



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (4)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (4)** held on **Thursday 12th October, 2023**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Angela Piddock (Chair), Judith Southern and Karen Scarborough

1. MEMBERSHIP

1.1 There were no changes to the membership.

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

1. **MY PLACE, BASEMENT AND GROUND FLOOR, 21 BERWICK STREET,
W1F 0PZ**

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 4
("The Committee")

Thursday 12 October 2023

- Membership: Councillor Angela Piddock (Chair),
Councillor Judith Southern and
Councillor Karen Scarborough
- Officer Support: Legal Adviser: Steve Burnett
Policy Officer: Aaron Hardy
Committee Officer: Katherine Stagg
Presenting Officer: Karyn Abbott
- Other Parties: Mr Thomas O'Maoileoin (Solicitor for the Applicant), Mr Sam
Maqedonci and Mr Abedin Shahini for the Applicant Company S
& D Soho Ltd,
- Ms Roxsana Haq (Licensing Authority), Mr Tony Miah (City
Inspector)
Ms Sally Fabbricatore (Environmental Health),
PC Dave Morgan (Metropolitan Police Service - MPS),
- Mr Richard Brown (Solicitor, Westminster's Citizens Advice)
representing Soho Society.
- Residents: Ms Shirley Sprosta (SS), Mr Harvey Ascot (HA) and
Mr Stephen Boyer (SB)

**Application for a New Premises Licence for My Place, Basement And Ground
Floor, 21 Berwick Street, London W1F 0PZ – 23/04605/LIPN**

Premises:

My Place
Basement And Ground Floor
21 Berwick Street
London
W1F 0PZ

Applicant

S & D Soho Limited

Ward

West End

Cumulative Impact Zone

West End

Special Consideration Zone

None

Proposed Licensable Activities

Late Night Refreshment

Mondays to Thursday 23.00 to 23.30

Friday and Saturday 23.00 to 00.00

Sale of alcohol (Both)

Mondays to Thursday 09.00 to 23.30

Friday and Saturday 09.00 to 00.00

Sundays 09.00 to 22.30

Opening Times

Mondays to Thursday 07.00 to 23.30

Friday and Saturday 07.00 to 00.00

Sundays 07.00 to 22.30

Summary of Application

This is an application for a new premises licence under the Licensing Act 2003 ("The Act"). The premises intend to trade as a restaurant with a 'sit down' bar area and use of an unlicensed outside area.

There is an existing premises licence in respect of the premises, (Licence number 22/09052/LIPRW) The Applicant is proposing that this licence will be surrendered should the current application be granted.

Representations Received

- PC Dave Morgan - Metropolitan Police Service
- Sally Fabbricatore - Environmental Health Services
- Roxsana Haq – Licensing Authority
- 20 Supporting Residents
- 4 Objecting Residents
- Soho Society

Summary of objections

The management have breached the conditions on the existing Premises Licence and are seeking to have an area not subject of a restaurant condition.

The operators have operated the outside area without proper authority.

Notwithstanding the above, as the premises fall within the West End cumulative impact area, it is for the applicant to demonstrate that the proposed variation will have no adverse impact within the West End Cumulative Impact Area in accordance with Policy CIP1.

Policy Positions

HRS 1

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant Policies.

CIP:

- 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.

RNT1(B)

- B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:
- C.
 - 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
 - 2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
 - 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
 - 4. The application and operation of the venue meeting the definition of a restaurant

SUBMISSIONS AND REASONS

1. Ms Karyn Abbott, Licensing Officer, outlined the application to the Committee. The Premises are located within the West End Ward and in the West End Cumulative Impact Area. She advised that the Applicant had withdrawn the extended hours for New Years Eve and have reduced the hours, including the opening time, to come into line with core hours. She also advised that they have subsequently amended the application to not include the hatched area on the plans, where customers are permitted to drink alcohol without consuming food.
2. Mr Thomas O'Maoileoin, Solicitor for the Applicant, outlined the application to the Committee. He advised that this was an application for a new premise licence but the café/restaurant has been in existence for the last 10 years. Following objections from residents, the Applicant has withdrawn the proposal for the bar area (hatched area on the plans) where customers are permitted to drink alcohol without consuming food. He advised that WCC Model Condition (MC) 66 would underpin the licence, the capacity would be limited to 60 patrons including those sat outside and it would be within the Council's Core Hours Policy. He also advised that if the Committee were minded to grant the licence their current licence would be surrendered.
3. This new licence application had come about following pre-application advise from WCC Officers who advised to apply for a new licence application rather than a licence variation and included WCC Model Condition's. Mr O'Maoileoin advised the Committee that the capacity on their current licence is based on toilet provision and Environmental Health Officers have visited the Premise and agreed that with the proposed additional restroom, an updated capacity of 60 would be acceptable. He also advised that at the pre-application stage they were visited by a quantitative surveyor who advised that 60 patrons would be safe in the venue. He informed the Committee that historically this capacity has been lower due to the shortfall in toilets but this application will increase the toilets facilities.
4. Mr O'Maoileoin then addressed the objections raised by the responsible authorities. He confirmed that they were not proud of the inspection dated 1st April by the Metropolitan Police Service which resulted in a Closure Notice. Since then, they have tightened up their service in particular regarding alcohol being sold without food and have applied for this new licence to increase the capacity and ensure this doesn't happen again. He noted that since the breach 6 months ago they have been visited and inspected and the Premise is compliant with their conditions.
5. He also informed the Committee that the City Inspectorate representations on the table and chairs outside the Premise, while it is a Planning matter, there had been historical confusion over the area outside the premise with it being referred to in the current licence. He advised that this has been confirmed to not be a private forecourt for the premise and an application for a pavement licence will be applied for, holding 4 tables and 8 chairs, and will only be used if granted. He finally advised on the late email from a resident regarding a breach the weekend before the hearing, they have checked their CCTV and

they did not recognise this complaint as they had been strict on the conditions since 1st April.

6. In response to questions from the Members, Mr O'Maoileoin advised that while a few breaches had been raised by the Police and City Inspectorate, the Premise was well run and a pivotal aspect of the local community, highlighted by the number of supporters including many who live of Berwick Street. He advised that they employ 14 staff and have worked in Soho for the last 25 years. The Applicants advised the Committee that on 1st April, they had been serving food to those ordering alcohol but the food had been consumed before the Police had arrived. They also commented that during the inspection, the market had been taking place and many market holders were showing groups inside the premise but not ordering.
7. Mr O'Maoileoin advised that the application addressed the concerns on increased capacity in the Cumulative Impact Zone through its Model Conditions and Core Hours. The Applicant's advised that they understood Soho was a hotspot for crime but in the 10 years they have been running the Premise they have not had any problems with noise or anti-social behaviour. Mr O'Maoileoin advised that the Applicants understood that alcohol must be ancillary to food and the capacity can be controlled easily due to it being a sit-down restaurant with a set number of covers.
8. Ms Roxsana Haq, of the Licensing Authority, advised the Committee that they had maintained their representation as it is a new licence in the Cumulative Impact Zone (CIZ) with an increased capacity from 30 to 60. She advised that itemised receipts could be used to prove that customers had a meal with the alcohol served if requested at a subsequent inspection. The Licensing Authority also had some concerns over whether the operator will be responsible which the City Inspectorate Mr Tony Miah explained to the Committee. Mr Miah informed the Committee that he had engaged with the Premises and Applicants over the last 5 or 6 years and had inspected the Premise 3 or 4 times and found them generally to be compliant with their licence. He advised that un-authorized tables and chairs are an issue throughout Berwick Street and not just at this Premise and the Council wrote to all premises to advise that they would need a pavement licence for them going forward. In response to questions Mr Miah advised that following COVID-19 and the ethos of WCC to support businesses there had been some degree of concessions on breaches but if a member of public or stakeholder complain, they need to be seen to be proactive in correcting the breach. He also advised that he is hopeful that the Applicants will comply with the new licence and stricter training on the licence should be introduced for staff to reduce human error.
9. Ms Sally Fabricatorre, of Environmental Health, advised the Committee that the hatched area, which had been withdrawn, were not compliant with MC66 and subsequently they are looking at a new restaurant in the Cumulative Impact Zone. The District Surveyor had visited the property advising on toilet provisions and the space can safely allow the escape of 60 people. She advised that consideration will have to be given on whether the additional 30

people leaving the Premises will have an impact on the CIZ but there had not been any complaints on noise nuisance from the Premise. She advised that she would like to see MC70b and MC 81 included which would limit off sales and include a works condition to the licence. She also advised that she would like to see an amended Condition 18 to include the internal and external area. These were all agreed by Mr O'Maoileoin on behalf of the Applicant.

10. PC Dave Morgan, on behalf of the Metropolitan Police Service, advised the Committee that they maintained their representations as although the bar area had been withdrawn, it is still doubling capacity in the CIZ with a late terminal time, when crime figures are high. He also advised that Patrons who have consumed alcohol become more prone to being a victim of personal crime or a perpetrator of anti-social behaviour. He advised that on the 1st April 2023 MPS witnessed some breaches to the licence and this new application is an outcome of these breaches. He would like to see the Applicants be responsible operators under this new licence.
11. In response to questions, he advised that the later terminal hour will increase the likelihood of their Patrons being a victim of crime.
12. Mr Richard Brown, representing the Soho Society virtually, advised that they are pleased that the bar area has been withdrawn and subsequently some conditions will have to be amended. He advised that the Soho Society would like clarification on how the increase in capacity would be split between the inside and outside areas. They would be happy for the capacity to be amended once the pavement licence had been approved. He advised that he agreed with Environmental Health regarding the condition for off sales, covered containers and a works condition. He advised that this is a community venue and is very popular with many local residents.
13. Ms S S, advised the Committee that she is a regular and neighbour to the Premise. The owners supported her and her family through ill health and continue to support her now. She advised that all ages congregate in the Café, everyone is welcome and the removal of the tables and chairs outside had been a loss to the community and even dog owners. She advised that there had never been any trouble at the Premise.
14. Mr S B advised the Committee that he had been going to the Premises for the last 9 years, since just after it opened, and he travels into Soho just to visit the Premise three times a week. He had never seen any trouble at the Premise and everyone is welcome with the owners looking after those in times of need. He advised that the increase in capacity will not create a huge influx of people out onto the streets at closing time as those who are eating and drinking don't stay until the end and leave gradually. He advised that he had complete faith in the owners to comply with their licence and he wishes to continue to support this independent local business. He related an incident where the owners supported and 'housed' at the Premises, two people who were subject of a homophobic attack.

15. Mr H A advised the Committee that My Place had recently won a lifestyle award and frequently win national awards proving how good and well run the Premise is. He advised that Soho is the hub in London for creative industries and My Place is the heart of it. He advised that it is a safe place for everyone, and the owners add value to the community. He advised that the pub next door can have hundreds of patrons out on the street so an extra 30 capacity at this Premise will not add to the Cumulative Impact Zone.
16. Mr Burnett, Legal Adviser to the Licensing Committee, discussed the wording of the proposed conditions with all parties and made amendments, as necessary.
17. In summing up, Mr Richard Brown highlighted that the increased capacity to 60 should be seen in conjunction with the extensions of hours as the pub next door stops selling alcohol at 11pm whereas this Premise would be able to sell alcohol later on a Friday and Saturday.
18. In summing up, Mr O'Maoileoin advised the Committee that the owners support residents in Soho and he recommends the Application to the Committee.

REASONS AND DECISION

The Committee realises that it has a duty to consider each application on its individual merits and did so for the purposes of this application.

In reaching their decision, the Committee took into account all the Committee papers and the submissions made by all the parties.

The Committee considering the evidence before it, the relevant parts of the SLP, the Guidance issued under sec 182 of the Act and the Act.

Having carefully considered the matter and the need to promote the licensing objectives, the Committee decided to grant the application for the new premise license.

The Committee was persuaded that the application met the policy requirements under the SLP and that they positively contributed to the community, highlighted by the number of residents in support of the application.

The Committee has imposed all the conditions and considered it to be appropriate and proportionate to impose additional conditions due to the circumstances outlined by Responsible Authorities including Environmental Health and Richard Brown representing the Soho Society during the hearing.

The Committee was also satisfied that the application was suitable for the local area and the Applicant had listened and addressed any concerns raised by the MPS, Licensing Authority and objectors. The Applicant also withdrew the bar area and fully applying Model Condition 66.

In reaching its decision, the Committee remained aware that the Premises is located in the Cumulative Impact area of the West End. It is acknowledged that any increase in capacity or hours may add to the crime and disorder and public nuisance experienced in the area. This is a balancing between the needs of the business and the residents whilst protecting the whole policy reason for having a cumulative impact area in the West End. This application falls under Policy RNT1 which states that this application inside the West End Cumulative Impact Zone will generally be granted. The Committee is also satisfied that the application meeting the requirements of policies CD1, PS1, PN1 and CH1, the hours for licensable activities are within the council's Core Hours Policy HRS1, that the applicant has demonstrated by the agreed conditions that they will not add to cumulative impact within the Cumulative Impact Zone and that the application and operation of the venue meeting the definition of a restaurant

Consideration was given to refusing or reducing the capacity requested by the Applicant and there were serious concerns about the mismanagement of the Premises under their previous Premises Licence.

The Committee noted:

- 1) That updated conditions have been agreed.
- 2) That there is substantial verbal and written support from residents, some of whom live directly next to, behind and even above the Premises.
- 3) The operation is described as a real community asset.
- 4) Full MC66 restaurant conditions apply to the whole Premises, which enables gradual dispersal throughout opening times.
- 5) The surrender of the existing Premises Licence.

The Committee concluded that the combination of all the above would alleviate the responsible authorities and residents' concerns and would promote the licencing objectives.

DECISION

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

1. To grant permission for:

Late Night Refreshment (Indoors)

Mondays to Thursday 23.00 to 23.30

Friday and Saturday 23.00 to 00.00

Sale of alcohol (Both)

Mondays to Thursday 09.00 to 23.30

Friday and Saturday 09.00 to 00.00

Sundays 09.00 to 22.30

Opening Times

Mondays to Thursday 07.00 to 23.30

Friday and Saturday 07.00 to 00.00

Sundays 07.00 to 22.30

2. Relevant Mandatory Conditions to apply.

3. Conditions proportionate and appropriate to from part of the operating schedule.

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

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

c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and shall include the external area immediately outside the premises entrance.

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

e) 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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and shall record the following:

a) all crimes reported to the venue

b) all ejections of patrons

c) any complaints received concerning crime and disorder

d) any incidents of disorder

e) all seizures of drugs or offensive weapons

f) any faults in the CCTV system, searching equipment or scanning equipment

g) any refusal of the sale of alcohol

h) any visit by a relevant authority or emergency service.

12. A 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.

13. The premises (including the outside area) shall only operate as a restaurant,

(i) in which customers are shown to their table or the customer shall select a table themselves,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,

(iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,

(v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

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

15. The number of persons accommodated on the ground floor at any one time (excluding staff) shall not exceed 60 persons **(including the external area properly authorised by a WCC Tables and Chairs Licence)**.

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

17. There shall be no sales of alcohol for consumption off the premises after **(23.00)** hours.

18. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

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

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

22. 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.

23. All tables and chairs shall be removed from the outside area by **(23.00)** hours each day.

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

25. 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.

26. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** hours on the following day.

27. No licensable activities shall take place at the premises until premises licence **22/09052/LIPRW** (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

28. The sale and supply of alcohol for consumption off the premises shall be restricted to:

(a) sealed containers; or

(b) alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only. 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.

29. 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.

30. 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. Such capacity shall not exceed 60 persons excluding staff.

Informative:

1. The Committee expects that the Premises Licence Holder shall ensure that facilities are available to all staff enabling them to provide an itemised receipt to each patron.
2. The Committee also expressed their concerns with the failure of the Premises Licence Holder to previously comply with licence conditions and the requirement to apply for a Tables and Chairs Licence.

It is expected that all staff shall have regular training and retraining on their duty to comply with all conditions and terms on the Premises Licence and the legal use of the outside area.

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

**Licensing Sub-Committee
12 October 2023**

2. 162 BUCKINGHAM PALACE ROAD, SW1W 9TR

**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 4
("The Committee")**

Thursday 12 October 2023

Membership: Councillor Angela Piddock (Chair),
Councillor Judith Southern
Councillor Karen Scarborough

Officer Support: Legal Adviser: Steve Burnett
Policy Officer: Aaron Hardy
Committee Officer: Katherine Stagg
Presenting Officer: Karyn Abbott

Other Parties: Chris Lucan (Licensing Guys) and Ola Akinyemi and Grant
Howell for the Applicant, Tag Licences Limited

**Application for a New Premises Licence for 162 Buckingham Palace Road,
London SW1W 9TR – 23/04788/LIPN**

FULL DECISION

Premises:

162 Buckingham Palace Road,
London
SW1W 9TR

Applicant

Tag Licences Limited

Ward

Knightsbridge and Belgravia

Summary of Application

This is an application for a new premises licence under the Licensing Act 2003 ("The Act"). The premises intend to operate as workspace, including private offices but with the benefit of the sale of alcohol.

The premises is a luxury serviced office building providing shared and private offices and workspaces.

Cumulative Impact Zone.

None

Special Consideration Zone:

None

There is a resident count of 17

Application

To Permit:

Sale of alcohol (Both)

Thursday and Friday 15.30 to 20.00

Opening Times

Mondays to Sundays 07.00 to 22.00

Representations Received

- Kudzaishe Mondhlani – Environmental Health Services (EHS) (**Withdrawn**)
- Mrs Mary Regnier-Leigh

Issues raised by Objectors

There are too many licensed Premises in the area and adding an additional 07.00 until 22.00 licence will fail the Licensing Objectives.

Policy Considerations

Policy HRS 1 states:

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.

COMBO1

2. 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:

- 1The 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.

SUBMISSIONS

1. Karyn Abbott summarised the application to be heard.
2. Mr Lucan on behalf of the Applicant made preliminary submissions on behalf of the Applicant. He stated that the sole representation against the application from resident, Mrs Mary Regnier-Leigh, was not relevant and should be disregarded as it does not mention the individual Licensing Objectives or provide evidence of why the objectives are not being met. He quoted the case of *Thwaits*.
3. Legal Advisor, to the Committee Mr Burnett advised the Committee and Mr Lucan that the representation stated that adding another Premises Licence to the area would "fail to meet the Licensing Objectives." Any representations made by an objector must be 'relevant', namely that the representation must relate to one or more of the licensing objectives. This representation relates to all the Licensing objectives, and it is right that the Committee to consider the contents and exercised their wide discretion, giving the appropriate weight to the evidence as they see fit.
4. Mr Lucan continued by informing the Committee that the Premises is a luxury workspace of 64 members and no access to the public. Membership is £9000 per month and includes the cost of the sale of alcohol.
5. No alcohol will leave the building on an off sales basis. The red lined area/social spaces on the plans are where alcohol will be sold but the off-sales will permit office users to take alcoholic drinks to other parts of the office block.
6. The brands of alcohol available are limited and sales will be supervised by staff.
7. Visitors and Premises users must register to enter the Premises and there are also digital recognition systems on site to prevent general access.
8. The Premises shall not be hired to external members of the public.
9. The Applicant have other licensed sites operating in the same way without issues or cause for concerns from the Relevant Authorities or residents.

DECISION

Application GRANTED subject to the following conditions in addition to the Mandatory Conditions applicable to this type of application.

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

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

1. To grant permission for:

To Permit:

Sale of alcohol (Both)

Thursday and Friday 15.30 to 20.00

Opening Times

Mondays to Sundays 07.00 to 22.00

2. Relevant Mandatory Conditions to apply.

3. Conditions proportionate and appropriate to from part of the operating schedule.

9. CCTV system requirements including retention of recordings and viewing on request:

- a. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
- b. All entry and exit points shall be covered enabling frontal identification of every person entering in any light condition.
- c. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and shall include the external area immediately outside the premises entrance.
- d. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- e. 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. Members shall not enter or leave the premises except via the front reception desk area or the dedicated members' entrance on Ecclestone Place, unless in the event of an emergency.

12. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to members, the licence holder shall ensure that all alcohol within the premises is secured in a locked store room or the locked serveries so as to prevent access to the alcohol by both members and staff.

13. A record shall be kept detailing all refused provisions of alcohol. The record should include the date and time of the refusal and the name of the member of staff who refused the provision. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

14. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and shall record the following:

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

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

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

17. A 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.

18. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices, where members of the public are not admitted.

19. The supply of alcohol at the premises shall only be to clients, associates, members of staff, agents, and their bona fide guests.

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

21. Off sales shall be limited to consumption in the office building only.

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

23. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders.

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

**Licensing Sub-Committee
12 October 2023**

3. FARMER J, 210 PICCADILLY, LONDON, W1J 9HL

The Application was Granted under Delegated Authority.

The Meeting ended at 12.01 pm