Event Notice	04.11.2019	Event allowed to proceed
19/14299/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14300/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
19/14317/LITENP	Temporary Event Notice	06.11.2019	Event allowed to proceed
20/01845/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01846/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01850/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01851/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01853/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
20/01854/LITENP	Temporary Event Notice	19.02.2020	Event allowed to proceed
21/05354/LITENP	Temporary Event Notice	08.06.2021	Event allowed to proceed
21/05355/LITENP	Temporary Event Notice	08.06.2021	Event allowed to proceed

21/05356/LITENP	Temporary Event Notice	08.06.2021	Event allowed to proceed
21/05357/LITENP	Temporary Event Notice	08.06.2021	Event allowed to proceed
21/06224/LITENP	Temporary Event Notice	06.07.2021	Event allowed to proceed
21/06225/LITENP	Temporary Event Notice	06.07.2021	Event allowed to proceed
21/06226/LITENP	Temporary Event Notice	06.07.2021	Event allowed to proceed

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions relating to regulated entertainment: Basement Floor**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following and from 23:00 to midnight Sundays.
12. The sound system(s) used or installed on the premises shall not be operated without being set and governed to the satisfaction of an authorised officer from the Environmental Health Department.
13. No alteration or modification to any existing sound system should be effected without prior knowledge of the Environmental Health Department.
14. No doors giving access/egress to the premises shall be fixed open after 11pm unless the sound limiter has been set with the doors open.
15. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All Floors:

16. The exhibition of films is restricted to films not involving the use of real film (e.g. Video) where exhibitions are incidental or subsidiary to the main use of the premises.

**Conditions for Sale of Alcohol**

17. On any event where the premises or part of the premises are open for the purpose of Music and Dancing and a Special Hours Certificate is being operated, intoxicating liquor shall not be sold or supplied after 22:30, to persons entering that part of the premises except: a) persons who have paid or had paid on their behalf, a minimum admission fee, such fee to be specified when the Special Hours Certificate is granted, and such fee not to be credited against intoxicating liquor or consumables; or b) artistes or persons employed at premises; or c) persons attending a private function on the premises.
18. No striptease, no nudity and all persons on the premises to be decently attired.
19. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
20. Substantial food and non-intoxicating beverages shall be equally available throughout the permitted hours.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.**

For the Basement Floor:

21. (a) Subject to the following paragraphs, the permitted hours on weekdays shall

commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -

- (ii) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
- (d) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect.
  - (i) with the substitution of references to 04.00 for references to 03.00
- (e) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00:30 on those days where there are private functions
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
  - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (g) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (h) The permitted hours on New Years Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE: The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

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

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

- 22. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,

- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and

- (c) to take all other reasonable precautions for the safety of the children.

- 23. This licence (or certificate) will be subject to any restrictions imposed on the use of the Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.

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

## **Annex 2 – Conditions consistent with the operating Schedule**

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

- 26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

- 27. 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
- d) any incidents of disorder
- e) any faults in the CCTV system or searching equipment or scanning equipment
- f) any refusal of the sale of alcohol
- g) any visit by a relevant authority or emergency service.

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

Basement: 150 persons  
Ground Floor: 200 persons  
First Floor: 100 persons

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

29. Ground and First Floors: Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) Monday to Thursday 10.00 to 23.30.
- (b) Friday to Saturday 10:00 to 00:00.
- (c) Sundays 12.00 to 22.30.
- (d) Sundays immediately prior to Bank Holidays 12:00 to 00:00
- (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- a) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e) the taking of alcohol from the premises by a person residing there;
- f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

**The applicant proposes to vary condition 29 until 31<sup>st</sup> May 2021 to reflect the proposed terminal hours.**

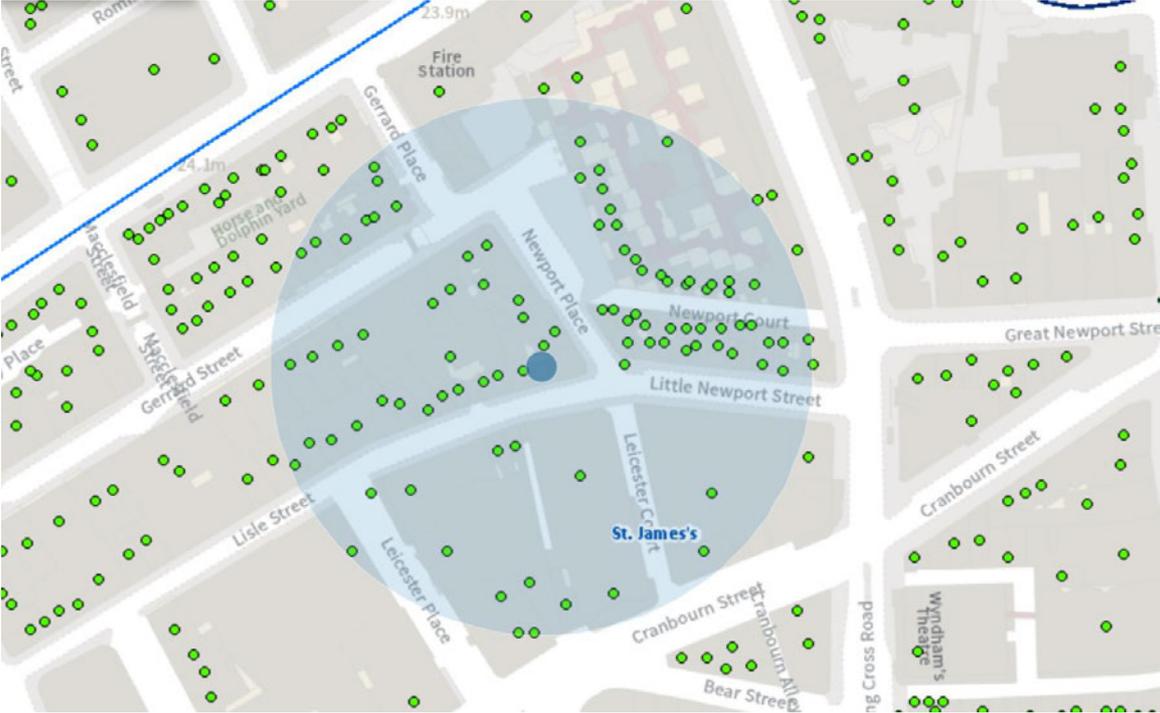
30. On the Ground and First Floors, customers to be off the premises by 23:30 Monday to Thursday, 00:00 Friday and Saturday, 22:50 on Sunday and 00:00 on Sunday immediately prior to Bank Holidays.

**The applicant proposes to vary condition 30 until 31<sup>st</sup> May 2021 to the following:**

30. On the Ground and First Floors, customers to be off the premises by 01:00am Monday to Saturday and on Sundays immediately prior to Bank Holidays and 22:50 on Sundays.
31. On the Basement Floor, customers to be off the premises by 03:30 Monday to Saturday and 00:30 on Sunday.
32. Credit card sales to be allowed, subject to the proviso that customers are to be presented with an itemised bill.
33. All persons under the age of 14 shall be accompanied at all times by an adult. No person under 14 shall be allowed to remain in the bar area after 21:00 (21:30 if taking a table meal accompanied by an adult).

**Conditions proposed to be added by the applicant**

34. The permitted terminal hour for licensable activities on the ground and first floors shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.



Resident count: 112

Licensed premises within 75 metres of 29 - 30 Lisle Street, London, WC2H 7BA				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/09822/LIPCH	Ku Bar	29 - 30 Lisle Street London WC2H 7BA	Night clubs and discos	Sunday; 12:00 - 22:30   Sunday; 09:00 - 00:30   Monday to Thursday; 10:00 - 23:30   Monday to Saturday; 09:00 - 03:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
19/02786/LIPVM	Leongs Legend II	26 - 27 Lisle Street London WC2H 7BA	Restaurant	Monday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 10:00 - 00:30
19/02952/LIPDPS	Ikkyu	Ground Floor Rear 7 - 9 Newport Place London WC2H 7JR	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
17/01541/LIPN	Gourmet Kitchen	34 Lisle Street London WC2H 7BD	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   New Year's Eve; 00:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:30

19/13273/LIPVM	Pepper Lime	Basement To First Floor 25 Lisle Street London WC2H 7BA	Restaurant	Monday; 11:30 - 23:00   Tuesday; 11:30 - 23:00   Wednesday; 11:30 - 23:00   Thursday; 11:30 - 23:00   Friday; 11:30 - 23:30   Saturday; 11:30 - 23:30   Sunday; 11:30 - 22:30   Monday to Thursday; 11:30 - 23:30   Friday to Saturday; 11:30 - 00:00
06/12504/WCCMAP	Tokyo Diner	2 Newport Place London WC2H 7JP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/00303/LIPDPS	The Canton Chinese Restaurant	11 Newport Place London WC2H 7JR	Restaurant	Sunday; 12:00 - 01:00   Monday to Thursday; 10:00 - 01:00   Friday to Saturday; 10:00 - 02:00
19/03746/LIPDPS	Baozi Inn	25-26 Newport Court London WC2H 7JS	Restaurant	Saturday; 10:00 - 00:30   Sunday; 10:00 - 23:00   Monday to Friday; 10:00 - 23:30
06/08111/WCCMAP	Imperial China	Wheeler House 25A Lisle Street London WC2H 7BA	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/06273/LIPDPS	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Cinema	Monday to Sunday; 00:00 - 00:00
19/01101/LIPDPS	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Cinema	Monday to Sunday; 00:00 - 00:00
16/08131/LIPV	Real Beijing Restaurant	46 Gerrard Street London W1D 5QH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/13677/LIPVM	Beijing	Basement And	Restaurant	Sunday; 12:00

	Dumplings	Ground Floor 23 Lisle Street London WC2H 7BA		- 03:00   Monday to Saturday; 10:00 - 03:00
19/14846/LIPCHT	Baozi Inn	8 Little Newport Street London WC2H 7JJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
15/04836/LIPN	(Shadow Licence)	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Restaurant	Friday to Saturday; 10:00 - 02:00   Sunday to Thursday; 10:00 - 01:00
17/09229/LIPT	New China	48 Gerrard Street London W1D 5QL	Restaurant	Sunday; 12:00 - 23:00   Monday to Wednesday; 10:00 - 00:00   Thursday to Saturday; 10:00 - 01:00   Christmas Day; 10:00 - 01:00   Christmas Day; 12:00 - 01:00   Good Friday; 10:00 - 01:00   Good Friday; 12:00 - 01:00   New Year's Day; 10:00 - 01:00   New Year's Day; 12:00 - 01:00
20/10151/LIPCHT	Young Cheng Restaurant	22 Lisle Street London WC2H 7BA	Restaurant	Sunday; 10:00 - 00:00   Monday to Thursday; 10:00 - 00:30   Friday to Saturday; 10:00 - 01:00
18/04929/LIPN	Kaya	10 Little Newport Street London WC2H 7JJ	Not Recorded	Monday to Sunday; 10:00 - 23:30
12/02836/LIPVM	Prince Charles Cinema	Ground Floor And Basement Charles House 7 Leicester Place London	Cinema	Friday to Saturday; 09:00 - 07:00   Sunday to Thursday;

		WC2H 7BY		09:00 - 03:00
19/10436/LIPCH	Loon Fung Supermarket	Basement Ground And First Floor 42 - 44 Gerrard Street London W1D 5QG	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
13/03887/LIPDPS	New Loon Fung Chinese Restaurant	Above Floor 42 - 44 Gerrard Street London W1D 5QG	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
15/08900/LIPDPS	See Woo Supermarket	Ground Floor 18 - 20 Lisle Street London WC2H 7BA	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
16/12748/LIPT	Lido Chinese Restaurant	41 Gerrard Street London W1D 5QF	Restaurant	Sunday; 12:00 - 00:00   Monday to Thursday; 10:00 - 00:30   Friday to Saturday; 10:00 - 02:00
16/06913/LIPCH	Leicester Square Theatre	6 Leicester Place London WC2H 7BX	Theatre	Sunday; 09:00 - 23:00   Monday to Saturday; 09:00 - 02:30
19/11112/LIPV	Hippodrome Casino	The Hippodrome 10 - 14 Cranbourn Street London WC2H 7JH	Casino or gambling club	Monday; 00:01 - 00:00   Tuesday; 00:01 - 00:00   Wednesday; 00:01 - 00:00   Thursday; 00:01 - 00:00   Friday; 00:01 - 00:00   Saturday; 00:01 - 00:00   Sunday; 00:01 - 00:00
18/03099/LIPCH	Unit 13	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Restaurant	Sunday; 08:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 08:00 - 00:00

18/15580/LIPV	Unit 14	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Not Recorded	Monday; 07:00 - 23:30   Tuesday; 07:00 - 23:30   Wednesday; 07:00 - 23:30   Thursday; 07:00 - 23:30   Friday; 07:00 - 00:00   Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
19/00693/LIPV	Unit 15	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Restaurant	Sunday; 08:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 08:00 - 00:00
19/12734/LIPDPS	Wan Chai Corner Chinese Restaurant	Tang House 3 Gerrard Street London W1D 5PD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/11211/LIPT	American Fried Chicken	16A Leicester Square London WC2H 7LE	Restaurant	Monday to Thursday; 23:00 - 00:00   Friday to Sunday; 23:00 - 02:30
18/02226/LIPDPS	Feng Shui Inn	4 - 5 Gerrard Street London W1D 5PF	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/05957/LIPCH	Bella Italia	1 Cranbourn Street London WC2H 7AJ	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 01:00   Sundays before Bank Holidays; 09:00 - 01:00
20/05206/LIPCH	Super Star Chinese	17 Lisle Street London WC2H	Restaurant	Sunday; 12:00 - 01:00

	Restaurant	7BE		Monday to Thursday; 10:00 - 01:00   Friday to Saturday; 10:00 - 02:00
16/09657/LIPVM	Suki	39 Gerrard Street London W1D 5QD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/07709/LIPT	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/04460/LIPT	Victory House	Victory House Hotel 14 Leicester Place London WC2H 7BZ	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
19/00966/LIPDPS	Haozhan Restaurant	Basement To First Floor 8 Gerrard Street London W1D 5PJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/00574/LIPCH	Hong Kong Buffet	16 Lisle Street London WC2H 7BE	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
13/08732/LIPDPS	Longji	Ground 47 Charing Cross Road London WC2H 0AN	Restaurant	Monday to Sunday; 11:00 - 23:30
21/01207/LIPDPS	WingWing	47 - 49 Charing Cross Road London WC2H 0AN	Restaurant	Sunday; 08:00 - 23:00   Monday to Saturday; 07:00 - 00:00
19/00097/LIPCH	Maison Du Mezze	Ground Floor Victory House 14 Leicester Square London WC2H 7NG	Restaurant	Sunday; 12:00 - 01:00   Monday to Saturday; 10:00 - 03:00
20/06983/LIPV	Platinum Lace Leicester Square	Basement Victory House 14 Leicester Square London WC2H 7NG	Sexual Entertainment Venue	Monday; 17:00 - 06:00   Tuesday; 17:00 - 06:00   Wednesday; 17:00 - 06:00   Thursday; 17:00 - 06:00   Friday; 17:00 - 06:00   Saturday; 17:00 - 06:00

				Sunday; 17:00 - 03:00   Sundays before Bank Holidays; 17:00 - 06:00
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