



City of Westminster

Licensing Sub-Committee Report

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| Item No: | |
| Date: | 12.05.2016 |
| Licensing Ref No: | 16/02186/LIPV - Premises Licence Variation |
| Title of Report: | B-Bar 43 Buckingham Palace Road London SW1W 0PP |
| Report of: | Director of Public Protection and Licensing |
| Wards involved: | St James's |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | David Sycamore Senior Licensing Officer |
| Contact details | Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|--|--------------------------------|------------|
| Application Type: | Variation of a Premises Licence, Licensing Act 2003 | | |
| Application received date: | 25 February 2016 | | |
| Applicant: | Red Carnation Hotels (UK)Limited | | |
| Premises: | B-Bar | | |
| Premises address: | 43 Buckingham Palace Road London SW1W 0PP | Ward: | St James's |
| | | Cumulative Impact Area: | No |
| Premises description: | B-Bar is a South African Bar/Restaurant which also operates as members bar. The premises also benefits from allowances above the usual allowances under TEN's notices. (Condition 17) | | |
| Variation description: | <p>To increase the terminal hour for all licensable activities for the basement area only until 02.30 a.m. to include 30 minutes drinking up time seven days a week.</p> <p>Only members and their bona fide guests can use the premises after 00.30 hours, save that condition 12(17 now) on the existing licence remains so that sale and supply of alcohol and late night refreshment may continue until 02.00 with 30 minutes drinking up time thereafter for pre-booked functions on 24 occasions per year to include TENS.</p> <p>To add provision of anything of a similar description to live music, recorded music or performances of dance Monday to Sunday 10:00 - 02:30</p> <p>To add provision of any similar nature – solely in relation to private entertainment.</p> | | |
| Applicant submissions: | New conditions proposed in the operating Schedule and agreement to proposed conditions from Environmental Health and the Police. | | |

| Hours premises are open to the public | | | | | | |
|---------------------------------------|---------------|-------|----------------|-------|----------------|----------------|
| | Current Hours | | Proposed Hours | | Current: | Proposed: |
| | Start: | End: | Start: | End: | | |
| Monday | 12:00 | 00:30 | 10:00 | 02:30 | Whole Premises | Whole Premises |
| Tuesday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Wednesday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Thursday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Friday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Saturday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Sunday | 12:00 | 00:00 | 10:00 | 02:30 | | |
| Seasonal variations: | Current: | | | | | |
| | n/a | | | | n/a | |
| Non-standard timings: | Current: | | | | Proposed: | |
| | n/a | | | | n/a | |

| Provision of anything of a similar description to live music, recorded music or performances of dance | | | | | | |
|---|---------------|------|----------------|-------|-----------|----------------|
| | Current Hours | | Proposed Hours | | Current: | Proposed: |
| | Start: | End: | Start: | End: | | |
| Monday | n/a | n/a | 10:00 | 02:30 | n/a | Basement only. |
| Tuesday | n/a | n/a | 10:00 | 02:30 | | |
| Wednesday | n/a | n/a | 10:00 | 02:30 | | |
| Thursday | n/a | n/a | 10:00 | 02:30 | | |
| Friday | n/a | n/a | 10:00 | 02:30 | | |
| Saturday | n/a | n/a | 10:00 | 02:30 | | |
| Sunday | n/a | n/a | 10:00 | 02:30 | | |
| Seasonal variations: | Current: | | | | | |
| | n/a | | | | n/a | |
| Non-standard timings: | Current: | | | | Proposed: | |
| | n/a | | | | n/a | |

| Sale of alcohol – On and Off the Premises | | | | | | |
|---|---------------|-------|----------------|-------|----------------|---|
| | Current Hours | | Proposed Hours | | Current: | Proposed: |
| | Start: | End: | Start: | End: | | |
| Monday | 12:00 | 00:30 | 10:00 | 02:30 | Whole Premises | Extended times to basement only and restricted to members apart from pre-booked events. |
| Tuesday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Wednesday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Thursday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Friday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Saturday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Sunday | 12:00 | 00:00 | 10:00 | 02:30 | | |
| Seasonal variations: | Current: | | | | | |
| | n/a | | | | n/a | |

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|------------------------------|-----------------|------------------|
| Non-standard timings: | Current: | Proposed: |
| | n/a | n/a |

| Late night refreshment | | | | | | |
|-------------------------------|----------------------|-------------|-----------------------|-------------|------------------|---|
| | Current Hours | | Proposed Hours | | Current: | Proposed: |
| | Start: | End: | Start: | End: | | |
| Monday | 23:00 | 00:30 | 10:00 | 02:30 | Whole Premises | Extended times to basement only and restricted to members apart from pre-booked events. |
| Tuesday | 23:00 | 00:30 | 10:00 | 02:30 | | |
| Wednesday | 23:00 | 00:30 | 10:00 | 02:30 | | |
| Thursday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Friday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Saturday | 12:00 | 00:30 | 10:00 | 02:30 | | |
| Sunday | 12:00 | 00:00 | 10:00 | 02:30 | | |
| Seasonal variations: | Current: | | | | Proposed: | |
| | n/a | | | | n/a | |
| Non-standard timings: | Current: | | | | Proposed: | |
| | n/a | | | | n/a | |

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| 1-C | Layout alteration |
| This variation relates to the basement only. | |

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| 1-D | Conditions being varied, added or removed | |
| Conditions added can be found at appendix 4. | | |
| Adult entertainment: | Current position: | Proposed position: |
| | n/a | n/a |

2. Representations

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| 2-A Responsible Authorities | |
| Responsible Authority: | Environmental Health |
| Representative: | Sally Thomas |
| Received: | In time |
| <p><u>B-Bar, 43 Buckingham Palace Road, London, SW1W 0PP</u></p> <p>I refer to the application for variation of a Premises Licence (09/00829/LIPDPS), issued under the Licensing Act 2003.</p> <p>Layout plans have not been submitted, I refer to those on the current licence. This representation is based on the Operating Schedule.</p> <p>The applicant is seeking the following in the basement:</p> <ol style="list-style-type: none"> 1. To extend the Supply of Alcohol both 'on' and 'off' the premises in the basement Monday to Sunday from 10:00 until 02:30 hours. 2. To extend Late Night Refreshment indoors in basement Monday to Sunday from 10:00 until 02:30 hours. 3. To extend Regulated Entertainment of anything similar to Live Music, Recorded Music and Performance of Dance Monday to Sunday from 10:00 until 02:30 hours. <p>I wish to make the following representations in relation to the above application:</p> <ol style="list-style-type: none"> 1. The extension of hours of the Supply of Alcohol 'on' and 'off' the premises may have an increase in Public Nuisance in the area. 2. The extension of hours for Late Night Refreshment may have an increase in Public Nuisance in the area. 3. The extension of hours for Regulated Entertainment may have an increase in Public Nuisance in the area. <p>The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area.</p> | |
| Responsible Authority: | Metropolitan Police |
| Representative: | Pc Janes |
| Received: | In time |
| <p>Application 16/02186/LIPV - B Bar - 43 Buckingham Palace Road, SW1</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan</p> | |

Police, as a Responsible Authority make a representation against this application.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to the prevention of crime and disorder.

| 2-B Other Persons | | | |
|--|------------|--|---------|
| Name: | | Christopher Jones | |
| Address and/or Residents Association: | | 25 Victoria Square London SW1W 0RB | |
| Status: | Valid | In support or opposed: | Opposed |
| Received: | 05.03.2016 | | |
| <p>The Victoria Square residents company is against any increase in alcohol consumption in our area after the hours of 0030, six days a week. This is already a generously late time to accommodate. We wish the council to discourage further risks of drunken people roaming our streets. This sort of late night activity already results in noise and anti-social behaviour in Victoria Square into the early hours of the morning. We should be able to rely on the council to restrict late night excessive behaviour as a matter of policy.</p> | | | |

3. Policy & Guidance

| The following policies within the City Of Westminster Statement of Licensing Policy apply: | |
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| Policy HRS1 applies | Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies |
| Policy RNT1 applies | Restaurants outside the Cumulative Impact Areas Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1. |
| Policy PB1 applies | Public houses and bars outside the Cumulative impact Areas Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1. |
| Policy MD1 applies | It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1. |
| Policy COMB 1 applies | Combined use premises - Policy COMB1 (i) Where a premises proposes to operate as a 'combined use premises' applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1, CH1, CIP1 and HRS1. (ii) The Licensing Authority will take into account the current and proposed use of the premises when |

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| | <p>considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1). (iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1 & PB2, FFP1 & FFP2, MD1 & MD2 Combined use premises (COMB1)</p> |
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4. Appendices

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

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| Report author: | David Sycamore Senior Licensing Officer |
| Contact: | Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk |

None

Licence & Appeal History

| Application | Details of Application | Date Determined | Decision |
|--------------------|-------------------------------|------------------------|----------------------|
| 09/00829/LIPDPS | Vary DPS | 08.12.2008 | G.D.A |
| 07/09556/LIPDPS | Vary DPS | 05.10.2007 | G.D.A |
| 05/11657/LIPV | Full Variation | 02.02.2006 | Granted at Committee |
| 05/07862/LIPC | Converted Licence | 12.09.2005 | G.D.A |

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:

- (2) 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—
 - (2) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (2) 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
- © 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 premises 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 –

(2) “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 –

- (2) 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 –
- (2) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions for Sale of Alcohol

9. Substantial food and non intoxicating beverages including drinking water to be available throughout the permitted hours in all parts of the premises where intoxicants are provided.
10. In the basement floor, intoxicating liquor shall only be sold or supplied to persons taking table meals there and for consumption by such a person as ancillary to his meal.
11. Service to areas hatched on the plan No 01286/43
12. A closed circuit television system to be installed maintained and operated as reasonably specified by the Metropolitan police Crime Prevention Officer, Tapes to be retained for 31 days.

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

13. Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30

(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there;

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

14. Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 16. 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

- 17. (i) The sale and supply of alcohol is extended on Monday to Saturday from 10:00 - 02:00 and Sunday from 12:00 to 02:00 with an additional 30 minutes drinking up time on 24 occasions per year (to include TENS).

(ii) The provision of Late Night Refreshment is permitted on Monday to Sunday from 23:00 to 02:00 on 24 occasions per year (to include TENS)

The supply of alcohol is permitted on 24 occasions per calendar year (in substitution of Temporary Event Notices) for pre-booked functions only to a terminal hour of 02:00 hours with a minimum of 14 days notification to the Police and the Licensing Authority, with Police veto

Proposed Conditions consistent with the operating Schedule

18. There will be 30 minutes drinking up time between 02.00 hours and 02.30 hours. After 00.30 hours, the basement area will only be used for the benefit of private members and their bona fide guests, save for on the 24 occasions (to include TENS) currently allowed under the licence.
19. Members will need to show membership cards before being admitted and only 3 guests will be admitted per member, unless a larger number of guests on a specific occasion has been approved by a member of the committee.
20. Members applications will need to be approved by a committee meeting consisting of senior members of management once a week and before being accepted will be required to provide proof of ID and address.
21. Membership will be subject to annual renewal.
22. Members will be subject to membership rules. Inappropriate behaviour (at the discretion of the committee) would result in expulsion. Substantial hot and cold food will be available until 02.30 hours. Member and guests will be encouraged to leave by taxi or minicab, to be arranged by the doorstaff.
23. Doorstaff will be on duty from 23.00 hours on every night the premises is open.
24. An electronic list of all members will be kept by the door to include photographs of members.
25. Doorstaff will be on duty from 23.00 hours on every night the premises is open.
26. Apart from the 24 evenings already sanctioned by the current licence, the basement area of the premises will operate as an upmarket private members club.

Proposed conditions from Environmental Health – Agreed by Applicant

27. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

30. There shall be no admittance or re-admittance to the premises after 01:00 hours except for patrons permitted to temporarily leave the premises to smoke.
31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
32. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
33. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
34. The number of persons permitted in the basement (excluding staff) shall not exceed 60.
35. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
36. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.

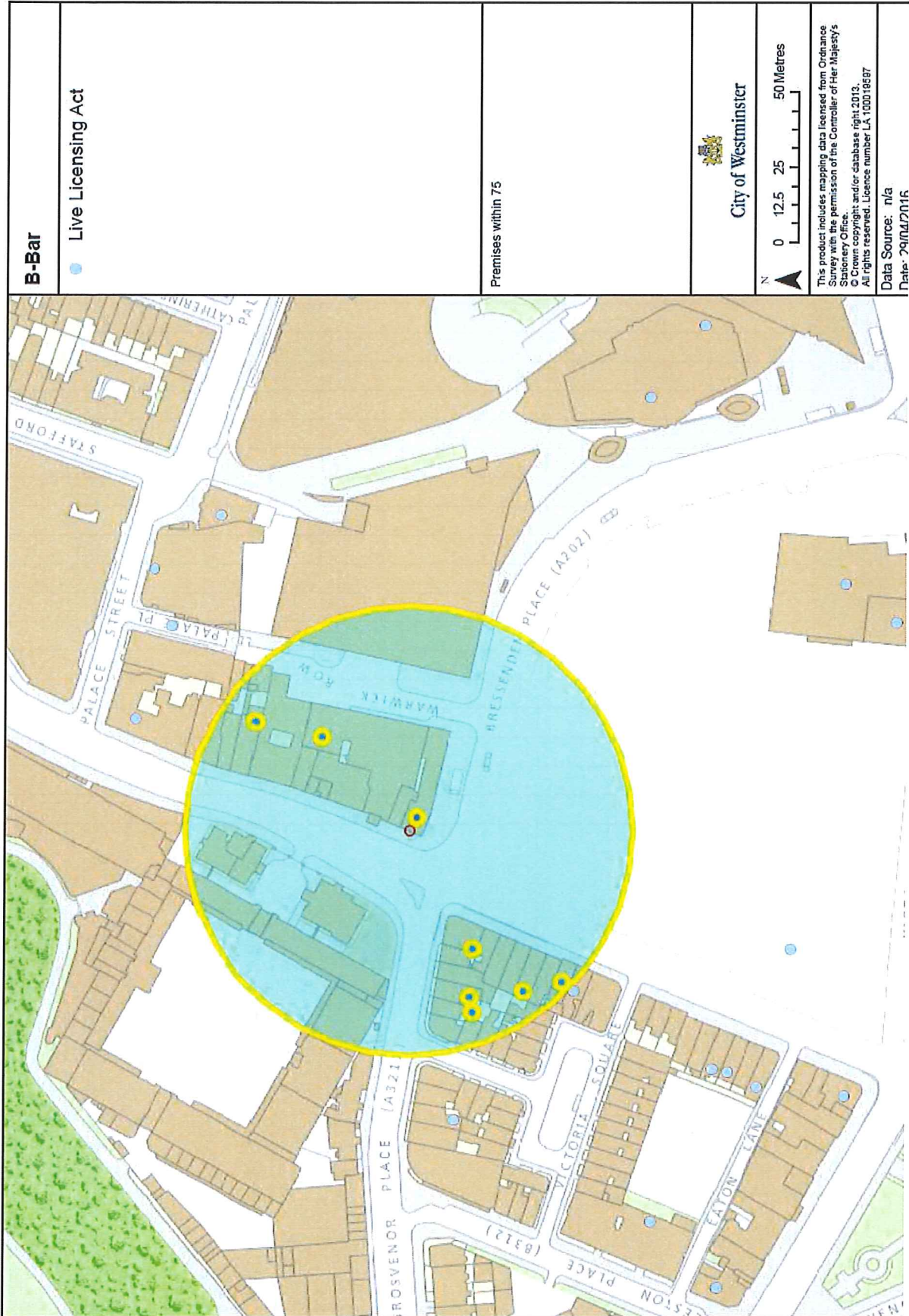
Proposed Conditions from the Police – Agreed by applicant

37. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
38. 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.
39. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
40. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

41. At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises from 2200 hours at all times whilst the premises is open.
42. After 2300 hours Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
41. 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.
42. Alcohol may only be sold for consumption by members of a private club and their bona fide guests (not exceeding (4) guests per member). No person shall be admitted to membership of the private club 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.
43. A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.

Notwithstanding condition 8

44. Alcohol may be sold for consumption by persons attending a pre-booked and bona fide private function or event, booked at least 24 hours in advance, to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.



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

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| 1 | Licensing Act 2003 | N/A |
| 2 | City of Westminster Statement of Licensing Policy | 7 th January 2016 |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | March 2015 |
| 4 | Emails from Solicitors to Police | May 2016 |
| 5 | Emails from Solicitors to EH | May 2016 |
| 6 | Documents received from Solicitors | May 2016 |
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