



City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

15/02201/LIPN

Date:

20 August 2015

Classification:

For General Release

Title of Report:

Rupert Street Cafe Bar  
50 Rupert Street  
London  
W1D 6DR

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

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## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Stonegate Pub Company Limited	<b>Date Application Received:</b>	25 March 2015
<b>Premises Name and Address:</b>	Rupert Street Cafe Bar 50 Rupert Street London W1D 6DR		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	<p>The premises are currently run as a bar, predominantly serving members of the gay community.</p> <p>The premises is set over two floors with the main trading area on the ground floor with a bar servery and back of house facilities. An external seating area is included within the demise of the premises.</p>		
<b>Please Note:</b>	The application was originally listed for a hearing on 2 <sup>nd</sup> July 2015 but was adjourned until the 20 <sup>th</sup> August 2015 at the applicant's request.		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
<b><u>Proposed Licensable activities</u></b>		<b><u>Licensable Activities on current licence reference: 13/03507/LIPVM</u></b>	
<b>Sale of Alcohol: On and Off the premises</b>		<b>Sale of Alcohol: On and Off the premises</b>	
Monday to Wednesday: 10:00 to 01:00 Thursday- Saturday: 10:00 to 03:00 Sunday: 12:00 to 22:30		Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30 Sundays before Bank Holidays: 12:00 to 00:00	
<b>Regulated Entertainment</b>		<b>Regulated Entertainment</b>	
<p>Exhibition of a Film (indoors) Monday to Wednesday: 10:00 to 01:00 Thursday- Saturday: 10:00 to 03:00 Sunday 12:00 to 22:30</p> <p>Recorded music (indoors) Monday to Wednesday: 10:00 to 01:00 Thursday- Saturday: 10:00 to 03:00 Sunday 12:00 to 22:30</p>		<p>Exhibition of a Film (indoors) Monday to Thursday: 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday: 12:00 to 22:30 Sundays before Bank Holidays: 12:00 to 00:00</p> <p>Indoor Sporting Event (Indoors) Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30 Sundays before Bank Holidays: 12:00 to 00:00</p> <p>Playing of recorded music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted</p>	

<b>Late Night Refreshment (indoors &amp; outdoors)</b> Monday to Wednesday:23:00 to 01:00 Thursday to Saturday:23:00 to 03:00	<b>Late Night Refreshment (indoors)</b> Monday to Thursday:23:00 to 23:30 Friday to Saturday:23:00 to 00:00
<b>Non Standard Timings</b>  The terminal hour to be 03:00 the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday  An additional hour to the standard and non-standard timings on the day when British Summertime commences.  From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day	<b>Non Standard Timings</b>  The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day
<b>Opening Hours</b> Monday to Wednesday: 10:00 to 01:30 Thursday to Saturday: 10:00 to 03:30 Sunday: 12:00 to 22:30	<b>Opening Hours</b> Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:50 Sundays before Bank Holidays: 12:00 to 00:00

## 1. Summary of application

The application is for a new premises licence for a cafe/bar in the Council's defined stress area. The proposal sought under this new licence is to allow the premises to trade until 01:30 from Monday to Wednesday and to 03:30 hours from Thursday to Saturday. The operation on Sunday would remain the same in line with the existing licence from 12:00 to 22:50 hours.

A condition on the new licence will restrict entry to the premises after core hours to members of a private club and to two guest per member.

## 2. Representations

- 2.1 The Environmental Health Service has made an adverse representation against this application as the hours requested for will have the likely effect of causing an increase in Public Nuisance in the area and may impact on public safety. Pre consultation took place with the applicant and the Environmental Health Service on 22<sup>nd</sup> December 2014.
- 2.2 The Metropolitan Police service has made an adverse representation to the application as it was the belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder.
- 2.3 The London Fire and Emergency Planning Authority has made an adverse representation to the application. The representation is based on the fact that they did not receive all the information required in order for them to form a judgement as to whether the public safety objective of the Licensing Act has been adequately addressed.
- 2.4 One resident association have made adverse representations against the application on the grounds of Prevention of Crime and Disorder and Prevention of Public Nuisance. One resident

either supports or oppose the application but questions how the application can be granted in the Stress Area. One resident supports the application.

### 3. Policies Applicable

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

3.1.1 Policy STR1 applies:

i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.

(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas..

3.1.2 Policy HRS1 applies:

(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

3.1.3 Policy PB2 applies:

It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.

### 4. Summary

4.1 The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

4.2 Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives. Proposed conditions are set out in **Appendix B** to this report.

### 5. Current Licensing Position

5.1 These premises currently hold a premises licence 13/03507/LIPVM. Full licence history can be found in **Appendix A**.

**6. Residential Density**

6.1 196 units within a 75m radius of the premises are residential or proposed residential – please refer to **Appendix C**.

**7. List of Appendices**

A – Premises Licence History

B - Proposed Conditions

C – Residential Map and list of premises in the vicinity

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Plans
- Existing Premises Licence
- Representations received
- Applicant Submissions (Evidence Bundle)
- Photographs

## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
Conversion Application 05/04955/LIPCV	Application to convert the Justices' on Licence, special hours certificate and Public Entertainment Licence	09.08.2005	Granted by Licensing Sub-Committee
09/08395/LIPVM	Application for a minor variation to alter plans	20.11.2009	Granted under delegated authority
10/09303/LIPT	Application for the transfer of premises licence	24.11.2010	Granted under delegated authority
12/01015/LIPVM	Application for a minor variation to alter plans and To remove conditions 15 and 16 from the existing Premises Licence	29.02.2012	Granted under delegated authority
12/08206/LIPV	Application for a Variation of the following: -To extend hours for all licensable activities to 01:00 Thursday- Sunday (except for recorded music and private entertainment consisting of dancing, music or other entertainment of a like kind). - To extend opening hours to 01:30 Thursday- Sunday. - To remove conditions 9,12,13,15,16,17 and 18 of the premises licence.	15.11.2012	Granted by Licensing Sub Committee
13/01487/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
13/03507/LIPVM	Application for minor variation to alter plans - To remove an obsolete condition regarding alterations from the licence -To also remove condition 15	10.06.2013	Granted under delegated authority
13/05122/LITENP	Application for a Temporary Event Notice		Event Allowed to proceed
14/02019/LITENP	Application for a Temporary Event Notice		Event allowed to proceed

14/04596/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
14/06619/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
14/06625/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
14/08810/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
15/03630/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
15/03779/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
15/03789/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
15/03791/LITENP	Application for a Temporary Event Notice		Event allowed to proceed
15/03796/LITENP	Application for a Temporary Event Notice		Event allowed to proceed

**There is no appeal history**

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives:

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Conditions:****Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;



- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

## Conditions Proposed by the Applicant as part of the Operating Schedule

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise 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.
13. On Thursdays, Fridays and Saturdays when the premises is open for the a sale of alcohol beyond 01:00 hours, there shall be a minimum of two SIA registered floor supervisors on duty from 21:00 hours until close. At all other times, the need for door supervisor will be assessed by way of risk assessment and cognisance will be taken of any police advice.
14. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
15. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
16. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. all ejection 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.
18. On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight, only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide gusts of the proprietor shall be permitted on the premises.
  - b) No person shall be admitted to membership of the private club operating at the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
  - c) On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight there shall be no admittance or re-admittance to the premises, except for persons temporarily leaving the premises to smoke.
  - d) A legible list of members and guests which have attended will be kept at the premises for 31 days and shall be available for inspection by any of the relevant authorities. It shall be a requirement of membership that members shall be able to identify their bona

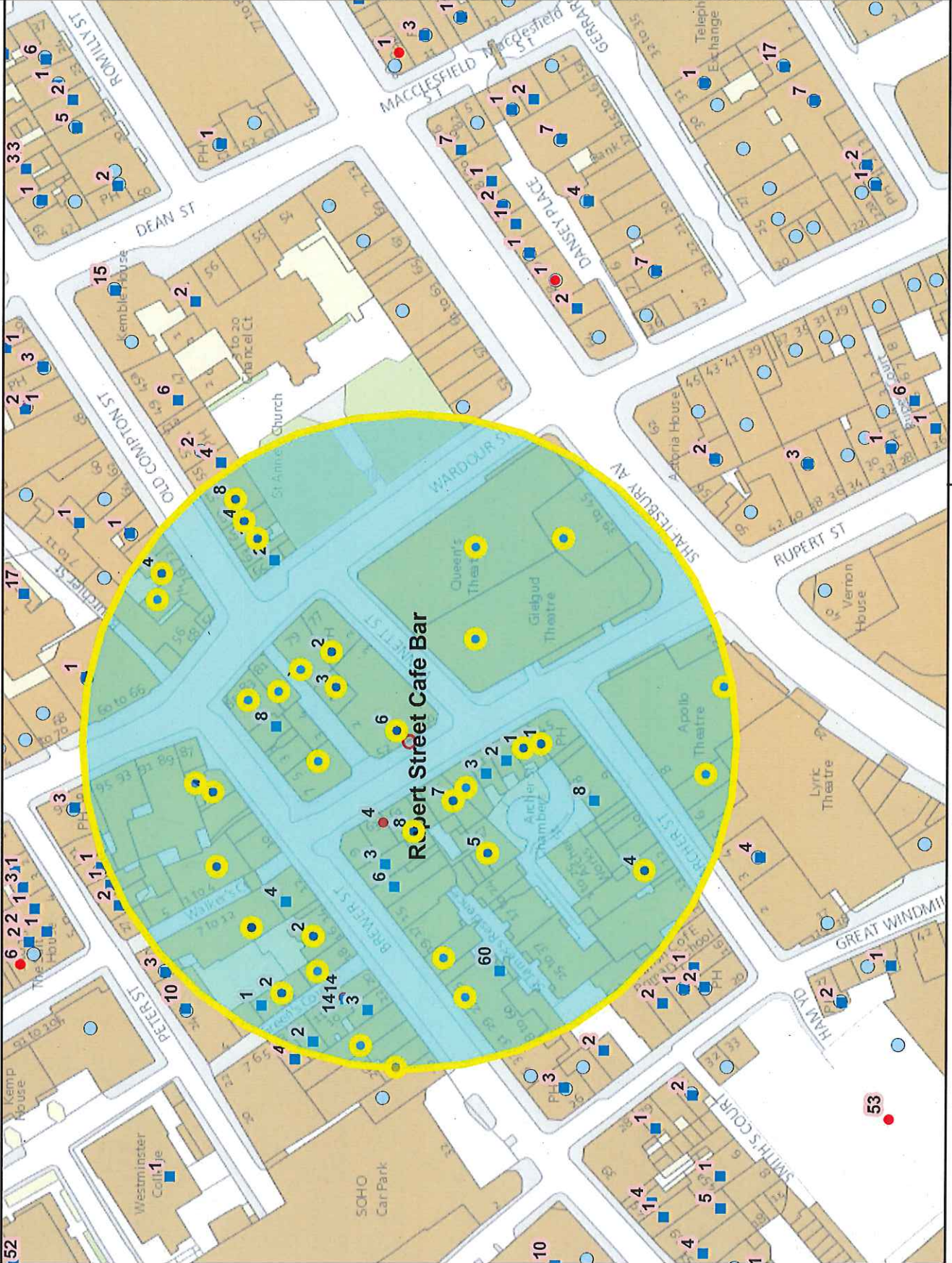
vide guests by name at all times and names of guests shall be able to be provided to the responsible authorities within reasonable time of any request for details being given to the premises.

- e) A copy of the club rules will be lodged with both the Police and Environmental Health. Any substantial changes to the said rules will be subject to approval from the Police and Environmental Health.
  - f) Membership of the private club shall be restricted to members of the Lesbian, Bi-sexual, Gay, Transgender and Queer community.
19. A noise limiter located 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, Premises Management 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 the 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.
20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. The licence holder shall enter into an agreement with Hackney Carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who would be encouraged to use such services.
22. Patrons permitted to temporarily leave and then re-enter the premises to smoke beyond 23:00 shall be restricted to a designated area which will be defined and identified on a plan to be submitted to the Licensing Authority.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and/or supervised by staff so as to ensure that there is no public nuisance or obstruction of public highway.
24. The licence will have no effect until the capacity of the premises has been assessed by the Environmental Health consultation team/District Surveyor and the condition detailing the agreed capacity has been added as a condition to the licence.
25. The premises shall maintain a written dispersal policy which shall be made available to the Police or authorised officer of the Council on request.
26. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated (in the form of recorded music) takes place, except for the immediate access and egress of persons.
27. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
28. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

30. 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.
31. 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.
32. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
33. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
34. 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.
35. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hour and 08:00 hours on the following day.
36. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours on the following day.
37. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours on the following day.
38. 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.
39. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
40. After 23:00 hours, 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.
41. A Challenge 21 proof of age scheme will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
42. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available upon reasonable request.



50 Rupert Street, London, W1D 6DR



Residential / Proposed Residential	196
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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10 Meters

**Premises within 75 metres of: 50 Rupert Street London**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
4414	Soho Food And News	2 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 03:00
19997	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
20261	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
29879	The Yard Bar	57 Rupert Street London W1D 7PJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
-31116	Avalon	Ground Floor 39 - 45 Shaftesbury Avenue London W1D 6LA	Sunday to Thursday 09:00 - 01:30 Friday to Saturday 09:00 - 03:30
-30555	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
-23223	Lils	53 Rupert Street London W1D 7PH	Friday 07:00 - 00:00 Monday to Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:30
-21515	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-20343	O' Bar	83-85 Wardour Street London W1D 6QE	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
-6191	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
-3833	Duke Of Wellington	77 Wardour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-1148	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Monday to Sunday 09:00 - 00:00
706	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Sunday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 01:00
3559	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
3754	Village Bar	Basement Ground Floor And Part First Floor 61 Wardour Street London W1D 6QD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
9721	Kirazu	47 Rupert Street London W1D 7PD	Monday to Sunday 11:30 - 23:00
15677	The House Of Ho Ltd	55-59 Old Compton Street London W1D 6HP	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 01:30
23791	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
31345	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
-30822	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-22444	Randall & Aubin	16 Brewer Street London W1F 0SQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-15064	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
-14932	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
-11170	Yalla Yalla	Ground Floor 1 Green's Court London W1F 0HA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

-10986	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
-5345	Lina Stores	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 Sunday 11:30 - 18:30
-2921	Apollo Theatre	Apollo Theatre 31-33 Shaftesbury Avenue London W1D 7EA	Monday to Sunday 09:00 - 00:00
-1201	El Camion	25-27 Brewer Street London W1F 0RR	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
1762	White Horse Public House	45 Rupert Street London W1D 7PB	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
3167	Spunlino	61 Rupert Street London W1D 7PW	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
3249	Danson & Co	21 Brewer Street London W1F 0RL	Sundays before Bank Holidays 08:00 - 00:00 Monday to Sunday 08:00 - 21:45
4661	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
6164	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
6412	Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
6558	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Friday to Saturday 09:00 - 00:00 Sundays before Bank Holidays 09:00 - 00:00 Monday to Saturday 09:00 - 01:00 Monday to Sunday 09:00 - 22:00 Sunday 09:00 - 22:00 Monday to Thursday 09:00 - 22:00
8943	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Monday to Sunday 10:00 - 00:30
10723	Gelupo	7 Archer Street London W1D 7AP	Tuesday to Saturday 11:00 - 01:00 Sunday to Wednesday 11:00 - 23:00
13530	Bocca Di Lupo	Ground Floor 12 Archer Street London W1D 7BB	Monday to Saturday 07:30 - 00:00 Sunday 11:00 - 23:30
13575	Chilango	24 Brewer Street London W1F 0SN	Saturday 10:00 - 00:00 Monday to Friday 10:00 - 23:00 Sunday 12:00 - 22:30
17497	Queen's Theatre	Queen's Theatre Ltd Shaftesbury Avenue London W1D 6BA	Monday to Sunday 09:00 - 00:00



# **BACKGROUND DOCUMENTS**

Westminster City Council

Application for a premises licence to be granted  
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Rupert Street 50 Rupert Street			
Post town	London	Post code	W1D 6DR
Telephone number at premises (if any)		0207 4943059	
Non-domestic rateable value of premises		£223,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- o I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- o I am making the application pursuant to a
  - o statutory function or
  - o a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Stonegate Pub Company Limited
Address Porter Tun House 500 Capability Green  Luton LU1 3LS
Registered number (where applicable) FC029833
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 08451262944
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

**A**

Please give a general description of the premises (please read guidance note1)

Rupert Street is an existing venue that has operated in Soho for a number of years. The premises is owned and operated by Stonegate Pub Company Limited, a national operator of over 600 premises. Rupert Street operates as a chic and modern bar with a high quality refreshment offering, predominantly serving members of the gay community.

The premises is set over two floors. The main trading area is on the ground floor along with a bar servery, accessible WC and back of house facilities. Toilets are located in the basement, along with further back of house facilities.

The ground floor has two entrances, the main entrance being on on the corner of Rupert Street and Winnett Street and a second entrance on Winnette Street.

There is an external seating area along Winnette Street, which is within the demise of the premises.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A
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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Showing of TV programs, DVDs and music DVDs etc.		
Mon	10:00	01:00			
Tue	10:00	01:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	10:00	01:00			
Thur	10:00	03:00			
Fri	10:00	03:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	03:00			
Sun	12:00	22:30	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.  An additional hour to the standard and non-standard times on the day when British Summertime commences.  New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)		
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	10:00	01:00	Recorded Music - Amplified music played through an in house sound system		
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	10:00	03:00			
Fri	10:00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	10:00	03:00			
Sun	12:00	22:30	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.  An additional hour to the standard and non-standard times on the day when British Summertime commences.  New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					



H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00		Both	<input checked="" type="checkbox"/>
Tue	23:00	01:00	Please give further details here (please read guidance note 3)		
Wed	23:00	01:00	Provision of hot food and drink		
Thur	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	03:00			
Sun	-	-	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.		
			An additional hour to the standard and non-standard times on the day when British Summertime commences.		
			New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	03:00			
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	12:00	22:30	<p><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p> <p>The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Mr Christopher Jacobs	
Address	
Postcode	
Personal Licence number (if known) LEWS1125	
Issuing licensing authority (if known) Lewisham Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	01:30	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b></p> <p>The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	03:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	12:00	22:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Rupert Street has operated for many years in Soho and has the benefit of an existing premises licence, licence number 13/03507/LIPVM.

The premises are currently permitted to trade under the existing licence until 23:30hours on Monday to Thursday and until midnight on Friday and Saturday. The proposal under this new licence is to allow the premises to trade to 01:00 hours the following day on Monday to Wednesday and to 03:00 hours Thursday to Saturday, with closing 30 minutes thereafter. There is no change proposed to the hours of operation on Sunday which on the current licence which are from 12:00 hours to 22:30 hours.

We have considered the impact of the proposed application and in particular with reference to the location of the premises within the West End Stress Area. We note the Council's policy in respect of the stress areas and believe that the current application will promote the licensing objectives, address the reasons behind the stress area policy and assist in practically resolving issues that face the night time economy in Soho. The key reasons for this are set out below and also strengthened in the operating schedule.

- There will be a reduction in capacity from that which is permitted on the current licence.
- The current premises licence does not have many conditions. The new application offers a robust operating schedule to promote the licensing objectives.
- The new operating schedule includes a last admission time which is in line with the current terminal hour for the sale of alcohol. This ensures that patrons will be retained on the premises and will not disperse into the Stress Area in search of other premises.
- The application restricts the additional hours to members only. Much of Rupert's Street customer base are regular members of the gay community. A strict and legitimate membership scheme will allow those persons who are members and their bone fide guests to enjoy the benefit of the later

hours. The operating schedule is robust and ensures that this scheme is properly managed and cannot be abused.

- The premises have operated under Temporary Event Notices without experiencing any issues.

We feel that a new premises licence, rather than a variation of the existing licence, is the most appropriate way to deal with this proposal, considering the significant change in style of operation at the premises during the extended hours.

Pre consultation has taken place with Jim Sollars, Police Licensing Officer and with Dave Nevitt, Environmental Health Officer and Alan Lynagh, District Surveyor, by way of formal pre application advice.

#### b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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.
3. On Thursdays, Fridays and Saturdays, when the premises is open for the sale of alcohol beyond 01:00 hours, there shall be a minimum of two SIA registered door supervisors on duty from 21:00 hours until close. At all other times, the need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice.
4. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
5. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
6. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
7. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. all seizures of drugs or offensive weapons
  - f. any faults in the CCTV system or searching equipment or scanning equipment
  - g. any refusal of the sale of alcohol
  - h. any visit by a relevant authority or emergency service.
8. On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight, only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises.

- b) No person shall be admitted to membership of the private club operating at the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
- c) On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight, there shall be no admittance or re-admittance to the premises, except for persons temporarily leaving the premises to smoke.
- d) A legible list of members and guests who have attended will be kept at the premises for 31 days and shall be available for inspection by any of the relevant authorities. It shall be a requirement of membership that members shall be able to identify their bona fide guests by name at all times and names of guests shall be able to be provided to the responsible authorities within reasonable time of any request for details being given to the premises.
- e) A copy of the club rules will be lodged with both the Police and Environmental Health. Any substantial changes to the said rules will be subject to approval from the Police and Environmental Health.
- f) Membership of the private club shall be restricted to members of the Lesbian, Bi-sexual, Gay, Transgender and Queer community.

**c) Public safety**

We understand our obligations under existing legislation and take our responsibilities seriously.

**d) The prevention of public nuisance**

1. 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, Premises Management 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.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The licence holder shall enter in to an agreement with the Hackney Carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who would be encouraged to use such services.
4. Patrons permitted to temporarily leave and then re-enter the premises to smoke beyond 23:00, shall be restricted to a designated area which will be defined and identified on a plan to be submitted to the Licensing Authority.
5. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and/or supervised by staff so as to ensure that there is no

public nuisance or obstruction of public highway.

6. The licence will have no effect until the capacity of the premises has been assessed by the Environmental Health consultation team/District Surveyor and the condition detailing the agreed capacity has been added as a condition to the licence.
7. The premises shall maintain a written dispersal policy which shall be made available to the Police or authorised officer of the Council on request.
8. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment (in the form of recorded music) takes place, except for the immediate access and egress of persons.
9. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
10. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
11. Notices 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. 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.
14. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. 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.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hour and 08.00 hours on the following day.
18. No deliveries to the premises shall take place between 23: 00 hours and 08:00 hours on the following day.
19. 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.
20. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
21. After 23:00 hours, 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.

e) The protection of children from harm

1. A Challenge 21 proof of age scheme will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
2. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available upon reasonable request.

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>Poppleston Allen</i>
Date	25 <sup>th</sup> March 2015
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

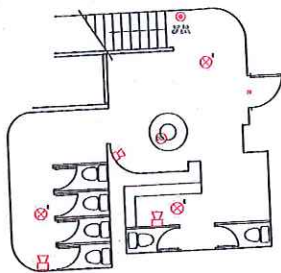
Signature	<del> </del>
Date	<del> </del>
Capacity	<del> </del>

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Clare Eames 31 Southampton Row			
Post town	London	Post code	WC1B 5HJ
Telephone number (if any)	0203 078 7486		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) c.eames@popall.co.uk			

#### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

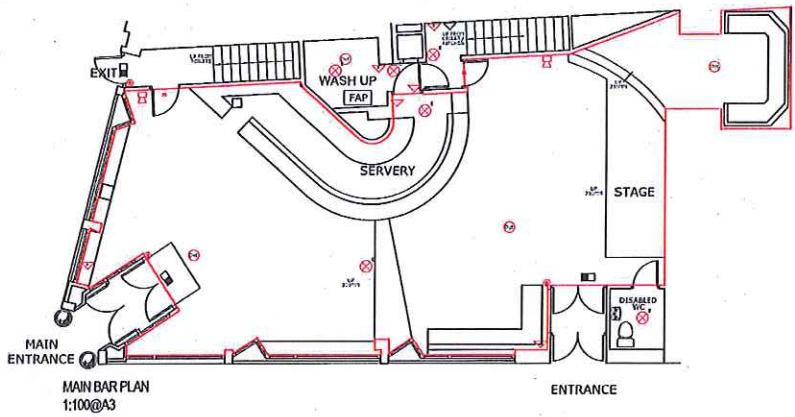




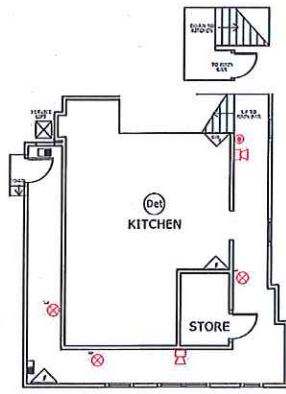
**BASEMENT TOILETS PLAN**  
1:100@A3

- SERVICES**
- Fire Alarm Panel
  - Automatic fire detector
  - Manual Call Point
  - Sounder
  - Emergency light-fitting (Fluorescent, Downlight or luminaires)
  - Emergency Exit Light c/w legend (directional)
  - Carbon Dioxide fire extinguisher
  - Foam fire extinguisher

LICENSING KEY	
Uccasia's Activity	
<p><b>NOTES:</b>            This plan is a site plan and is not a part of the building's fire alarm system. It is intended to show the location of fire alarm devices and equipment. It is not intended to be used as a fire alarm system design document. It is intended to be used as a reference document for fire alarm system design and installation. It is not intended to be used as a fire alarm system design document. It is not intended to be used as a fire alarm system design document.</p>	



**MAIN BAR PLAN**  
1:100@A3



**KITCHEN PLAN**  
1:100@A3



**LICENSING KEY**  
 AUTUMN 2011  
 02  
 01-12-2011  
 1:100@A3



Schedule 12  
Part A

WARD: West End  
UPRN: 100023472744

# City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/03507/LIPVM

Original Reference:

05/04955/LIPCV

## Part 1 – Premises details

### Postal address of premises:

Rupert Street Cafe Bar  
50 Rupert Street  
London  
W1D 6DR

Telephone Number: 020 7494 3059

### Where the licence is time limited, the dates:

Not applicable

### Licensable activities authorised by the licence:

Exhibition of a Film  
Indoor Sporting Event  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

### The times the licence authorises the carrying out of licensable activities:

#### Exhibition of a Film

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

#### Indoor Sporting Event

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

#### Playing of Recorded Music

Unrestricted

#### Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

*For times authorised for New Year see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Stonegate Pub Company Limited  
Porter Tun House  
500 Capability Green  
Luton  
Bedfordshire  
LU1 3LS

**Registered number of holder, for example company number, charity number (where applicable)**

FC029833

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** Christopher Jacob

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** LEWS1125  
**Licensing Authority:** London Borough Of Lewisham

**Date:** 31<sup>st</sup> March 2014

**Signed:** pp  
Operational Director - Premises Management

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

10. Substantial food shall be available from the commencement of permitted hours until 8pm in all parts of the premises where intoxicating liquor is sold or supplied.
11. Suitable beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

**Conditions for Sale of Alcohol**

12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day

**Annex 2 – Conditions consistent with the operating Schedule**

None.

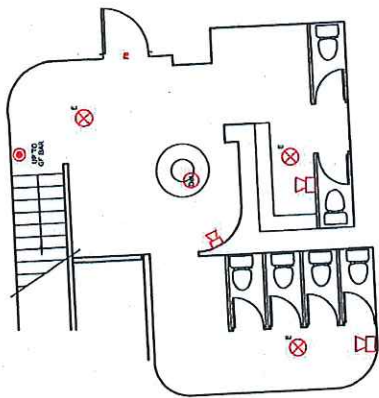
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

13. Customers are to be off the premises by no later than the terminal hours set in condition 16 SAVE THAT on Sunday when the terminal hours is 22:30 customers must be off the premises by no later than 22:50.
14. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
15. 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. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

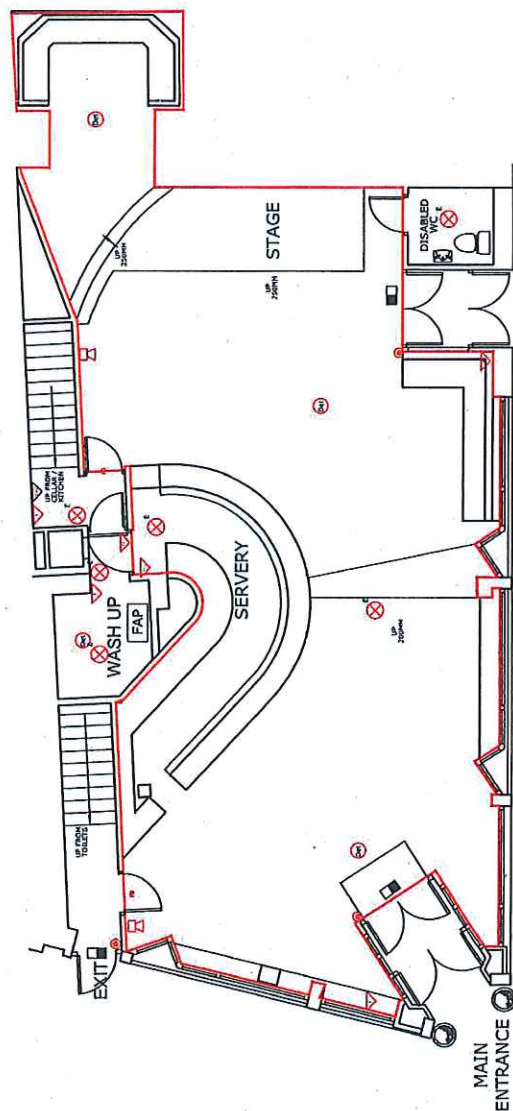


LICENSING KEY	
Licenceable Activity	
<p><b>NOTES:</b></p> <p>The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future and are not necessarily and where applicable in liaison with the Fire Officer.</p> <p><b>REQUIREMENTS:</b></p> <p>The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future and are not necessarily and where applicable in liaison with the Fire Officer.</p> <p>The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future and are not necessarily and where applicable in liaison with the Fire Officer.</p>	

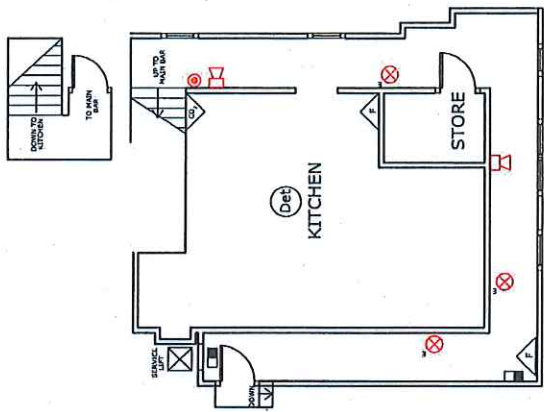
- SERVICES**
- Fire Alarm Panel
  - Automatic fire detector
  - Manual Call Point
  - Sounder
  - Emergency light-fitting (Fluorescent Downlight or luminaries)
  - Emergency Exit Light c/w legend (directional)
  - Carbon Dioxide fire extinguisher
  - Foam fire extinguisher



BASEMENT TOILETS PLAN  
1:100@A3



MAIN BAR PLAN  
1:100@A3



KITCHEN PLAN  
1:100@A3



REV 10 - SMALL BUSINESS LICENSING  
ADDED TO FRONT WORKING FIELD  
REV A - UNALLOTTED ISSUES

SPATIALIZ'D	
STOREREGIO	
LICENSING LAYOUTS	
BURST STREET 20-22 LONDON	
DATE	BY
02/2011	B
02	07/2008
1:100@A3	03



**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

WARD: West End  
UPRN: 100023472744

Premises licence  
summary

Regulation 33, 34

Premises licence number:

13/03507/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Rupert Street Cafe Bar  
50 Rupert Street  
London  
W1D 6DR

**Telephone Number:** 020 7494 3059

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Indoor Sporting Event  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

**Exhibition of a Film**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

**Indoor Sporting Event**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

**Playing of Recorded Music**

Unrestricted

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

*For times authorised for New Year see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Stonegate Pub Company Limited  
Porter Tun House  
500 Capability Green  
Luton  
Bedfordshire  
LU1 3LS

**Registered number of holder, for example company number, charity number (where applicable)**

FC029833

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

Name: Christopher Jacob

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 31<sup>st</sup> March 2014

**Signed:** pp  
Operational Director - Premises Management

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TO Licensing Officer

REFERENCE 15/02201/LIPN

---

FROM EH Consultation Team, 4<sup>th</sup> Floor (West) City Hall  
REFERENCE 15/010556/EHCT  
BEING DEALT WITH BY David Nevitt  
TELEPHONE 3188  
DATE 21.4.2015

---

### LICENSING ACT 2003

### APPLICATION FOR A PREMISES LICENCE

### 50 RUPERT STREET, W1

I refer to the above application which seeks a Premises Licence to include the following Licensable activities:

**Regulated Entertainment**, namely *The Showing of Films, Recorded Music*, Monday to Wednesday 1000hrs-0100hrs, Thursday to Saturday 1000hrs-0300hrs, Sunday 1200hrs-2230hrs;

**The Provision of Late Night Refreshment**, 'Indoors' and 'Outdoors' Monday to Wednesday until 0100hrs, Thursday to Saturday until 0300hrs;

**The Supply of Alcohol** 'On' and 'Off' the premises Monday to Wednesday 1000hrs-0100hrs, Thursday and Friday 1000hrs-0300hrs, and Sunday 1200hrs-2230hrs.

**The applicant also seeks 'Non-Standard Timings':**

*'The terminal hour to be 0300hrs the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.'*

*An additional hour to the standard and non-standard timings on the day when British Summertime commences.'*

*'From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day.'*

The applicant has proposed Conditions which are under consideration.

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

**The premises is located in the West End Stress Area as defined by the City Council's Licensing Policy.**

The hours sought are beyond the Core Hours as defined by the City Council's Licensing Policy. Environmental Health will maintain a Representation on the grounds that what is sought is likely to add to Cumulative Impact in a Stress Area. The applicant may need to demonstrate to the Licensing Sub Committee that the application is an exception to the Council's Licensing Policy.

The premises will be assessed under the Technical Standards for Places of Entertainment in relation to public safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

David Nevitt  
Environmental Health Officer



# City of Westminster

Office Name: Dave Nevitt  
Designation: EHO  
Date: 22.12.2014  
Contact number: 020 7641 3188  
Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)

Uniform Reference: 14/41224/ECPALM

Trading name of business and Address: <b>RUPERT STREET, 50 RUPERT STREET, W1</b>		
Reference Number if Applicable: <b>14/41224/ECPALM</b>		
Licence: <b>13/03507/LIPVM</b>	Applicant: <b>Clare Eames</b> <b>c.eames@popall.co.uk</b>	Stress Area: <b>WEST END</b>
Type of Business: <b>PUBLIC HOUSE</b>		
Current timings: <b>UNTIL 2230/2330/0000HRS</b>		
Current areas: <b>GROUND FLOOR BAR</b>		
Current activities: <b>AS PER CURRENT LICENCE.</b>		
<b>PROPOSED: TO EXTEND THE HOURS FOR LICENSABLE ACTIVITIES – POSSIBLY TO 0100HRS.</b>		
<b>DS/EH OBSERVATIONS/COMMENTS: D. NEVITT &amp; ALAN LYNAGH ATTENDED A SITE MEETING WITH APPLICANT. THE HOURS SOUGHT WILL BE BEYOND THE 'CORE HOURS' AS DEFINED BY THE CITY COUNCIL'S LICENSING POLICY.</b>		
<b>THE PREMISES IS LOCATED IN THE WEST END STRESS AREA – THE MATTER WILL NEED TO BE ADJUDICATED BY THE LICENSING SUB-CTEE AT A HEARING. THE APPLICANT WILL NEED TO DEMONSTRATE THAT WHAT THEY SEEK IS AN 'EXCEPTION TO POLICY'.</b>		
<b>THE APPLICANT PROPOSES TO INTRODUCE A MEMBERSHIP SCHEME SO THAT LATER HOURS ARE ONLY AVAILABLE TO PERSONS WHO ARE BONA FIDE MEMBERS.</b>		
<b>EH ADVICE IS THAT A MEMBERSHIP SCHEME HAS MERIT AND IS PREFERABLE TO SIMPLY SEEKING LATE HOURS FOR THE GENERAL PUBLIC. THE APPLICANT SHOULD ENSURE THAT THE SPECIFIC CONDITIONS AND DETAILS OF THE MEMBERSHIP SCHEME ARE CAREFULLY DRAWN UP AND EXPLAINED IN DETAIL TO THE CTEE FOR DUE CONSIDERATION. THE APPLICANT WISHES TO DRAW MEMBERS EXCLUSIVELY FROM THE LGBTQ COMMUNITY AND PARTICULARLY FROM EXISTING CLIENTELLE.</b>		
<b>IT WAS ALSO ADVISED THAT THE APPLICANT WILL NEED TO GIVE DETAILS OF HOW THE TRANSITION BETWEEN GENERAL PUBLIC USE AND MEMBERS USE WILL TAKE PLACE IN PRACTICE. IT WAS ADVISED THAT THE APPLICANT WILL NEED TO BE MINDFUL OF THE PRACTICAL ISSUES SURROUNDING THE SEPARATING OUT OF CUSTOMERS ALREADY IN</b>		

THE VENUE AND THE MANAGEMENT OF THE MAIN DOOR (I.E. CONTROL AND SUPERVISION OF ENTRY AND EXIT) AND THAT THEY MAY WISH TO SEEK ADVICE FROM THE POLICE REGARDING SIA PROVISION AND CUSTOMER MANAGEMENT ETC.

THE APPLICANT WAS ADVISED TO CONSIDER PRACTICAL MEASURES FOR MINIMISING THE RISK OF PUBLIC NUISANCE AND DISTURBANCE TO LOCAL RESIDENTS – I.E. CONTROL OF NOISE BREAKOUT FROM WITHIN THE PREMISES, MANAGEMENT OF SMOKERS, CONTROL OVER OUTSIDE DRINKING, CEASING USE OF OUTSIDE FURNITURE ETC., AND DISPERSAL OF PATRONS LATE AT NIGHT, ESPECIALLY WHEN THE PREMISES CLOSES. IT WAS ACKNOWLEDGED THAT THE APPLICANT OPERATES OTHER, SIMILAR, LATE NIGHT VENUES IN LONDON AND THAT THEY HAVE EXPERIENCE OF MANAGING SUCH MATTERS.

TO DATE, THE PREMISES HAS OPERATED IN A WELL MANAGED WAY WITHOUT COMPLAINT OR CAUSE FOR CONCERN. THE PREMISES IS IN GOOD REPAIR AND MAINTAINED TO A HIGH STANDARD. THE PREMISES ALREADY BENEFITS FROM LOBBIED ENTRANCES WHICH WILL REDUCE NOISE BREAKOUT.

EH WILL BE SEEKING A NUMBER OF CONDITIONS, INCLUDING A CAPACITY FIGURE. THE CURRENT LICENCE IS RELATIVELY UNENCUMBERED BY CONDITIONS AT PRESENT AND CAPACITY IS NOT LIMITED. THE ADVANTAGE OF THE APPLICATION IS THAT IT WILL AFFORD THE OPPORTUNITY FOR GREATER REGULATION. THE CAPACITY COULD BE LIMITED THROUGHOUT THE HOURS OF TRADING OR COULD APPLY AT SOME POINT DURING THE EVENING. EH AND DS WILL NEED TO DISCUSS AND SPECIFY A SUITABLE CAPACITY BUT A FIGURE OF 200-250 WAS TO BE CONSIDERED.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.



05/08/2015 13:35:37

From: "Deweltz, Adam" </O=CITYOFWESTMINSTER/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ADEWELTZ  
Sent: 14/04/2015 08:53:35  
To: "Patterson, Susan" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=SPATTER>  
Cc: idoxlicensing; Patterson, Susan  
Subject: Rupert Street Cafe Bar, 50 Rupert Street, W1 - 15/02201/LIPN

Dear Clare,

Rupert Street Cafe Bar, 50 Rupert Street, W1 - 15/02201/LIPN

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within the West End Stress Area, a locality where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.

If you have any questions, feel free to contact me.

Many thanks,

Adam

PC Adam Deweltz

Westminster Police Licensing Unit

Westminster City Hall

4th Floor

64 Victoria Street

London

SW1E 6QP



The Company Secretary  
Popleston & Allen London  
31 Southampton Row  
London  
WC1B 5HJ

London Fire and Emergency Planning  
Authority runs the London Fire Brigade

Date 7 April 2015  
Our Ref FS/SW/01/18222  
Your Ref 15/02201/LIPN

Dear Sir/Madam

**LICENSING ACT 2003- New Premises Licence Application Reference 15/02201/LIPN**

**Premises: Rupert Street Café Bar, 50 Rupert Street, London W1D 6DR**

With reference to the application dated 25<sup>th</sup> March 2015 together with plan number 01-12-081, the application has been examined and the Fire Authority will make a representation to the Licensing Authority.

The Fire Authority has not received all of the information required and have not therefore been able to form a judgement as to whether the public safety objective of the Licensing Act has been adequately addressed.

The items that are of concern are as follows:

The details in section A of the application does not mentioned a kitchen but is shown on the plan attached with the application. The kitchen is showing a fire exit at the end of a corridor. The plan will need to show where this fire exit leads to. Also, the basement toilet area is showing a door on the east side of the lobby. Can mark on the plan where this door leads to i.e. fire exit, cupboard, toilet etc.

The representation may be withdrawn if all of the matters detailed above are addressed to the satisfaction of the Authority. The Authority must be advised of the completion of the work at least 5 working days before the committee hearing date, so that an inspection can be arranged.

This letter is without prejudice to the powers of the Licensing Authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation. It is also without prejudice to any requirements or recommendations that may be made by this Authority under the Regulatory Reform (Fire Safety) Order 2005 or the Petroleum (Consolidation) Act 1928.. All alterations should comply with the appropriate provisions of the current Building Regulations.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

**for Assistant Commissioner (Fire Safety Regulation)**  
Deputy Commissioner's Directorate  
FSR-AdminSupport@london-fire.gov.uk

Reply to Peter Harrison Judd

Cc Westminster City Council Licensing Section.



The Soho Society  
St Anne's Tower  
55 Dean Street  
London  
W1D 6AF

020 7439 4303  
[licensing@thesohosociety.org.uk](mailto:licensing@thesohosociety.org.uk)

Objections  
Westminster Licensing Service  
4th Floor (West) City Hall  
64 Victoria Street  
London  
SW1E 6QP

Sent via email to [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

20 April 2015

Reference: 15/02201/LIPN, Premises Licence – New, Rupert Street  
Cafe Bar, 50 Rupert Street, W1D 6DR

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

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.

#### About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

#### Application summary

#### Proposed 15/02201/LIPN license

Sale by Retail of Alcohol	Monday to Wednesday	10:00 AM	01:00 AM
Sale by Retail of Alcohol	Thursday to Saturday	10:00 AM	03:00 AM
Sale by Retail of Alcohol	Sunday	12:00 PM	10:30 PM

13/03507/LIPVM current license

Sale by Retail of Alcohol	Friday to Saturday	10:00 AM	12:00 AM
Sale by Retail of Alcohol	Sunday	12:00 PM	10:30 PM
Sale by Retail of Alcohol	Sundays before Bank Holidays	12:00 PM	12:00 AM
Sale by Retail of Alcohol	Monday to Thursday	10:00 AM	11:30 PM

#### Hours of operation

The proposal includes licensable activities, including sale of alcohol, outside of Westminster core hours. The premises are in the West End Stress Area. There are private homes in nearby buildings, and residents in the immediate area are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to keep the operating hours within defined core hours, namely Monday to Thursday 10am – 11.30pm, Friday and Saturday 10 am – 12 midnight and Sunday 12 noon – 10.30 pm.

#### Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

Yours faithfully,

David Gleeson  
Licensing Chair

# Comments for Licensing Application 15/02201/LIPN

## Application Summary

Application Number: 15/02201/LIPN

Address: 50 Rupert Street London W1D 6DR

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

## Customer Details

Name: Mr Kenneth White

Address: 15 St James Res. Brewer Street London

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Comment Reasons:

Comment:9:45 AM on 08 Apr 2015 Rupert Street Bar is well run and on the face of it this is a reasonable application, especially when considering the impressive proposed operating schedule. However, I was under the impression that the Stress Area presumption against new premises licences beyond core hours was near absolute. Extended hours must increase stress and therefore increase crime and disorder, public nuisance, and harm public safety no matter what conditions are imposed. Further, the club membership/guests proposal for beyond core hours has a long history of abuse because enforcement is so difficult and resource demanding. It must be no coincidence that this application is put in only a matter a matter of months before the many flats opposite, which are undergoing refurbishment and are empty at the moment, go on the market -'if you did not like the area why are moving here?'

# Comments for Licensing Application 15/02201/LIPN

## Application Summary

Application Number: 15/02201/LIPN

Address: 50 Rupert Street London W1D 6DR

Proposal: Premises Licence - New

Case Officer: Miss Yolanda Wade

## Customer Details

Name: Mr Paul Loffler

Address: 8 the pinnacle 2 dove road London

## Comment Details

Commenter Type: Interested Party

Stance: Customer made comments in support of the Licensing Application

Comment Reasons:

Comment: 12:22 PM on 19 Apr 2015 A very well run venue and a credit to the lgbt community. The additional hours will enhance the flagging soho nightlife and the membership scheme is an excellent idea. I fully support this application.

**RUPERT STREET**  
50 Rupert Street, London W1D 6DR

New Premises Licence Application

Licensing Sub Committee Hearing: 20 August 2015  
**Evidence Bundle**

<b>Document</b>	<b>Date</b>	<b>Page</b>
Existing Premises Licence	N/A	1 – 12
Application Form and Premises Licence Plan	24 March 2015	13 – 28
Report by Adrian Studd	7 May 2015	29 – 35
Statement of Nigel Andrews, Area Manager, and Exhibits <ul style="list-style-type: none"> <li>• Exhibit NA1: Stonegate Pub Company Limited Information Sheet</li> <li>• Exhibit NA2: Summary of Stonegate LGBT Estate Premises Licence</li> <li>• Exhibit NA3: Information Regarding Capacity</li> <li>• Exhibit NA4: Pre-Application Report</li> <li>• Exhibit NA5: Proposed Membership Scheme</li> <li>• Exhibit NA6: Operating Schedule</li> </ul>	11 August 2015	36 – 39 40 – 42 43 – 46 47 – 55 56 – 58 59 – 64 65 – 69
Statement of Karl Nixon, General Manager, and Exhibits <ul style="list-style-type: none"> <li>• Exhibit KN1: Exit Surveys</li> <li>• Exhibit KN2: Schedule of Temporary Event Notices</li> </ul>	10 August 2015	70 – 72 73 – 74 75 – 76
Statement of Chris Jacobs, Deputy Manager	10 August 2015	77 – 78
Letters to Interested Persons	10 August 2015	79 – 80
Stonegate Pub Company Licensing Manual Front Sheet	N/A	81 – 83
Stonegate Pub Company Limited Dispersal Policy	N/A	84 – 85
Summary of Hours and copy Premises Licences for:- <ul style="list-style-type: none"> <li>• Halfway II Heaven, current premises licence</li> <li>• Halfway II Heaven, decision notice from 21 February 2013</li> <li>• Halfway II Heaven, previous premises licence</li> <li>• Heaven Nightclub</li> <li>• Shadow Lounge</li> <li>• Ku Bar</li> <li>• Pulse</li> </ul>	N/A	86 – 87 88 – 100 101 – 108 109 – 118 119 – 134 135 – 149 150 – 166 167 – 176
Case Law and Articles <ul style="list-style-type: none"> <li>• Sainsburys Supermarket Decision</li> <li>• Publicans Morning Advertiser Report</li> <li>• Brewdog</li> <li>• Thwaites</li> </ul>	N/A	177 178 – 179 180 – 181 182 – 199





Schedule 12  
Part A

WARD: West End  
UPRN: 100023472744

City of Westminster  
64 Victoria Street, London, SW1E 6QP

Premises Licence

Regulation 33, 34

Premises licence number:

13/03507/LIPVM

Original Reference:

05/04955/LIPCV

Part 1 – Premises details

Postal address of premises:

Rupert Street Cafe Bar  
50 Rupert Street  
London  
W1D 6DR

Telephone Number: 020 7494 3059

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film  
Indoor Sporting Event  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

**Exhibition of a Film**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

**Indoor Sporting Event**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

**Playing of Recorded Music**

Unrestricted

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Sundays before Bank Holidays: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

*For times authorised for New Year see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Stonegate Pub Company Limited  
Porter Tun House  
500 Capability Green  
Luton  
Bedfordshire  
LU1 3LS

**Registered number of holder, for example company number, charity number (where applicable)**

FC029833

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

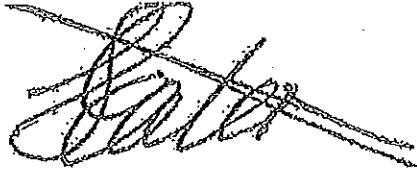
Name: Christopher Jacob

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: LEWS1125  
Licensing Authority: London Borough Of Lewisham

Date: 31<sup>st</sup> March 2014

A handwritten signature in black ink, appearing to be 'P. P.', written over a horizontal line.

Signed: pp Operational Director - Premises Management

#### Annex 1 -- Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

10. Substantial food shall be available from the commencement of permitted hours until 8pm in all parts of the premises where intoxicating liquor is sold or supplied.
11. Suitable beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

**Conditions for Sale of Alcohol**

12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day

**Annex 2 – Conditions consistent with the operating Schedule**

None.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

13. Customers are to be off the premises by no later than the terminal hours set in condition 16 SAVE THAT on Sunday when the terminal hours is 22:30 customers must be off the premises by no later than 22:50.
14. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
15. 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. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

Annex 4 – Plans

Attached







Schedule 12  
Part B

WARD: West End  
UPRN: 100023472744

City of Westminster  
64 Victoria Street, London, SW1E 6QP

Premises licence  
summary

Regulation 33, 34

Premises licence number:

13/03507/LIPVM

Part 1 – Premises details

Postal address of premises:

Rupert Street Cafe Bar  
50 Rupert Street  
London  
W1D 6DR

Telephone Number: 020 7494 3059

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film  
Indoor Sporting Event  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Exhibition of a Film

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

Indoor Sporting Event

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30  
Sundays before Bank Holidays: 12:00 to 00:00

Playing of Recorded Music

Unrestricted

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

*For times authorised for New Year see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Stonegate Pub. Company Limited  
Porter Tun House  
500 Capability Green  
Luton  
Bedfordshire  
LU1 3LS

**Registered number of holder, for example company number, charity number (where applicable)**

FC029833


**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

Name: Christopher Jacob

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 31<sup>st</sup> March 2014

A handwritten signature in black ink, appearing to be 'S. Carter', written over a horizontal line.

Signed: pp Operational Director - Premises Management

Westminster City Council

Application for a premises licence to be granted  
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Rupert Street 50 Rupert Street			
Post town	London	Post code	W1D 6DR
Telephone number at premises (if any)		0207 4943059	
Non-domestic rateable value of premises		£223,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *   | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *  |                                     |                             |
| i. as a limited company   | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership  | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or  | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation)   | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club  | <input type="checkbox"/>            | please complete section (B) |
| d) a charity  | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment   | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body  | <input type="checkbox"/>            | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital   | <input type="checkbox"/>            | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/>            | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales   | <input type="checkbox"/>            | please complete section (B) |

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- o I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- o I am making the application pursuant to a
  - o statutory function or
  - o a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Stonegate Pub Company Limited
Address Porter Tun House 500 Capability Green  Luton LU1 3LS
Registered number (where applicable) FC029833
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 08451262944
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
A	S	A
P		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

**A**

Please give a general description of the premises (please read guidance note1)

Rupert Street is an existing venue that has operated in Soho for a number of years. The premises is owned and operated by Stonegate Pub Company Limited, a national operator of over 600 premises. Rupert Street operates as a chic and modern bar with a high quality refreshment offering, predominantly serving members of the gay community.

The premises is set over two floors. The main trading area is on the ground floor along with a bar servery, accessible WC and back of house facilities. Toilets are located in the basement, along with further back of house facilities.

The ground floor has two entrances, the main entrance being on on the corner of Rupert Street and Winnett Street and a second entrance on Winnette Street.

There is an external seating area along Winnette Street, which is within the demise of the premises.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 3)	<input type="checkbox"/>
Tue				<input type="checkbox"/>
Wed				<input type="checkbox"/>
Thur			State any seasonal variations for performing plays (please read guidance note 4)	
Fri				
Sat				
Sun				
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Showing of TV programs, DVDs and music DVDs etc.		
Mon	10:00	01:00			
Tue	10:00	01:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	10:00	01:00			
Thur	10:00	03:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	03:00			
Sat	10:00	03:00	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.  An additional hour to the standard and non-standard times on the day when British Summertime commences.  New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	12:00	22:30			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)		
Tue					
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)  Recorded Music - Amplified music played through an in house sound system		
Mon	10:00	01:00			
Tue	10:00	01:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	10:00	01:00			
Thur	10:00	03:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)  The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.  An additional hour to the standard and non-standard times on the day when British Summertime commences.  New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	12:00	22:30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

**I**

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon	23:00	01:00			Both	<input checked="" type="checkbox"/>
Tue	23:00	01:00	<u>Please give further details here</u> (please read guidance note 3)			
			Provision of hot food and drink			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur	23:00	03:00				
Fri	23:00	03:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	23:00	03:00				
Sun	-	-	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.			
			An additional hour to the standard and non-standard times on the day when British Summertime commences.			
			New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Mon	10:00	01:00			
Tue	10:00	01:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Wed	10:00	01:00			
Thur	10:00	03:00	The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.		
Fri	10:00	03:00			
Sat	10:00	03:00	An additional hour to the standard and non-standard times on the day when British Summer time commences.  New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	12:00	22:30			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

<b>Name</b> Mr Christopher Jacobs	
<b>Address</b> 56 William Bonny Estate, Clapham Common, London	
<b>Postcode</b>	SE4 7JA
<b>Personal Licence number (if known)</b> LEWS1125	
<b>Issuing licensing authority (if known)</b> Lewisham Council	

**K**

<b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</b> None
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)  The terminal hour to be 03:00hours the following morning on the following notable days: Sunday preceding all Bank Holidays and Christmas Eve and Boxing Day when they fall on a Sunday.  An additional hour to the standard and non-standard times on the day when British Summertime commences.  New Year's Eve -- from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Mon	10:00	01:30	
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	03:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	12:00	22:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Rupert Street has operated for many years in Soho and has the benefit of an existing premises licence, licence number 13/03507/LIPVM.

The premises are currently permitted to trade under the existing licence until 23:30hours on Monday to Thursday and until midnight on Friday and Saturday. The proposal under this new licence is to allow the premises to trade to 01:00 hours the following day on Monday to Wednesday and to 03:00 hours Thursday to Saturday, with closing 30 minutes thereafter. There is no change proposed to the hours of operation on Sunday which on the current licence which are from 12:00 hours to 22:30 hours.

We have considered the impact of the proposed application and in particular with reference to the location of the premises within the West End Stress Area. We note the Council's policy in respect of the stress areas and believe that the current application will promote the licensing objectives, address the reasons behind the stress area policy and assist in practically resolving issues that face the night time economy in Soho. The key reasons for this are set out below and also strengthened in the operating schedule.

- There will be a reduction in capacity from that which is permitted on the current licence.
- The current premises licence does not have many conditions. The new application offers a robust operating schedule to promote the licensing objectives.
- The new operating schedule includes a last admission time which is in line with the current terminal hour for the sale of alcohol. This ensures that patrons will be retained on the premises and will not disperse into the Stress Area in search of other premises.
- The application restricts the additional hours to members only. Much of Rupert's Street customer base are regular members of the gay community. A strict and legitimate membership scheme will allow those persons who are members and their bone fide guests to enjoy the benefit of the later

hours. The operating schedule is robust and ensures that this scheme is properly managed and cannot be abused.

- The premises have operated under Temporary Event Notices without experiencing any issues.

We feel that a new premises licence, rather than a variation of the existing licence, is the most appropriate way to deal with this proposal, considering the significant change in style of operation at the premises during the extended hours.

Pre consultation has taken place with Jim Sollars, Police Licensing Officer and with Dave Nevitt, Environmental Health Officer and Alan Lynagh, District Surveyor, by way of formal pre application advice.

#### **b) The prevention of crime and disorder**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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.
3. On Thursdays, Fridays and Saturdays, when the premises is open for the sale of alcohol beyond 01:00 hours, there shall be a minimum of two SIA registered door supervisors on duty from 21:00 hours until close. At all other times, the need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice.
4. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
5. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
6. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
7. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. all seizures of drugs or offensive weapons
  - f. any faults in the CCTV system or searching equipment or scanning equipment
  - g. any refusal of the sale of alcohol
  - h. any visit by a relevant authority or emergency service.
8. On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight, only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises.

- b) No person shall be admitted to membership of the private club operating at the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
- c) On Monday to Thursday after 23:00 hours and on Friday and Saturday after midnight, there shall be no admittance or re-admittance to the premises, except for persons temporarily leaving the premises to smoke.
- d) A legible list of members and guests who have attended will be kept at the premises for 31 days and shall be available for inspection by any of the relevant authorities. It shall be a requirement of membership that members shall be able to identify their bona fide guests by name at all times and names of guests shall be able to be provided to the responsible authorities within reasonable time of any request for details being given to the premises.
- e) A copy of the club rules will be lodged with both the Police and Environmental Health. Any substantial changes to the said rules will be subject to approval from the Police and Environmental Health.
- f) Membership of the private club shall be restricted to members of the Lesbian, Bi-sexual, Gay, Transgender and Queer community.

**c) Public safety**

We understand our obligations under existing legislation and take our responsibilities seriously.

**d) The prevention of public nuisance**

1. 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, Premises Management 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.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The licence holder shall enter in to an agreement with the Hackney Carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who would be encouraged to use such services.
4. Patrons permitted to temporarily leave and then re-enter the premises to smoke beyond 23:00, shall be restricted to a designated area which will be defined and identified on a plan to be submitted to the Licensing Authority.
5. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and/or supervised by staff so as to ensure that there is no



public nuisance or obstruction of public highway.

6. The licence will have no effect until the capacity of the premises has been assessed by the Environmental Health consultation team/District Surveyor and the condition detailing the agreed capacity has been added as a condition to the licence.
7. The premises shall maintain a written dispersal policy which shall be made available to the Police or authorised officer of the Council on request.
8. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment (in the form of recorded music) takes place, except for the immediate access and egress of persons.
9. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
10. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
11. Notices 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. 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.
14. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. 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.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hour and 08.00 hours on the following day.
18. No deliveries to the premises shall take place between 23: 00 hours and 08:00 hours on the following day.
19. 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.
20. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
21. After 23:00 hours, 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.

**e) The protection of children from harm**



Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Clare Eames  
31 Southampton Row

Post town London

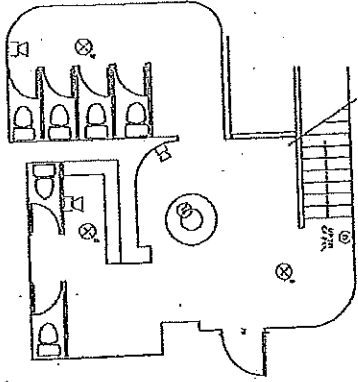
Post code WC1B 5HJ

Telephone number (if any) 0203 078 7486

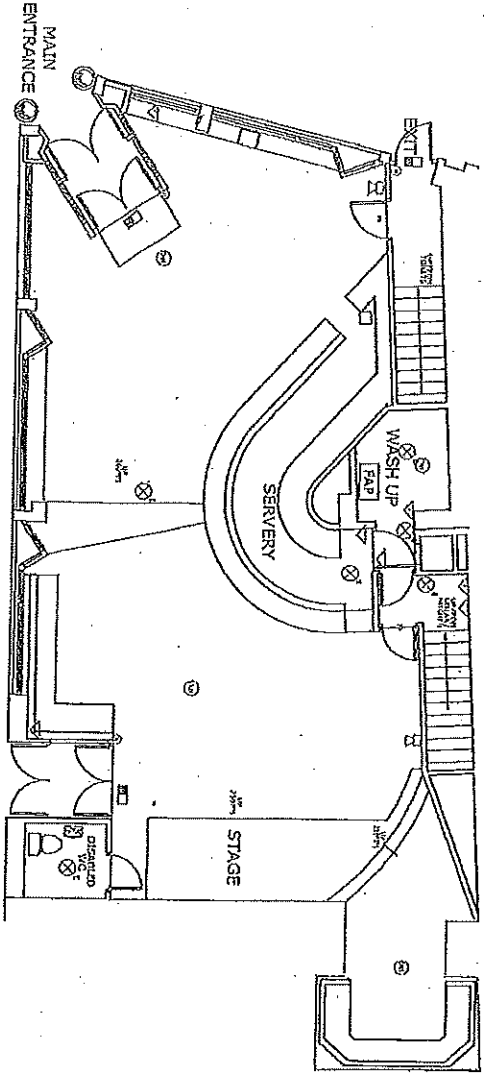
If you would prefer us to correspond with you by e-mail your e-mail address (optional)  
c.eames@popall.co.uk

#### Notes for Guidance

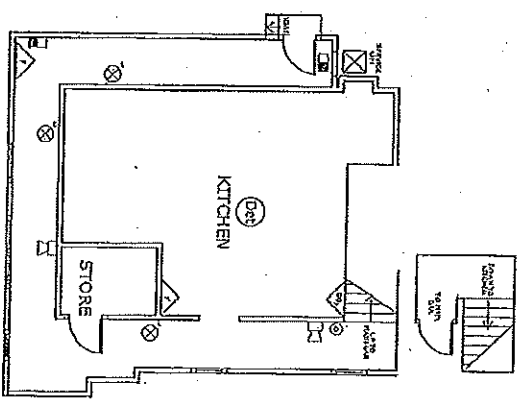
1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



BASEMENT TOILETS PLAN  
1:100@A3



MAIN BAR PLAN  
1:100@A3



KITCHEN PLAN  
1:100@A3

- SERVICES**
- FA2 Fire Alarm Panel
  - ⊕ Automatic fire detector
  - ⊙ Manual Call Point
  - ⊠ Sounder
  - ⊗ Emergency light-fitting (Fluorescent Downlight or luminaires)
  - ⊠ Emergency Exit Light (C/W legend (directional))
  - ▽ Carbon Dioxide fire extinguisher
  - ▽ Foam fire extinguisher

LICENSING KEY	
Increased Activity	

NOTES:  
1. This plan is to be read in conjunction with the other plans of this project.  
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**Rupert Street Bar, 50 Rupert Street, London, W1D 6DR.**

**Report by Adrian Studd**

**Independent Licensing Consultant.**

**Introduction.**

I have been instructed to conduct observations at Rupert Street Bar and to consider documentation in connection with the application for a new licence to extend licensable activity at the premises until 01.00 on Monday to Wednesday, 03.00 on Thursday to Saturday with no change on Sundays and to introduce a membership scheme supported by ID scan at the premises.

**Personal summary – Adrian Studd.**

I retired from the police service on 2<sup>nd</sup> November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games. In addition to leading my team I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work.

Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity. Providing both Overt and Covert support for policing problem licensed premises across London. My team worked with premises when licensing issues were identified in order to

address these problems through the use of action plans in order to raise their standards. Where this failed I would support the Boroughs with evidence for use at review hearings if required.

I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.

From 2004 until 2008 my role included representing the MPS and ACPO licensing lead both in London and nationally. In this role I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the Bill working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.

I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs implement the initiative. I am a trained Purple Flag and Best Bar None assessor and until my retirement sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above I have attended a large number of internal MPS training and qualification courses, I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BIi).

Following my retirement I established 'Clubsafe Services Ltd' to provide independent compliance support and advice for premises requiring a local authority licence. Since then I have provided evidence gathering services, advice and support to a broad range of licensed premises on a variety of issues, including crime and disorder, street drinking, rough sleepers and age related product issues. This work has involved premises that benefit from a variety of local authority licences including alcohol on and off licences, betting premises licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings on a number of occasions.

### Rupert Street Bar.

1. The premises are located in Rupert Street at the junction with Winnett Street in a busy, vibrant and diverse part of Soho. It is currently licensed until 23.30 Monday to Thursday, 00.00 Friday and Saturday and 22.30 Sunday. The premises attracts a mainly LGBT customer base of which 60 – 70% are regulars, it is attractively furnished and has a lively atmosphere.
2. The surrounding area provides a diverse mix of premises including theatres, bars, clubs, traditional pubs and restaurants with a broad range of licensed hours. The area is well served by public transport with 24 hour buses, mini-cabs and black cabs available nearby through the night. This transport infrastructure is set to improve further in September when the Northern and Piccadilly tube lines close by start to operate a 24 hour service on Friday and Saturday nights (appendix 'B').

### Representations.

3. I have been provided with representations from both the EHO, police and the Soho society and residents and have taken these into account when conducting my observations and preparing this report.

### Observations.

4. I am familiar with the premises and the area having been involved in licensing in central London for over 10 years as a police officer. Since retiring I have worked as a licensing consultant and have conducted observations and visits to licensed premises in the area on many occasions.
5. I conducted observations at Rupert Street over 4 days on Thursday 11th December 2014, Saturday 13th December 2014, Saturday 18th April 2015 and Friday 1st May 2015. I observed the premises and area at various times between 17.30 and 01.00 on these days and visited it as a customer a number of times.
6. I found the premises to be busy, particularly during the mid-evening period, with a lively and friendly atmosphere. There were two door supervisors employed who managed the two entrance/exits and patrolled through the venue. Music is played and there is a little dancing

but customers mainly chat and socialise. The bar has a good level of staffing and service was quick and efficient with minimum waiting.

7. Customers are permitted to smoke outside on Winnett Street and are permitted to take drinks which are decanted into plastic containers prior to leaving the premises. The door supervisors were vigilant in ensuring that this took place. Those smoking outside were supervised by the door supervisors. The customers were mainly male with a broad range of ages from 20's to 40's and a few older. I saw no evidence of drunkenness or disorderly behaviour inside the premises or when customers were leaving.
8. From 23.00 customers started leaving and while some talked about going home many were discussing where to continue their night and which premises would be open late. I observed customers leaving and walking up to Brewer Street where they joined the queue for Shadow Lounge.
9. Towards the end of the night the music volume was turned down and the lights came up at 23.45 by which time the premises was about ½ full. The door supervisors walked through the premises encouraging customers to leave and the dispersal was managed in an effective manner with customers leaving quickly and the premises empty by 00.15.

#### New Licence Application.

10. It is proposed to apply for a new licence to extend the opening hours on Monday to Wednesday until 01.00 and on Thursday to Saturday until 03.00. To support this it is proposed that a membership scheme is introduced for all customers entering or remaining on the premises after 23.30.
11. In order to be effective the scheme would have to be meaningful and comply with a number of criteria:
  - i. A period of time between application and granting of membership of at least 24 hours,
  - ii. A last admission time,
  - iii. No 'immediate' membership and no 'guests' permitted,
  - iv. Proper identification of members through the use of recognised ID scanning equipment,
  - v. A robust procedure for ensuring non-members leave the premises prior to the hours designated as members only,
  - vi. Adequate security to identify members and disperse non-members from the premises,



12. I have reviewed the proposed membership scheme, attached at appendix 'A', and it meets these requirements and provides a robust procedure.

**Environmental Health-Pre application advice.**

13. Pre-application advice was sought from Dave Nevitt of the City of Westminster Environmental Health. I have considered the advice that was received in a pre-application meeting and advisory note sent to the applicants solicitors.
14. Mr Nevitt's advice is that a membership scheme has merit and is preferable to simply seeking late hours; I am in agreement with this. In his view the membership scheme should be carefully drawn up and explained to the committee. I have considered the scheme that is proposed I am confident that it provides an effective, well considered membership scheme and is clearly set out.
15. Mr Nevitt raises the practical issues of managing of the transition between the public and membership use of the premises. In my view this is key and the proposed conditions and operating plan will ensure that this transition is managed effectively.
16. Additional measures have also been put in place to manage the risk of noise or nuisance to local residents and I consider that these will be effective. As noted by Mr Nevitt the premises currently operate to a high standard and have effective measures such as an acoustic lobby in place.

**Conclusions.**

17. I found Rupert Street bar to be an attractive, well run and safe premises that attracts the local gay community and enjoys support from a large number of regular customers. The customers are a diverse range of ages and ethnicity and I saw no evidence of crime and disorder or anti-social behaviour associated with the premises. I understand that view is supported by Westminster police licensing officers.
18. While some customers will end their night between 23.00 and 00.00 and head home it is my experience that around 50% will seek to extend their night, particularly at the weekend, until

2 or 3am. My observations at Rupert Street supported this view, as do the exit surveys conducted by Stonegate Ltd.

19. The fact that the premises currently closes at midnight encourages those who wish to carry on later to leave from about 23.00 in order to get into later premises nearby, some of which will have conditions preventing entry after a certain time. Inevitably this leads to more people on the street at the busy time between 23.00 and 01.00.
20. It is my view that many of those who currently leave at this time to move elsewhere would stay inside Rupert Street if they were permitted to do so, as many as 60 – 70% of the customers are regulars and already choose to spend their time in the bar on a regular basis.
21. The membership scheme is aimed at recruiting those regular customers and encouraging them to remain inside. New customers will not be attracted to the premises by virtue of the fact that all applications will be subject to a 24 hour period between application and granting membership, no guests will be permitted and last admission time to the premises will be 01.00.
22. Those that remain are in a safe, well controlled environment and are not adding to the large numbers on the streets at this key time. The use of ID scan for all customers after 23.30 will ensure that their identification is known and that only individuals who have appropriate ID and are prepared to be identified are permitted to remain in the premises after 00.00. This is an effective crime prevention tool.
23. The atmosphere inside Rupert Street is relaxed with a good level of seating and music at a tempo and level that allows conversation. This is recognised as being important in reducing the potential for noise nuisance when those customers do leave, and together with a 'wind down' period and good dispersal plan will ensure they are unlikely to cause a nuisance when they leave.
24. The Rupert Street area is already very well served with public transport including night buses, mini-cabs and black cabs. This will be improved further from September this year when underground services start to run 24 hours a day at weekends from the nearby Piccadilly Circus and Leicester Square stations. This will greatly improve the ability of all people in the West End to leave quickly and safely right through the night, whatever time they choose to leave.

25. I consider that those who currently leave between 23.00 and 00.00 to go home will continue to do so. The proposed application will encourage those who would otherwise leave at this time and migrate to other premises, adding to the cumulative impact, to become members so they could remain in Rupert Street. They would then disperse gradually from the premises going directly home reducing the cumulative impact of the premises on the area.
26. The premises has benefitted from Temporary Event Notices permitting them to remain open until 01.00 on a number of occasions in 2014, including the very busy 'Pride' weekend, and has operated with no incidents. It has also operated under a TEN on five occasions in 2015, including 3 occasions to 01.00, one occasion to 02.00 and one to 03.00, again without incident.
27. Considering the raft of measures proposed including the membership scheme, ID Scan, last admission and additional security, this application can be considered as an exceptional case that will enhance the promotion of the licensing objectives and reduce the cumulative impact of the premises in the area.

I understand that my duty is to the licensing subcommittee and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the facts I state in this report are honest and true and that the opinions I have expressed are correct to the best of my judgement. The fee for this report is not conditional on the outcome of the case in anyway whatsoever.

Adrian Studd,

Independent Licensing Consultant,

07/05/15.

I am aware that the hearing is to take place on Thursday the 20<sup>th</sup> August 2015. Unfortunately I am unavailable to attend on that day as I am going into hospital on 18<sup>th</sup> August for surgery and will be in hospital for approximately 1 week, with a period of recovery following.

**Statement**

Statement of: Nigel Andrews

Age: Over 18

Occupation: Area Manager, Stonegate Pub Company

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This statement (consisting of [ ] pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: .....

Signature:

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**Personal Information**

1. My name is Nigel Andrews and I live at The Queen's Head, 25 High Street, Downe, Kent BR6 7US.
2. I am employed by Stonegate Pub Company Limited as an Area Manager.
3. I have been employed by Stonegate since it acquired the business. Prior to this I worked as an area manager for Mitchells & Butlers. I have looked after the same premises for many years and when Stonegate purchased premises from Mitchells & Butlers they also employed me to ensure continuity and because of my extensive experience with the premises, I was employed by Mitchells & Butlers for over ten years and was with Nicholson's before this. I have also worked at JD Wetherspoons and spent 12 years at Whitbread. I have looked after many premises, especially in London and the South East.

**Stonegate Pub Company Limited**

4. Stonegate Pub Company is the largest privately owned managed pub operator in the UK operating 600 pubs across the country. The business consists of branded and unbranded pubs and bars which include community and local pubs which cater for customers within the local neighbourhood, high street venues and late night bars and nightclubs. A company information sheet can be seen at Exhibit NA1.
5. Since the formation of the company in 2010 the company has made significant investment within the estate, both within the fabric of the buildings and the services offered.
6. The company employs over 12,500 people and makes significant investment in the training and development of their staff.
7. Stonegate prides itself on engagement in the local community and devotes considerable time and resources to charitable giving and fundraising.
8. I look after the LGBT premises in Stonegate's Estate, which is made up of the following seven premises:-

Signature:.....Signature witnessed by .....

- Rupert Street, London
- Colors, Southernhay
- Charles Street & Envy, Brighton
- Halfway II'Heaven, Duncannon Street, London
- Retro Bar, George Court, London
- Two Brewers, Clapham
- Queen's Court, Leeds

A summary of the premises licences for these premises can be seen at Exhibit NA2.

I also the area manager for the following premises:-

- Beduin, Smithfields
- Edwards, Wimbledon
- Reflex, Watling Street
- Reflex, Croydon
- Salsa, Charing Cross Road
- The Slug @ Fulham
- The Slug @ Wimbledon

9. All of the premises I look after are in busy town or city centres and many are in cumulative impact areas. The premises I look after are all run extremely well and I am pleased to say they are mostly trouble free. None of the other LGBT premises I look after have had any significant issues of crime and disorder or public nuisance and many of them operate later hours similar to those sought as part of this application at Rupert Street.
10. I work closely with the local authority officers and police in all areas where I look after premises. I keep in touch with the officers on a regular basis to make sure they have no concerns.

#### Experience of Soho

11. I have worked with pubs in Soho for 12 years. In my opinion the area has been "smartened up" and become more commercial. There are more restaurants and pop up premises and there has been much redevelopment. Unfortunately premises catering for the LGBT community have dwindled.
12. In recent years, many LGBT premises in Soho have closed. Rupert Street is now the only LGBT Style bar left, although there are other LGBT venues which focus more on providing entertainment rather than being a place to sit, relax and chat with friends.

#### Rupert Street Bar

13. Rupert Street is a relaxed place to sit, chat and enjoy being in a bar environment. Our customers are friendly and the majority are locals and regulars.
14. The staff employed at Rupert Street are long serving, experienced and loyal. 17 people are currently employed at the premises and obtaining later hours at the premises will allow us to increase the employment opportunities available.
15. Stonegate are proud of Rupert Street's involvement in the community and in fundraising projects. We recently spent £1,300 on Soho FC, which is a community football team.

Signature:..... Signature witnessed by .....

16. I do not get too involved in the day to day running of Rupert Street as Karl Nixon and Chris Jacobs are highly experienced and knowledgeable of the business. My role manifests itself in bringing my experience to the site and providing guidance and support for the managers and staff.
17. The current safe capacity of the premises has been assessed at 250 excluding staff. In the event that the new premises licence application is granted, the premises licence holder would propose a condition limiting the capacity to 200 customers excluding staff. This figure will further reduce to 175 customers excluding staff between midnight and closing time. Please see further information regarding capacity at Exhibit NA3.

### Halfway II Heaven

18. I am the area manager at Halfway II Heaven, which is another LGBT premises in central London located within Westminster City Council's demise. The premises has the benefit of a premises licence which permitted the premises to trade until midnight Monday to Saturday and 23:00 hours on Sunday.
19. In a similar application to that which is proposed for Rupert Street Bar, in 2013, a new premises licence was applied for and granted in respect of Halfway II Heaven to permit the premises to trade on Monday to Thursday until 1am, with closing at 1.30am and on Fridays and Saturdays to 3am, with close at 3.30am.
20. This application was heard by Westminster's Licensing Sub Committee on 21 February 2013, at which time Councillor Audrey Lewis, who was the Chair of the meeting, indicated that, although the premises was just outside Westminster's stress area, she considered the same standard to apply and, in her verbal determination, stated that the application was an exception to the stress area policy. Copies of the licences and decision notice can be found at pages 88 - 118 of this evidence bundle.

### Pre-Consultation to the Current Application

21. During our consideration of the new premises licence application, pre consultation was undertaken with the responsible authorities.
22. On 1 December 2014, we met with Jim Sollars of Westminster's Police Licensing Team on site to discuss the application. The meeting went very well and Jim 's comments have been taken into account in drafting the operating schedule for the new premises licence application. He highlighted no concerns of crime and disorder associated with the premises.
23. On 18 December 2014, a pre consultation meeting took place on site with Dave Nevitt of the Environmental Health Team and Alan Lynagh, District Surveyor. Again, that was a very positive meeting and the comments made by the officers were taken into account in drafting the new premises licence application. A copy of the pre application report prepared by Dave Nevitt and Alan Lynagh can be seen at Exhibit NA4.

### New Premises Licence and Operation of the Membership Scheme

24. If the new premises licence is granted, the operating hours beyond 23:30 hours will be managed in accordance with the membership scheme which has been specifically designed by Stonegate for Rupert Street. A copy of the membership scheme proposal can be seen at Exhibit NA5.

Signature: ..... Signature witnessed by .....

25. One of the main reasons for applying for this new licence which, in effect, seeks later hours than the current licence permits, is that our loyal customers want to stay with us. The membership scheme therefore rewards their loyalty and has the benefit of ensuring we know exactly who is in our premises. The operation will be closely and well managed. A copy of the new operating schedule can be seen at Exhibit NA6.

26. With the premises location in the stress area, and our belief that the licensing objectives will actually be promoted by the granting of this new premises licence, we instructed Adrian Studd to fully interrogate our proposals in light of the location of the premise sand Westminster City Council's Licensing Policy.

**Exception to the Licensing Policy**

27. For the reasons detailed in our evidence bundle, with particular focus on the points listed below, we consider we are an exception to the Westminster's Stress Area Policy:-

- Overall reduction in capacity
- Carefully crafted membership scheme along with a robust and tailor made operating schedule
- Adrian Studd's report
- Unique operation

Signed: .....

Print Name: .....

Date: .....

Signature:..... Signature witnessed by .....

# EXHIBIT NA1

## Stonegate Pub Company Limited Information Sheet

Signature:..... Signature witnessed by .....





### **The Company**

Stonegate Pub Company is the largest privately held managed pub operator in the UK operating 620 pubs across the country. The business consists of branded and unbranded pubs and bars which include community and local pubs which cater for customers within the local neighbourhood; high street venues including the Slug & Lettuce, Yates's and Scream brands that attract businessmen and women, tourists, families, and students; Bars & Venues which are late night bars and nightclubs.

Since the formation of the company in 2010 the company has made significant investment within the estate, both within the fabric of the buildings and the services offered. Its pubs and bars continue to benefit from a multi-million pound investment programme that continually strives to improve amenities and community facilities. Free Wi-Fi is now standard across the estate.

### **People**

The company employs over 12,500 people and make significant investment in the training and development of their staff. A leading edge, award winning training programme ensures all front-line staff are equipped with the necessary learning's to safely and legally operate within the business. Within the last 6 months alone over 94,000 training modules have been undertaken by pub staff.

### **Community and Social Responsibility**

All site managers are encouraged to join their local Pubwatch, town centre management or business improvement forums, wherever they operate. Entry into Best Bar None programmes has resulted in many Stonegate pubs across the country being recognised for their contribution in helping create safer environments for staff and customers alike.

Engagement with the local community takes place in many forms, from supporting community groups, providing facilities for clubs and teams, to providing meals for local OAP's. Hundreds of thousands of pounds is raised for local and national charities each year – Variety, the children's charity has benefitted to the extent of over £300,000 this year, changing the lives of many disadvantaged children.

### **The Senior Management**

Stonegate Pub Company is operated by a team of highly experienced directors that have a wealth of industry experience.

Ian Payne is Chairman of Stonegate Pub Company. Ian, an accomplished expert in the licensed leisure sector, has held Board positions with Bass Taverns, Stakis plc and Ladbroke gaming. He was CEO of the Laurel Pub Company from its inception

in May 2001 through to December 2004 and later Chairman of the Bay Restaurant & Town and City Pub Groups prior to formation of Stonegate in November 2010. Ian started his career in the trade behind the bar of a local pub more than 35 years ago.

Simon Longbottom serves as the Chief Executive Officer at Stonegate Pub Company Limited. Simon served as the Managing Director of Pub partners at Greene King Plc since 2010. He served as Managing Director of Gala Coral's gaming division. He has over 11 years experience in the public sector having held senior positions at Mill House Inns and Mitchells & Butlers.

Graham Jones is Chief Operating Officer of Stonegate Pub Company. A high performing professional, Graham has held senior operations positions in Whitbread PLC, Laurel Pub Company, Greene King, Barracuda Group and more recently Punch Taverns.

Suzanne Baker is the Commercial Director of Stonegate Pub Company, responsible for all commercial contracts including purchasing and property. Suzanne has spent her career within the licensed leisure sector having previously held Board positions in Bay Restaurant Group, Laurel Pub Company and JD Wetherspoon. She commenced her career joining Grandmet Retail in operations progressing within the marketing and purchasing roles across national brands, including Chef & Brewer.

Tim Painter is the HR Director of Stonegate Pub Company. Tim, who joined from Musgrave Retail Partners, has extensive experience in HR strategy, leadership and development, and change management across the retail sector.

Richard Bruce is the Marketing Director of Stonegate Pub Company. Richard joined from Home Retail Group plc where he was head of brand and customer proposition programme at Homebase. He has a strong background in developing and implementing category strategy and previously worked with retail giants Marks & Spencer and Argos.

**EXHIBIT NA2**  
Summary of Premises  
Licences for Stonegate LGBT  
Estate

Signature:..... Signature witnessed by .....

Stonegate LBGT Premises

**Rupert Street Café Bar, 60 Rupert Street, London W1D 6DR:**

Sale of alcohol hours:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

Opening hours:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

No last entry condition on the current licence.

**Colors, Southernhay, Basildon, Essex SS14 1DQ:**

Sale of alcohol hours:

Monday to Wednesday:	10:00 to 02:00
Thursday to Saturday:	10:00 to 03:00
Sunday:	10:00 to 01:00

Opening hours:

Monday to Wednesday:	10:00 to 02:30
Thursday to Saturday:	10:00 to 03:30
Sunday:	10:00 to 01:30

No last entry condition on the current licence.

**Charles Street and Envy, 8-9 Marine Parade, Brighton BN2 1TA:**

Sale of alcohol hours:

Sunday to Wednesday:	11:00 to 02:00
Thursday to Saturday:	11:00 to 03:00

Opening hours:

Sunday to Wednesday:	11:00 to 02:30
Thursday to Saturday:	11:00 to 03:00

No last entry condition on the current licence.

Stonegate LGBT Premises

**Halfway II Heaven, 7 Duncannon Street, London WC2N 4JF:**

Sale of alcohol hours:

Monday to Thursday:	10:00 to 01:00
Friday to Saturday:	10:00 to 03:30
Sunday:	10:00 to 23:30

Opening hours:

Monday to Thursday:	10:00 to 01:30
Friday to Saturday:	10:00 to 03:30
Sunday:	10:00 to 23:30

No last entry condition on the current licence.

**Retro Bar, 2 George Court, London WC2N 6HH:**

Sale of alcohol hours:

Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

Opening hours:

Monday to Saturday:	10:00 to 23:30
Sunday:	12:00 to 23:00

No last entry condition on the current licence.

**Queens Court, 167-168 Briggate, Leeds LS1 6LY:**

Sale of alcohol hours:

Monday to Thursday:	11:00 to 04:00
Friday to Saturday:	11:00 to 05:00
Sunday:	11:00 to 03:00

Opening hours:

Monday to Thursday:	11:00 to 04:30
Friday to Saturday:	11:00 to 05:30
Sunday:	11:00 to 03:30

No last entry condition on the current licence.

Stonegate LGBT Premises

Two Brewers, 114 Clapham High Street, London SW4 7UJ:

Sale of alcohol hours:

Monday to Wednesday:	10:00 to 02:00
Thursday to Saturday:	10:00 to 04:00
Sunday:	12:00 to 02:00

Opening hours:

Monday to Wednesday:	10:00 to 02:30
Thursday to Saturday:	10:00 to 04:30
Sunday:	12:00 to 02:30

No last entry condition on the current licence.

**EXHIBIT NA3**  
Information Regarding  
Capacity

Signature:.....

Signature witnessed by .....

SCARLET EMBERS



FIRE CONSULTANT

*Heritage - Licensing - Fire Solutions - Assessment & Compliance*

SCARLET EMBERS

T: 07917072473

E: [scarletembers@lcloud.com](mailto:scarletembers@lcloud.com)

# Occupancy Assessment

## Rupert Street Bar

50 Rupert Street  
W1D 6DR

Date: 10th August 2015

Version 1





**DOCUMENT CONTROL & NOTES**

<b>Prepared by:</b>	M Redmond
<b>Company:</b>	Scarlet Embers
<b>Correspondence Address:</b>	Rupert Street Bar 50 Rupert Street W1D 6DR
<b>Date:</b>	10/08/2015
<b>Issue:</b>	Version 1
<b>Report Ref:</b>	SE/OA/RS/ -001

Document History				
Issue	Date	Amendment Details	Assessor	Checked
V1	10/08/2015	Initial issue for comment	MR	



**EXECUTIVE SUMMARY**

Scarlet Embers has been instructed by Clare Eames (Popleston Allen Licensing Solicitors) to carry out an occupancy assessment for the premises at the Rupert Street Bar, 50 Rupert Street W1D 6DR.



## 1. SCOPE OF THE ASSESSMENT

The scope of this assessment relates to the Rupert Street Bar part of the premises (ground floor and basement) and only at the given address. Where necessary reference may be made to other portions of the building but no other areas were assessed as part of this assessment and there are no other associated areas, which fall under the control of the Client. The Rupert Street Bar premises are also totally separated to all other parts of the premises and have no shared internal exit routes.

## 2. BUILDING DESCRIPTION – INCLUDING COMMENTS

<b>Number of floors ground and above:</b>	5 (Premises only has control of Basment & Ground)
<b>Number of floors below ground:</b>	1
<b>Approximate floor area:</b>	250m <sup>2</sup>
<b>Brief details of construction:</b>	The premises appear to be of period construction with a double leaf brick exterior. There are two entrance/exits serving the ground floor and in addition there is a seperate exit discharging from the basement areas via a protected staircase.  The basement area consists of storage and staff areas together with electrical intake and beer cellars.
<b>Use of premises:</b>	The premises is used as a bar venue.
<b>Sleeping occupants:</b>	0
<b>Fire detection and alarm system:</b>	System appears to be an Automatic mains powered linked smoke detectors with manual call points at basement and ground floor level,
<b>Evacuation regime:</b>	Simultaneous on any alarm
<b>Emergency lighting:</b>	Situated throughout the premises

### Additional Notes:

The building and its current use is classified in the following Purpose Group as per Table 1 (Appendix D) of ADB:

Accommodation	Purpose Group
Assembly and Recreation	5
<i>NB: Plant, store and switch rooms are considered ancillary to the main building use</i>	



## 1. OCCUPANCY ASSESSMENT

There are a total of three exits from the premises, two entrance/exits serving the ground floor and a separate exit discharging from the basement areas via a protected staircase to a final exit. (Refer to Licensing Plans)

- Ground Floor (Two exits) - Bar area, comprising's of some fixed seating and some tables with movable seating.
- Basement -- (Protected staircase to final exit) Public toilets / staff, ancillary and storage areas.

### Travel Distances

Travel distances for escape within the building are in line with those recommended in the Technical Standards (Table 5) and ADB as detailed in table 16.0 below. The travel distances at ground floor level are well within these limits with the maximum distance at any one time from either entrance being no more than 7m. Both are within the 45m maximum for escape in two directions.

The basement is split into two areas, one serving the public toilets with minimal travel distance discharging via a protected staircase to a final exit. The second area serving the staff /storage areas has a chose of two routes, both of which are within travel distance.

Table 16.0: Recommended maximum travel distance to the nearest storey exit

Location		Possible direction of escape	
		One direction only	More than one direction
Public areas	Seating in rows	15m	32m
	Open floor areas	18m	45m
All non-public areas	Dressing rooms	9m	18m
	Plant rooms other than places with special fire hazards	9m	32m
	Places of special fire hazards+	9m	18m
	All other accommodation	18m	45m

+ Places of special fire hazard include oil filled transformer and switchgear rooms, battery rooms, boiler rooms, storage space for fuel or other highly flammable substances, rooms housing a fixed internal combustion engine.



**Means of Escape**

The premises consist of a ground floor and basement; the ground floor is predominately open plan and incorporates two exits/entrances.

There are three escape routes from the premise, which are;

**1. Ground Floor (X2)**

From the bar area the means of escape is via either of the two main entrances/exits. Both of these exits are double doors, which open in the direction of travel. (Approx. 1600mm (Exit A) and 1300mm (Exit B) in width).

The larger set of doors (Exit A) discharges into Winnett Street and the second set of double doors (Exit B) discharges on the corner of Winnett Street and Rupert Street.

**2. Basement (X1)**

The basement is split into two areas, one serving the public toilets discharging via a protected staircase to a final exit into Rupert Street. The second area serving the staff /storage and ancillary areas has a choice of two routes. One, into the protected staircase as with the means of escape from the public toilet area, or two via a protected staircase to the bar and then out through the bar area.

**Exit Widths**

The accommodation adopts a simultaneous evacuation therefore exit widths should be assessed on this basis. Table 16.1 details a means of escape calculation in line with the provisions of the Technical Standards for Places of Entertainment.

If any of the widths detailed in table 16.1 change then the maximum occupancies should be reassessed and this section of the report fully updated.

**Table 16.1: Means of Escape Calculations**

Area	Exits	Discount Largest	Max Capacity
Ground Floor	Exit A (1600mm) = 290 Exit B (1300mm) = 260  <i>*Capacities in excess of 220 may be calculated on the basis of 5mm per person per exit. (Above 1100)</i>  <i>Ref table 7 Technical standards.</i>	Exit A - 290	260



**Floor Space Factors**

The premises operate as bar and Approved Document B, (Table 1) and The Technical Standards for Places of Entertainment (Table 3) detail the relevant floor space factors applicable for this type of use at this premises and table 16.2 details these requirements and how they apply to the premises based on the current layout. If any additional fixed fixtures are introduced the operator will need to reassess these calculations to ensure an appropriate revised maximum capacity based on available floor space and any furniture layout is in place.

**Table 16.2: Floor Space Factors**

Area	Overall available public area M <sup>2</sup> (approx.)	Capacity at 0.3M <sup>2</sup> per person (within 2m of bar or live music)	Capacity at 0.5M <sup>2</sup> per person (dancing/reception)	Banquette style seating at 0.45m per person	Loose Seats	Max Operational Capacity
Ground-Floor Bar	116	$24 \div 0.3 = 80$	$47 \div 0.5 = 94$	$15 \div 0.45 = 33$	43	250

Cross-referencing the floor space capacity with the capacity based on means of escape, recommended maximum occupancy is:

<b>Max Operational Capacity</b>	<b>250 persons</b>
---------------------------------	--------------------

This figure may vary depending on the configuration of seating and furnishings within the available floor space.

In line with the recommendations within the Technical Standards it is deemed acceptable for this figure to be exclusive of staff as staff figures are minimal and it would be accepted that staff would be assisting in the evacuation process.



#### 14. COMPETENCY OF ASSESSOR

**Martin Redmond GFireE**

I have over 25 years operational experience with the London Fire Brigade with extensive knowledge of Regulatory Fire Safety & Enforcement. DDAs a qualified Senior Fire Safety Officer, I covered the whole of London dealing with issues relating to fire safety, non-compliance and prohibition. I was also the Fire Safety / Enforcement Team Leader for Westminster for over 7 years. During this time I dealt with the issuing of Enforcement Notices and appeals, oversaw Building Consultations, Fire Engineering, and Licensing. I provided support and guidance to the Private & Public Sector as well as sitting on a Government advisory working Group. I have been fortunate to have been involved in the planning and operational guidance of London 2012 - Olympic Venues & Events, the Royal Wedding, Queens Diamond Jubilee & Concerts in the Royal Parks for the Borough of Westminster. I also sat on the Heritage Group for the London Fire Brigade, providing advice & guidance on issues around Regulatory Fire Safety & Enforcement in heritage and listed buildings and advising on Salvage. Whilst I was the Fire Safety Team Leader for Westminster, I led several investigations under the Regulatory Reform (Fire Safety) Order 2005 (FSO) - notably the New Look prosecution in Oxford Street following a major fire. This case was successful both in Crown Court & the Court of Appeal.

# EXHIBIT NA4

## Pre Application Report

Signature:..... Signature witnessed by .....





# City of Westminster

Office Name: Dave Nevitt  
 Designation: EHO  
 Date: 22.12.2014  
 Contact number: 020 7641 3188  
 Email: [dnevitt@westminster.gov.uk](mailto:dnevitt@westminster.gov.uk)  
 Uniform Reference: 14/41224/ECPALM

Trading name of business and Address: **RUPERT STREET, 50 RUPERT STREET, W1**

Reference Number if Applicable: **14/41224/ECPALM**

Licence: <b>13/03507/LIPVM</b>	Applicant: <b>Clare Eames</b> <b>c.eames@popall.co.uk</b>	Stress Area: <b>WEST END</b>
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Type of Business: **PUBLIC HOUSE**

Current timings: **UNTIL 2230/2330/0000HRS**

Current areas: **GROUND FLOOR BAR**

Current activities: **AS PER CURRENT LICENCE.**

**PROPOSED: TO EXTEND THE HOURS FOR LICENSABLE ACTIVITIES – POSSIBLY TO 0100HRS.**

**DS/EH OBSERVATIONS/COMMENTS: D. NEVITT & ALAN LYNAGH ATTENDED A SITE MEETING WITH APPLICANT. THE HOURS SOUGHT WILL BE BEYOND THE 'CORE HOURS' AS DEFINED BY THE CITY COUNCIL'S LICENSING POLICY.**

**THE PREMISES IS LOCATED IN THE WEST END STRESS AREA – THE MATTER WILL NEED TO BE ADJUDICATED BY THE LICENSING SUB-CTEE AT A HEARING. THE APPLICANT WILL NEED TO DEMONSTRATE THAT WHAT THEY SEEK IS AN 'EXCEPTION TO POLICY'.**

**THE APPLICANT PROPOSES TO INTRODUCE A MEMBERSHIP SCHEME SO THAT LATER HOURS ARE ONLY AVAILABLE TO PERSONS WHO ARE BONA FIDE MEMBERS.**

**EH ADVICE IS THAT A MEMBERSHIP SCHEME HAS MERIT AND IS PREFERABLE TO SIMPLY SEEKING LATE HOURS FOR THE GENERAL PUBLIC. THE APPLICANT SHOULD ENSURE THAT THE SPECIFIC CONDITIONS AND DETAILS OF THE MEMBERSHIP SCHEME ARE CAREFULLY DRAWN UP AND EXPLAINED IN DETAIL TO THE CTEE FOR DUE CONSIDERATION. THE APPLICANT WISHES TO DRAW MEMBERS EXCLUSIVELY FROM THE LGBTQ COMMUNITY AND PARTICULARLY FROM EXISTING CLIENTELLE.**

**IT WAS ALSO ADVISED THAT THE APPLICANT WILL NEED TO GIVE DETAILS OF HOW THE TRANSITION BETWEEN GENERAL PUBLIC USE AND MEMBERS USE WILL TAKE PLACE IN PRACTICE. IT WAS ADVISED THAT THE APPLICANT WILL NEED TO BE MINDFUL OF THE PRACTICAL ISSUES SURROUNDING THE SEPARATING OUT OF CUSTOMERS ALREADY IN**

THE VENUE AND THE MANAGEMENT OF THE MAIN DOOR (I.E. CONTROL AND SUPERVISION OF ENTRY AND EXIT) AND THAT THEY MAY WISH TO SEEK ADVICE FROM THE POLICE REGARDING SIA PROVISION AND CUSTOMER MANAGEMENT ETC.

THE APPLICANT WAS ADVISED TO CONSIDER PRACTICAL MEASURES FOR MINIMISING THE RISK OF PUBLIC NUISANCE AND DISTURBANCE TO LOCAL RESIDENTS – I.E. CONTROL OF NOISE BREAKOUT FROM WITHIN THE PREMISES, MANAGEMENT OF SMOKERS, CONTROL OVER OUTSIDE DRINKING, CEASING USE OF OUTSIDE FURNITURE ETC., AND DISPERSAL OF PATRONS LATE AT NIGHT, ESPECIALLY WHEN THE PREMISES CLOSES. IT WAS ACKNOWLEDGED THAT THE APPLICANT OPERATES OTHER, SIMILAR, LATE NIGHT VENUES IN LONDON AND THAT THEY HAVE EXPERIENCE OF MANAGING SUCH MATTERS.

TO DATE, THE PREMISES HAS OPERATED IN A WELL MANAGED WAY WITHOUT COMPLAINT OR CAUSE FOR CONCERN. THE PREMISES IS IN GOOD REPAIR AND MAINTAINED TO A HIGH STANDARD. THE PREMISES ALREADY BENEFITS FROM LOBBIED ENTRANCES WHICH WILL REDUCE NOISE BREAKOUT.

EH WILL BE SEEKING A NUMBER OF CONDITIONS, INCLUDING A CAPACITY FIGURE. THE CURRENT LICENCE IS RELATIVELY UNENCUMBERED BY CONDITIONS AT PRESENT AND CAPACITY IS NOT LIMITED. THE ADVANTAGE OF THE APPLICATION IS THAT IT WILL AFFORD THE OPPORTUNITY FOR GREATER REGULATION. THE CAPACITY COULD BE LIMITED THROUGHOUT THE HOURS OF TRADING OR COULD APPLY AT SOME POINT DURING THE EVENING. EH AND DS WILL NEED TO DISCUSS AND SPECIFY A SUITABLE CAPACITY BUT A FIGURE OF 200-250 WAS TO BE CONSIDERED.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

# EXHIBIT NA5

## Proposed Membership Scheme

Signature:..... Signature witnessed by .....

# **RUPERT STREET, LONDON**

## **Proposal for Membership Scheme**

**This document sets out the proposal of how the membership scheme will be managed and operated at Rupert Street.**

- 1. Recruiting Members**
- 2. Membership Rules**
- 3. Operational Procedures**
  - i. Procedures for Change in Operation**
  - ii. Management of Customers**
  - iii. Security Staff**
  - iv. Dispersal**
  - v. Operating Schedule**

### **1. Recruiting Members**

Four weeks prior to the scheme starting, all staff and management will sign up existing regulars who wish to become members. The scheme will also be promoted to members of the LBGT community as felt appropriate by management.

Applications for membership will be made online through the Rupert Street website. There is no charge to make an application and identification would be required.

The Duty Manager will have the final say whether an application for membership is granted.

There will be at least 48 hours between an application for membership being made and membership being granted.

Minimum age for membership is 18.

# RUPERT STREET, LONDON

## Proposal for Membership Scheme

### 2. Membership Rules

Membership is free and the member will be issued with a membership card.

ID will be required to confirm the member's identity. Successful applicants will be required to attend the premises to have their ID scanned using the ID scanner and have their fingerprint taken. This final membership interview process allows the management to have greater control over membership. Their fingerprint will be used for future identification purposes.

Membership entitles the member to remain on the premises at Rupert Street until the later hours, as detailed in the new premises licence application. Only members and a limited number of their bona fide guests as detailed in the conditions offered as part of the new premises licence application, will enjoy this benefit. All other persons will be asked to leave as per the operational procedures set out below and within the operating schedule.

Membership cannot be transferred.

Membership will continue until the member surrenders his membership or it is cancelled by the premises licence holder.

Membership can be cancelled at any time by the premises licence holder and the member can be refused entry at any time by the Duty Manager.

A list of members will be stored electronically and available on site.

Membership and management of members will be controlled and managed in accordance with this document and by way of conditions on the premises licence.

### 3. Operational Procedures

#### i. Procedures for Change in Operation

The music will be turned down at around 23:30 hours, both in terms of volume and tempo. Lights will be turned up slightly to allow for staff to effectively manage the change in style of operation at this time.