



**CITY OF WESTMINSTER**

# MINUTES

## **Licensing Sub-Committee (3)**

### **MINUTES OF PROCEEDINGS**

Minutes of a meeting of the **Licensing Sub-Committee (3)** held on **Thursday 24th August, 2023**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Md Shamsed Chowdhury and Jacqui Wilkinson

**Apologies for Absence:** Councillor Robert Eagleton

#### **1. MEMBERSHIP**

1.1 There were no changes to the membership.

#### **2. DECLARATIONS OF INTEREST**

2.1 There were no declarations of interest.

#### **1. HUCKLETREE SOHO, INGESTRE COURT, INGESTRE PLACE, W1F OJL**

### **WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 2** **("The Committee")**

**Thursday 24 August 2023**

**Membership:** Councillor Md Shamsed Chowdhury (Chair),  
Councillor Jacqui Wilkinson

**Officer Support:** Legal Adviser: Steve Burnett  
Policy Officer: Aaron Hardy  
Committee Officer: Jack Robinson Young  
Presenting Officer: Karyn Abbott

**Other Parties:** Kieran O'Shea and Ben Sykes for the Applicant, Huckletree (Soho) Limited

Maxwell Koduah – Environmental Health Services (EHS)  
Jessica Donovan – Licensing Authority (LA)

Richard Brown – Licensing Advice Project on behalf of David Gleeson for the Soho Society and David Kelly for the Ingestre Court Residents' Association

**Application for a New Premises Licence for Huckletree Soho, Ingestre Court Ingestre Place, London W1F 0JL – 23/01909/LIPN**

**Full Decision**

**Premises:**

Huckletree Soho,  
Ingestre Court  
Ingestre Place  
London  
W1F 0JL

**Applicant**

Huckletree (Soho) Limited

**Ward**

West End

**Cumulative Impact Zone (CIZ).**

West End

**Special Consideration Zone:**

None

There is a resident count of 180

**Summary of Application**

This is an application for a new premises licence under the Licensing Act 2003 (“The Act”). This application seeks to permit the premises to operate as workspace, including private offices but with the benefit of licensable activities.

**Application**

**To Permit:**

**Sale of alcohol (on sales only)**

Mondays to Saturdays 10.00 to 23.00

Sundays 10.00 to 22.30

## **Opening Times**

Mondays to Sundays 08.00 to 23.00

## **Representations Received**

- PC Dave Morgan – Metropolitan Police Service (**Withdrawn 18 May 2023**)
- Maxwell Koduah – Environmental Health Services (EHS)
- Jessica Donovan – Licensing Authority (LA)
- Cllr Patrick Lilley – Lead Member for Soho
- Mr Anna Morsy – Resident
- David Kelly – Ingestre Court Residents Association (ICRA)
- Simon Osborne-Smith – Resident
- Marina Tempia – Soho Society
- David Gleeson – Pargiter Close Residents Association
- Mark Crossman – Resident

## **Issues raised by Objectors**

- As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End cumulative impact area.
- The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact Zone, in accordance with policy CIP1.
- Holding events underneath this residential block is madness as the areas attracts ASB like a magnet. Day and night there is drug taking and drug dealing.
- Reject this application as no measures proposed by the premises will prevent noise issues impacting residents above.
- Will add to the long-term, chronic, ASB, noise & public nuisance issues that the Police & WCC Neighbourhood Team are aware of.
- Will serve alcohol and discharge additional alcohol-enhanced individuals into the area, potentially exacerbating of the existing chronic public nuisance & safety issues referenced above, on other residents, service contractors, & members of the public with legitimate reasons for being in &/or passing through the area around the block.
- There are 3 large residential blocks & numerous other residential properties in immediate proximity to Huckletree's premises, all of which house families with children of all ages, who will be impacted.
- This is not a suitable venue for the sale of alcohol being directly below 52 residential flats dependant on non-soundproof open vented windows in the summer and will attract drinkers along with taxis pedicabs public urination

shouting crowds to a residential block which is an oasis away from the noise of Soho

- Granting any new licences in this area will have a negative impact on the licensing objectives and increase cumulative impact. Given that the premises are located in a densely residential –and usually very quiet area, simply having CCTV and staff members present will do little to alleviate any crime or nuisance.
- We have no doubt that, should this application be granted, the wall will become full of drinkers during licensed hours, and the ambient noise in the street will become very loud
- It will bring noise as customers arrive and leave, attract loud rickshaws and taxis
- I object to the addition of an alcohol and entertainments licence to what is essentially a residential housing.

### **Policy Considerations**

**Policy HRS 1** states:

- 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.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant Policies.

**Policy PB1** state:

B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than applications to vary the existing licence hours within the council's Core Hours Policy HRS1.

C. The applications referred to the above will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,
2. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.

3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.

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.

### **Nomination of Chair**

The first order of business was to nominate a Chair of the Committee

Cllr Wilkinson nominate Councillor Chowdhury as Chair. As there were no dissenting views, Councillor Chowdhury accepted and was appointed Chair of the Committee.

### **SUBMISSIONS AND REASONS**

1. Karyn Abbott summarised the application to be heard and informed the Committee that the Applicant had agreed to reduce the starting time for licensable activities on Sundays to 12.00 pm.
2. The Applicants explained to the Committee that the Premises is a workspace with a maximum of 138 members and a total capacity of 232. The Premises is over 4 floors and in the only event space, located on the ground floor, there is a standing capacity of 75 and 45 seated. It is expected that external parties can book the space, but it will not be used for birthday parties or wedding receptions.
3. In response to questions from the Committee, the Applicants explained that sale and consumption will only take place in the event space and during the last 6 months, only 5 events had taken place. They have not received complaints about the events. In relation to anti-social behaviour, the Applicants stated they also suffer from this, and they have tried to deal with this, working with the Council.
4. The Applicants went on to state that it will only be members who have access to the building but when events are taking place, there will be a register of guests and staff will always be available to manage the space. Members at the Applicants other workspaces around London will have 24 hour access to the Premises.
5. The Applicants confirmed to the Committee that they are willing to reduce the terminal hour to 22.00 as they recognise the concerns about Premises located in a CIZ. They will also provide the residents with a contact number.
6. The Applicants confirmed that they are not wanting to sell alcohol direct to the public but to discourage organisers of events from bringing their own alcohol. The membership fee permits members to use the Applicants venues nationally along with event spaces and facilities.
7. Mr Burnett the Legal Adviser for the Committee explained that even though alcohol will be available for Members and the costs are incorporated in the rental fees, the provision of alcohol is still a sale and therefore, the Premises will still require authorisation under a Premises Licence.

8. The Applicants also confirmed that they are happy to have a dispersal plan in place for when events take place. They stated that they have worked with Westminster City Council to improve the area and the issues with anti-social behaviour. They feel that they are doing as much as possible but having events and restricting the public is likely to reduce problems, rather than add to the issues.
9. The Premises is likely to hold 1-2 events per week and these are only to be events organised and run by members, their guests, and affiliates. The Applicant believes bookings by members would amount to 52 per annum. However, to prevent use of the Licence, if granted, by other operators, the applicant offered to surrender the Premises Licence if it is granted, and they vacate the Premises. Mr Burnett, the Committee's legal advisor stated that such a condition restricting a legal entitlement. However, the Committee will be advised accordingly during their deliberations.
10. The Applicants concluded that they have noted the concerns raised and understand the issues. They are dedicated to improving the area.
11. Jessica Donavan (LA) confirmed her written representations and that the Premises is located in the CIZ and Policy PB1 and CIP1 applies. The Committee was also informed that the Applicants have agreed Westminster Model Conditions 86, 94 and 3.
12. Maxwell Koduah of The EHS stated that the impact on residents is limited as the Premises Licence is required for events on the Ground Floor and there is no party wall with residential properties. Above the Ground floor there is a first and 2<sup>nd</sup> floor which offers a buffer and prevents noise escape.
13. During a Conversation between the Committee, Applicant and the EHS it was agreed that tables and chairs in the outside area will be rendered unusable by 20.00 and removed by 22.00 every day.
14. Conditions 14 and 27 detailed in the Agenda papers gives the EHS some comfort the any risk of nuisance will be mitigated.
15. Mr Brown representing the residents' association informed the Committee that there are issues of anti-social behaviour in the area. The Premises was identified as a workspace and if the residents had known there would be an application for a premises licence, they would have objected to the current leaseholders operating the site.
16. Mr Brown questioned why the Applicant would need a Premises Licence, when they could use TENs in an area which is inappropriate for an event space. The TENs would limit the number of events, whereas with a Premises Licence, there was no limit to the frequency of events.
17. Mr Brown continued stating the Premises is located in a quiet residential area of the CIZ. The Committee were referred to Policy PB1 and explained the Policy supports refusal as there must be no addition to the CIZ. The operation of the Premises event area will bring people into and retain them in the CIZ.

They will be drinking alcohol and are liable to cause a nuisance in a predominantly residential area or be victims of crime themselves.

18. Mr Brown also expressed some concerns about the risk of events controlled by third parties over who the Applicants will have no control. He requests that if the Premises Licence is granted that there is a restriction on number of events per annum and that the Applicant has responsibility for the events and attendees.
19. Mr Kelly of the Ingestre Court Residents' Association identified to the Committee that there are a number of residents in the area and street noise is considerable, preventing sleep. He stated that the grant of the Premises Licence would be detrimental. He notes that restricting the number of events is not unpalatable but there seems to be a widening circle of people who will be able to book and attend, and this causes serious concerns.
20. The area is a critical area in the CIZ. There are people already loitering in the area selling and purchasing drugs. The Premises will attract drunks and there are already a number of incidents outside the Premises which is not managed by security or the operators. The Residents' Association does not agree that the operators currently assist with reducing crime.
21. Mr Kelly confirmed that they had shortlisted 12 tenants for the Premises and only chose this operator based on their workspace model without alcohol.
22. Mr Gleeson informed the Committee that it was Pargiter Close Residents Association which had met with the Applicants, not Soho as detailed in the Agenda. The Soho Society has always had an issue with this application at this site.
23. Mr Gleeson identified that the location is the most densely populated area of Soho. The area is a quiet residential area, and the grant of a licence would have a detrimental effect.

## **DECISION**

The Committee has determined an application for a grant of a New Premises Licence under the Licensing Act 2003. The Committee had regard to the Act, Westminster's Statement of Licensing Policy and the Guidance issued under section 182 of the Act.

The Committee notes that the Applicant required licensable activities to take place in the event space on the ground floor only. The Applicant also reduced the terminal times for use of the event space to 22.00 and the Committee is aware that even if a Premises Licence was not granted, any party using the event space would be able to operate by purchasing alcohol from an off licensed premises and consuming it at the premises without any controls under the Act.

The Committee heard evidence of anti-social behaviour and drug dealing and taking in the area which is not caused by the operation. It was also noted that the Premises is located in a residential and CIZ area.

The agreed conditions and in particular conditions 11, 14, 15, 25, 29, 31, 34, 35, 37 and 38 gives the Committee confidence that the Premises will trade without adding to the issues faced in the CIZ. They also considered Policies PB1 and HRS1 and felt that the Applicants had made concessions to ensure the operation does not adversely affect the Licensing Objectives

Having carefully considered the committee papers, the additional papers and the submissions made by all of the parties orally, **the Committee has decided**, after taking into account all of the individual circumstances of this particular case and the promotion of the four licensing objectives: -

**1. To grant permission for:**

**Sale of alcohol (on sales only)**

Mondays to Saturdays 10.00 to 22.00

Sundays 12.00 to 22.00

**Opening Times**

Mondays to Sundays 08.00 to 22.00

**2. To add relevant Mandatory Conditions to apply.**

**3. To add conditions proposed to form part of the operating schedule:**

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.

(a) All entry and exit points shall be covered enabling frontal identification of every person entering in any light condition.

(b) 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 shall include the external area immediately outside the premises entrance.

(c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

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

11. The Licence holder shall ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment shall be available to the licensing authority and Police upon request.

12. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and shall 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 refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

13. 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.

**Agree conditions proposed by the Environmental Health.**

14. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices/workspace

15. There shall be no advertisement of the licensed facilities outside of the premises

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

18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day

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

20. 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

21. 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

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

23. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device

24. 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

25. Alcohol shall only be sold for consumption by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept for a minimum period of 31 days at the premises and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period.

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

27. Adequate and appropriate First Aid equipment and materials shall be available on the premises at all times.

28. 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

29. The capacity of the event space on the Ground Floor shall not exceed 75 people (excluding staff).

30. A copy of the event space's dispersal policy shall be in enforced and made readily available at the Premises for inspection by an authorised officer of Westminster City Council.

31. A direct telephone number for the manager at the premises shall be publicly available at all times the event space on the Ground Floor is being used for the sale of alcohol. This telephone number and/or is to be made available to residents and businesses in the vicinity.

32. All outside tables and chairs shall be rendered unusable by 20.00 hours each day.

33. All tables and chairs shall be removed from the outside area by 22.00 hours each day.

34. There shall be a personal licence holder on duty on the premises at all times when the event space on the Ground Floor is being used for the sale and consumption of sell alcohol.

35. Events in the event space on the Ground Floor shall be limited to:

- a) 52 events per annum, organised by members of Huckletree (Soho) Limited.
- b) 52 events per annum, organised by members of the Huckletree Limited group, whose head offices are based at 18, Finsbury Square, London EC2A 1AH

36. The benefit of this Premises Licence shall remain only with Huckletree (Soho) Limited.

37. All events taking place in the event space on the Ground Floor, shall be supervised by Huckletree (Soho) Ltd staff members at all times.

38. Consumption of alcohol purchased or supplied in the event space shall only be permitted in the event space area on the Ground Floor.

Informative

The Committee expects collaborative working between the local residents and Premises Licence Holder to ensure the Licensing Objectives are promoted at and around the Premises.

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

**Licensing Sub-Committee  
24 August 2023**

**2. THE PIONEER CLUB, 12 CAVENDISH PLACE, W1G 9DJ**

**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 2**  
**("The Committee")**

**Thursday 24 August 2023**

Membership: Councillor Md Shamsed Chowdhury (Chair),  
Councillor Jacqui Wilkinson

Officer Support: Legal Adviser: Steve Burnett  
Policy Officer: Aaron Hardy  
Committee Officer: Jack Robinson Young  
Presenting Officer: Karyn Abbott

Other Parties: Craig Bayliss of Keystone Law and Lisa Jordon for the  
Applicant, Cavendish Place Limited

Mark Browning of BA Law for Mr K Maree and Mr G Owen of the  
Langham Hotel

**Application for a New Premises Licence for The Pioneer Club, 12 Cavendish  
Place, London W1G 9DJ – 23/03514/LIPN**

**Full Decision**

**Premises:**

The Pioneer Club  
12 Cavendish Place  
London  
W1G 9DJ

**Applicant**

Cavendish Place Limited

**Ward**

Marylebone

**Cumulative Impact Zone.**

None

**Special Consideration Zone:**

None

There is a resident count of 0

## **Summary of Application**

This is an application for a new premises licence under the Licensing Act 2003 (“The Act”). This application seeks to permit the premises to operate as a new members club called The Pioneer Club. The vast majority of the premises on all floors as an upmarket shared office/workspace with access only to members of the club or their bona fide guests

## **Application**

### **To Permit:**

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

Sundays to Wednesday 10.00 to 01.00

Thursdays to Saturdays 10.00 to 02.00

#### **Sale of alcohol (On sales only)**

Sundays to Wednesday 10.00 to 01.00

Thursdays to Saturdays 10.00 to 02.00

#### **Opening Times**

Mondays to Sundays 24 Hours

Ground floor restaurant to open Sundays to Wednesday 10.00 to 01.00

Thursdays to Saturdays 10.00 to 02.00

## **Representations Received**

- PC Tom Stewart – Metropolitan Police Service (**Withdrawn 15 August 2023**)
- The Langham Hotel

## **Issues raised by Objectors.**

Their principal concern is with the hours proposed by the Pioneer Club. The Langham’s primary concern is towards its resident guests, many of whom have young families. Many of the Langham’s guest rooms are immediately next door to 12 Cavendish Place

The Premises are on the border of the West End Buffer Special Consideration Zone. The hours sought by 12 Cavendish Place are contrary to Policy HRS1.

## **Policy Considerations**

**Policy HRS 1** states:

- 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.

- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant Policies.

**Policy PB1(A) state:**

A. Applications outside the West End Cumulative Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities being within the council's Core Hours Policy HRS1.
3. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.

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.

**Nomination of Chair**

The first order of business was to nominate a Chair of the Committee

Cllr Wilkinson nominate Councillor Chowdhury as Chair. As there were no dissenting views, Councillor Chowdhury accepted and was appointed Chair of the Committee.

**SUBMISSIONS AND REASONS**

1. Karyn Abbott summarised the application to be heard.
2. Mr Bayliss for the Applicant informed the Committee that the application relates to 2 buildings knocked into one site and is due to open in 2026. He described the operation as a 'posh' office space for private members. There will be a bar lounge, a restaurant which only takes customers who have pre booked and has a maximum of 50 covers.
3. Mr Bayliss amended the operation time for the restaurant to a terminal hour of 01.00 and confirmed the balcony area will be vacated by 22.30.
4. The Committee was notified that the event space will have a limited capacity of 60 and the ground floor restaurant is the only area for members of the public. All attendances at the restaurant must also be pre-booked. The other floors are meeting rooms and workspaces up to the 4<sup>th</sup> floor which is a bar/lounge for members and their guests with the balcony areas closing by 22.30.
5. Mr Bayliss stated that the only objection is from the Langham which have their own public house which has a Premises Licence until 01.00. The Applicants' site is a five-star business club with alcohol and dining being ancillary.

6. The Premises is open for 24 hours to accommodate international business contact and there is a membership fee of £4000 and then a further £6000 per annum to use the offices and facilities.
7. The Premises has planning authority and there will be a total development spend of about £30 million.
8. Mr Bayliss confirmed there would be no smoking on the balcony and he will accept a condition restricting the same. The capacity of this area is about 5 people. He also agreed to members being restricted to 3 bona fide guests and informed the Committee that the Premises will be a workspace with the appropriate facilities and the bar will be a fully servicing bar. The capacity will be determined by the EHS before the Premises opens.
9. Mr Browning and his clients on behalf of the Langham explained that the Langham hotels has 380 beds and 90 are in close proximity to the Applicants Premises. They are concerned about the late trade of the Lounge Bar until 02.00 and even the restaurant area is close to bedrooms. They identified this on the plans.
10. They also expressed concerns about the proximity of smokers from the Premises to the hotels' bedrooms which is only about 4 metres. Smokers should be located to the local park.
11. The Langham submitted that the hours of operation should be restricted to core hours. The restaurant is close to the bedrooms and the rest of the Premises is a 24 hour operation. The Premises high end customers will have noisy and powerful cars which will be a disturbance. Closing the restaurant in their view, at 00.00 is reasonable. They also asked for all windows and doors to be kept closed after 21.00.
12. Mr Bayliss confirmed an agreed condition relating to the closure of windows and doors at 21.00 and emphasised that the Premises is not a night club but primarily a workspace and this is also conditioned. No regulated music has been requested in the application.
13. The Applicant agreed to directing smokers to Cavendish Square and developing a dispersal policy nearer to opening. Mr Bayliss and his client agreed to reducing the terminal hours on the 4<sup>th</sup> Floor to 01.00 and reminded the Committee that the EHO and Police have not objected.

### **DECISION**

The Committee has determined an application for a grant of a New Premises Licence under the Licensing Act 2003.

Having carefully considered the committee papers, the additional papers and the submissions made by all of the parties orally, **the Committee has decided**, after taking into account all of the individual circumstances of this particular case and the promotion of the four licensing objectives: -

**1. To grant permission for:**

The Committee has determined an application for a grant of a New Premises Licence under the Licensing Act 2003.

The Committee had regard to the Act, Westminster's Statement of Licensing Policy and the Guidance issued under section 182 of the Act.

Having carefully considered the committee papers, the additional papers and the submissions made by all of the parties orally, **the Committee has decided**, after taking into account all of the individual circumstances of this particular case and the promotion of the four licensing objectives: -

**1. To grant permission for:**

**Late Night Refreshment (Indoors)**

Sundays to Wednesday 23.00 to 01.00

Thursdays to Saturdays 23.00 to 02.00

Mondays to Sundays 23.00 to 01.00 (The Ground Floor Restaurant and Fourth Floor)

**Sale of alcohol (On sales only)**

Sundays to Wednesday 10.00 to 01.00

Thursdays to Saturdays 10.00 to 02.00

Mondays to Sundays 10.00 to 01.00 (The Ground Floor Restaurant and Fourth Floor)

**Opening Times**

Mondays to Sundays 24 Hours

Mondays to Sundays 10.00 to 01.00 (The Ground Floor Restaurant and Fourth Floor)

**2. To add relevant Mandatory Conditions.**

**3. To add conditions proposed to form part of the operating schedule**

10. The premises shall install and maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, which enables frontal identification of every person entering in any light condition. The CCTV system shall be in accordance with the advice of, and to the satisfaction of, a Metropolitan Police Crime Prevention Officer. All cameras shall continually record whilst the premises are open to the public and the recordings shall be made and retained for at least thirty-one days and shall be readily available for inspection by the Police or an authorised officer from Westminster City Council.



11. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

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

- (a) all crimes reported to the venue;
- (b) any complaints received regarding crime and disorder;
- (c) any incidents of disorder;
- (d) any faults in the CCTV system;
- (e) any refusal of the sale of alcohol;
- (f) any visit by a relevant authority or emergency service.

13. In the area hatched black on the ground floor the supply of alcohol shall only be to members of the Pioneer Club and their guests or persons attending a private pre booked function or attending the premises as a pre booked guest of the restaurant where alcohol shall at all times be ancillary to a substantial table meal,

- (i) in which customers are shown to their table or the customer shall select a table themselves,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
- (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
- (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

14. Apart from the area hatched black on the ground floor approved plans, the remainder of the premises shall operate as a private members' club, where the supply of alcohol shall at all times be ancillary to the use of the spaces as office and shared workspace for the members and their bona fide guests.

15. Members of the public shall have no access to the premises at any time save for pre booked tables in the restaurant area hatched black on the ground floor, or as guests of the club members in the office/workspace areas for business purposes, or as a guest at a private pre booked function in the basement event space.

16. No deliveries to or collections from the premises shall take place between 23.00 and 07.00 hours on the following day.

17. 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.

18. Notices shall be prominently displayed at exists requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

19. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 21.00 when private pre-booked events are held and they must correctly display their SIA licence(s) when on duty so as to be visible. At all other times the requirement for SIA licensed door supervisors shall be continually risk assessed. This risk assessment shall be made available upon request of the Police or authorised officer of Westminster City Council

20. 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.

21. 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.

22. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

23. There shall be no externally promoted events.

24. The basement event space shall only be for the use of members and their bona fide guests or for a private pre booked function.

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

26. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.

27. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.

28. The external terraces and balconies shall not be used between the hours of 22.30 and 07:00 hours.

29. Between the hours of 23.00 and 07:00 hours smokers shall only be permitted to smoke on Cavendish Square.

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

31. The premises licence holder shall ensure that any patrons smoking outside the premises 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.

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. Guests of Members shall be limited to a maximum of 3 (three) persons.

34. Smoking shall not be permitted on any of the balcony/terraced areas.

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

**Licensing Sub-Committee  
24 August 2023**

The Meeting ended at 3.00 pm