



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 24 August 2023**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**
Robert Eagleton (Chair)
Md Shamsed Chowdhury
Jacqui Wilkinson

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

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

Email: scraddock@westminster.gov.uk Tel: 07790980186
Corporate Website: 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. HUCKLETREE SOHO, INGESTRE COURT, INGESTRE PLACE, W1F 0JL

(Pages 1 - 42)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Huckletree Soho Ingestre Court Ingestre Place W1F 0JL	New Premises Licence	23/01909/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

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

(Pages 43 - 64)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone * None ** None	The Pioneer Club 12 Cavendish Place W1G 9DJ	New Premises Licence	23/03514/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
16 August 2023**

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: 12:00 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

Item No:

Date:

24 August 2023

Licensing Ref No:

23/01909/LIPN - New Premises Licence

Title of Report:

Ingestre Court
Ingestre Place
London
W1F 0JL

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:

Emanuela Meloyan
Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: emeloyan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	27 March 2023		
Applicant:	Hucketree (Soho) Limited		
Premises:	Hucketree Soho		
Premises address:	Ingestre Court Ingestre Place London W1F 0JL	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application the premises intend to operate as workspace, including private offices but with the benefit of licensable activities.		
Premises licence history:	This is a new premises licence, and no premises history exists		
Applicant submissions:	During the consultation process the applicant produced formal letters in response to the representation received in respect of the application. Full details appear at Appendix 2.		
Applicant amendments:	During the consultation process and as proposed by the Metropolitan Police Service, the applicant has agreed reduce the supply of alcohol hours to 22:30 on Sunday.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				Indoors, outdoors or both			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Maxwell Owusu Koduah
Received:	09 May 2023
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. The premises is located within the West End cumulative impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>Applicant is seeking to supply alcohol for consumption on the premises Monday to Sunday 10:00 – 23:00 hours</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:</p> <ul style="list-style-type: none"> • The supply of alcohol the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End cumulative impact. <p>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.</p> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the West End cumulative impact area.</p> <p>Conditions, in addition to those contained within the operating schedule appear at Appendix 4</p>	
Responsible Authority:	Metropolitan Police (withdrawn 18 May 2023)
Representative:	Dave Morgan
Received:	11 May 2023
<p>Dear Ben,</p> <ol style="list-style-type: none"> 1. Jubilee House 197 - 213 Oxford Street W1D 2LF - 23/02058/LIPN 2. Ingestre Court London W1F 0JL - 23/01909/LIPN <p>With reference to the two applications shown above, I am writing to inform you that the Metropolitan Police Service, as a Responsible Authority, are objecting to both these applications, as it is our belief that if granted, the applications would undermine the Licensing Objectives, namely the Prevention of Crime and Disorder and the Protecting Children from Harm.</p> <p>Although the hours you are seeking fall mostly within the Westminster Core Hours Policy (except Sundays), both venues fall within the Westminster Council’s Cumulative Impact Area.</p> <p>I feel that there is insufficient information contained within the applications to help fully promote the Licensing Objectives and it is for this reason that the Police have made these objections.</p> <p>To move forward, I believe it would be beneficial to conduct a site visit in order to discuss both</p>	

applications and to view the premises.

Metropolitan Police as a responsible authority has withdrawn their representation following the applicant's acceptance of all proposed conditions that appear at Appendix 4.

Responsible Authority:	Licensing Authority
Representative:	Jessica Donovan
Received:	19 May 2023

I write in relation to the application submitted for a new premises licence for Ingestre Court, Ingestre Place, London, W1F 0JL.

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:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

For the avoidance of doubt the application seeks the following:

- **Retail sale of Alcohol (On sales)**
Monday to Sunday 10:00 to 23:00
- **Hours premises are open to the public**
Monday to Sunday 08:00 to 23:00

The premises are located within the West End Cumulative Impact Zone and as such various policy points must be considered, namely CIP1, HRS1 and PB1.

Policy PB1 (B) states:

B. 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.

C. The applications referred to in Clause B1 and B2 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 latenight 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.

As this application seeks the provision of alcohol only the premises will primarily fall under Pubs and bars, Fast Food and Music and Dance venues in accordance with Policy HRS1.

The core hours for Pubs and bars, Fast Food and Music and Dance venues are as follows;
Monday to Thursday: 10am to 11.30pm.
Friday and Saturday: 10am to Midnight. Sunday:
Midday to 10.30pm.
Sundays immediately prior to a bank holiday: Midday to Midnight.

The Licensing Authority therefore encourage the applicant to consider reducing the Sunday start time as 12pm instead of 10am.

The Licensing Authority notes that the premises intends to operate a private offices with an event space, a breakout area and 7 meeting rooms. Therefore the applicant is encouraged to consider model condition 86 which states;

MC86: The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the (premises/building) as offices.

The application advises that the premises will be accessed by office tenants, persons attending a private event, seminar and persons pre-booking the event space and their guests. The Licensing Authority encourage the applicant to advice how the premises will manage this and will all guests be pre-booked in.

The Licensing Authority encourage the applicant to consider model condition 94 which states;

MC94: Alcohol shall only be sold for consumption by office tenants or 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.

The Licensing Authority also notes that the application advices that the premises is a private office with an event space, a breakout area and 7 meeting rooms, however the plan indicates that the only licensable area highlighted with the red line is the event space. Please therefore confirm that the licensable area for the sale of alcohol will be for the event space only.

Currently the operating schedule does not provide specific restrictions to the way in which alcohol is consumed at the premises. The Licensing Authority encourages the applicant to provide further submissions into how the bar area will controlled and managed, specifically how the alcohol will be served (i.e. by waiter/waitress service), and whether there is any limitation to the specific types of alcohol on sale.

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.

Paragraph D12 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 reasons underlying the West End Cumulative Impact Zone special policy and the relevant premises use policies when considering applications.”

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.

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

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	07 May 2023
<p>Granting a license to party underneath a residential block in an area already plagued with criminality and asb directly contravenes WCC licensing objectives.</p> <p>Holding events underneath this residential block is madness as the areas attracts ASB like a magnet. It should be a quiet refuge from the mayhem that is Soho but day and night there is drug taking and drug dealing.</p> <p>Please attach my objection in support of Ingestre Residents and please let me know when this will come to licensing as I would like to voice my concerns to the committee directly if I can.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	23 May 2023
<p>HUCKLEBERRY already breach the following condition from noise plant near the residents entrance this has been the subject of many long term complaints showing a lack of respect towards the residents and no intent to honour the condition they propose 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. Please reject this application as no measures proposed by the premises will prevent noise issues impacting residents above</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	06 May 2023

This objection is made on behalf of the [REDACTED] whose residents & leaseholders comprise the majority occupation (81.25% based on occupied floors) of the building, following the gathering of immediate views & comments from members.

It should be noted that those members, both tenants & leaseholders, who have responded to date have strongly objected to the licensing application & change of usage designation of the commercial premises within Ingestre Court.

When consideration was last given to the options for a new tenant to occupy the minority commercial premises space within Ingestre Court, which included Westminster consulting with [REDACTED], ahead of Huckletree's occupation of the premises, objections were made & heeded in respect of a number of potential occupants seeking to carry out commercial activities likely to add to the considerable anti-social behaviour & noise issues being faced in the area around the block.

Subsequently, proposals for external catering & licensing in the immediate area, including by the Premier Inn Hub opened in the period on Hopkins Street, have been defeated on similar grounds of unacceptability & likely exacerbation of the chronic ASB, noise & drugs-related issues which continue to plague the area, resulting in its categorisation as one of only 2 current 'red' graded attention areas for the local Police neighbourhood team.

When Huckletree's occupation was agreed in consultation with WCC by the [REDACTED], it was on the basis of shared & standalone office provision, which was noted to be the core business of Huckletree at that time.

It is now noted with some surprise from their licensing application that Huckletree purport to also have an events space within the premises, as the [REDACTED] has never been made aware of this alteration to their proposed use of the building, & indeed would likely have objected to Huckletree taking over the space had this been a feature of their proposed operational tenure.

We are not clear if a formal change of usage designation should have been required in connection with this change of usage & certainly no notice was given of such to the [REDACTED], either by WCC, or via direct consultation.

In some ways, this comes as no surprise, as we recently had objections to Huckletree using their kitchen facilities for commercial purposes involving a third party, without change of designation, or formal permission, upheld, which resulted in a required cessation of such activities.

It is assumed that the current licensing application stems directly from the addition of the events space to Huckletree's usage criteria &, as such, had the original agreed scope of shared & standalone office provision, been maintained, there would be no reasonable grounds for licensing provision to support this.

Responding directly to the points made within Huckletree's application in respect of each of the objection criteria:

(a) General: Huckletree make reference to the presence of 'night security' &, whilst it is accepted that such a presence is maintained, their singular failure to respond to Anti-Social Behaviour in immediate proximity to, & within the boundaries of, the building, despite agreements reached with the [REDACTED] & WCC in this specific regard, has been a source of frustration to residents & leaseholders for over 2 years now, with complaints regularly made during our quarterly liaison meetings with WCC, which WCC's Commercial Property Team have consistently failed to respond to, or act on.

A specific example from as recently as last night is given under our 'public nuisance' objections under (d) below.

In summary of the specific points made under (b)-(e) below, we can only see the granting of the requested licence, which falls materially outside the originally-agreed usage designation scope

of the premises, adding to the long-term, chronic, ASB, noise & public nuisance issues that the Police & WCC Neighbourhood Team are struggling to address in the immediate area.

(b) The prevention of crime & disorder: linked to the point above, having CCTV in place is one thing, but it becomes far less relevant, when the staff monitoring the images, repeatedly ignore & fail to report, act on & respond to ASB & crime noted. Reference is made within the application to employees being on site "in order to avoid and prevent disorder and crime", which is a laudable statement, but which is certainly not borne out by the ongoing experience of [REDACTED] members.

(c) Public Safety: the comments within the application focus solely on users of the premises & are not disputed, however, they fail to address the more serious impact of adding an additional source of alcohol provision, & a venue for events serving alcohol discharging 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.

(d) The Prevention of Public Nuisance: as indicated above, Huckletree's repeated failure to address, report & act on public nuisance in immediate proximity to their premises represents a distinct unwillingness to prevent public nuisance.

Typical of many examples over the last 2 years, a rowdy gathering of a large group of youths yesterday evening (Friday May 5) was permitted in immediate proximity to the windows of Huckletree's premises on Hopkin's Street, within the building's external boundaries, near the junction with Ingestre Place, which was observed to be ongoing at 20:40 & the noise from which continued to disturb residents for some considerable time thereafter.

If Huckletree are unwilling to respond to such immediate & impacting current public nuisance instances, it is difficult to extrapolate any difference in their response to any public nuisance issues that may arise from the proposed licensed provision of alcohol within their premises.

Whilst, perhaps, not directly relevant to the application, Huckletree's comments in this section that "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.", give further cause for concern, as the [REDACTED] has been making complaints to WCC at each of its quarterly liaison meetings for more than 5 years now, in relation to the unacceptable level of plant noise nuisance to residents from their air-conditioning plant located adjacent to the Hopkin's Street residential entrance to the building & to additional vents installed subsequently, again without consultation or permission, that exit onto the building car park.

Ongoing failure to respond to these complaints & address these issues, linked to the other points above, suggests a distinct lack of interest in addressing public nuisance on the part of the applicant, that is unlikely to change were this application to be granted.

(e) The Protection of Children from Harm: whilst not addressed in the application, 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 are impacted by all of the issues & potential escalating factors described above.

The suggestion that a waiver will be obtained for any children present at events where alcohol would be served on the premises seems to merely seek to protect Huckletree from any responsibility for any issues that could arise & singularly fails to address the potential impact of such on the children directly involved & also those resident in & potentially passing through the area.

In summary, the members of the [REDACTED], for the reasons stated above, strongly object to the granting of this licence application & the associated implicit change of usage designation approval for the commercial premises within Ingestre Court that the granting of such a licence

would constitute.

Please acknowledge receipt of these objections & please also advise if & when any hearing is scheduled, as [REDACTED] officers & representatives will definitely wish to attend to reinforce these objections in person.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	23 May 2023

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. This venue would also have a significant impact on insurance costs and devaluation of leaseholders flats above. Smoking clients would also be an issue in close proximity of the residents flats.
Kindly refuse this unnecessary application also due to the over saturation of existing licenses in Soho

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	17 May 2023

We write to make a relevant representation to the above application on behalf of The Soho Society.

About the [REDACTED]

The [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.

Application Summary

New premises licence

Workspace accessed by office tenants, resident desk members, hot desk members, persons who have pre-booked a meeting room, Directors and employees of licence holder, persons attending a private pre-booked event or function.

Alcohol: Monday - Sunday: 10:00 - 23:00

Opening Hours: Monday - Sunday: 08:00 23:00

On Sales

Representation

We object to this application for a new alcohol licence in what appears to be primarily an office space which includes event space, as we are concerned that granting any new licences in this area will have a negative impact on the licensing objectives and increase cumulative impact. It is not immediately clear that the applicants have carried out a thorough risk assessment of what is necessary to prevent crime and disorder (CD1), besides committing to install a comprehensive CCTV system. 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.

It is unclear from the application exactly what type(s) of alcohol and events will be on offer, nor the numbers of people who will be able to access both. It is, however, quite clear that the hours

applied for on Sundays are outside the Council's stated policy core hours.

Soho has the highest concentration of licensed premises in Westminster, **478** with a large proportion (25%) being late night licences. Since 2020 to 2022, 38 new licences have been granted in previously unlicensed premises accommodating over 2,531 people and adding to cumulative impact. The area is densely populated at night with people creating loud levels of noise causing disturbance, alongside an increase in crime, disorder and anti-social behaviour.

Residents

There are real concerns amongst Soho residents about the ever-increasing numbers of licensed premises: they have been subjected to noise disturbance and anti-social behaviour that is beyond acceptable levels. They are disturbed by the late-night activity as people walk by either shouting, screaming or arguing, noise from pedicabs, car doors slamming, horns honking and are subjected to anti-social behaviour with people vomiting and urinating in the street and in their doorways.

With all of the above it is unsurprising that residents experience sleep disturbance. A recent survey conducted by the Soho Society confirms that residents are indeed disturbed by noise at night and this is having a negative impact on their lives. 87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% having lived in Soho for more than 10 years.

- When asked about disturbed sleep; 24% of respondents disclosed that their sleep is disturbed 7 nights a week, 16% 5 or 6 nights a week and 19% 3 or 4 nights a week.
- Furthermore, 64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents' quality of life.
- 62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho.
- 60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting their health and the health of the people they live with.
- 46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho.
- The full survey can be found in **Appendix 1**.

The Huckletree premises are located on the corner of Hopkins Street and Ingestre Place, in an area of Soho whose northern boundary is Broadwick Street, southern is Peter Street, and stretches between Ingestre Place and Berwick Street, taking in Hopkins Street. These few small blocks represent possibly the most densely-populated residential area of Soho, with private residences on each street. In this relatively small area, over one thousand people live in many privately-owned flats and apartments, as well as housing association blocks and two high-rises (Ingestre Court, which is immediately above the premises, and Kemp House). These few streets are an unusually quiet area within Soho, and opening a licensed premises in the middle of so many domestic residences risks seriously upsetting the peace of the neighbourhood. A few yards across the street from Huckletree is Pargiter Court, a Sheltered Scheme of nineteen flats managed by [REDACTED]: the elderly and vulnerable residents of this block are already disturbed by light pollution from Huckletree throughout the night. A low boundary wall around the premises already provides a quietly convenient space for people to sit and smoke stimulants before, during and after enjoying what the neighbourhood has to offer. Adding freely available alcohol throughout the day will certainly worsen the possibilities for general nuisance to the immediately surrounding residents.

Crime and Disorder

The 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**. The level of crime, disorder and anti-social behaviour continues to be a huge problem in Soho, with the crime figures already high and increasing. The recent police crime report for December 2022

highlights Soho as having the highest number of robberies, overall knife crime and violence against the person compared to other areas within the CIZ. The Committee will be aware of another recent serious incident on Greek Street where two police officers were stabbed which appears to be linked to the drugs trade, this follows on from another serious incident in the same street where a man was seriously injured.

These incidents confirm what residents already know: that Soho is unsafe at night. Public safety is a huge concern and has been for a long time, the large number of licensed premises plus the numbers of people out on the streets at night attracts criminal gangs, which in turn results in high levels of crime and disorder creating a very unsafe public environment.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as people pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. People having consumed alcohol in Soho have a high risk of becoming victims of crime.

Cumulative Impact Policy CIP1

This area has been identified by the Westminster City Council as under stress because 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 evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that,

*'After consideration of the cumulative impact assessment it is the Licensing Authority's view **that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.**' (p.19) (Our emphasis)*

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, our observation is Soho attracts more people now than at pre-COVID times.

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).

D23. 'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, *'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'* (our emphasis)

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

In summary

This is an application for a new licensed premises in a small, intensely peaceful residential hub within the West End Cumulative Impact Zone. Any increase in the number of licences and people in the area will fail to promote the licensing objectives and increase cumulative impact.

Therefore we respectfully request that you refuse this application.

Yours faithfully,

Licensing Committee
The Soho Society

Appendix 1: [REDACTED] Sleep Survey Results - 31 October 2022

The survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week

16% of respondents have their sleep disturbed 5 or 6 nights a week

19% of respondents have their sleep disturbed 3 or 4 nights a week

19% of respondents have their sleep disturbed once or twice a week

20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25. Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse

73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.

I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.

Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.

There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.

██████████ and overlook it. Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in Broadwick St and 1 in Marshall St. There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.

Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.

██████████ for 60 years... Born and bred.. It's never been this noisy!

Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.

Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████

Received: 02 June 2023

I write as ██████████ of the ██████████. ██████████ the application premises, ██████████ is a ██████████ in this very quiet street, and forms Soho Housing Association's only Sheltered Housing project for elderly people. (██████████ ██████████ that are also let out to older tenants.)

We are already disturbed by the application premises as they have a habit of switching on lights during the night on the first and second floors of their building, which often wake our residents. Running around the front and side of the premises (ie directly opposite our block) is a low wall containing trees and bushes, which makes a very nice environment for people to sit and smoke, talk and buy and sell drugs. 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 - like that outside, for example, the Dog & Duck or Comptons or any other Soho bar where customers drink outside.

Ingestre Place branches off from Hopkins Street and runs through to Broadwick Street. Within this block, and going east to the next block, Berwick Street, is possibly Soho's most densely populated residential area. Kemp House and Ingestre Court, along with Pargiter Court, Trenchard House and other flats and dwellings, make a peaceful residential enclave for up to two thousand people. Granting this application will seriously endanger the peace and quiet of this area.

It also seems unnecessary as there are many pubs, clubs, bars and cafes just minutes' walk from these premises. So why introduce yet another licensed premises into a precious quiet area? It will bring noise as customers arrive and leave, attract loud rickshaws and taxis and generally ruin the calm.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████

Received: 24 May 2023

I have been a ██████████ for over twenty years. Ingestre Court has always been a popular destination of choice for unsociable and criminal behaviour because it's not on any of the main streets, close to them all but conveniently hidden. The overhangs on the entrances are an open invitation with year round access.

The [REDACTED] frequently have to put up with intimidating drinking groups or drug users/dealers hanging around the entrance doors and often homeless persons. There are frequently groups of people from the ground floor business premises vaping smoking or drinking and socialising. The car park is now used as the new Broadwick St public toilets. The walls have recently been graffitied, the cctv deters nobody. I object to the addition of an alcohol and entertainments licence to what is essentially a residential housing block. I believe it will further erode the residents quality of life and add to the unsociable behaviour that already exists always seemingly without much police presence.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

<p>Policy HRS1 applies</p>	<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</p> <p>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"> 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. 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. 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. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 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. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 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.
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	<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.</p> <p>15. 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>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</p> <ul style="list-style-type: none"> - Monday to Thursday: 9am to 11.30pm. - Friday and Saturday: 9am to Midnight. - Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight. <p>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</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>
Policy COMB1 applies	<p>A. Applications outside the West End Cumulative Impact Zone for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant use being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery

	<p>of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>4. The applicant has taken account of the Special Consideration Zone policy SCZ1 if the premises are located within a designated zone.</p> <p>B. Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant premises use being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone. <p>C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:</p> <ol style="list-style-type: none"> 1. Whether it will undermine the licensing objectives. 2. The current and proposed use of the premises. 3. When those uses will take place. 4. What the primary use of the premises is or the uses that will take place in different parts of that premises. 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises. 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours. <p>D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.</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

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

Report author:	Emanuela Meloyan Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: emeloyan@westminster.gov.uk

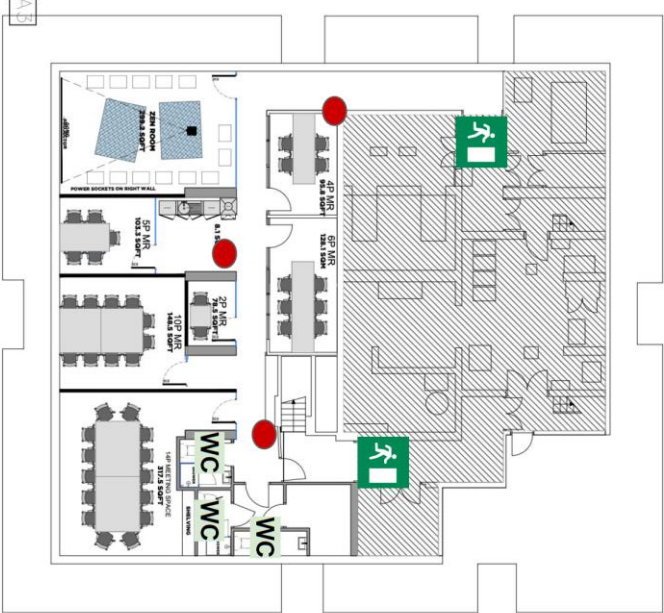
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service	09 May 2023
5	Metropolitan Police Service	09 May 2023 (withdrawn)
6	Licensing Authority	19 May 2023
7	Interested Party representation (1)	07 May 2023
8	Interested Party representation (2)	23 May 2023
9	Interested Party representation (3)	06 May 2023
10	Interested Party representation (4)	23 May 2023
11	Interested Party representation (5)	17 May 2023
12	Interested Party representation (6)	02 June 2023
13	Interested Party representation (7)	24 May 2023

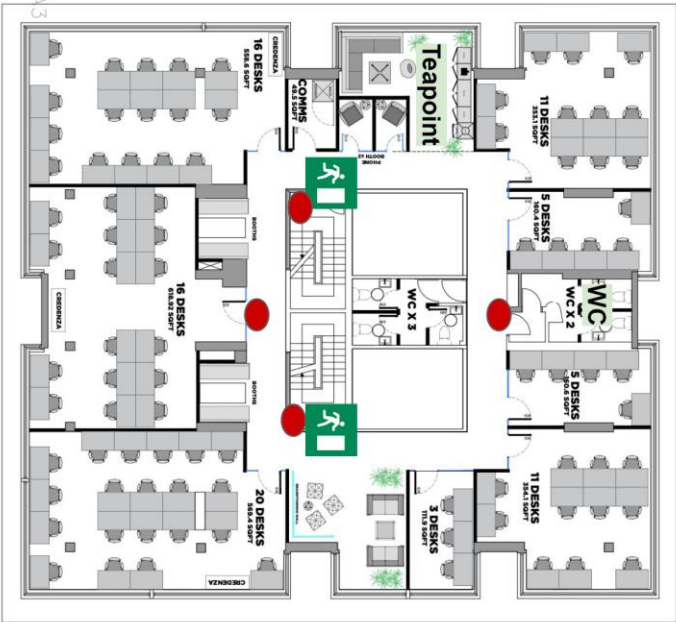
Soho - LG

● Fire extinguisher



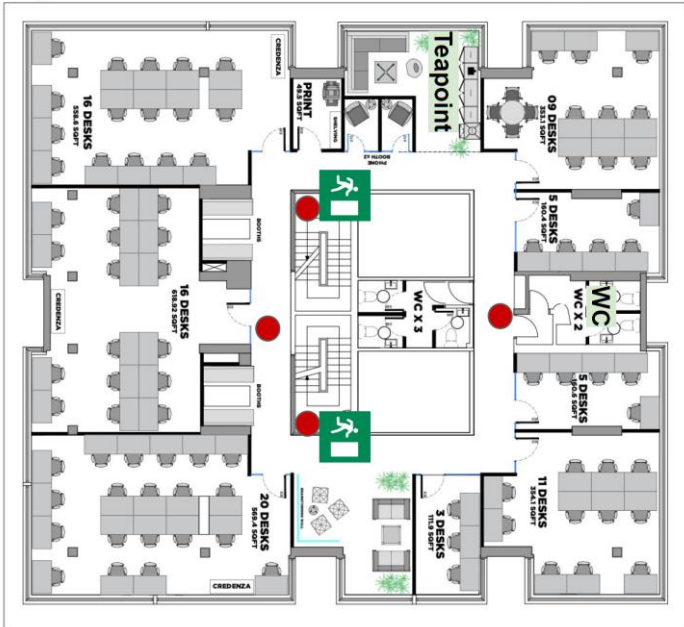
Soho - L1

- Fire extinguisher



Soho - L2

● Fire extinguisher



3

Soho Residents

Dear Residents,

We would like to introduce ourselves and our workspace business, Huckletree. We understand that there have been concerns regarding our application for an alcohol licence for our Soho workspace. We want to assure you that we're not looking to turn our space into a bar or nightclub. Our purpose is quite the opposite.

At Huckletree we create workspace to help innovative businesses to thrive. We curate each workspace around an industry sector, so companies can work alongside the brightest talent, connect with the right businesses, and collaborate with curious minds relevant to their field. Our Soho workspace houses venture capital firms. They're activist-led, both backing the startups that are carving a better future for their industries and impacting the wider investment ecosystem while they do it.

Our community believes in the power of collaboration. Members benefit from access to various events, workshops, and business support services. We organise corporate events such as founders' roundtables, panel discussions on different subjects, networking events, and professional workshops. These events offer opportunities for learning, growth, and connection.

Events can typically take place between Monday and Saturday from 10:00 am to 11:00 pm, and occasionally on Sundays from 12:00 pm to 6pm. We're committed to ensuring that our event schedule respects the surrounding community.

Our company's mission, since Day 1, has always been to create the most exciting innovation ecosystem throughout the UK and Ireland. We are committed to creating a positive impact through our workspaces. We do this by bringing together disruptive brands, venture capitalists, and global innovation teams. By working alongside the brightest talent and connecting with the right businesses, our members are leaders in their respective industries.

We acknowledge concerns about potential noise and disruptive behaviour. However we're committed to creating a positive and inclusive environment that encourages productivity, innovation, and growth. Our workspace is carefully designed to support businesses while maintaining a respectful and professional atmosphere.

We'd love to invite you to visit our space, meet our team, and interact with some of our members. We believe it will provide you with a better understanding of who we are and how our community operates. Let us know if you're interested, and we'll arrange a convenient time for a coffee and a tour. Our team will be available to show you around and answer any questions you may have.

We appreciate you taking the time to consider our perspective. We look forward to hearing from you soon.

Best Regards,

The Huckletree Team



Dear Residents,

We understand that there are still concerns surrounding our application for an alcohol licence at our Westminster workspace. We would like to take this opportunity to reiterate our commitment to being a supportive workspace and innovation hub for startups, scales, and global teams. We also want to address any lingering apprehensions you may have.

At Huckletree, our mission is to create an environment where innovative businesses can thrive. We curate each workspace around specific industry sectors, allowing companies to work alongside the brightest talent, connect with relevant businesses, and collaborate with curious minds within their field.

At the core of our business values is the belief in the power of collaboration. Our members benefit from access to a wide range of events and workshops. Here are a few examples of the types of events we host:

- "Underdog Frameworks for Keeping the Internet Human: An Evening with The Content Technologist"
- "The Attention Economy: Authentic Content and the New Era of Brand Growth"
- "Roundtable: Leading Hybrid Engineering"
- "Roundtable: AI as a Force for Good"
- "Auditing Workshop: Is Your Brand Fit to Fly?"

In addition, we host a diverse array of corporate events like the Women's Founders Circle, engaging panel discussions on various topics such as our "Skills Labs" series, networking events, and professional workshops. These carefully curated events provide invaluable opportunities for learning, growth, and connection.

We want to assure you that we are fully committed to ensuring that our event schedule respects the surrounding community. We also acknowledge the concerns expressed regarding potential noise and disruptive behaviour. As responsible caretakers of our workspace, we are dedicated to maintaining a positive and inclusive environment that encourages productivity, innovation, and growth for all attendees. Our events are not intended to be parties, but rather opportunities for professional development and networking.

Rest assured that when events take place, noise levels will be kept within appropriate limits and confined indoors after 9 pm. Additionally, we have implemented security measures to ensure the safety and well-being of all attendees. Our own team will be present on-site for the entire duration of each event. By having a security trained team on-site, and CCTV remote monitoring we can ensure that people do not gather outside the building and that after the event concludes, everyone will promptly vacate the premises.

We would like to invite you to visit our workspace and experience firsthand the vibrant atmosphere that fosters innovation and collaboration. It would be a pleasure to introduce you to our team and offer you the opportunity to interact with some of our members. We believe this visit will provide you with a deeper understanding of who we are and how our community operates.

If you are interested, please let us know your preferred day and time for a visit, and we will gladly arrange a visit for a coffee and a tour. Our team will be available to show you around, answer any questions you may have, and address any concerns directly.

We hope to have the opportunity to welcome you to our space soon.

Best Regards,

The Huckletree Team

If you would like to come to the space please email us on: ben@huckletree.com , kieran@huckletree.com



Dear Residents,

We understand that you still may have some concerns regarding our application for an alcohol licence at our Soho workspace. We want to address these concerns directly and we'd love to have you over for an informal gathering at our workspace on Tuesday, 11th July at 4:00 pm.

We would like to invite you to join us for some tea and biscuits and to meet our CEO, Gabriela Hershman, and our Head of Brand, Ais Mahon. They will be available to listen to your concerns, answer any questions, and discuss ways to address the issues raised.

We believe that with an open and constructive conversation we'll be able to find solutions that benefit everyone. Maintaining a cordial relationship with all building's residents is important to us and we want to collaborate with you to improve things together.

We hope that you can make it and we look forward to welcoming you to our space for this important discussion.

Best Regards,

The Huckletree Team

If you would like to come to the space please email us on: ben@huckletree.com , kieran@huckletree.com



HUCKLETREE SOHO MEETING

Meeting Minutes
11 July 2023, 16.00

Present:

Huckletree:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Soho Resident Association

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Agenda: To discuss concerns surrounding the application for an alcohol licence at Huckletree Soho located at Ingestre Court, Ingestre Place, Soho.

Background:

Huckletree Soho has applied to the Westminster Council for an alcohol licence for the premises at Ingestre Court, Soho. Several residents have objected to this application. Huckletree invited those residents to an in-person coffee meeting at the premises in Soho to introduce themselves to the residents, to discuss concerns and for a tour of the premises. [REDACTED] located next to Huckletree, kindly accepted the invitation and met with the Huckletree team.

Meeting:

[REDACTED] introduced the Huckletree team to the [REDACTED] (the [REDACTED]) and gave an overview of Huckletree's business model and its 7 locations across London, Manchester and Dublin.

[REDACTED] voiced their concerns regarding the ongoing anti-social behaviour in the area and concerns that a bar selling alcohol would only increase this kind of behaviour. Gaby Hersham explained to the Association that Huckletree will not be offering alcohol for purchase, and that the premises will not be open to the public. At present, Huckletree sells

coffee, teas and soft drinks to its members and their registered guests from their designated café within the premises. The café is open until 18.00 Monday - Friday.

██████████ further explained to the members of the ██████████ that Huckletree is not only a co-working space provider but also an accelerator helping small businesses and start-ups through workshops and networking events to grow, seek funding opportunities and meet other like-minded businesses and people. Because of those events Huckletree seeks to apply for an alcohol licence to offer its members at the end of these events an opportunity to get together, have a drink and exchange further ideas and opportunities in a social environment. At no time will there be a sale of alcohol to the public. The application will only be used for the members and their guests.

██████████ further raised concerns about security around the premises during the evening and nights and the safety and well-being of its elderly members. Huckletree assured the ██████████ that Huckletree does not tolerate any of those behaviours and constantly tries, in cooperation with the council, to find solutions to make Ingestre court a safe place for its members and neighbours. Huckletree offered to the members of the ██████████ to support them and help them in any way possible. There is always an open door and a coffee waiting for them if they need a chat or any form of help or support. Huckletree would like to become a friend and supporter of the ██████████

One of the projects that Huckletree is currently working on, is to find ways to make the entrance area of the premises a safer place for Huckletree and its neighbours. Although Huckletree is removing all seating arrangements every night and storing them inside overnight, there are still disturbances around the area. Huckletree will keep the ██████████ up to date on solutions and potential changes to the layout of the entrance. In the next meeting with the council, Huckletree will report to the council about the concerns the ██████████ and Huckletree are sharing regarding the ongoing anti-social behaviour in the neighbourhood and the negative impact this has on the members of the ██████████

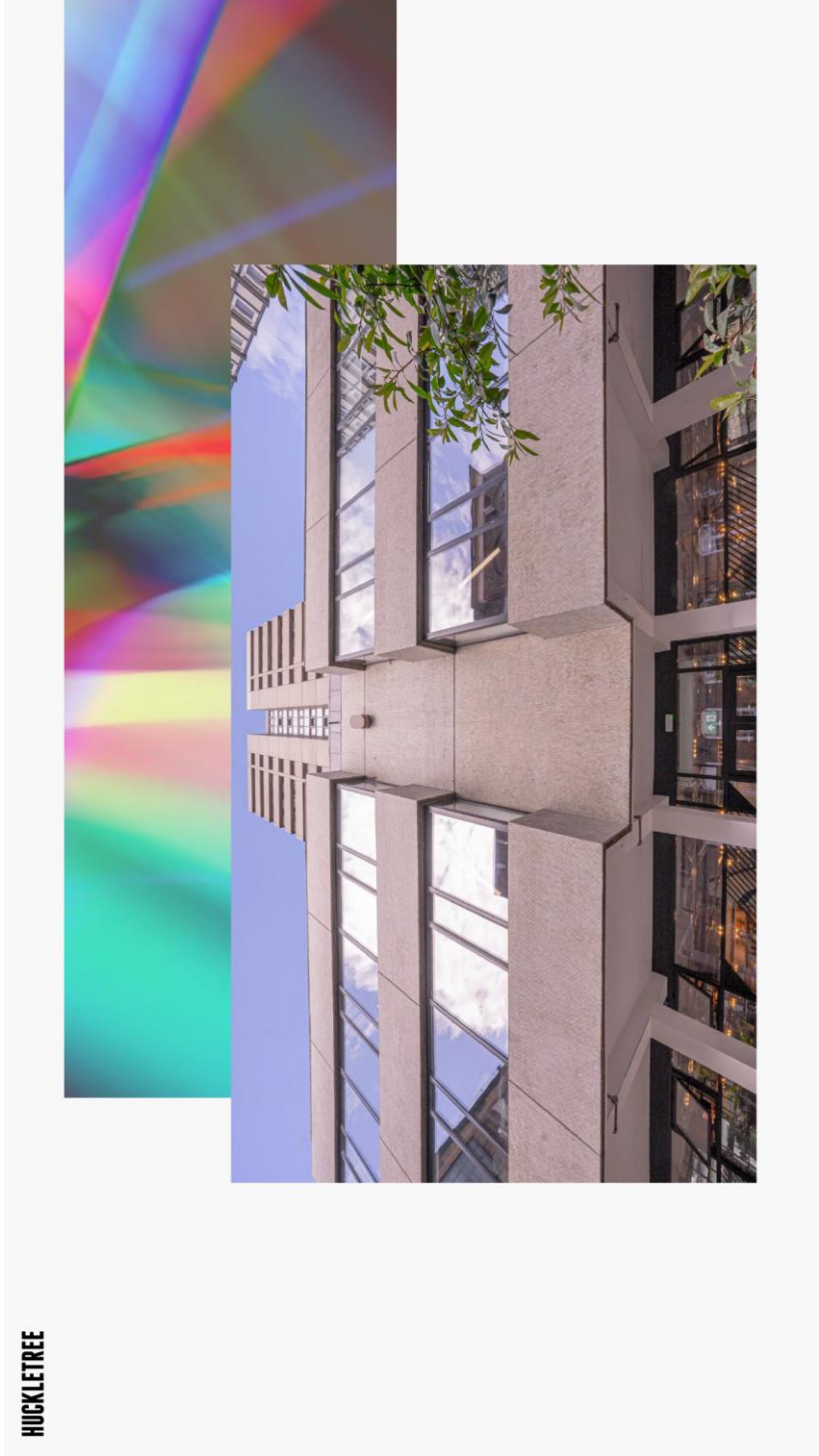
At the end of the meeting the ██████████ concluded that there are no concerns or objections surrounding the application for an alcohol licence at Huckletree Soho. Huckletree once again assured the ██████████ that they would like to help and support the residents in any way possible and the doors are always open to the ██████████ and its members.

The meeting ended at 16.30

HUCKLETREE

*Helping businesses
do braver work
together*





HUCKLETREE

HUCKLETREE

Work space

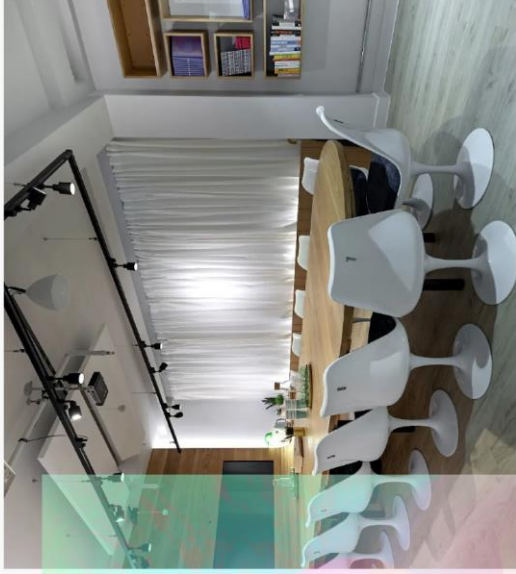


Currently occupied - 138
Oppotunisitic occupancy - 232



HUCKLETREE

Meeting rooms



HUCKLETREE

Breakout area/ Premise area



Standing - 75
Seated - 45



Past events held Last 6 months

- **Total - 5 events**
- Sample Sale with Tiba + Marl
(30 people 10am - 3pm)
- Gunda Hafner Showroom
(10 people max at the same time, 5pm - 9pm)
- Huckletree X Investors Networking Drinks
(50 people - 6pm - 10pm)
- Alma Angels Investor X Huckletree Members Meetup (20
people - 9am - 12pm)
- Creandum Investors Networking Drinks
(20 people - 6pm - 10pm)

Premises History

Appendix 3

There is no licence or appeal history for the premises.

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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

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.

Conditions proposed by Metropolitan Police

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 will 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 will 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 will ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment will 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 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 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.

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. 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
21. 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
22. 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
23. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means
24. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device
25. 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

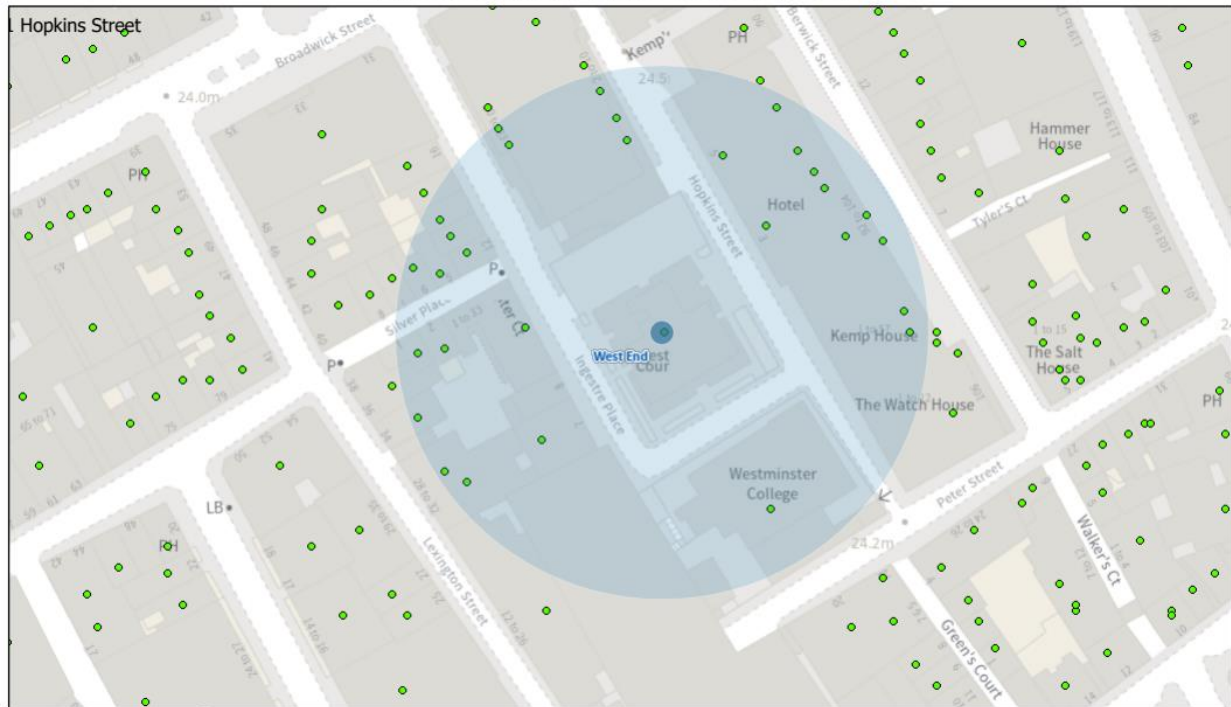
Conditions proposed by the Licensing Authority and accepted by the applicant.

26. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the (premises/building) as offices
27. Alcohol shall only be sold for consumption by office tenants or 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.

Conditions proposed by the applicant to form part of the operating schedule.

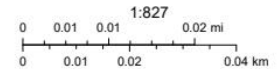
28. Off sales of alcohol shall be restricted to consumption within the premises at Huckletree Soho as defined on the attached plans and shall not be permitted to be taken outside of this premises.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. Adequate and appropriate First Aid equipment and materials shall be available on the premises at all times.
31. 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

Ingestre Ingestre Place Court W1F 0JL



11/08/2023, 10:35:58

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 180

Licensed premises within 75m of Ingestre Court Ingestre Place W1F 0JL				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/11661/LIPDPS	Temper	Former Trenchard House 19 - 25 Broadwick Street London	Restaurant	Monday to Thursday – 08:00 – 23:30; Friday to Saturday – 08:00 – 00:00; Sunday 10:00 – 22:30
16/12033/LIPN	The Lexington	34 Lexington Street London	Hotel	Monday to Saturday 08:00 – 23:00; Sunday 10:00 – 22:30
17/00898/LIPN	The Quaich Whisky Shop	34 Lexington Street London	Shop	Monday to Saturday 08:00 – 22:00; Sunday 09:00 – 21:00

15/06480/LIPN	Duck & Rice First Floor	90-91 Berwick Street London W1F 0QB	Restaurant	Monday to Thursday – 10:00 – 00:00; Friday to Saturday – 10:00 – 00:30; Sunday 12:00 – 22:30
11/00024/LIPDPS	Yauatcha	Basement 15-17 Broadwick Street London W1F 0DE	Restaurant	Monday to Saturday 08:00 – 01:00; Sunday 10:00 – 00:00
22/02670/LIPDPS	The Breakfast Club	11 Berwick Street London W1F 0PL	Restaurant	Monday to Thursday – 09:00 – 23:30; Friday to Saturday – 09:00 – 00:00; Sunday 09:00 – 22:30
22/10808/LIPDPS	Andrew Edmunds	Basement And Ground Floor 46 Lexington Street London W1F 0LP	Wine Bar	Monday to Saturday 10:00 – 23:30; Sunday 12:00 – 23:00
23/02776/LIPCHT	Supernova	25 Peter Street London W1F 0AH	Restaurant	Monday to Thursday – 10:00 – 23:30; Friday to Saturday – 10:00 – 00:00; Sunday 12:00 – 22:30
21/03989/LIPDPS		Basement West 33 Broadwick Street London W1F 0DQ	Shop	Monday to Sunday – 00:00 – 00:00



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	24 August 2023
Licensing Ref No:	23/03514/LIPN - New Premises Licence
Title of Report:	The Pioneer Club 12 Cavendish Place London W1G 9DJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	26 May 2023		
Applicant:	Cavendish Place Ltd		
Premises:	The Pioneer Club		
Premises address:	12 Cavendish Place London W1G 9DJ	Ward:	Marylebone
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form the proposal is to create a new members club called The Pioneer Club and to operate 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		
Premises licence history:	This is a new premises licence application, and no premises history exists		
Applicant submissions:	<p>These premises when completed will comprise both 12 and 14 Cavendish Place. Planning permission has been granted to combine the 2 buildings which are both Grade 2 listed.</p> <p>The supply of alcohol everywhere will be ancillary to the primary use of the premises as a shared office/workspace. The deposited plans clearly show floors 1 to 3 set out as office space. Access to the workspace for members will be 24 hours per day as there may be an international element to the membership who may need to conduct business in other time zones.</p> <p>The fourth floor is intended to operate as a bar for members and their guests although they may also be supplied alcohol in any of the workspace offices. The ground floor also makes provision for a Michelin starred restaurant space (hatched in black on the plan) which will be open to members, their guests and also to members of the public if they book a table in advance or persons attending a pre booked private function. There will be no "walk in" access to the restaurant.</p> <p>There is to be no access to the remainder of the building from the restaurant for members of the public who have booked a table. The lower ground floor area (unlicensed) also provides gym and fitness space for members. The basement provides a dedicated event space for use by members or for private pre booked functions although there will be no externally promoted events anywhere in the building.</p>		

	The premises have been the subject of a pre application survey and advice 23/02173/PREAPM
Applicant amendments:	None

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol				On or off sales or both:			On only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:00	01:00	01:00	02:00	02:00	02:00	01:00
Seasonal variations/ Non-standard timings:							

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:0	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		Ground floor restaurant to open at 10:00 every day and close at 01:00 Sunday to Wednesday and 02:00 Thursday to Saturday					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Tom Stewart
Received:	19 June 2023
<p>I am writing on behalf of the Chief Officer of Police for the Metropolitan Police Service ("The Police") to make representations opposing the grant of a premises licence application for <u>The Pioneer Club, 12 Cavendish Place, London, W1G 9DJ.</u></p> <p>I have considered the information that has been provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following licensable activities:</p>	

- Provision of Late night refreshment (Indoors) Sunday to Wednesday 23:00 to 01:00 and Thursday to Saturday 23:00 to 02:00.
- Supply of Alcohol (On premises) Sunday to Wednesday 10:00 to 01:00 and Thursday to Saturday 10:00 to 02:00.

Hours open to the public 24 hours with the exception of “Ground floor restaurant to open at 10:00 every day and close at 01:00 Sunday to Wednesday and 02:00 Thursday to Saturday”.

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:

The hours requested to supply alcohol may have the likely effect of undermining the licensing objective; The Prevention of Crime and Disorder. The hours requested fall outside the core hours set out within the Statement of Licensing Policy.

I would like to meet with the applicant and representative to discuss this application and proposed operation of the premises in more detail.

In particular, the police would like to know what the proposed capacity of the ‘Bar’ on the fourth floor is.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 June 2023
<p>We are instructed on behalf of the L [REDACTED] [REDACTED] [REDACTED] Their principal concern is with the hours proposed by the Pioneer Club. [REDACTED] [REDACTED] [REDACTED]</p> <p>12 Cavendish Place is a large development with event spaces, a restaurant, lounges and the top floor set out as a bar with several balconies. There are currently no indications as to capacity for any of the proposed uses.</p> <p>The application is framed as a Private Member’s Club but does not appear to provide qualifying requirements pursuant to Westminster’s Club Policy QUC1. If framed as a Proprietary Club, then the application should be considered pursuant to Westminster’s Policy PB1.</p> <p>There is a large restaurant on the Ground Floor, which whilst pre-booked, is open to the public and seeks hours considerably at odds with Policy.</p> <p>The Premises are on the border of the West End Buffer Special Consideration Zone.</p> <p>The hours sought by 12 Cavendish Place are contrary to Policy HRS1.</p> <p>[REDACTED] would not object to Core Hours.</p> <p>[REDACTED] would request that all external balconies are cleared daily by 21:00 and that all</p>	

windows and doors are closed by 21:30.

There do not appear to be any smoking conditions or suggestions in the application.

3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies	<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">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.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.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.4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.5. The proposed hours when any music, including incidental music, will be played.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.7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.9. The capacity of the premises.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.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.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.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.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
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	are expected to be covered by Temporary Event Notices or variation applications.
Policy PB1(A) applies	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 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 operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <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 venueD. 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>

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

Report author:	Kevin Jackaman
Contact:	Telephone: 020 7641 1095 Email: kjackaman@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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	July 2023
4	Metropolitan Police Service representation	19 June 2023
5	Interested Party representation	18 June 2023



Notes:

1. The proposed basement is proposed to be used for the following purposes:
 - a. Event Space
 - b. Kitchen Facilities
 - c. Circulation
 - d. WCs
 - e. Plant
 - f. Storage
 - g. Staff Facilities
2. The proposed basement is proposed to be used for the following purposes:
 - a. Event Space
 - b. Kitchen Facilities
 - c. Circulation
 - d. WCs
 - e. Plant
 - f. Storage
 - g. Staff Facilities



Handwritten notes:

- LI CENSSED AREA
- EXIT SIGN
- EMERGENCY LIGHTING

DRAFT - BS LAYOUT FREEZE
12.05.23

Piercy & Company

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140022 14002211

12-14 Cavendish Place

Proposed Basement Plan

Rev	Date	Description	By	Check
000000	00	00	00	00
000000	00	00	00	00

13583-PCO-XX-XX-OR-A-03098



Notes:

1. The proposed lower ground floor is proposed to be used for the following purposes:
 - a. Offices
 - b. Offices Changing
 - c. Kitchen Facilities
 - d. Circulation
 - e. WCs
 - f. Plant
 - g. Storage
 - h. Blue Parking
2. The proposed lower ground floor is proposed to be used for the following purposes:
 - a. Offices
 - b. Offices Changing
 - c. Kitchen Facilities
 - d. Circulation
 - e. WCs
 - f. Plant
 - g. Storage
 - h. Blue Parking



Handwritten note:

NO LI CENSABLE ACTIVITY ON THIS FLOOR

DRAFT - BS LAYOUT FREEZE
12.05.23

Piercy & Company

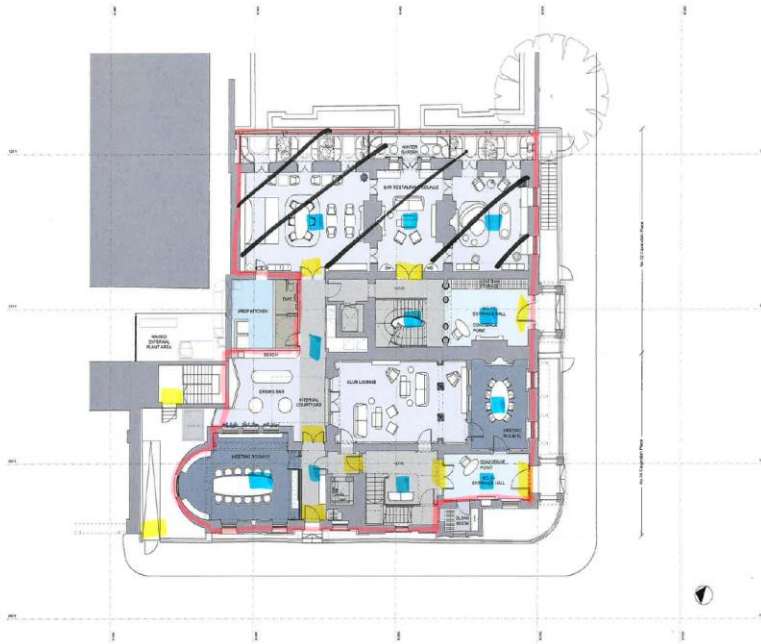
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12-14 Cavendish Place

Proposed Lower Ground Floor Plan

Rev	Date	Description	By	Check
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000000	00	00	00	00

13583-PCO-XX-XX-OR-A-03098



1:15000
 This drawing is a preliminary plan and is not intended to be used for construction purposes. It is for information only and is subject to change without notice. It is not to be used for any other purpose without the written consent of the architect.

0m 1m 2m 5m 10m

- Private Members Space
- Class B Office
- Kitchen Facilities
- Circulation
- Reception
- WCs
- Plant
- Storage

LICENSES AREA
 EXIT SIGN
 EMERGENCY LIGHTING

DRAFT - 83 LAYOUT FREEZE
 12.05.23

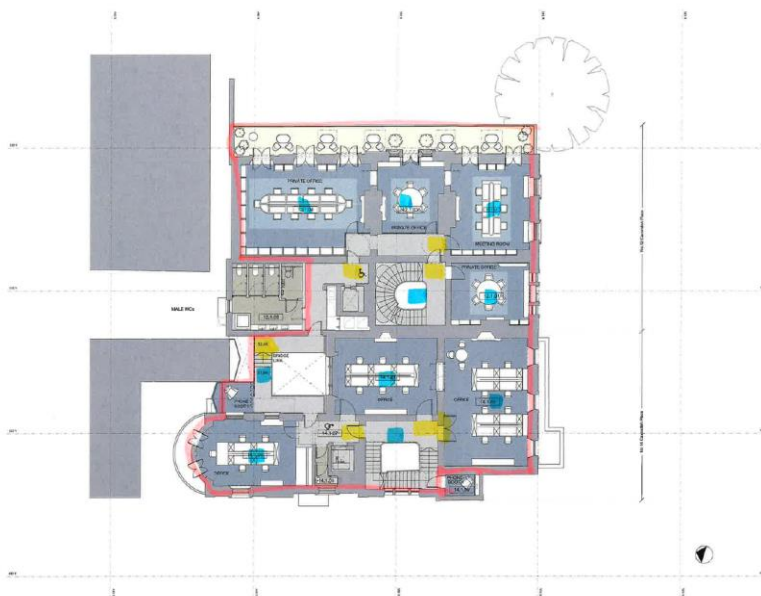
Piercy&Company
 28 Floral Street
 London WC1E 7ET
 T +44 (0)20 7494 6111
 info@piercyandcompany.com
 www.piercyandcompany.com

Client: Unity Group
 Project: 12-14 Cavendish Place

Scale: 1/500
 Proposed Ground Floor Plan

Rev	Description	Date
000002	02	12.05.23

13583-PCD-XX-XX-OR-A-83100



1:15000
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0m 1m 2m 5m 10m

- Class B Office
- Kitchen Facilities
- Circulation
- Reception
- WCs
- Storage
- Sanitary

LICENSES AREA
 EXIT SIGN
 EMERGENCY LIGHTING

DRAFT - 83 LAYOUT FREEZE
 12.05.23

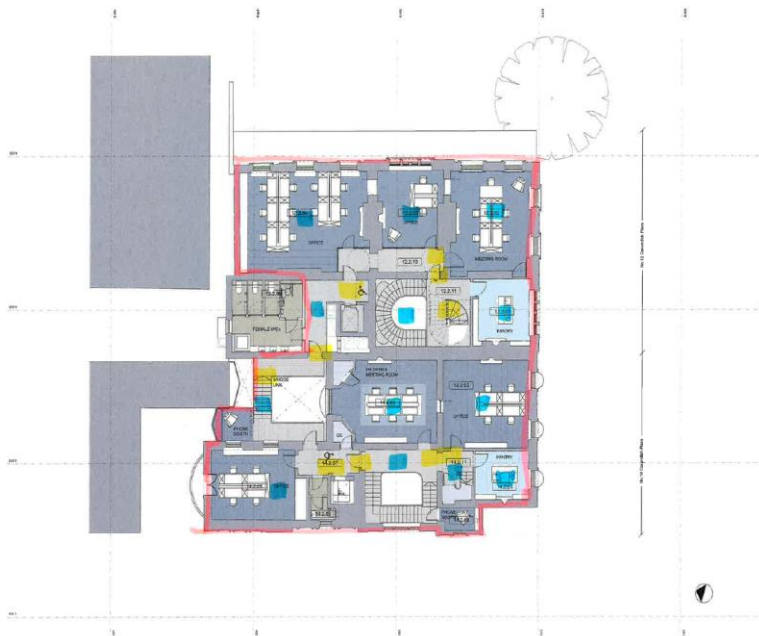
Piercy&Company
 28 Floral Street
 London WC1E 7ET
 T +44 (0)20 7494 6111
 info@piercyandcompany.com
 www.piercyandcompany.com

Client: Unity Group
 Project: 12-14 Cavendish Place

Scale: 1/500
 Proposed First Floor Plan

Rev	Description	Date
000002	02	12.05.23

13583-PCD-XX-XX-OR-A-83101



The Piercing Technology Firm and Company Center at 12-14 Cavendish Place, London WC2E 9BT. This floor plan is a proposed design for the second floor. It is intended to provide a clear and concise overview of the proposed layout and to facilitate the design and construction of the building. The plan is based on the information provided by the client and is subject to change without notice. The plan is not to be used for any other purpose without the written consent of the architect.

0m 1m 2m 5m 10m

- Class B Office
- Kitchen Facilities
- Circulation
- Reception
- WCA
- Storage

LICENSED AREA
EXIT SIGN
EMERGENCY LIGHTING

DRAFT - 2D LAYOUT FREEZE
 12.05.23

Piercing & Company
 Piercing & Company
 28 Riverside Street
 London WC2E 9BT
 T +44(0)20 74288111
 M 020 74288111
 www.piercing.com

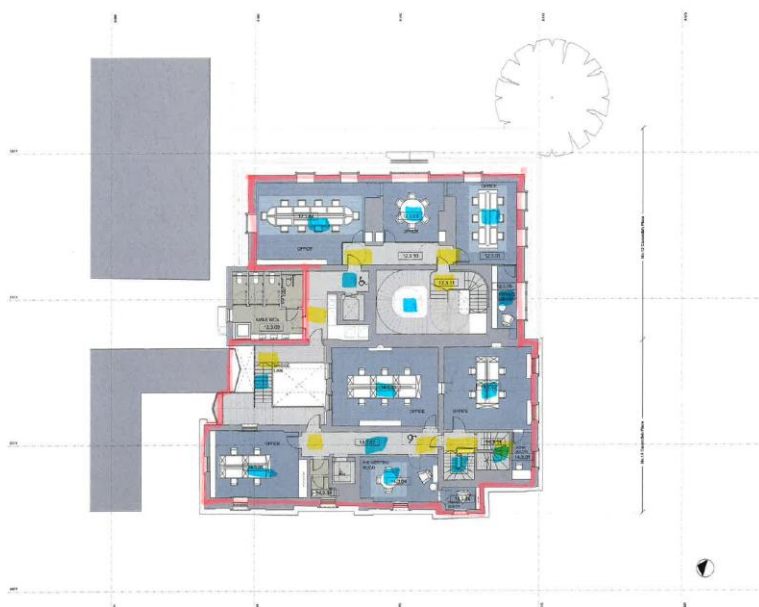
Client
 Utility Group

Project
 12-14 Cavendish Place

Sheet No.
 Proposed Second Floor Plan

Rev No.	Date	Description	Issued By	Checked By
001	12.05.23	Final	J. Smith	J. Smith

13583-PCO-XX-XX-OR-A-03102



The Piercing Technology Firm and Company Center at 12-14 Cavendish Place, London WC2E 9BT. This floor plan is a proposed design for the third floor. It is intended to provide a clear and concise overview of the proposed layout and to facilitate the design and construction of the building. The plan is based on the information provided by the client and is subject to change without notice. The plan is not to be used for any other purpose without the written consent of the architect.

0m 1m 2m 5m 10m

- Class B Office
- Kitchen Facilities
- Circulation
- Reception
- WCA
- Storage

LICENSED AREA
EXIT SIGN
EMERGENCY LIGHTING

DRAFT - 2D LAYOUT FREEZE
 12.05.23

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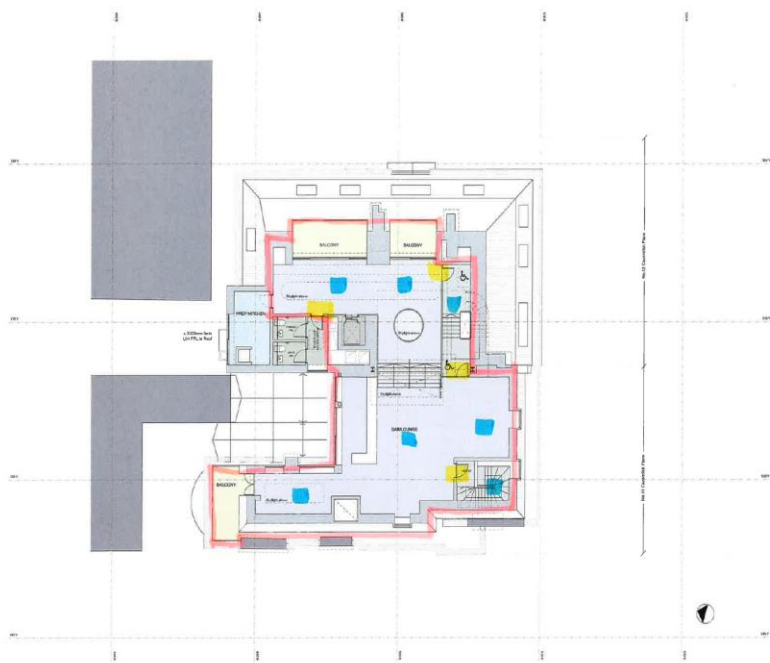
Client
 Utility Group

Project
 12-14 Cavendish Place

Sheet No.
 Proposed Third Floor Plan

Rev No.	Date	Description	Issued By	Checked By
001	12.05.23	Final	J. Smith	J. Smith

13583-PCO-XX-XX-OR-A-03103



NOTES

1. This drawing is a preliminary drawing and is not to be used for construction purposes. It is for informational purposes only. All dimensions are approximate and subject to change without notice.

2. The client is responsible for obtaining all necessary permits and approvals from the relevant authorities.

3. The architect is not responsible for any errors or omissions in this drawing.

4. The architect is not responsible for any damage to the building or its contents.

5. The architect is not responsible for any liability arising from the use of this drawing.

- 0m 1m 2m 5m 10m
- Private Member Space
 - Class & Office
 - Kitchen Facilities
 - Classroom
 - WC/SG/ WCs
 - Gallery

LICENSED AREA
 EXIT SIGN
 EMERGENCY LIGHTING

DRAFT - 3D LAYOUT FREEZE
 12.05.23

Project Name: Piercy Company
 12-14 Cavendish Place
 London W1P 0ST
 T: +44 (0)20 7068811
 E: info@piercy.com
 www.piercy.com

Client: Unly Group

Project: 12-14 Cavendish Place

Drawing Title: Proposed Fourth Floor Plan

Rev	Date	By	Check	Scale	Sheet No.	Total Sheets
000002	12.05.23	101	102	1:100	1	1

Project No: 13583-PCD-XX-XX-DR-A-03194

None

There is no licence or appeal history for the premises.

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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

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. 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.

Conditions consistent with the operating schedule

10. The premises will 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 will 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 will 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 will 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 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 exits 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.

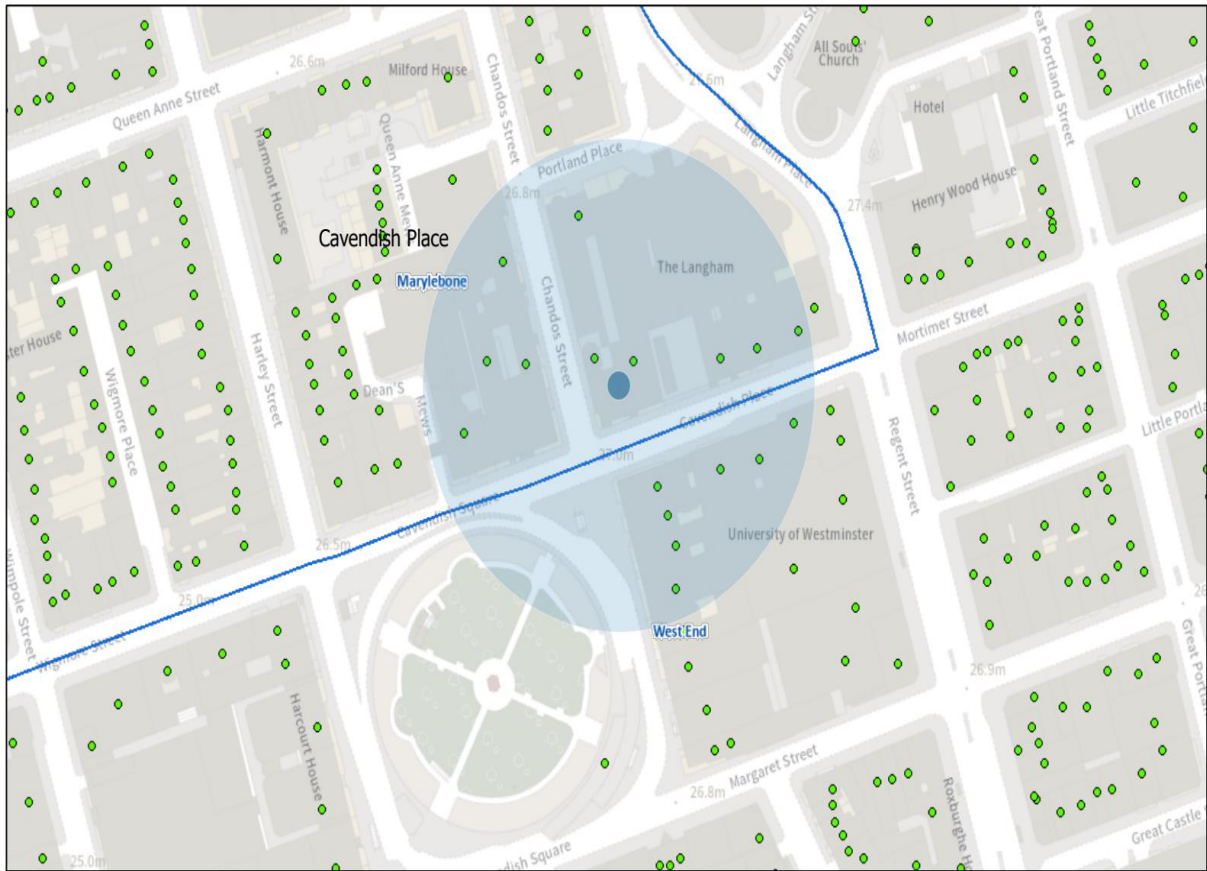
The Metropolitan Police have proposed the following amended condition

20. 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**
21. 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.
22. 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.
23. 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.
24. There shall be no externally promoted events.
25. The basement event space shall only be for the use of members and their bona fide guests or for a private pre booked function.

Conditions proposed by the Metropolitan Police Service

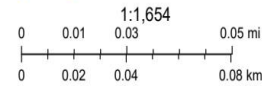
26. A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised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

12 Cavendish Place



11/08/2023, 09:18:39

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 0

Licensed premises within 75m of 12 Cavendish Place, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/12841/LIPN	No 6 Cavendish	Ground Floor 6 Cavendish Square London W1G 0PD	Shop	Monday to Sunday; 10:00 - 23:00
18/04737/LIPDPS	King Edwards Hospital Fund For London	11 - 13 Cavendish Square London W1G 0AN	Office	Sunday; 12:00 - 00:30 Monday to Saturday; 08:00 - 01:30

23/01653/LIPN	Not Recorded	5 Cavendish Place London W1G 0QA	Music Venue	Thursday; 10:00 - 01:00 Sunday; 12:00 - 00:00 Monday to Wednesday; 10:00 - 00:00 Friday to Saturday; 10:00 - 02:00
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