



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	4 February 2016
Licensing Ref No:	15/11137/LIPV - Premises Licence Variation
Title of Report:	New Cavendish Club 44 Great Cumberland Place London W1H 7BS
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Steve Rowe Senior Licensing Officer
Contact details	Telephone: 020 7641 7816 Email: srowe@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	27 November 2015		
<b>Applicant:</b>	Quintillion Restaurants Ltd		
<b>Premises:</b>	New Cavendish Club		
<b>Premises address:</b>	44 Great Cumberland Place London W1H 7BS	<b>Ward:</b>	Bryanston And Dorset Square
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises operate as a private members club also providing licensable activities for persons attending pre-booked private events.		
<b>Variation description:</b>	<ol style="list-style-type: none"> <li>To add the external terrace area on the first floor of the premises.</li> <li>To remove condition 18 of the premises licence.</li> <li>To add a new condition stating 'The First Floor Terrace shall be vacated by 22:00 and to add a new condition stating 'The supply of alcohol on the terrace shall be by waiter waitress service only'.</li> </ol>		
<b>Premises licence history:</b>	See Appendix 4		
<b>Applicant submissions:</b>	The applicants have stated that there will be no addition to the current licensable activities or hours.		

## 1-B Current and proposed licensable activities, areas and hours

Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	07:00	01:00	No Change		Basement, Ground and 1 <sup>st</sup> Floor	To add 1 <sup>st</sup> Floor Terrace
<b>Tuesday</b>	07:00	01:00				
<b>Wednesday</b>	07:00	01:00				
<b>Thursday</b>	07:00	01:00				
<b>Friday</b>	07:00	01:00				
<b>Saturday</b>	07:00	01:00				
<b>Sunday</b>	07:00	01:00				
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				None	

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Both			No Change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:30	No Change		Basement, Ground and 1 <sup>st</sup> Floor	To add 1 <sup>st</sup> Floor Terrace
Tuesday	23:00	01:30				
Wednesday	23:00	01:30				
Thursday	23:00	01:30				
Friday	23:00	01:30				
Saturday	23:00	01:30				
Sunday	23:00	01:30				
Non-standard timings:	Current:				Proposed:	
	The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				None	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No Change
	Current Hours (24 hours for residents and their guests)		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No Change		Basement, Ground and 1 <sup>st</sup> Floor	To add 1 <sup>st</sup> Floor Terrace
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Non-standard timings:	Current:				Proposed:	
	The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				None	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:00	00:00	No Change		Basement, Ground and 1 <sup>st</sup> Floor	To add 1 <sup>st</sup> Floor Terrace
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Non-standard timings:</b>	<b>Current:</b> The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				<b>Proposed:</b> None	

1-C Layout alteration
To add the external terrace area on the first floor of the premises. Please see proposed plans at Appendix 1.

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
1. Condition 18 of the Premises Licence	Remove (it provides that licensable activities are not permitted on the ground floor terrace and the applicant states that such a terrace does not exist).	
2. To add a new condition	The 1 <sup>st</sup> Floor Terrace shall be vacated by 22:00	
3. To add a new condition	The supply of alcohol on the terrace shall be by waiter waitress service only	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	None

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	22 <sup>nd</sup> December 2015
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	

<b>2-B Other Persons</b>			
<b>Name:</b>		Marylebone Association	
<b>Address and/or Residents Association:</b>		Residents Association	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 <sup>th</sup> December 2015		

This representation is made by the Marylebone Association, on behalf of the Association Licensing Sub-Committee. The Marylebone Association is recognised by Westminster as the Amenity Society for the Marylebone Area south of Marylebone Road and so represents the interests of those who live and work in this area.

We are writing on behalf of the local community **OBJECTING** to the above application by the New Cavendish Club, a private members club, to vary a licence for permitting the supply of alcohol to the first floor external terraced area up to 22.00 hours.

IT IS SUBMITTED that the proposal to use the terrace for dining (or any other activity) on a daily basis, will cause disturbance to the residents of the neighbouring properties in the area, including one hotel. The premises are in a highly residential area and noise from the terrace would reverberate and cause disturbance to multiple residential properties, further smoking on the terrace would cause a nuisance to the surrounding properties by way of fumes and smell.

We therefore believe that this application if granted as applied for will be contrary to the following Licensing Objective: The Prevention of Public Nuisance.

IF Westminster does consider granting the license applied for we would ask for the additional amended **CONDITIONS** in order to minimise the impact on public nuisance:

1. An earlier terminal hour for the terrace, and that 8pm could be acceptable.
2. No access to the terrace before 8am Monday to Saturday, and 9am on Sunday.
3. Supply of alcohol on the terrace be by waiter or waitress service only.
4. That smoking not be permitted on the terrace.

FURTHER the premises has its entrance at present on Upper Berkeley Street, this however causes nuisance to those in neighbouring properties. It is submitted that Great Cumberland Place would improve matters in terms of traffic flow and in reducing disturbance to neighbours. We therefore ask that consideration be given to inserting a **FURTHER CONDITION**: That access to the club for members should be from Great Cumberland Place.

We would appreciate Westminster's Licensing Sub-Committee's consideration of the above representations in deciding this application and ask to be kept informed of any hearing date planned on this application.

<b>Name:</b>		Ms Heather Acton	
<b>Address and/or Residents Association:</b>		15 Upper Berkeley Stree	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	22 <sup>nd</sup> December 2015		

As a resident of a property adjoining the Club (for over 30 years), we are very vulnerable to any noise or smells emanating from the Club, particularly from the terrace. The proposal to use the terrace for dining (or any other activity) on a daily basis, will undoubtedly cause a loss of amenity to us and to the neighbouring properties in the area, as noise from the terrace reverberates around the back of our properties (which back on to a quiet mews, Brunswick Mews) I estimate that the disruption will affect at least ten properties, one of which is an hotel. Therefore, I am objecting to the granting of this licence on the grounds of prevention of public nuisance.

We realise that the applicant aims to be a good neighbour and that the current licence allowed use of the terrace beyond the 10 pm closing hour that the applicant proposes. However, previously, the terrace was used two or three times a year, whereas this new operating model (and the proposed structures to enable daily use, whatever the weather) will be far more disruptive. We would propose that Westminster consider granting an earlier terminal hour for the terrace, apart from Friday and Saturday nights, when we acknowledge that 10pm could be acceptable. We would also ask that there be no access to the terrace before 8am Monday to Saturday, and 9am on Sunday. We would also request that smoking not be permitted on the terrace, as the smells pervade our property (and probably others) when anyone smokes on the terrace.

<b>Name:</b>		Mr David Beckett	
<b>Address and/or Residents Association</b>		39 Great Cumberland Place	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Support
<b>Received:</b>	5 <sup>th</sup> December 2015		

Welcomed addition to an empty building.

### 3. Policy & Guidance

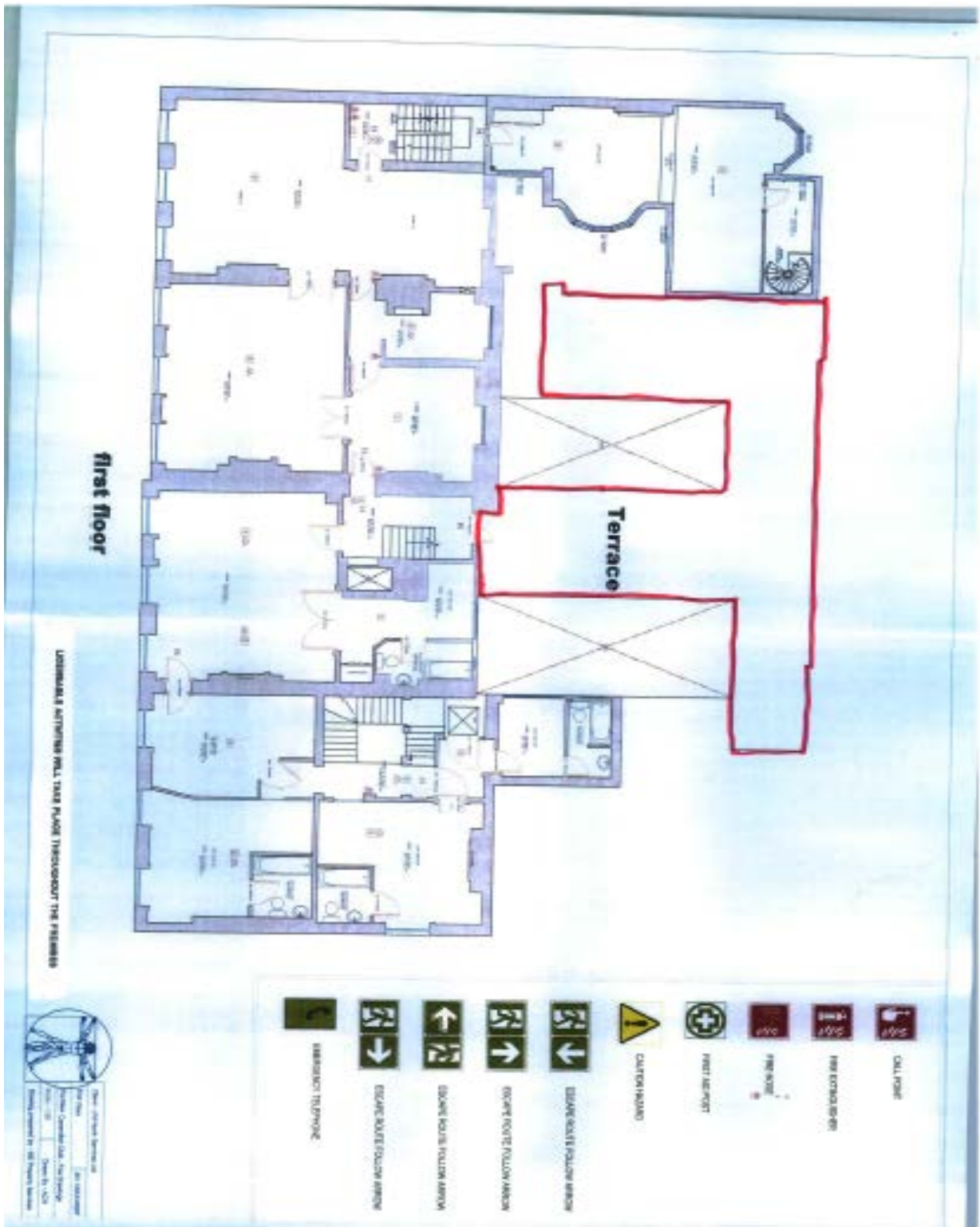
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(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</p>

Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
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#### 4. Appendices

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

<b>Report author:</b>	Mr Steve Rowe Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 7816 Email: srowe@westminster.gov.uk





At the time of publication the applicant had not provided any further submissions.

## Appendix 3

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
New Premises Licence Application (12/03933/LIPN)	Recorded Music: Monday to Sunday 07:00 to 01:00 Sale of Alcohol: Monday to Sunday 07:00 to 01:00 (24 hours to residents and their guests) Late Night Refreshment: Monday to Sunday 23:00 to 01:30 Opening Hours: 24 Hour	05.07.2012	Granted by LSC
Change of DPS (12/06155/LIPDPS)	Change of DPS	08.08.2012	Granted under delegated authority
Transfer (14/05076/LIPT)	Transfer into licensee The Portman Estate Nominees (one) Ltd	23.07.2014	Granted under delegated authority
Transfer (15/11098/LIPT)	Transfer in licensee Quintillion Restaurants Ltd		Deemed granted under delegated authority
Change of DPS (15/11109/LIPDPS)	Change of DPS		Deemed granted under delegated authority
Current Variation			

**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: On Current Licence -**

**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.

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

None

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

- 10. Licensable activities may not be provided other than to:
  - I. Members (and their bone fide guests) of the New Cavendish Club as defined in the New Cavendish Club Rules.
    - ' Any changes to these rules must be notified to the Police and Licensing Authority.
  - II. Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the event, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date.
- 11. Regulated Entertainment shall only be permitted in the areas listed in condition 12 of this licence.
- 12. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 320 persons (excluding Staff). With no more than the number listed below in each room;
  - The Portman Room - 35 persons
  - The Bar (including Lounge) - 60 persons
  - The Library - 25 persons
  - Silence Room - 10 persons
  - The Cumberland Room - 60 persons
  - Sample Suite - 40 persons
  - The Centenary Suite - 90 persons

13. Arrangements will be made to ensure that any capacity limit set for the premises can be properly monitored. Information regarding the capacity should be given to an authorised officer on request.
14. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
15. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
16. With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hours for the supply of alcohol.
17. The provision of alcohol shall be ancillary to food between 07:00 and 10:00 hours for non residents.
18. Licensable activities are not permitted on the ground floor terrace.
19. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving, save for off sales in sealed containers, and patrons using the terrace.
20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
21. All windows and external doors to areas where regulated entertainment is permitted shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
24. 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.
25. No deliveries shall be made to the premises between 23:00 and 08:00 hours.
26. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.

29. The pavement from the building line to the kerb edge immediately outside the premises, including gutter / channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
30. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
31. The approved arrangements at the premises, including means of escape provisions, emergency warning and emergency equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
32. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
33. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
34. All emergency doors will be maintained effectively self-closing, and not held open other than by an approved device.
35. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
36. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
37. Curtains and hangings shall be arranged so as not to obstruct safety signs other emergency equipment.
38. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
  - a. dry ice and cryogenic fog;
  - b. smoke machines and fog generators;
  - c. pyrotechnics including fire works;
  - d. firearms;
  - e. lasers;



- f. explosives and highly flammable substances;
  - g. real flame;
  - h. strobe lighting.
39. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.  
NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
40. 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 ejections of patrons
  - (c) any complaints received regards crime and disorder
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
41. The certificates listed below shall be submitted to Westminster City Council Consultation Team upon written request:
- a. Any emergency lighting battery or system
  - b. Any electrical installation
  - c. Any fire alarm system.
42. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
43. The premises shall install and maintain a comprehensive 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.
44. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

45. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
46. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except in the guest bedrooms.
47. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. 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 in the vicinity.
49. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local pubwatch, clubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
50. The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

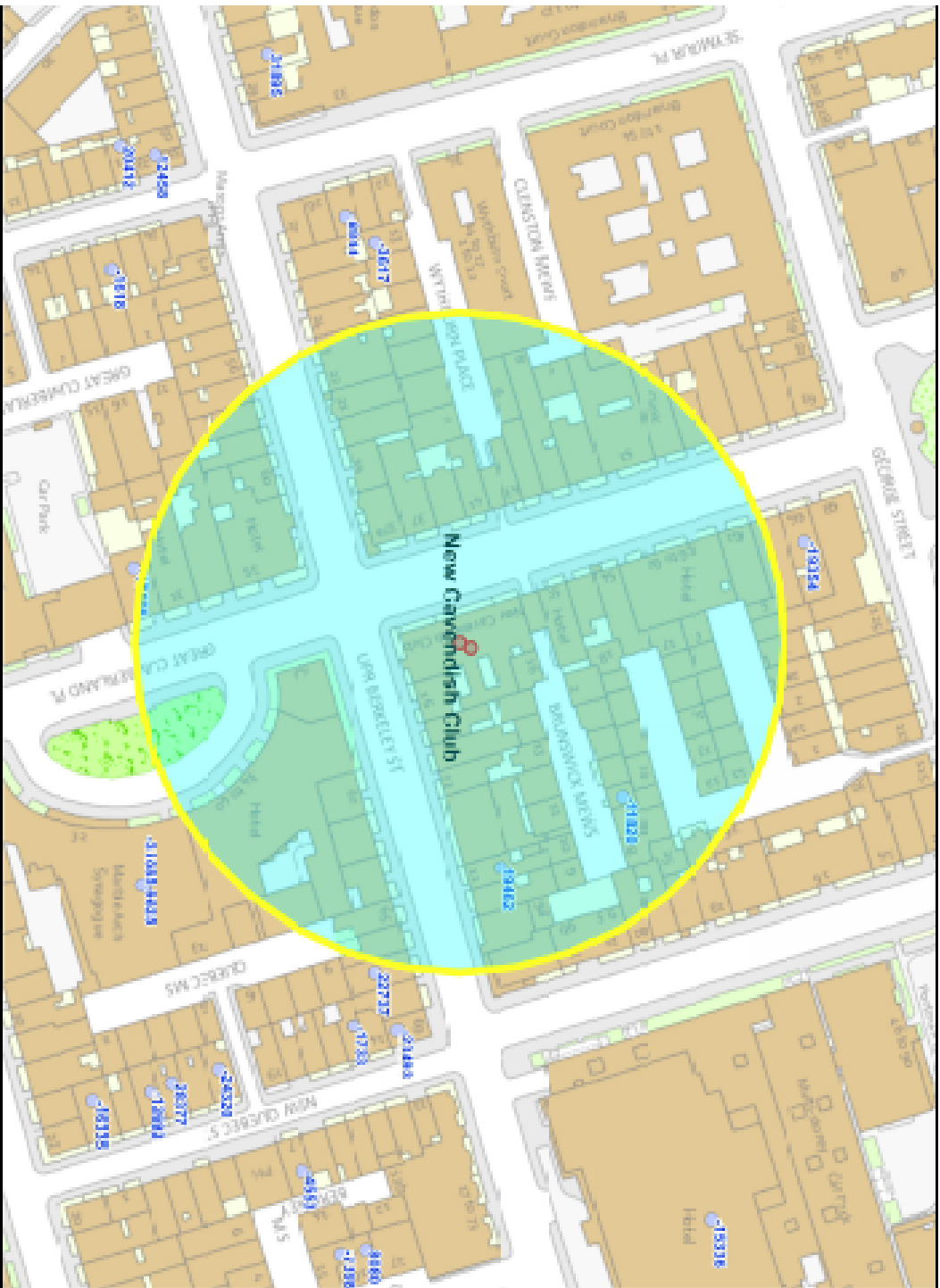
**Proposed by the applicant:**

1. The 1<sup>st</sup> Floor Terrace shall be vacated by 22:00
2. The supply of alcohol on the terrace shall be by waiter waitress service only

**Proposed by the Marylebone Association (not agreed):**

1. The terminal hour for the terrace shall be 8pm
2. No access to the terrace before 8am Monday to Saturday, and 9am on Sunday.
3. Supply of alcohol on the terrace be by waiter or waitress service only (AGREED)
4. That smoking not be permitted on the terrace.

**City of Westminster**  
**New Cavendish Club, 44 Great Cumberland Place, London, W1H 7BS**



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 Meters

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Residential / Proposed Residential	54
Under Construction	Not Known
Other Uses	Not Known
Proportion Residential of all Uses	Not Known
Data Source: Uniform Database Date: 24/01/2016	

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	
<b>5</b>	Premises Licence	
<b>6</b>	EH Representation	
<b>7</b>	Marylebone Association Representation	
<b>8</b>	Ms Acton Representation	
<b>9</b>	Mr Beckett Support Representation	