



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (6)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (6)** held on **Thursday 27th February, 2025**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Aziz Toki, Hamza Taouzzale and Caroline Sargent

1. MEMBERSHIP

1.1 It was noted that there were no changes to the membership.

2. DECLARATIONS OF INTEREST

2.1 It was noted that there were no declarations of interest.

1. 44-46 CRANBOURNE STREET, WC2H 7AN

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 6 **("The Committee")**

Thursday 27th February 2025

Membership: Councillor Aziz Toki (Chair), Councillor Hamza Taouzzale and Councillor Caroline Sargent

Officer Support:	Legal Adviser:	Michael Feeney
	Committee Officer:	Katherine Stagg
	Presenting Officer:	Jessica Donovan

Other Parties: Stewart Gibson (representing the Applicant Company), John Johnson and Klodian Gica (of the Applicant Company), PC Tom Cooke (Metropolitan Police Service) and James Hayes (Licensing Authority).

**Application for a New Premises Licence in respect of 44-46 Cranbourne Street,
London, WC2H 7AN**

Premises

44-46 Cranbourne Street
London
WC2H 7AN

Applicant

Pizza Fasta Ltd

Ward

St James

Cumulative Impact Area

West End

Activities and Hours

Sale by Retail of Alcohol (off sales)

Monday to Saturday: 08:00 to 23:00

Sunday: 09:00 to 22:30

Seasonal variations/Non-standard timings: None.

Hours Premises are Open to the Public

Monday to Saturday: 08:00 to 23:00

Sunday: 09:00: 22:30

Seasonal variations/Non-standard timings: None.

Policy Considerations

Policies CIP1, HRS1 and SHP1 apply under the City Council's Statement of Licensing Policy ("SLP").

Case Summary

This is an application for a New Premises Licence under the Licensing Act 2003 ("The Act") in respect of 44-46 Cranbourne Street, London WC2H 7AN ("The Premises"). The Premises intends to operate as a retail convenience store. The Premises are located in the St James's Ward and the West End Cumulative Impact Area.

There is a resident count of 99.

Representations Received

Representations were received from the Licensing Authority, the Metropolitan Police and the Environmental Health Service (withdrawn).

SUBMISSIONS AND REASONS

Ms Jessica Donovan, Senior Licensing Officer, outlined the application to the Committee. She advised that this was an application for a New Premise Licence located in the St James Ward and West End Cumulative Impact Zone. She confirmed that representations had been received from the Licensing Authority (LA), Metropolitan Police Service (MPS) and Environmental Health Service (EHS), which had been withdrawn following agreement of conditions. She confirmed that the additional submissions from the Applicant and the Interested Parties had been circulated.

Mr Stewart Gibson, representing the Applicant Company, outlined the application to the Committee. He advised that they were applying for off-sales for their convenience store under the Londis brand. The brand was a subsidiary of Tesco, so they had the support of the brand, including their field management teams and head office. Mr Gibson advised that their request was within WCC Core Hours and no more than 15% of their selling space would be dedicated to alcohol (including the space behind the counter). Spirits would be supplied behind the counter and the sale of alcohol would be ancillary to the main use as a convenience store. He advised that selling alcohol would be key to the growth of the business as it was likely to double the basket spend and 95% of similar stores sell alcohol for that reason. Mr Gibson advised that they would not sell single cans or bottles and there would be no sale of beer, cider or larger above 5.5% except for pre-approved premium beers and ciders. Mr Gibson advised that they had operated at the location for the last 7 years as a covid test store and vape shop so were aware of the issues of the location. To mitigate the Cumulative Impact (CI) they had offered to have a SIA between 21:00hrs and 23:00hrs on Fridays and Saturdays and would be happy to accept it on more days if the Committee thought it was appropriate. They would also not sell any mini sprits and would get involved with the local Pubwatch. Mr Gibson advised that there were two shops within 75 meters of the premise who sold alcohol, but their hours were considerably later than core hours unlike this application. He stated that they did not agree with the picture the MPS painted in their representation and if there was a problem with street drinking and alcohol fuelled crime in the area, then the MPS should address the issues rather than stopping a high-quality premises from getting a licence.

In response to questions, the Applicant advised that the premise had two entrances but the one on Bedford Street would be closed to patrons and would only be used for deliveries. They confirmed that spirits would be behind the counter while there would be a fridge for the other alcoholic products. They confirmed that they had regular contact with Londis' regional manager who had helped them with the layout, shop fitting and which products to stock. They also had an emergency contact for out of hour problems. They also had strong support in their staff training from head office. The Applicant advised on the issues experienced in Leicester Square and advised that the main issues were theft, street drinking and addiction but the premises had

never experienced any problems. They had a strong relationship with the Hippodrome opposite, including their SIA's, and this would continue if the licence were granted. The Applicant advised that the MPS were few and far between in the area, so they had more of a relationship with the BID security team. They also confirmed that the Londis brand would be visible on the signs. They had 4 staff members working on Friday and Saturdays and the 1 SIA would be additional to this.

PC Tom Cooke, representing the MPS, advised that the location of the premises was of severe concern to them as it was a known fact that the specific location had the highest level of footfall and crime and anti-social behaviour. He advised that off-sales would be like putting petrol on fire at this location and the addition of 1 SIA did not reassure the MPS. There was a known link between alcohol and crime and the MPS were aware of multiple calls being made about the area already. The application, if accepted, would add to cumulative impact. He advised that tourists deserved to feel safe in the area and not be approached by beggars. The area had the worst drug use problem and alcohol had a clear link to drug use and anti-social behaviour which would only be exacerbated by off-sales. Leicester Square was also the location for events such as film premiers and football screenings and preloading was a concern in the area. There was already a strain on services and adding off-sales to that location would add to cumulative impact and heighten drug use.

In response to questions, PC Cooke advised the committee that they had monthly meetings with the premises opposite and they regularly hear about the issues of the area. An SIA on Fridays and Saturdays would not be enough to address the issue as they would not go to where the street drinking took place. He advised that it would be better to run any premise without alcohol in that location, including a vape shop, as it was the worst place for off-sales. The reality of selling off sales in this location was that street drinkers would visit and it would lead to anti-social behaviour.

In response to more questions, the Applicant advised that they shared 44-46 Cranbourne Street with a restaurant in the basement and a souvenir shop on the corner. They had a close relationship with the Hippodrome and if their SIA saw anyone leaving the Hippodrome queue to buy drinks at their premises they would not serve them. They advised that drug addicts and beggars were not their target audience and they would not serve low margin products. They understood that they were not able to sell alcohol to intoxicated people. They had also agreed with alcohol restricted conditions suggested by EHS.

Mr James Hayes, representing the Licensing Authority, advised the Committee that Leicester Square had high footfall and not a lot of off sale provision and those that were, are off the square and their off-sales end at 23:00hrs. The square perimeter was set up with seating which could be used for drinking and loitering which would be added to if off-sales were granted at this premises. He had no criticism about the premises and advised that the LA's representations were due to the area. The premises sat comfortably within the shops policy but they maintained the representation due to the West End CIZ, where drug offences, thefts and violence against persons are high. The problems would be worsened by extra alcohol. He noted that the area was not a high residential area except for hotels.

In response to questions, the Applicant advised that they were not expecting to provide deliveries.

Mr Michael Feeney, Legal Adviser, clarified the wording of conditions with the Applicant and the Applicant agreed to MC 85 and MC62 to be included on the licence if granted.

In summing up, PC Tom Cooke reiterated that if the licence was granted it would lead to an increase in anti-social behaviour. In the view of the MPS, the premise was in the worst place for off-sales. In the 2023 assessment of the CIZ, it was noted that alcohol would have a negative effect and add to the CIZ.

In summing up, James Hayes reiterated that the CI policy was clear on Leicester Square and that it was the worst place for anti-social behaviour. He advised that the opening hours mirrored the hours of selling alcohol so a lockable shutter would not be necessary. The LA had concerns that a new off-sales premise would add to cumulative impact in an area where the strain was already clear.

In summing up, the Applicant advised that the operators were not the problem and had been running a premises in the area for the last 7 years. They disputed the MPS's idea that an SIA would not help the local problems as they would be trained security guards and could vet customers on the door to not allow street drinkers into the store. He reiterated that they would be selling premium products and they needed to sell alcohol to make the store viable. He highlighted that there were no comments from residents and if there had been a concern, the Soho Society would have made a representation. They highlighted that alcohol was purchased for several reasons and in the majority of cases it would not lead to antisocial behaviour. The Applicant had offered a number of conditions to mitigate the concerns and if the committee were minded to grant, the Applicant would be happy to accept a condition that they could only sell a minimum of a 4 pack if needed. They highlighted that the MPS were few and far between in the area and that they hardly saw them on patrol. They asked the committee to consider the application on its merits.

Mr James Hayes advised that the Soho Society would not have made a representation on this application as it was not within their area.

Conclusion

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

The Sub-Committee had regard not only to the written and oral evidence but also to the Act, the Revised Home Office Guidance issued under section 182 of the Act and the City Council's SLP, in particular policies CIP1, HRS1 and SHP1.

The Sub-Committee noted that for a retail convenience store there was no presumption to refuse the application in the CIZ. The application was considered on its merits, and the Sub-Committee had regard as to whether the application would add to cumulative impact.

Overall, the Sub-Committee considered that the application would not add to cumulative impact and that the application should therefore be granted. The Sub-Committee had regard to the concerns expressed by both the MPS and the Licensing Authority. However, the Sub-Committee considered that the robust set of conditions agreed by the Applicant would mitigate the concerns raised. In particular,

the Sub-Committee noted that the sale of alcohol would have to remain ancillary to the use of the premises as a retail convenience store and only 15% of the floor area could be used for the sale of alcohol. The Sub-Committee also noted that the application was within core hours and that the off-sales would cease at 23:00 hours.

The Sub-Committee also considered that the addition of an SIA guard on Fridays and Saturdays would help promote the licensing objectives. Although an SIA guard did not have the same powers as a police officer, the guard would be able to prevent street drinkers or inebriated people from purchasing alcohol in the premises, and the presence of an SIA guard on duty at the premises could also help dissuade anti-social behaviour. The conditions attached to the licence would also help discourage street drinking, most notably by preventing the sale of single cans or bottles of alcohol, preventing the sale of super-strength beers, lagers or ciders above 5.5% ABV and preventing the sale of miniature bottles of spirits.

The Sub-Committee also noted that there was no evidence that the Applicant would be anything other than a responsible operator, and the Applicant would be able to access further guidance and help when needed. The evidence also showed that the Applicant had a good and co-operative relationship with other licensed premises in the area. If the premises was not well-run and did undermine the licensing objectives, then there was the possibility that an application for review of the premises licence could be submitted.

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

1. To Grant Permission for **Sale by Retail of Alcohol (off sales)** Monday to Saturday: 08:00 to 23:00 and Sunday: 09:00: 22:30. Seasonal variations/Non-standard timings: None.
2. To Grant Permission for the **Opening Hours of the Premises** Monday to Saturday: 08:00 to 23:00 and Sunday: 09:00: 22:30. Seasonal variations/Non-standard timings: None.
3. That the Licence is subject to any relevant mandatory conditions.
4. That the conditions as specified below and numbered 5-40 are imposed on the premises licence which are considered appropriate and proportionate to promote the licensing objectives.
5. The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, age restricted products and (if they are ever left in charge of the shop) the operation of the CCTV system and how to deal with visits from authorised officers.
6. The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives, identifying persons under 25, making a challenge, acceptable

proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. Staff shall sign to confirm that they have received and understood the training.

7. All staff who work at the till will be trained for their role on induction and be given refresher training every six months.
8. The written training records kept for each staff member will be produced to police & authorised council officers on request.
9. Copies of all invoices for the purchase of alcoholic products will be kept on-site and made available for inspection by the authorities for a period of at least 12 months.
10. Notices will be prominently displayed by the entry/exit:
 - A) That CCTV is in use & a Challenge 25 proof of age policy is in operation.
 - B) Advising customers of the provisions of the Licensing Act regarding underage & proxy sales.
11. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
12. No alcoholic goods or tobacco products will ever be purchased or taken from sellers calling to the shop.
13. Documented delegation of authorisations, (DPS Authorisation sheet), to sell alcohol shall be maintained at the premises and shall be available on request by an authorised officer of the Licensing Authority or the Police.
14. Spirits shall be located behind the counter. All other alcohol for sale is to be displayed in a position that is not obscured from the constant view of the cashier/staff/CCTV.
15. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures shall be in place for a premises of this size.
16. Sufficient litter bins will be provided to allow the customers to deposit their waste/rubbish in the correct manner.
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 Licensee shall prominently display notices advising customers of the "Challenge 25" policy.
19. The Licensee shall ensure that each member of staff authorised to sell alcohol is fully aware of his/her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.
20. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
21. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked storeroom or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
22. No super-strength beers, 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 supplied in glass bottles.
23. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
24. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
25. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
26. No noise will emanate from the premises nor vibration will be transmitted through the structure of the premises which causes a nuisance when licensable activities are taking place.
27. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No 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.
30. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
31. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
32. 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.
33. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
34. 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.
35. 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.

36. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

37. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a grocery shop.

38. On Friday and Saturday nights, one SIA guard will be employed on the door of the premises between the hours of 19:00 hours until closing time at 23:00 hours.

39. No miniature bottles of spirits of 20cl or below shall be sold from the premises.

40. As soon as possible, and in any event within one month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
27 February 2025**

2. THE PENTHOUSE CLUB, 1-4 WALKER'S COURT, W1F 0BT

LICENSING SUB-COMMITTEE No. 6

Thursday 27 February 2025

Membership: Councillor Aziz Toki (Chairman), Councillor Hamza Taouzzale and Councillor Caroline Sargent

Legal Adviser: Michael Feeney
Committee Officer: Katerhine Stagg
Presenting Officer: Jessica Donovan

Present: Sarah Le Fevre (Counsel for the Applicant), Alun Thomas (Solicitor for the Applicant), Dr Phil Hadfield (Expert Witness for the Applicant), John Kirkendoll, Caroline Kirkendoll, Eddie Suqi (of the Applicant Company), James Hayes (Licensing Authority), Anil Drayan (Environmental Health), Richard Brown representing the Soho Society, TL (Soho Society), CR and Rupert Power (Soho Business Alliance).

The Penthouse Club, 1-4 Walker's Court, W1F 0BT (24/08227/LISEVN)	
1.	<u>Application for a New Sexual Entertainment Venue The Penthouse Club, 1-4 Walker's Court, W1F 0BT under the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009)</u>
	The Sub-Committee has determined an application for a New Sexual Entertainment Venue Premises Licence made by Soho Prime Entertainment Ltd to operate the Premises as a sexual entertainment venue between the hours of Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 22:30 and 12:00 to 03:00 Sundays before a Bank Holiday
	Amendments to application advised at hearing: N/A
	Decision (including reasons if different from those set out in report): Reasons: 12 objections were received, including representations from Environmental Health and the Licensing Authority. 2 representations in support were submitted. The objections are set out in full at Appendix B of the Report. Ms Jessica Donovan, Senior Licensing Officer, outlined the application to the Committee. She advised that this was an application for a New SEV Licence located in the West End Ward and West End Cumulative Impact Zone. She

confirmed that they had received representations from the Licensing Authority (LA), Environmental Health Service (EHS), and ten interested parties in objection and 2 interested parties in support. She confirmed that the additional submissions from the Applicant and the Interested Parties had been circulated.

Ms Sarah Le Fevre, Counsel for the Applicant, outlined the application to the Committee. She advised that the premise had the benefit of a premises licence and were requesting an SEV licence with hours and capacity that mirrored their premises licence with extensive conditions. She advised that there had been a degree of confusion from the objecting comments and highlighted that it was not a new licence, and that this application was to determine what sort of entertainment should be provided at the premises. She highlighted that distaste for sexual entertainment was not a reason to take into consideration when making the decision. She advised that SEV premises were heavily regulated and did not negatively impact the area. She noted that the location in the West End, Core CAZ North was an appropriate location for a SEV, and she highlighted that the policy encouraged the widening of the entertainment landscape.

Ms Le Fevre outlined the proposed activity and Applicant to the Committee. She advised that it would be a contemporary entertainment venue with performance, theatre and sexual entertainment. The Applicant would be held to the highest standards in looking after their staff, performers and customers. Performers would be escorted within the premise by highly visible security and would be escorted to a pre-checked and booked vehicle at the end of their shift. She advised that the ground floor would have no entertainment and would be a holding area within the premises where people could queue on arrival and wait for their transport on departure. There would be a high level of security within and outside the venue and they anticipate equipping their security with body worn cameras to assist the Metropolitan Police Service (MPS) with footage if needed. The venue would add positively to the issues of the surrounding area as it would increase illumination and technical coverage of the area. She advised that the application would bring significant investment into the area. Throughout the consultation they had worked with the Licensing Authority (LA) and Environmental Health Service (EHS) and this would continue if the application was granted. She highlighted that the MPS did not make any representations to the application and the MPS were not slow to object to applications were appropriate. The venue would assist the MPS, including with their publicised phone snatching crack down. She highlighted that WCC's policy determined that the appropriate number of SEV's in the Borough was 25 and that the number they currently have was significantly below that. She noted that the voices in support of the application include Dr Hadfield, an independent expert, and the Soho Business Alliance who noted that the premise would represent a culturally significant addition to Soho.

In response to questions, the Applicant advised that there was a CCTV camera which covered the entrance and there would be a degree of refurbishment to the property if the application were granted.

Mr James Hayes, representing the LA, advised that they had given the application a significant amount of scrutiny due to it being a new applicant and a new SEV licence. He advised that the Applicant had not been convicted of any crimes and the LA had looked through the operator's previous trading history and had not found anything alarming. He advised that there were a number of conditions on the licence which would manage the risk of opening a SEV licence in the West End and conditions to protect the performers. The LA had proposed several additional conditions which the Applicant had agreed to, many of them standard conditions. Mr Hayes highlighted conditions 32, 36 and 37 which would help to protect the performers. He also highlighted the locality and noted that the policy stated 25 SEV's in the Borough while there were only 13 at present. The premise was located on a pedestrianised street and a clear street management plan would be needed. He advised that later opening hours would have a greater impact on residents but noted that they already had a licence until 03:00hrs so the risk of suggesting core hours for this application could mean greater disturbance to residents. He confirmed that he had had assurances that the premises' entrance would be on Walkers Court away from residents. He advised that there was a significant concentration of sex shops and SEVs in the area, which the policy allowed.

Mr CR outlined his objection to the committee. He advised that he had been a resident for the last 20 years and in the last 10 years, since the premises had been closed, the surrounding area had become increasingly busy. He advised that the premises would attract a certain client- male, with money to spend, and often intoxicated. These clients would likely become target to drug pushers on the way in and out of the premises. He advised that the premises was located in a busy part of Soho and the increase in customers would increase the number of pedicabs and drug pushers which would disturb the peace at 03:00hrs. He advised that he did not have problem with SEVs but did have a problem with the concentration of SEVs in this location. He noted that the policy stated 25 SEVs allowed but highlighted that this was decided 13 years ago and the area had change significantly since then with Brewer Street now more fashion focused and with a primary school on it. He implored the committee not to grant the licence as it would cause problems for the residents, and they would take up MPS resources from their complaints.

Mr Anil Drayan, representing the EHS, advised the Committee that they had maintained their representation principally to assist the committee in any questions they may have when deciding on the application. He advised that the EHS looked at the application in conjunction with the premises licence which was already until 03:00hrs. He advised that if the premise operated as an SEV many of the issues related to the licensable objectives would occur less than under purely licensable activities to 03:00hrs. He advised the Committee that the licence had sufficient conditions on the sound limiters, noise escape and queuing in the premises and there was a works condition on both premise and SEV licence which the EHS would have to remove before they could operate.

Mr Richard Brown, representing the Soho Society, advised that the SEV legislation confers a wide discretion to the Committee on place making and what they consider appropriate for the area. He noted that the Soho Society had no concerns about the suitability of the Applicant but did about the character of the locality and use of other premises. He advised that they believe there were two misapprehensions of the application:

1. That premise would have a more benign use in relation to impact than what would be operated under 03:00hrs licence.
2. That the character of area would welcome a SEV premises.

He highlighted that the premises had not operated for 10 years and in that time there had been two cumulative impact assessments which reinforced the position that Soho had problems with crime and anti-social behaviour. He stated that there was an assumption that an SEV would not have the same intensity as a licensed premise but advised that the premises opposite offered a reduced capacity of 100 when applying to be a SEV while this application still had a capacity of 300 and terminal hour of 03:00hrs. There was also no last entry condition which would aid dispersal. He advised on the locality of the area and highlighted that the Applicant relied on Dr Hadfield's report but he noted that the report omitted the extent of the residential properties in the area. He agreed with Dr Hadfield's report on the reality of crime in the area and noted that it was the least safe between 01:00hrs and 04:00hrs which was when the premise would close. The Soho Society struggled with the conclusion that a new 300 cover premium price establishment would help with the area and noted that surrounding establishments SIA's did not have the power to disperse patrons and they did not see how the Penthouse's SIAs would have any powers.

Mr Tim Lord, resident, representing the Soho Society, and also as the Chair of the Westminster Safer Community Board advised that in the last 10 years Soho had changed and crime levels had got worse. He asked the Committee to consider the volume of people this premises would have in a hotspot for crime, including serious violent crime. He advised that there were 30 sexual assaults in the West End every month and police were few in the late hours as they start the night with 30 officers and every time anyone is arrested two officers return to the station and do not return to the streets. He advised that the nearby premise The Box Soho attracted groups of criminals and the SIA's had no power to disperse them. He advised that the Soho Society were concerned about the safety of the dancers and questioned whether the proposal of taking dancers to a waiting car was conditioned and how it would work in practice. He advised that crime had got worst without police presence and the SIA's did not have the same powers as the MPS. He stated that the location was one of the worst places to open a new SEV premises.

Mr Rupert Power, representing the Soho Business Alliance, advises that he operated a nightclub on Great Windmill Street and believed that this premises would be positive for the community as it would bring over 200 employees to the Soho neighbourhood. This would include 6 security outside the premise who would be beneficial to the area as presence is important. He highlighted that the area had received CIL funding for more CCTV, and this will help the crime problems late at night.

In response to questions, Ms Caroline Kirkendoll (of the Applicant Company) advised that many of their other locations were centrally located and they were not using the entrance on Brewer Street, only the main entrance on Walker's Court. Mr Thomas outlined where the staff and customers would get a taxi from nearby and advised that performers would be escorted by security to transport and there would be a minimum of 2 SIA's located at the taxi junction by the end of the night for safety. Ms Kirkendoll advised that performers tended to ride share together or if there were not ample transport options, the company could provide a mini bus for performers to transport links or a parking lot. They advised that they were not expecting big queues as the performances would start earlier and patrons would come gradually. If they did come at one time, there would be ample space in the ground floor which could hold up to 20-25 people in a queue. That said if they did need to queue on the street, they would have a SIA at the beginning and end of the queue on Walker's Court and they would work with The Box to make sure accessibility was still maintained.

Mr Eddie Suqi (of the Applicant Company) advised on how they would manage refusals and advised that they had a zero tolerance to drug taking. Mr John Kirkendoll advised that in the 38 years they had run premises they had never had any issues with drug taking due to their zero tolerance. Ms Kirkendoll advised that they were not expecting the regular stag do clients and were hoping to target an older and more female demographic with around 40% of patrons being female. She advised on the accessibility of the premise and noted that Brewer Street would only be used as an accessible entrance and they would have accessible lifts and toilets. She suggested that this location, with its crime rates, would be similar to their New Orleans location and advised that they had managed it well and had had no reports of crime to the performers when leaving the premises. They advised that the average entry fee would be £25, and they expect around 40% of their patrons to be pre-booked but they were adjusting their model to have more pre booked tables. While customers could go to the bar for a drink they encouraged customers to sit. Ms Kirkendoll confirmed that there was CCTV in every VIP room and they would be looking at having additional CCTV outside with better lighting. Mr Thomas advised that to help mitigate crime there would be a minimum of 2 SIA's with body worn cameras outside the premise and would coordinate with The Box to help reduce crime. They agreed to a condition on body worn cameras being worn by SIA stationed outside the premises. In response to further questions, the Applicant and Interested Parties discussed the use of taxis for patrons and performers and Mr Tim Lord advised that he had never seen a taxi waiting at the taxi rank highlighted by the Applicant at night as they do not like coming to Soho at night. The Soho Society also highlighted the significant cost of performers using taxis after every shift and the Applicant advised that they tend to share the taxis with other performers and they get paid well. The Applicant also highlighted that taxis tended to congregate where there was demand for them and it was likely that they would come towards the premises due to the clientele. Dr Hadfield advised on the location and that more supervision, which the premises would provide, would be beneficial. Mr Hayes advised that there were conditions on the licence regarding dispersal but that these could potentially be strengthened in relation to performers leaving the premises.

In response to questions from the Legal Advisor, Ms Le Fevre advised that they were likely to have a capacity of 25 in the smoking area but they anticipated less than that. Mr Thomas advised that the previous licence had a last entry time as their entrance was on Brewer Street and nearer to residents, so with the entrance for this premise being on Walker's Court they did not have the intention to have a last entry time. They had two or four performers throughout the night on the main stage with performances every 45 minutes starting at 23:00hrs with the last performance starting at around 01:30hrs. They advised that the main focus would be on the stage and they would not have a dance floor. They were also expecting minimum spends on the premium tables as they were hoping to capture the guests for the whole evening and guest experience was at the heart of the management team. In summing up, Mr Richard Brown advised the Committee that a number of the objections to this application detailed what it was like living in Soho and that it would not be right to have a 300 capacity 03:00hrs SEV licence in the area. With the type of clientele the premise would attract, it would attract criminals. The Soho Society would like to see a reduction of capacity due to it being a SEV but this had not been offered. He highlighted that the safety of performers was paramount to the Soho Society and the suggestions from the Applicant were not conditioned. He noted that the Applicant stated that the last performance would be at 01:30hrs so suggested a last entry time in line with this.

Mr Tim Lord, in summing up, advised that there would not be taxis in the taxi rank at 03:00hrs and there were many instances where patrons in Soho had been unable to get a taxi and had subsequently been followed by criminals. Mr Lord highlighted that the performers pay a house fee so the additional costs of a taxi would likely make them consider other forms of transport.

In summing up, Mr Anil Drayan advised that the Committee were aware of the issues in the area and that it is up to them to decide if the nature of the operation and the plans for the running of the outside area would sufficiently mitigate the concerns. He advised that some of the conditions had been changed and it could be conditioned in such a way for the LA to review the management policies if needed.

Mr James Hayes in summing up advised that the committee had more discretion in relation to SEV applications than licensable activities applications. He advised that a SEV had to be reviewed annually and therefore giving some protection to the committee if it was not run well. The MPS and residents regularly objected to a renewal if there was a problem. Mr Hayes highlighted the large residential population of 480 and advised that the LA had tried to address this with their conditions. He highlighted the welfare conditions and welcomed any additional conditions the committee felt were needed including a last performance and body worn cameras and suggested MC06 in that regard.

Ms Le Fevre in summing up advised that the application had been made by a responsible, informed and knowledgeable operator which would sit well within the community. She highlighted that there had been no responsible authorities objecting to the application and they would continue to work with them as the

premises started to operate. She advised that the application was within the framework of the extant licence, and this would add higher regulation to the licence which would be reviewed annually. Ms Kirkendoll advised that safety was paramount to the Applicant Company and they had had zero incidences in their similar location in New Orleans as they had taken the steps to ensure the safety of everyone. She highlighted that the house fees for performers would be no more than £50 a night and the earlier they arrive the less they would pay. Mr Thomas advised that the location had always had a premises licence and the impact of it operating as a 03:00hrs nightclub would be worse than a SEV due to the increased supervision and regulations on a SEV licence.

The Sub-Committee, having considered all the representations made both orally and in writing and having had regard to the Council's SEV Statement of Licensing Policy 2012 ("the SEV Policy"), decided to grant the application with the conditions set out at Appendix E of the report with the following amendments:

1. An additional condition shall be imposed as follows:
The licensee shall ensure that:
 - a. All licensed SIA door staff on duty stationed outside the premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team.
 - b. All recordings shall be stored for a minimum period of 31 days with date and time stamping, and
 - c. Viewing of recordings shall be made available immediately upon the request of police or authorised officer throughout the preceding 31-day period.
2. Condition 29 is varied so that the final bullet point is amended to read as follows: 'Dispersal of patrons, staff and performers leaving the premises.'

The Sub-Committee did not consider that there were any concerns about the suitability of the applicant. The Sub-Committee also did not consider that the business would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself.

The Sub-Committee noted that the number of sexual entertainment venues permitted within the Council's SEV Policy had not been exceeded.

Finally, the Sub-Committee considered that the grant of the licence would not be inappropriate, having regard—

- (i) to the character of the relevant locality; or
- (ii) to the use to which any premises in the vicinity are put; or
- (iii) to the layout, character or condition of the premises in respect of which the application is made.

The Sub-Committee considered the objections that had been made and noted

the serious concerns that had been raised in relation to crime and public safety. However, the Sub-Committee considered that the applicant was a responsible, professional and experienced operator and had agreed robust and stringent conditions that would mitigate the concerns raised. The Sub-Committee noted that the MPS had not made any representation objecting to the application. The Sub-Committee agreed with the submissions made by the applicant that introducing further surveillance and SIA door security staff into this area would help promote public safety and prevent crime and disorder. If the applicant did not comply with the strict and robust conditions that had been agreed, the Sub-Committee noted that this could be raised as a point of objection in any subsequent renewal application.

The Sub-Committee also considered that the grant of the licence would not be inappropriate given that the premises was located in an area with other SEVs and in the area that had been deemed most appropriate for SEVs in Westminster in the SEV Policy. The Sub-Committee did not consider based on the evidence provided that granting the licence would lead to an over-saturation of SEVs in the locality. In its determination of the matter the Sub-Committee considered all relevant factors namely the locality of the venue and its surrounding premises such as schools and places of worship.

The Sub-Committee, therefore, granted the Sexual Entertainment Venue Licence subject to the Standard Conditions applicable to licences for sex establishments in Westminster as prescribed by the Council pursuant to Paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and the additional conditions imposed on the Licence as specified below.

Standard Conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.

6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Westminster Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing
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 is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following: (a) all crimes reported to the venue; (b) all ejections of patrons; (c) any complaints received; (d) any incidents of disorder; (e) seizures of drugs or offensive weapons; (f) any faults in the CCTV system or searching equipment or scanning equipment; (g) any refusal of the sale of alcohol; (h) any visit by a relevant authority or emergency service; (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed

shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.

14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant entertainment shall be given only by performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised. There shall be door staff on duty near the booths at all times when they are in use.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

ADDITIONAL CONDITIONS

24. Notwithstanding standard condition 17, contact in order to perform skilled dance or acrobat routine is permitted, however this will be limited to performances on the stage area only. For the avoidance of doubt this condition does not relate to performances that are provided solely or principally for the purpose of sexually stimulating any member of the audience anywhere on the premises.

25. Whenever Relevant Entertainment is provided at the premises, there must be:

a. a minimum of 2 SIA licensed door supervisors on duty at the front entrance to the premises; and

b. at least one SIA registered door supervisor stationed in each of:

(i) the upper basement mezzanine main licensed area; and

(ii) the lower basement licensed area.

26. Whenever Relevant Entertainment is provided in the private booths on the upper basement mezzanine, there must be a minimum of one additional SIA registered door supervisor stationed in that area.

27. No Relevant Entertainment shall take place until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the agreed capacity has replaced this condition, subject to the overall capacity not exceeding 300 persons (excluding staff) at any one time.

28. No Relevant Entertainment shall take place until the premises has been inspected to the satisfaction of the Environmental Health Consultation Team.

29. The licensee will adopt a street management plan and all customer facing staff including door supervisors shall be trained on the implementation of the plan. The date and attendees of such training is to be recorded and retained for at least 18 months and made available to the relevant authorities on request. Such a plan to include the following:

- Queuing outside the premises
- Supervision of a designated smoking area (including a capacity of 25)
- Prevention of nuisance caused by customers smoking
- Ordering taxis from inside the premises, where requested
- Encouraging patrons waiting for taxis to remain inside the premises, where requested
- Dispersal of patrons, staff and performers leaving the premises.

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

31. The Licence Holder shall devise, implement and maintain a Training

Regime for:

- a. All staff (including self-employed performers) working in customer facing roles at the Premises; and
- b. All SIA licensed door supervisors engaged by the Premises.

32. Staff (including self-employed performers) and SIA licensed door supervisors shall not be permitted to commence work at the Premises until such time as they have undergone induction training. The Training Regime shall, as a minimum, cover the following:

- a. The hours and conditions of this SEV Licence;
- b. The Licensing Objectives for Sexual Entertainment Venues;
- c. The Premises' Welfare and Safeguarding Policy; &
- d. Identifying and safeguarding intoxicated and vulnerable individuals (alcohol and prohibited substances).

33. All training at the premises shall be dated and signed off in writing by the Licence Holder. A record of such training shall be kept on the premises for inspection by authorised officers of the council and the Police.

34. Training Records shall be kept for customer facing staff selling alcohol including door supervisors. A record of such training shall be kept on the premises for inspection by authorised officers of the council and the Police during all trading hours. Training records shall be kept for a period of 18 months from the date on which the training was delivered.

35. Performers shall be trained on the Code of Conduct. A record of such training shall be kept on the premises for inspection by authorised officers of the council and the Police during all trading hours. Training records shall be kept for a period of 18 months from the date on which the training was delivered.

36. The Licence Holder shall devise, implement and maintain the following policies in relation to the provision of relevant entertainment at the Premises:

- a. Customer Complaints Policy
- b. Welfare and Safeguarding Policy, including a Performer Welfare Policy
- c. Noise Management Policy
- d. Drugs Policy
- e. Performers and Staff Complaints Policy
- f. Code of Conduct

Copies of these policies shall be kept at the Premises and made available for inspection by authorised officers of the council and the Police on request.

37. The Licence Holder shall designate a member of staff as responsible for staff and dancers welfare at all times that the Premises are open for relevant entertainment and for a period of 30 minutes after the Premises closes to customers. The designated staff member shall be identifiable at all times when on duty.

38. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility identification.

39. A door supervisor is to remain 30 minutes after the cessation of licensable activities to ensure that customers immediately disperse away from the premises.

40. The licensee shall ensure that:

a. All licensed SIA door staff on duty stationed outside the premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team.

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

c. Viewing of recordings shall be made available immediately upon the request of police or authorised officer throughout the preceding 31-day period.

Informative

Definitions

Relevant Entertainment is defined as:

(a) any live performance or

(b) any live display of nudity

which is of a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

Performer is defined as any person operating at a sexual entertainment venue who carries out any activity falling within the definition of Relevant Entertainment.

The Licensing Sub-Committee

27 February 2025

3. DAROCO, IONA ROSE HOUSE, MANETTE STREET, W1D 4AL

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 6
("The Committee")

Thursday 27th February 2025

Membership: Councillor Aziz Toki (Chair), Councillor Hamza Taouzzale and Councillor Caroline Sargent

Officer Support:	Legal Adviser:	Michael Feeney
	Committee Officer:	Katherine Stagg
	Presenting Officer:	Jessica Donovan

Other Parties: Alun Thomas (representing the Applicant Company), Richard Brown (representing the Soho Society).

Application for a New Premises Licence (Shadow) in respect of Ilona Rose House, Manette Street, London, W1D 4AL

Premises

Ilona Rose House
Manette Street
London W1D 4AL

Applicant

Soho Estates Portfolio Limited

Ward

West End

Cumulative Impact Area

West End

Activities and Hours

Late Night Refreshment

Monday to Saturday: 23:00 to 01:00

Sunday: 23:00 to 23:30

Seasonal variation: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sale by Retail of Alcohol (on and off sales)

Monday to Saturday: 10:00 to 01:00

Sunday: 12:00 to 23:30

Seasonal variation: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours Premises are Open to the Public

Monday to Saturday: 08:00 to 01:00

Sunday: 08:00 to 23:30

Seasonal variation: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Case Summary

This is an application for a New Shadow Premises Licence under the Licensing Act 2003 ("The Act") in respect of Ilona Rose House, Manette Street, London, W1D 4AL ("The Premises"). The application is for a shadow licence under the same, terms, conditions and plans as the current premises licence (ref: 24/00135/LIPRW). The Premises is located in the West End Ward and the West End Cumulative Impact Area.

There is a resident count of 48.

Representations were received from the Soho Society.

Policy Considerations

Policies CIP1, HRS1 and RNT1 apply under the City Council's Statement of Licensing Policy ("SLP").

SUBMISSIONS AND REASONS

Ms Jessica Donovan, Senior Licensing Officer, outlined the application to the Committee. She advised that this was an application for a Shadow Premises Licence located in the West End Ward and Cumulative Impact Zone. She confirmed that representations had been received from one interested party. She confirmed that the additional submissions from the Applicant and the Interested Party had been circulated.

Mr Alun Thomas representing the Applicant, Soho Estates Portfolio Limited, advised the Committee that they were applying for a shadow licence which was the same as the primary licence which was still trading. He advised that this application came about due to two different shadow licence applications. Sunset Strip which was subject to Model Condition 97 and Flare which was subject to a lighter touch condition. The imposition of MC97 in the Sunset Strip case had followed the revocation of the primary licence. The Flare decision had been appealed, and an amended condition had been agreed by the council on appeal. This application was asking for their shadow licence to be subject to the agreed Flare condition, which the responsible authorities had also agreed to. Mr Thomas advised that it covered the freeholder in every situation except for revocation. He advised that the Soho Society were agreeable to the shadow licence in general, but their representation was focused on the wording of this condition. The Soho Society were asking for the original condition under Flare which had been appealed and Mr Thomas advised that it would be inconsistent to go further than the one the council had agreed to on appeal.

Mr Richard Brown, representing the Soho Society advised that he agreed with Mr Thomas on how this application had come about and advised that MC97 had been a model condition for a number of years and understandably the council would want an element of control in granting a shadow licence. He advised that there were no details on a shadow licence of who would operate the licence, so the council, responsible authorities and residents should get a chance to scrutinise the details before it came into operation. The hybrid condition the Society were asking for excluded lapses and they recognised that the decision had been appealed but they were not party to the discussions. They noted that the appealed Flare licence was also a 01:00hrs licence like this application. He advised that the Soho Society's condition aimed to add back in lapses which included via insolvency. He advised that the principle of a shadow licence had been accepted by the High Court. Mr Brown believed MC97 would give the most protection to the Council, then his suggested condition, then Mr Thomas's condition and finally the least protection for the Council would be a condition stating only that it would not operate while the primary licence is in operation.

In response to questions Mr Thomas advised that he was taking the council's decision on the appeal as the right form of the condition. He stated that sometimes landlords were not aware that their tenant's licence had lapsed and while the Council could reinstate the licence in a CIZ they did not have to. He agreed with the council's decision on Flare, that they should come back in terms of revocation but not when it lapses. Mr Thomas highlighted that if the licence was suspended for not paying the annual fee, and they paid it, the licence would be reinstated.

In response Mr Brown advised that if something happened to the primary licence then it was right to include revocation and suspension. He advised that landlords should start to become aware that their tenants were heading towards lapsing if they stopped paying their rent, so it should be included in the condition. Mr Thomas advised that in the CIZ this would be difficult for applicants coming back before the committee as the lapsing had to be recent and sometimes it did not work that way. It would also be financially difficult for the same operator to come back to committee if they went bust. Mr Thomas advised that the surrendering of a licence was the worst thing for a landlord and sometimes they were not advised that this was the case.

Mr Brown and Mr Thomas had nothing to add in summing up.

Conclusion

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

The Sub-Committee had regard not only to the written and oral evidence but also to the Act, the Revised Home Office Guidance issued under section 182 of the Act and the City Council's SLP, in particular policies CIP1, HRS1 and RNT1.

The Sub-Committee noted that the sole issue between the parties was the wording of the final condition. Having carefully considered the representations made, the Sub-Committee decided to grant the application with the condition proposed by the Applicant and as agreed with the Licensing Authority. The Sub-Committee

considered that this would afford extra protection and scrutiny in the case that the primary licence was revoked, as in the case of a revocation an application to vary the licence would have to be made to remove the condition before the shadow licence could operate. This protection meant that the Sub-Committee would have the opportunity to scrutinise any such variation application following a revocation. This scrutiny and protection would be important in circumstances where the operation of the premises under the primary licence would have been found to have undermined the licensing objectives.

The Sub-Committee did not consider it necessary, appropriate or proportionate in this case to adopt the Soho Society's suggested condition, which would also require a variation application to be submitted if the primary licence lapsed. In reaching its decision, the Sub-Committee placed great weight on the fact that the condition proposed by the Applicant had been agreed with the Licensing Authority as being appropriate and proportionate in this case. The Sub-Committee also placed great weight on the fact that there were no outstanding objections from any other Responsible Authorities.

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

1. To Grant Permission for **Late Night Refreshment** Monday to Saturday: 23:00 to 01:00 and Sunday: 23:00 to 23:30. Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
2. To Grant Permission for **Sale by Retail of Alcohol (On and Off Sales)** Monday to Saturday: 10:00 to 01:00 and Sunday 12:00 to 23:30. Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
3. To Grant Permission for the **Opening Hours of the Premises** Monday to Saturday: 08:00 to 01:00 and Sunday: 08:00: 23:30. Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
4. That the Licence is subject to any relevant mandatory conditions.
5. That the conditions as specified below and numbered 6-32 are imposed on the premises licence which are considered appropriate and proportionate to promote the licensing objectives.
6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for

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

7. 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.
8. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration will be transmitted through the structure of the premises which causes a nuisance.
9. There shall be no sales of alcohol for consumption off the premises after 23:00.
10. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
11. Notice shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.
15. No collections of waste or recycling materials including bottles from the premises shall take place between 23:00 hours and 07:00 hours on the following day.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. 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.
18. 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, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

19. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
20. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
21. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.
22. After 21:00 the premises shall only operate as a restaurant:
 - a. in which customers are shown to their table or the customer will select a table themselves,
 - b. where the supply of alcohol is by waiter or waitress service only,
 - c. which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - d. which does not provide any takeaway service of food or drink for immediate consumption off the premises,
 - e. 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 purposes 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.

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

23. Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 90 customers at any time, as specified.
24. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

25. When the layout of the premises is built in accordance with CTC plans reference 500b and 501b, the maximum number of persons permitted on the premises at any one time shall not exceed:
Ground floor: 200 (excluding staff)
Basement: 80 (excluding staff)
With no more than 200 (excluding staff)
26. In the event there is a future change to the premises layout as shown on CTC plans reference 500B and 501B the capacity for the external area should not exceed 116, nor shall the capacity for the internal area exceed 315.
27. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day the start their employment.
28. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
29. The premises shall have a Dispersal Policy and all relevant staff will be trained in its implementation. The policy shall be reviewed every 6 months or earlier if the Premises Licence Holder becomes aware of an issue associated with dispersal.
30. 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.
31. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises when alcohol is being sold or supplied for consumption on the premises.
32. This shadow licence shall not take effect when the current licence (24/00135/LIPRW or successor reference) ('the Primary Licence') is in operation, or in the following circumstances:
 - a) the Primary Licence is suspended, except in cases where the suspension is due to the non-payment of the annual fee or the period of suspension has expired;
 - b) the Primary Licence has been revoked (whether or not such decision has been brought into effect (unless resurrected upon appeal));
 - c) the Primary Licence has been surrendered following an application for review or pending an appeal of a review.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
27 February 2025**

4. THE NEWMAN HOTEL, 49-57 NEWMAN STREET, W1T 3EB

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 6
("The Committee")

Thursday 27th February 2025

Membership: Councillor Aziz Toki (Chair), Councillor Hamza Taouzzale and Councillor Caroline Sargent

Officer Support:	Legal Adviser:	Michael Feeney
	Committee Officer:	Katherine Stagg
	Presenting Officer:	Jessica Donovan

Other Parties: Alun Thomas (representing the Applicant Company), Oliver Milne-Watson (of Applicant Company), Richard Brown (representing the Charlotte Street Association).

Application for a New Premises Licence in respect of The Newman Hotel, 49-57 Newman Street, London, W1T 3EB

Premises

The Newman Hotel
49-57 Newman Street
London
W1T 3EB

Applicant

Kinsfolk & Company (Hospitality) Limited

Ward

West End

Cumulative Impact Area

N/A

Special Consideration Zone

West End Buffer

Activities and Hours

Late Night Refreshment

Sunday to Thursday: 23:00 to 00:00

Friday to Saturday: 23:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Sale by Retail of Alcohol (on and off sales)

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Live Music

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Recorded Music

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Films

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Hours Premises are Open to the Public

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Case Summary

This is an application for a New Premises Licence under the Licensing Act 2003 ("The Act") in respect of The Newman Hotel, 49-57 Newman Street, London, W1T 3EB ("The Premises"). The application is for a premises licence for a hotel. The Premises are located in the West End Ward.

There is a resident count of 105.

Representations were received from one interested party.

Policy Considerations

Policies HOT1, HRS1 and SCZ1 apply under the City Council's Statement of Licensing Policy ("SLP").

SUBMISSIONS AND REASONS

Ms Jessica Donovan, Senior Licensing Officer, outlined the application to the Committee. She advised that this was an application for a New Premises Licence located in the West End Ward and West End Buffer Special Consideration Zone. She confirmed that they had received representations from the Charlotte Street Association. She confirmed that the additional submissions from the Applicant and the Interested Party had been circulated.

Mr Alun Thomas, representing the Applicant, outlined the application to the Committee. He advised that they were applying for the same hours that had been agreed by WCC Planning which was WCC core hours plus thirty minutes while the Charlotte Street Association were asking for just core hours. He advised that the premises was an independently owned luxury 73 room hotel. He noted that there had been no representations from the responsible authorities or any individual residents, which was unusual with the premises being located in a residential area but they had consulted the residents throughout the Planning process. He advised that the extra thirty minutes would be for the bar and restaurant which would be located on the ground and lower ground floors. He advised that there were two entrances for the bar and restaurant to ease dispersal. The exits were through the hotel lobby and through a dedicated entrance for the bar with patrons leaving gradually. He advised that the licensable activity would be ancillary to the hotel but was integral. Mr Thomas outlined how hotel bars were treated within policy and noted that hotel bars and restaurants tended to close later than those not situated within a hotel as they have more management. He highlighted that the requested extra thirty minutes would allow the premises to close at a different time to other premises in the vicinity and therefore would reduce the possibility of anti-social behaviour.

Mr Oliver Milne-Watson advised the Committee that the hotel's promise was to bring Fitzrovia to life and they regularly engaged with their community and neighbours and hoped to welcome them to the bar and restaurant once opened. They aimed to add and not detract to the area and they would not operate as a noisy or high volume premises. They noted that the Charlotte Street Association did not wish for an extra thirty minutes and while the Applicant understood that core hours were the norm, they asked the Committee to consider this application on its merits.

In response to questions Mr Thomas advised that it was not normal to have a last entry for a hotel bar as it would be open 24 hours a day for hotel residents and their guests and the last entry would only apply to members of the public.

Mr Richard Brown, representing the Charlotte Street Association, advised the Committee that they were happy with the application except for the extra thirty minutes beyond core hours requested. They had no concern about the 24-hour provision for hotel residents and welcomed the comprehensive conditions offered. He advised that while there were no individual residential representations, the amenity society looked after the residents and their concerns. He advised that core hours was the norm and created a balance with members of the public leaving at the end of core hours which was supported by the HOT1 Policy. The Association did not see any justifications in this application to go beyond core hours and they noted that the Planning permission did not allow up to 5 guests after hours while this license

would, already giving flexibility to the hotel. The Association were concerned that members of the public, when leaving the premises, could give rise to anti-social behaviour.

In response to questions, Mr Thomas confirmed that the terraces on the 4th and 6th floor would be enclosed and part of a residential room rather than for public access. He confirmed that the restaurant and bar on the ground floor had a capacity of 120 while the lower ground floor bar had a capacity of 80. He advised that they were thinking of keeping the bar and restaurant open for residents in line with this application as they would have mini bars in their rooms but this would be dependent on need. Mr Thomas advised that to access the bar, members of the public would have to go to the basement and they could not see it from the street. As a hotel they could manage the access and patrons better. He also highlighted that hotel bars attracted a different clientele than the late-night bars.

Mr Brown asked how members of the public would be able to attend the premises and whether it would be by pre-booking a table. Mr Milne-Watson advised that they had not yet confirmed how they would handle members of the public attending but all those who attend would go through reception where members of staff could ensure that they were not already intoxicated. They would also have security at the entrances who would be able to turn people away if they arrived close to closing time.

Mr Michael Feeney, Legal Advisor, went through the conditions with the Applicant and Interested Parties, including conditions 11 and 29. Mr Thomas advised that they would be happy to limit the number of smokers outside the premise to 10.

In summing up, Mr Brown had nothing further to add while Mr Thomas reiterated that the issue they were asking for today was for members of the public to be in the venue thirty minutes beyond core hours.

Conclusion

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

The Sub-Committee had regard not only to the written and oral evidence but also to the Act, the Revised Home Office Guidance issued under section 182 of the Act and the City Council's SLP, in particular policies HRS1, HOT1 and SCZ1.

Given that the only issue raised by the Interested Party was the terminal hour, the Sub-Committee considered that the application and the proposed conditions would in general promote the licensing objectives and accord with the City Council's SLP, including Policy SCZ1. The sole issue was whether the application should be granted as applied for or whether core hours should be applied

The Sub-Committee decided that it was appropriate and proportionate for the promotion of the licensing objectives for the application to be granted as applied for. The Sub-Committee considered that the robust set of conditions proposed by the applicant would mitigate the concerns raised by the Interested Party. The Sub-Committee also agreed with the applicant that it was appropriate for the terminal hour to be slightly extended given that the bar would not be readily visible or

accessible from the street. There was very little evidence to suggest that allowing the restaurant and bar to remain open for an additional thirty minutes would undermine the licensing objectives or exacerbate any pre-existing issues in the vicinity of the Premises. The application was therefore considered to comply with Policy HRS1, as an extension to core hours had been justified.

The Sub-Committee in reaching its conclusion placed great weight on the fact that there had been no objections from Responsible Authorities or any individual residents.

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

1. To Grant Permission for the following activities and hours:

Late Night Refreshment

Sunday to Thursday: 23:00 to 00:00

Friday to Saturday: 23:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Sale by Retail of Alcohol (on and off sales)

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Live Music

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Recorded Music

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Films

Restaurant

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Bar

Sunday to Thursday: 08:00 to 00:00

Friday and Saturday: 08:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

Hours Premises are Open to the Public

Sunday to Thursday: 07:00 to 00:00

Friday to Saturday: 07:00 to 00:30

Seasonal variations/Non-standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before bank holidays until 00:30. 24 hours for Hotel Residents and their bona fide guests (up to a maximum of 5 guests per resident).

2. That the Licence is subject to any relevant mandatory conditions.
3. That the conditions as specified below and numbered 4-44 are imposed on the premises licence which are considered appropriate and proportionate to promote the licensing objectives.
4. Licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel.
5. The licensed areas shall close between the end of permitted hours to 07:00 hours except to residents of the hotel and their bona fide guests (up to a maximum of 5 guests per resident).
6. The bar and restaurant shall be laid out with tables and chairs to allow seating for a minimum 50% of the maximum occupancy for the space except when there is a pre booked or private function.
7. There shall be no self-service of alcohol except in the guest bedrooms.
8. There shall be no sales of hot food or hot drink to the public for consumption "Off" the premises after 23:00 hours.
9. All sales of alcohol for consumption 'Off' the premises to the public shall be in sealed containers only and shall not be consumed on the premises, except to persons seated in an area appropriately authorised for the use of tables and chairs on the highway.
10. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
11. A waiter or waitress service shall be available at all times.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
13. 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.
14. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises when alcohol is being sold or supplied for consumption on the premises.

15. 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.
16. 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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
17. The entrance lobby will be supervised by staff 24 hours a day.
18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and businesses and leave the area quietly.
20. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
21. Loudspeakers shall not be located in the entrance lobby.
22. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
23. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
24. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.

25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
27. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner so as to ensure that there is no public nuisance or obstruction of the public highway.
28. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
29. With the exception of within hotel rooms, there shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
30. 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.
31. All servicing will be in accordance with the Servicing Management Plan.
32. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
33. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
40. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
41. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - a. Any permanent or temporary emergency lighting battery or system
 - b. Any permanent or temporary electrical installation
 - c. Any permanent or temporary emergency warning system.
42. No licensable activities shall take place 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.
43. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
44. 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.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
27 February 2025**

The Meeting ended at 3.30 pm