



CITY OF WESTMINSTER

# MINUTES

## Licensing Sub-Committee (1)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** held on **Thursday 20th January, 2022**, This is a virtual TEAMS meeting..

**Members Present:** Councillors Matthew Green (Chairman), Heather Acton and Maggie Carman

#### 1. MEMBERSHIP

THERE WERE NO MEMBERSHIP CHANGES.

#### 2. DECLARATIONS OF INTEREST

THERE WERE NO DECLARATIONS OF INTEREST.

#### 1. PROUD GALLERIES, 28-32 JOHN ADAM STREET, WC2N 6HL

THIS APPLICATION WAS GRATED UNDER DELEGATED AUTHORITY.

#### 2. SHOT LONDON, 10A BERKELEY STREET, W1J 8DR

### **WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 1** **("The Committee")**

Thursday 20<sup>th</sup> January 2022

Membership: Councillor Matthew Green (Chairman)  
Councillor Heather Acton and Councillor Maggie Carman

Officer Support: Legal Advisor: Steve Burnett  
Policy Officer: Aaron Hardy  
Committee Officer: Georgina Wills  
Presenting Officer: Kevin Jackaman

Present: Sonam Kaur Parmar – Head of Marketing and Business Development  
at Shot London (The Applicant).

Mr Ian Watson – Environmental Health Services

**Application for a New Premises Licence in respect of SHOT London, 10A Berkeley Street, London W1J 8DR - 21/07622/LIPN**

**FULL DECISION**

**Premises**

SHOT London,  
10A Berkeley Street,  
London  
W1J 8DR

**Applicant**

Shot Coffee Ltd T/A SHOT London

**Cumulative Impact Area?**

N/A

**Ward**

West End

**Special Consideration Zone**

Mayfair

**Licensable Activities and Hours applied for**

**Sale by Retail of Alcohol (on the premises)**

Monday to Sunday: 11.00 to 23:00 hours

**Opening Hours of the Premises:**

Monday to Sunday: 07.30 to 23:00 hours

**Representations Received**

- Metropolitan Police Service (PC Dave Morgan) (**Withdrawn**)
- Environmental Health Service (Ian Watson)
- 6 Local Residents (**3 Withdrawn**)

**Summary of Objections**

The Environmental Health Service state:

*The proposals are likely to increase the risk of public nuisance in the SCZ.*

Summary of Residents Representation:

*The proposals are likely to cause excessive noise and disturbance, nuisance from use of the outside area, illegal parking, blocking access, vomiting, begging, and drunkenness,*

### **Summary of Application**

The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003 (“The Act”).

The Premises proposes to operate as a luxury coffee shop, selling coffees, teas, soft drinks, hot chocolate, pastries and snacks. The Premises is located within West End and is not located within the West End Cumulative Area Zone.

The application has since been amended following consultation with Environmental Health Services in that the terminal hour for the sale of alcohol will now cease at 21:00 hours.

The Special Consideration Zone applies.

There is a resident count of 35.

### **Policy Position**

#### **HRS1**

- Applications within the core hours set out 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. 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 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.

#### **SCZ1**

- Applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.

#### **RTN1**

- Applications outside the West End Cumulative Impact Zone will generally be granted subject to the application meeting the requirements of policies CD1, PS1, PN1 and CH1. The hours for licensable activities being within the

Council's Core Hours Policy HRS1. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.

### **DECISION AND REASONS**

Mr Jackaman, Senior Licensing Officer summarised the application set out in the report before the Sub-Committee. He explained that the application was for a new Premises licence which sought to permit the sale of alcohol for consumption on the Premises. He further advised that additional submissions had been received from the applicant which had been circulated to all the relevant parties before the Sub-Committee hearing.

Sonam Kaur Parmar – Head of Marketing and Business Development at Shot London appearing on behalf of the Applicant Shot Coffee Limited, explained that this was an operation based around the provision of coffee with the proposed provision of alcohol to allow the baristas to push the boundaries in designing and supplying specialist coffees.

They have been in operation since June 2021 and have not caused any issues.

The Applicant outlined that she now sought to the consumption of alcohol on the premises with a Premises Licence operating within the Council's Core Hours Policy. She advised that tables and chairs were situated outside the Premises.

The Sub-Committee was informed that the Applicant sought to address the problems in the Mayfair SCZ by restricting music from the premises and ensuring customers were seated. The operator will also display signs requesting customers to leave the area quietly. They have CCTV at the premises and have worked closely with the police. They have waiter/waitress service and will consider using 'Chelsea clips' and notices, warning customers to protect their valuables.

Ms Parmar, confirmed that the sale of alcohol was to be used in the mixing of beverages. She will accept a condition restricting the sale of alcohol to this style of operation. They will not sell alcohol save for at corporate events. However, if this is required, she will use Temporary Event Notices (TEN).

In response to questions from the Sub-Committee, the Applicant confirmed that there will be no smoking of Shisha permitted at the premises.

Ian Watson appearing on behalf of the Environmental Health Service confirmed to the Members that since the premises opened in June 2021, there have been no complaints recorded. Mr Watson confirmed that the premises operated under a TEN in August 21 and there were no complaints. Mr Watson had also visited the premises and he found no evidence of residents' entrances being blocked.

The Sub-Committee then discussed the proposed conditions that would be attached to the Premises Licence. The Applicant agreed to the following conditions being added to the suite of conditions already agreed:

- 1) All alcohol sold to patrons shall be as an ingredient to beverages such as coffees and teas etc,
- 2) Notices will be prominently displayed at the premises informing patrons to protect their valuables including mobile phones and handbags.

The Applicant also agreed to the amendment of condition 11 in the Agenda to read:

Waiter/waitress service shall be provided to all customers

The Applicant raised an issue with condition 19 detailed in the agenda relating to the removal of chairs and tables in the outside area at 21.00.

She advised the Sub-Committee that she has a Tables and Chairs Licence permitting her to trade the outside area until 22.00. The Sub-Committee noted that all the conditions in the Agenda had been subject of consultation with the residents and some had withdrawn their representations. Therefore, any changes to condition 19 would have to be by way of a separate variation application under the Licensing Act 2003.

### **Conclusion**

The Sub-Committee considered the application on its individual merits. In reaching their decision, the Sub-Committee took into account all the committee papers, supplementary submissions made by the Applicant, and the oral evidence given by all parties during the hearing in its determination of the matter.

The Sub-Committee was satisfied that, in accordance with the Licensing Act 2003, Home Office Guidance and on the evidence before it, it was appropriate and proportionate, in all the circumstances, to **GRANT** the application.

In reaching its decision, the Sub-Committee took into consideration the conditions agreed and that the premises had already been operating with no history of noise complaints.

The Sub-Committee was also of the opinion that the nature and operation of the premises operating within core hours was not likely to cause nuisance in the local area and in addition, the conditions imposed on the premises licence were appropriate and would ensure that the four licensing objectives were promoted.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

**The Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives: -

1. To grant permission for the **Sale of Alcohol (On the premises)** Monday to Sunday 11.00 to 21:00 hours
2. To grant permission for the **Opening Hours of the Premises:** Monday to Sunday 07:30 to 23:00 hours

3. That the Licence is subject to any relevant mandatory conditions.
4. That the Licence is subject to the following additional conditions and Informative imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

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

9. The supply of alcohol shall always be ancillary to the premises operating as a specialist coffee shop.
10. All alcohol sold to patrons shall be as an ingredient to beverages such as coffees and teas etc
11. The consumption of alcohol shall only be to persons seated.
12. Waiter/waitress service shall be provided to all customers.
13. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed:
  - Ground Floor 30 persons
  - Basement 20 persons
  - With no more than 50 persons at any one time.
14. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
16. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
17. There shall be no self-service of alcohol.
18. There shall be no draught beer sold at the premises.
19. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
20. All tables and chairs shall be removed from the outside area by 21.00 hours each day.
21. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises

entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

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

23. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

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

24. Notices will be prominently displayed at the premises informing patrons to protect their valuables including mobile phones and handbags.

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

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

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

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

29. No rubbish including bottles shall be removed or placed in an outside area between 23.00 hours to 07.00 hours Monday to Sunday.

30. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day, except for fresh patisserie items.

31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

### **Informative**

The applicant confirmed that there would be no smoking of Shisha at the premises. The Licensing Sub-Committee acknowledged this and welcomed the undertaking

**This is the Full Decision reached by the Licensing Sub-Committee.**

**This Decision takes immediate effect.**

**The Licensing Sub-Committee  
20<sup>th</sup> January 2022.**

### **3. AMANO HOTEL, GROUND FLOOR, DRURY HOUSE, 34-43 RUSSELL SQUARE, WC2B 5HA**

#### **WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 1 ("The Committee")**

Thursday 20<sup>th</sup> January 2022

Membership: Councillor Matthew Green (Chairman)  
Councillor Heather Acton and Councillor Maggie Carman

Officer Support: Legal Advisor: Steve Burnett  
Policy Officer: Aaron Hardy  
Committee Officer: Georgina Wills  
Presenting Officer: Kevin Jackaman

Present: Alun Thomas, Thomas and Thomas Solicitor on behalf of the applicant  
Holly McColgan, Thomas and Thomas  
Simon Galic, General Manager  
Ashley Marks, Director, Manex Properties Ltd  
Julia Herchenbach, Vice President Operations Amano Group  
Richard Brown, Citizens Advice Westminster representing Miray Kester (Resident)  
Miray Kester (Resident)  
David Kaner, Covent Garden Community Association  
Mr Ian Watson – Environmental Health Services

**Application for a New Premises Licence in respect of Amano Hotel, Drury House, 34-43 Russell Street, London WC2B 5HA 21/07316/LIPN**

#### **FULL DECISION**

### **Premises**

Amano Hotel,  
Drury House,  
34-43 Russell Street,  
London WC2B 5HA



**Applicant**

Manex Properties Limited

**Cumulative Impact Area?**

N/A

**Ward**

St James's

**Special Consideration Zone**

East Covent Garden

**Licensable Activities and Hours applied for**

**Sale of Alcohol 'On' and 'Off' the premises**

Sunday to Thursday 12.00 to 00.00 hours and  
Friday and Saturday 12.00 to 01.00 hours.

Non-standard timings

24 hours residents and their bona fide guests. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

**Late Night Refreshment 'Indoors'**

Sunday to Thursday 23.00 to 00.00 hours  
Friday and Saturday 23.00 to 01.00 hours.

Non-standard timings

24 hours residents and their bona fide guests. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

**Regulated entertainment 'Indoors' comprising**

- **Films**
- **Recorded Music**

Sunday to Thursday 12.00 to 00.00 hours  
Friday and Saturday 12.00 to 01.00 hours.

Non-standard timings

24 hours residents and their bona fide guests. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

### **Opening Hours of the Premises:**

Monday to Sunday: 00.00 to 00.00 hours

### **Representations Received**

- Environmental Health Service (Ian Watson)
- 11 Local Residents (**1 Withdrawn**)
- Covent Garden Community Association, CGCA (David Kaner)

### **Summary of Objections**

The Environmental Health Services state:

*The hours requested will have the likely effect of causing an increase in Public Nuisance within the CIZ*

The Residents States:

*Opening hours are unsuitable for a residential area. Attracts drunks, rubbish, and bad behaviour. Residents should not have 24 hr drinking in close proximity to residential premises, it will be a magnet for late consumption of alcohol and attract people from other venues. Concerns were also expressed in relation to the late use of a roof top bar and music noise.*

CGCA

*To prevent any public nuisance or potential crime and disorder there should be the addition of restrictions imposed. Concerns were expressed about capacity and dispersal, and requests were made to limit consumption by the public to Core Hours, and residents and guests to 01.00, with a max of 4 guests per resident. Concerns were also expressed relating to deliveries and waste management.*

### **Summary of Application**

The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003 ("The Act").

The Premises proposes to operate as a luxury hotel with a basement bar area, a 7<sup>th</sup> floor roof terrace and 7<sup>th</sup> floor bar area.

The Premises is located within St James's Ward and East Covent Garden Special Consideration Zone. It is not located within the Cumulative Area Zone.

There is a resident count of 194.

## **Policy Considerations**

### **SCZ1**

- In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.

### **HRS1**

- 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. 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 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.

### **HOT1**

- Applications outside the West End Cumulative Impact Zone will generally be granted subject to not being contrary to other policies in the Statement of Licensing Policy.

## **DECISION AND REASONS**

Mr Jackaman, Senior Licensing Officer summarised the application set out in the report before the Sub-Committee. He explained that the application was for a new Premises licence which sought to permit the sale of alcohol for consumption on and off the Premises, late night refreshment, films and recorded music. He further advised that additional submissions had been received from the Applicant and Mr Brown which had been circulated to all the relevant parties before the Sub-Committee hearing.

Mr Thomas, Solicitor for the Applicant outlined the application. He confirmed that the premises was subject to pre application advice, when at that time, the premises was located in the CIZ.

The application reflects what was granted in planning. The two bars are not accessible from the public highway, customers must enter and exit through the hotel lobby. The Sub-Committee was further informed that an acoustic expert had concluded that noise from the bars would not exceed the ambient level in the location. Proposed conditions had been derived from conditions on the planning permission and some discussed and agreed with CGCA. Mr Thomas confirmed that

they did not require a capacity in excess of what was approved in planning and he agreed to that being stipulated in the proposed conditions.

Mr Thomas advised the Committee that there is no external seating proposed on the pavement at present.

Ms McColgan addressed measures taken to address issues in the SCZ on behalf of the Applicant. The entrance to the hotel had been relocated and conditions had been offered to manage customers and noise.

The Sub-Committee expressed concerns about the bars being advertised and then becoming a magnet for members of the public from other venues, which would lead to dispersal issues from the hotel bars. Mr Thomas confirmed that conditions requiring a dispersal policy at the premises and restricting advertising on the premises would be acceptable.

Mr Watson (EHO) informed the Sub-Committee that the premises was located in the CIZ area but this has changed to a SCZ. Services are at the rear of the premises and acoustic work is proposed to reduce the risk of noise from the balcony. He also highlighted that the height of the perimeter guard on the terrace is a method of reducing noise escape.

Mr Watson confirmed that the final capacity on the Premises Licence will not exceed the capacity dictated on the Planning Permission based on the District Surveyors comments in the pre application advice. He suggested that the use of the rear service area should be explored especially in relation to noise from glass and carboard being crushed.

In response to questions from the Members, the Applicant agreed to a condition addressing the control a maximum of 10 smokers in a suitable area, outside the premises.

Mr Galic, the GM, confirmed a maximum of 10 smokers was acceptable and that glass crushing was done on site, therefore there would be no noise on the streets. He also agreed to waste management not being conducted between 20.00 and 08.00 and no deliveries between 20:00 and 07:00.

Mr Brown made submissions on behalf of Ms Kester. The Sub-Committee was informed that she is a local resident of 18 years, opposite the proposed hotel which use to be offices. There are concerns about the bars trading after Core Hours. The basement bar and the outside street area are the main concerns for Ms Kester as the level of noise from the bar and customers leaving after Core Hours will be a worry.

Ms Kester addressed the Sub Committee and explained that there was a subterranean void from the hotel which ended outside her window. Current building noise causes noise and vibration issues, and this has an impact on her family and their health. There is a risk of noise breakout from the basement bar. She has attempted to discuss this with the owners but had no response.

Mr Thomas on behalf of the Applicant and in response to questions from the Sub-Committee, confirm that no regulated entertainment or a reduction of trade to Core Hours in the basement bar would be a 'deal breaker'. He submitted that Model Condition MC12 is adequate. Mr Thomas advised Members that the Home Office Guidance advises that the use and impact of different operations is important and submitted that there should be some flexibility.

In response to questions from the Sub-Committee, the Applicant, Mr Marks agreed to reduce the number of guests permitted per resident from 4 to 3 and subject to agreement from Ms Kester, to give her contact details, the operators would enter constructive discussions in relation to possible noise escape through the void.

Mr Kaner of the CGCA, submitted to the Sub-Committee that the first issue of concern was servicing and that there should be a shorter window for the disposal and collection of waste to prevent residents from being disturbed. The Applicants confirmed that this would not take place between 20.00 to 08.00.

The Committee was then informed on behalf of CGCA that people leaving the premises was the second concern and that non-residents and their guests should be separated from other members of the public who should then leave at the end of Core Hours. It was established that operationally this would be difficult. The Sub-Committee considered a condition preventing members of the public from entering the bars after core hours.

The proposed conditions were reviewed, including limitation to 3 guests for each resident, residents' guests permitted alcohol sales Sun to Thurs until 00.00 and Fri and Sat until 01.00, 24hrs for residents, model condition MC71 with a maximum of 10 smokers, amendment of condition 14 at page 97 of the Agenda and a dispersal policy. Mr Thomas made representation that the addition of the words 'best endeavours' in the dispersal policy condition, as required by Mr Kaner, was not enforceable.

## **Conclusion**

The Sub-Committee considered the application on its individual merits. In reaching their decision, the Sub-Committee took into account all the committee papers, supplementary submissions made by the Applicant, and the oral evidence given by all parties during the hearing in its determination of the matter.

The Sub-Committee was satisfied that, in accordance with the Licensing Act 2003, Home Office Guidance, Westminster's Licensing Policy and on the evidence before it, it was appropriate and proportionate, in all the circumstances, to **GRANT** the application.

In reaching its decision, the Sub-Committee took into consideration the evidence and conditions agreed during the hearing.

The Sub-Committee was also of the opinion that the conditions imposed on the premises licence were appropriate and would ensure that the four licensing objectives were promoted.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

**The Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives: -

1. To grant permission for the **Sale of Alcohol (On and off the premises)**

Sunday to Thursday 12.00 to 00.00 hours and  
Friday and Saturday 12.00 to 01.00 hours.

Non-standard timings

24 hours residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

2. To grant permission for the **Late Night Refreshment 'Indoors'**

Sunday to Thursday 23.00 to 00.00 hours  
Friday and Saturday 23.00 to 01.00 hours.

Non-standard timings

24 hours residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

3. To grant permission for the **provision of films 'Indoors'**

Sunday to Thursday 12.00 to 00.00 hours  
Friday and Saturday 12.00 to 01.00 hours.

Non-standard timings

24 hours residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

4. To grant permission for the **provision of recorded music 'Indoors'**

Sunday to Thursday 12.00 to 00.00 hours  
Friday and Saturday 12.00 to 01.00 hours.

Non-standard timings

24 hours residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sunday before a Bank Holiday to 01.00 hours.

5. To grant permission for the **Opening Hours of the Premises:**

Monday to Sunday: 00.00 to 00.00 hours

6. That the Licence is subject to any relevant mandatory conditions.

7. That the Licence is subject to the following additional conditions and Informative imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

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

10. Licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel.

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

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

13. No advertisements of any kind relating to the bars that advertises or promotes the bar use shall be inscribed or fixed upon the building.

14. Public access to the basement and 7th floor licensed areas shall only be via the hotel reception.

15. The sale of alcohol on the premises shall be by waiter and waitress service to persons seated, save for private and pre-booked events up to 21.00.

16. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

17. Off sales of alcohol shall be in sealed containers only or only to persons seated in any outside area appropriately authorised for the use of tables and chairs on the highway by waiter or waitress service.

18. There shall be no sales of alcohol for consumption off the premises after 23:00.

19. Alcohol consumed outside the premises building shall only be consumed by persons seated at tables.
20. All ground floor external seating shall be removed or rendered unusable after 23:00.
21. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
22. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received regarding crime disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
23. The entrance lobby will be supervised by staff 24 hours a day.
24. The premises shall have a dispersal policy and all relevant staff will be trained in its implementation. The dispersal policy will include the location and management of the smoking area. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
25. Loudspeakers shall not be located in the entrance lobby, outside the premises building or in the 7th floor terrace.
26. No regulated entertainment shall be provided on the 7th floor external terrace.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which give rise to a nuisance
28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and businesses and leave the area quietly.
29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the need of local residents and use the area quietly.
30. The premises licence holder shall ensure that any patrons smoking outside the premises, limited to a maximum of 10 smokers, do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
31. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.



32. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
33. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
34. With the exception of within hotel rooms, there shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
35. During the hours of operation the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
36. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 on the day following.
37. No collection of waste or recycling materials (including bottle) from the premises shall take place between 20:00 and 08:00 on the following day save for where the Westminster City Council's collection times are different.
38. No deliveries to the premises shall take place between 20:00 and 07:00 on the following day.
39. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
40. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
42. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
43. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
44. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
45. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

46. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
47. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
48. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
49. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
50. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- a) Any permanent or temporary emergency lighting battery or system
  - b) Any permanent or temporary electrical installation
  - c) Any permanent or temporary emergency warning system
51. The number of persons permitted within the premises at any one time (excluding staff) shall be determined and agreed with the Environmental Health Consultation Team upon completion of works. These capacities shall not exceed 114 patrons in the basement bar or 124 patrons in the 7<sup>th</sup> floor bar and roof terrace at any one time.
52. No customer, hotel resident or guest shall be permitted onto the 7<sup>th</sup> Floor terrace before 12.00 hours or after 22.30 hours Monday to Saturday and before 12.00 hours or after 22.00 Hours on Sundays.
- 53 Each hotel resident and no more than 3 of their bona fide guests shall be permitted in the bar areas at the hotel until 00.00 Sundays to Thursdays and until 01.00 on Fridays and Saturdays.
54. Members of the public, save for bona fide guests of hotel residents, are not permitted in the bar areas at the hotel after 23.30 Mondays to Thursdays, after 00.00 Fridays and Saturdays and after 22.30 on Sundays.
55. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
56. Before the premises open to the public, the plans as deposited will be checked by the Environmental health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**Informative:**

1. The Licensing Sub-Committee expects that the operators and Premises Licence Holders will procure the advice of an independent and suitably qualified sound acoustic expert to investigate the risk of noise escape/nuisance from the hotel, and in particular through the void across Drury Lane leading to the property of Ms Kester. It is further expected the operators and Premises Licence Holders will liaise with Ms Kester during this process and comply with any recommendations from that expert.
2. The Licensing Sub-Committee expects that the operators and Premises Licence Holders will use their best endeavours to have those leaving the hotel disperse by going West along Russell Street and not via Kemble Street, Drury Lane or Crown Court.
3. The Licensing Sub-Committee expects that the operators and Premises Licence Holders will have due consideration to locating smokers in an area which causes a minimum of disturbance to neighbours

**This is the Full Decision reached by the Licensing Sub-Committee.**

**This Decision takes immediate effect.**

**The Licensing Sub-Committee  
20<sup>th</sup> January 2022.**