



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	20 October 2016
Licensing Ref No:	16/09186/LIPV - Premises Licence Variation
Title of Report:	Clarette 44 Blandford Street London W1U 7HS
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@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>	25 August 2016		
<b>Applicant:</b>	Le Petit Margaux London Limited		
<b>Premises:</b>	Clarette		
<b>Premises address:</b>	44 Blandford Street London W1U 7HS	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises is a public house, currently operating over the ground and first floors. It was previously known as The Lincoln Inn and has recently been transferred into the current licence holder's name as of 29 July 2016.		
<b>Variation description:</b>	<p>The application is to permit structural alterations at the premises. The proposed works include the following:</p> <ul style="list-style-type: none"> <li>• Relocation of the kitchen to the basement and general refurbishment rearrangement of back of house areas, including third floor staff facilities;</li> <li>• Addition of female toilet in the basement;</li> <li>• Inclusion of external area in ambit of licence;</li> <li>• Resizing of ground floor bar servery;</li> <li>• Addition of a bar counter on first floor in former kitchen area;</li> <li>• Addition of the second floor front room to the licensed area;</li> <li>• Relocation of customer toilets from first to second floor;</li> <li>• General refurbishment of the premises to include new electrical wiring, emergency arrangements, CCTV etc.</li> </ul> <p>No change is proposed to the conditions and permitted hours of the licence, save the addition of model conditions consistent with the pre-application report sought in advance of this application.</p>		
<b>Premises licence history:</b>	The premises has held a premises licence since at least conversion to the Licensing Act 2003 in 2005. The premises licence has been transferred to the applicant this year (29.07.2016) and this is the first application to vary an aspect of the premises licence since it was first granted.		
<b>Applicant submissions:</b>	The applicant has agreed a works condition with		

	<p>Environmental Health (see <b>Appendix 4</b>).</p> <p>In addition, the applicant has offered 6 conditions in the operating schedule (see <b>Appendix 4</b>) to be attached to the premises licence should the application be granted.</p> <p>On 10 October 2016, the applicant wrote a letter to Miss Johnstone offering a meeting to discuss the concerns expressed in Miss Johnstone's representation (see <b>Appendix 2</b>).</p>
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**1-B Current and proposed licensable activities, areas and hours**

**Regulated Entertainment**

**Playing of recorded music**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Wednesday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Thursday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Friday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Saturday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Sunday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				No change	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				No change	

**Performance of live music**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Wednesday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors

<b>Thursday</b>	10:00	23:30	No change	Ground and first floors	Ground, first and second floors
<b>Friday</b>	10:00	00:00	No change	Ground and first floors	Ground, first and second floors
<b>Saturday</b>	10:00	00:00	No change	Ground and first floors	Ground, first and second floors
<b>Sunday</b>	N/A	N/A	No change	Ground and first floors	Ground, first and second floors
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	N/A			No change	
	N/A			No change	

<b>Provision of facilities for making music</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Wednesday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Thursday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Friday</b>	10:00	00:00	No change		Ground and first floors	Ground, first and second floors
<b>Saturday</b>	10:00	00:00	No change		Ground and first floors	Ground, first and second floors
<b>Sunday</b>	N/A	N/A	No change		Ground and first floors	Ground, first and second floors
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	N/A			No change		
	N/A			No change		

<b>Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	Unrestricted		No change		Ground and first floors	Ground, first and second floors
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<b>Friday</b>	Unrestricted	No change	Ground and first floors	Ground, first and second floors
<b>Saturday</b>	Unrestricted	No change	Ground and first floors	Ground, first and second floors
<b>Sunday</b>	Unrestricted	No change	Ground and first floors	Ground, first and second floors
<b>Seasonal variations:</b>	<b>Current:</b>		<b>Proposed:</b>	
	N/A		No change	
<b>Non-standard timings:</b>	<b>Current:</b>		<b>Proposed:</b>	
	N/A		No change	

<b>Late night refreshment</b>						
<b>Indoors, outdoors or both</b>			<b>Current :</b>		<b>Proposed:</b>	
			Indoors		Both	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	23:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	23:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Wednesday</b>	23:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Thursday</b>	23:00	23:30	No change		Ground and first floors	Ground, first and second floors
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<b>Sunday</b>	N/A	N/A	No change		Ground and first floors	Ground, first and second floors
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>		<b>Proposed:</b>			
	N/A		No change			
	From the end of permitted hours on New Year's Eve until 05:00 on New Year's Day		No change			

<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On and off		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
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<b>Saturday</b>	10:00	00:00	No change	Ground and first floors	Ground, first and second floors
<b>Sunday</b>	12:00	22:30	No change	Ground and first floors	Ground, first and second floors
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	N/A			No change	
	From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day			No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
<b>Tuesday</b>	10:00	23:30	No change		Ground and first floors	Ground, first and second floors
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<b>Sunday</b>	12:00	23:00	No change		Ground and first floors	Ground, first and second floors
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				No change	
	N/A				No change	

<b>1-C Layout alteration</b>
The premises currently operates over the ground and first floors. This application extends the licensable area onto the second floor and also to the exterior forecourt of the ground floor (see plans at <b>Appendix 1</b> ).

<b>1-D Conditions being varied, added or removed</b>
The following conditions are proposed to be added to the premises licence:
<ul style="list-style-type: none"> <li>The variation (16/09186/LIPV) of the Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.</li> </ul>

- 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.
- 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.
- 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 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.
- Save for the external area, the number of persons permitted on the premises at any one time (excluding staff) shall not exceed
  - Ground Floor – 60 persons
  - First Floor – 35 persons
  - Second Floor – 25 persons.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 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.

Adult entertainment:	Current position:	Proposed position:
	N/A	No change

## 2. Representations

2-B Other Persons			
<b>Name:</b>		Miss Kirstie Johnstone	
<b>Address and/or Residents Association:</b>		Flat 2 40 Blandford Street London	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 September 2016		
<p>I am concerned with this licence, as I have previously commented the new owners are looking to take full advantage of the hours available with the existing licence. The previous licensee didn't open on a Sunday which allowed some peace for neighbours. The proposal will now increase the number of customers considerably, as they will be operating over 3 floors plus the outside tables.</p> <p>Can you please clarify the operating hours for the outside space?</p> <p>As a direct neighbour I am concerned that there will be a marked increase in the noise from the number of customers.</p> <p>I would like some reassurances that this will not be the case and that the owners will make every effort to be mindful of the residential location of this bar.</p>			

## 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy PB1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.



#### 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 Nick Nelson Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk








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 POST CODE : W1U 7HS


















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 Paper Size A1

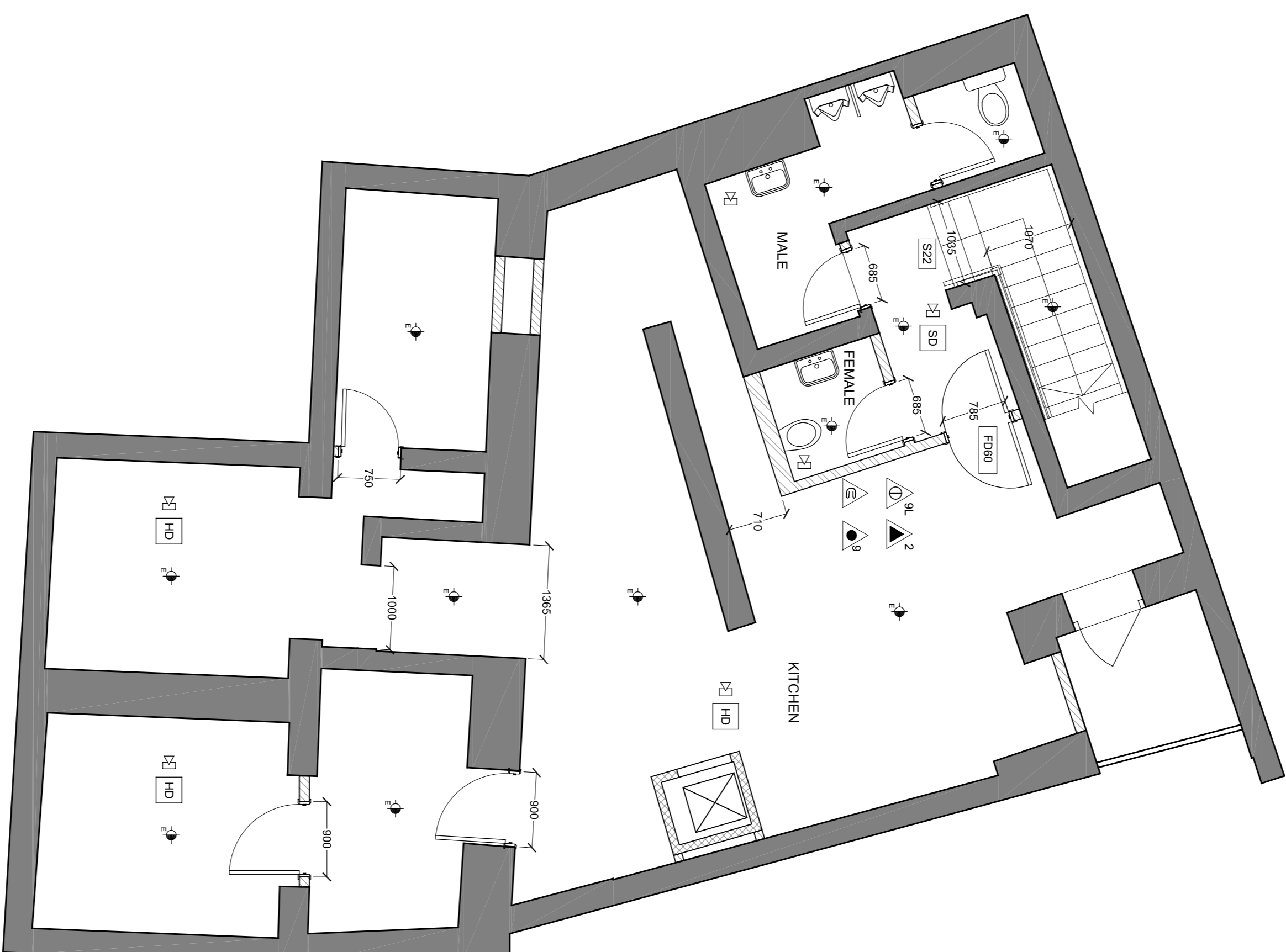
#### REVISION NOTES

- A** 05.08.2016 01. DUMB WATER RELOCATED.  
 02. DOORS TO BACK OF HOUSE AREA ADDED.

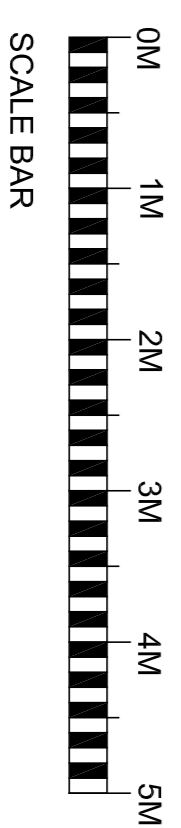
## Appendix 1

FIRE LEGEND	
SYMBOL	DESCRIPTION
	EMERGENCY DOWN LIGHT FITTING
	AREA COVERED BY AUTOMATIC HEAT DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE & BEACON DETECTORS
	AREA COVERED BY EMERGENCY LIGHTING (BS 5266)
	ILLUMINATED FIRE EXIT SIGNAGE
	FIRE ALARM SOUNDER

FIRE LEGEND	
SYMBOL	DESCRIPTION
	FIRE ALARM CALL POINT
	PANIC BAR TO BE PROVIDED TO DOORS
	DOORS TO HAVE ONLY A SIMPLE FASTENING WITHOUT USE OF A KEY, E.G. BARREL BOLT, NIGHT LATCH
	SIGN: FIRE DOOR KEEP SHUT - SMALL LETTERS (BOTH SIDES OF DOOR)
	SIGN: FIRE DOOR KEEP LOCKED
	SIGN: FIRE ESCAPE KEEP CLEAR
	SIGN: FIRE EXIT OR GRAPHIC EQUIVALENT 75MM LETTERS
	DIRECTIONAL ARROW TO BE PROVIDED WITH S22 NOTICE
	REPEATER FIRE ALARM PANEL
	8 ZONE ADDRESSABLE FIRE ALARM PANEL
	30 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED GLASS DOOR WITH SMOKE SEALANTS
	9 LITRE WATER FIRE EXTINGUISHER
	2 KG CARBON DIOXIDE EXTINGUISHER (OR HALON)
	9 LITRE FOAM FIRE EXTINGUISHER
	FIRE BLANKET IN CONTAINER



**P1** | PROPOSED BASEMENT PLAN  
 SCALE 1:50



AREA - SOM	SQM
BASEMENT	71.4 SQM
KITCHEN	15.7 SQM
STAIRCASE / TOILETS	87.1 SQM
TOTAL BASEMENT LEVEL	

DEMISE AREA OF REGULATED ACTIVITY	
DEMISE AREA	LIQUOR STORAGE
SALE OF ALCOHOL AND PROVISION FOR LATE NIGHT REFRESHMENTS	BASEMENT COVERS : 0
	TOTAL COVERS : 0

#### IMPORTANT NOTES

1. THE DRAWING SHOW DESIGN INTENT ONLY. ALL DIMENSIONS ON DRAWING OR CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR / MANUFACTURER BY SUBMITTING SHOP DRAWINGS FOR DESIGNERS APPROVAL.
2. DESIGN / DRAWING IS NOT TO BE SCALED FOR PRODUCTION AND CONSTRUCTION PURPOSES.
3. ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO DESIGNER FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.
4. ALL ELECTRICAL, LIGHTING, HVAC AND PLUMBING ISSUES TO BE REFERRED TO ENGINEERS DRAWINGS PRIOR TO COMMENCEMENT OF WORKS.
5. THE DESIGNS ARE SUBJECT TO APPROVAL BY STATUTORY AUTHORITIES AND ANY NECESSARY ALTERATIONS SHOULD BE MADE IF REQUIRED TO COMPLY WITH STATUTORY REQUIREMENTS.
6. ALL DESIGN CONCEPTS AND DRAWINGS ARE THE PROPERTY OF ALEXANDER WATERWORTH INTERIORS AND ARE COVERED BY COPYRIGHT. NO REPRODUCTIONS, ADAPTATIONS AND/OR COPIES MAY BE MADE WITHOUT WRITTEN PERMISSION BY ALEXANDER WATERWORTH INTERIORS.

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Title  
 LICENSING  
 PROPOSED GROUND FLOOR PLAN  
 Date 22.06.16 Scale 1:50@A1  
 Dwg No AUTH-11 Rev. A  
 Paper Size A1

REVISION NOTES

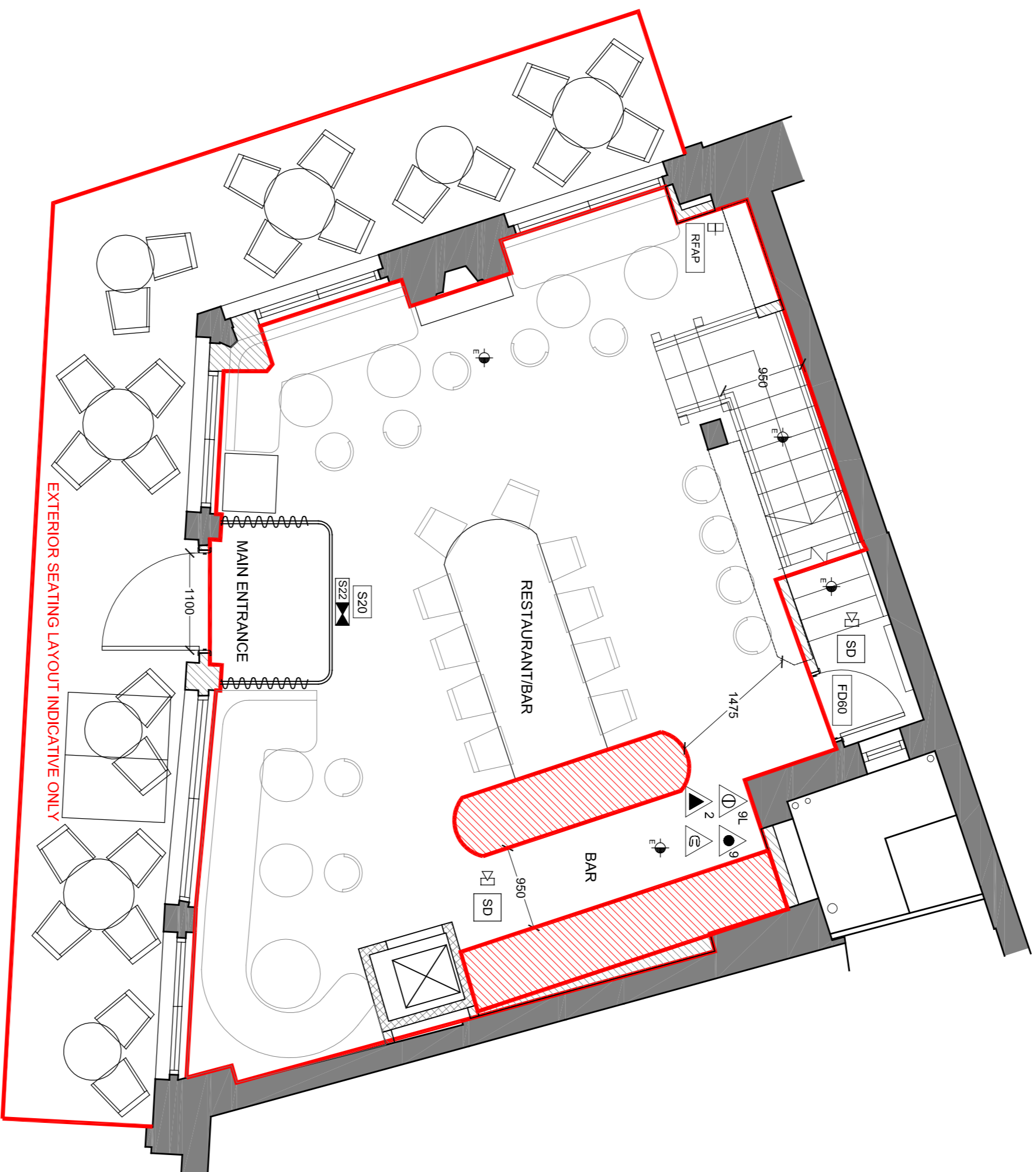
- A 05.08.2016 01. DUMB WATER RELOCATED.
- 02. BAR LAYOUT UPDATED.
- 03. SEATING LAYOUT UPDATED.

IMPORTANT NOTES

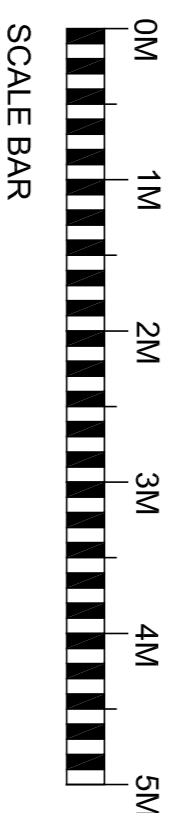
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SYMBOL	DESCRIPTION
	EMERGENCY DOWNLIGHT FITTING
	AREA COVERED BY AUTOMATIC HEAT DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE & BEACON DETECTORS
	AREA COVERED BY EMERGENCY LIGHTING (BS 5266)
	ILLUMINATED FIRE EXIT SIGNAGE
	FIRE ALARM SOUNDER

SYMBOL	DESCRIPTION
	FIRE ALARM CALL POINT
	PANIC BAR TO BE PROVIDED TO DOORS DOORS TO HAVE ONLY A SIMPLE FASTENING WITHOUT USE OF A KEY, E.G. BARREL BOLT, NIGHT LATCH
	SIGN 'FIRE DOOR KEEP SHUT', SMALL LETTERS (BOTH SIDES OF DOOR)
	SIGN 'FIRE DOOR KEEP LOOKED'
	SIGN 'FIRE ESCAPE KEEP CLEAR'
	SIGN 'FIRE EXIT OR GRAPHIC EQUIVALENT' 75MM LETTERS
	DIRECTIONAL ARROW TO BE PROVIDED WITH S22 NOTICE
	REPEATER FIRE ALARM PANEL
	8 ZONE ADDRESSABLE FIRE ALARM PANEL
	30 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
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	2 KG CARBON DIOXIDE EXTINGUISHER (OR HALON)
	9 LITRE FOAM FIRE EXTINGUISHER
	FIRE BLANKET IN CONTAINER



P1 | PROPOSED GROUND FLOOR PLAN  
 SCALE 1:50



AREA	SQM
AREA - SOM	
GROUND LEVEL	
RESTAURANT AREA	41 SQM
BAR AREAS	11.7 SQM
STAIRCASE / TOILETS	5.2 SQM
EXTERIOR	27.6 SQM
TOTAL GROUND LEVEL	85.5 SQM

DEMISE AREA OF REGULATED ACTIVITY	
DEMISE AREA SALE OF ALCOHOL AND PROVISION FOR LATE NIGHT REFRESHMENTS	LIQUOR STORAGE LOBBY
	GROUND FLOOR COVERS : 33
	EXTERIOR COVERS : 24
	TOTAL COVERS : 57

Excluded Areas - Where alcohol is sold or consumed, where liquor is stored, where the sale of alcohol or provision for late night refreshments is made, or where the premises are used for the purpose of a public house, club, or other premises.

AWI PROJECT REF : 0082  
 ADDRESS : 44 BLANDFORD STREET  
 POST CODE : W1U 7HS

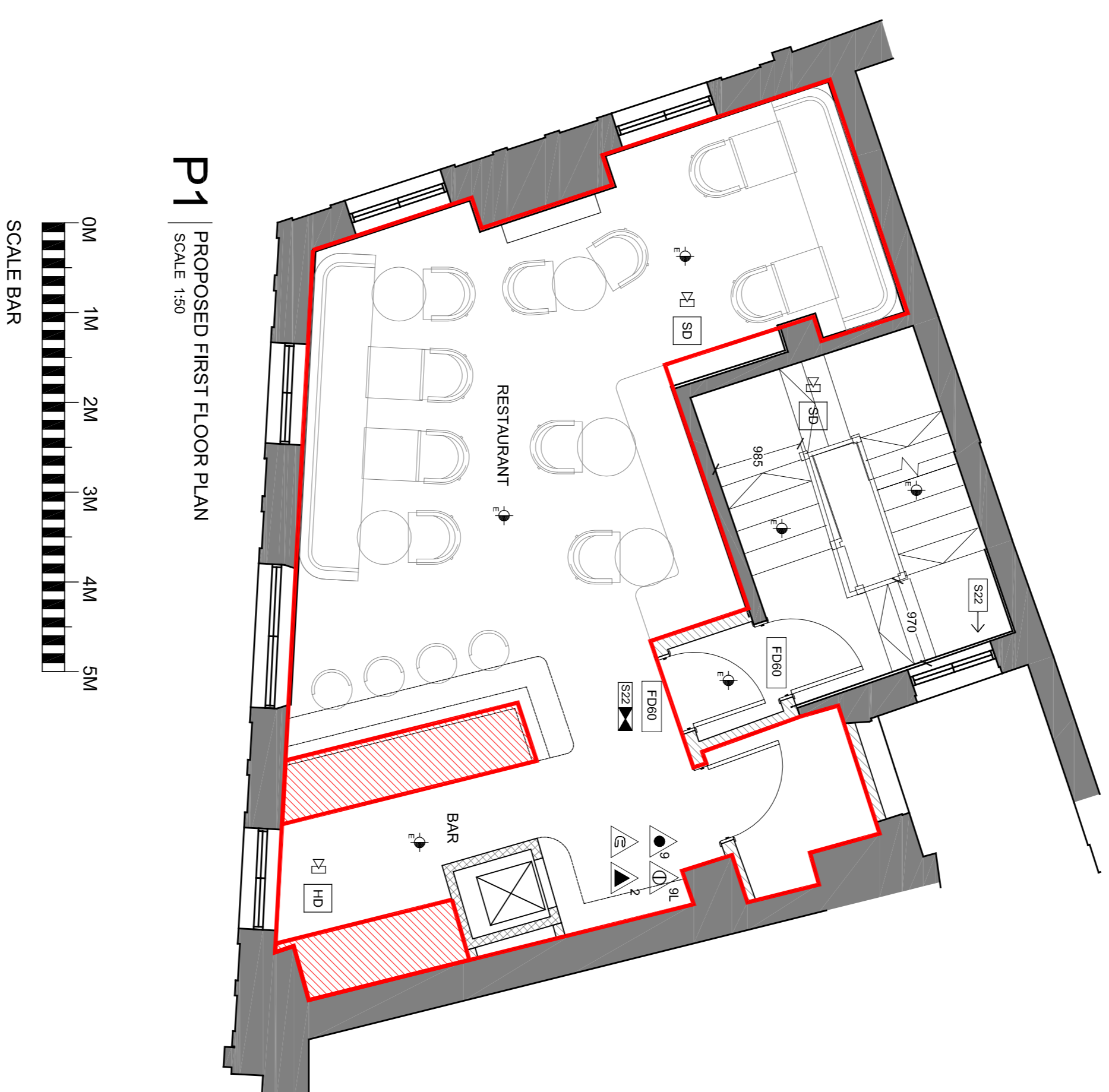
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 Rev. A  
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#### REVISION NOTES

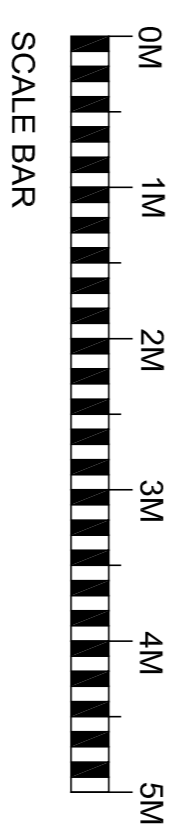
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**02. BAR LAYOUT UPDATED.**  
**03. SEATING LAYOUT UPDATED.**

SYMBOL	DESCRIPTION
	EMERGENCY DOWNLIGHT FITTING
	AREA COVERED BY AUTOMATIC HEAT DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE & BEACON DETECTORS
	AREA COVERED BY EMERGENCY LIGHTING (BS 5266)
	ILLUMINATED FIRE EXIT SIGNAGE
	FIRE ALARM SOUNDER

SYMBOL	DESCRIPTION
	FIRE ALARM CALL POINT
	PANIC BAR TO BE PROVIDED TO DOORS
	DOORS TO HAVE ONLY A SIMPLE FASTENING WITHOUT USE OF A KEY, E.G. BARREL BOLT, NIGHT LATCH
	SIGN, 'FIRE DOOR, KEEP SHUT', 3MM LETTERS (BOTH SIDES OF DOOR)
	SIGN, 'FIRE DOOR, KEEP LOCKED'
	SIGN, 'FIRE ESCAPE, KEEP CLEAR'
	SIGN, 'FIRE EXIT OR GRAPHIC EQUIVALENT 75MM LETTERS'
	DIRECTIONAL ARROW TO BE PROVIDED WITH S22 NOTICE
	REPEATER FIRE ALARM PANEL
	8 ZONE ADDRESSIBLE FIRE ALARM PANEL
	30 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED GLASS DOOR WITH SMOKE SEALANTS
	9 LITRE WATER FIRE EXTINGUISHER
	2 KG CARBON DIOXIDE EXTINGUISHER (OR HALON)
	9 LITRE FOAM FIRE EXTINGUISHER
	FIRE BLANKET IN CONTAINER



**P1** | PROPOSED FIRST FLOOR PLAN  
 SCALE 1:50



AREA - SOM	SQM
FIRST LEVEL	
RESTAURANT AREA	32.3 SQM
KITCHEN / BAR AREAS	13.3 SQM
STAIRCASE / TOILETS	9 SQM
TOTAL GROUND LEVEL	54.6 SQM

DEMISE AREA OF REGULATED ACTIVITY	
	DEMISE AREA SALE OF ALCOHOL AND PROVISION FOR LATE NIGHT REFRESHMENTS
	LIQUOR STORAGE <small>(CHECKED: DATE TO BE ADVISED AT TIME)</small>
	FIRST FLOOR COVERS - 22
	TOTAL COVERS - 22

#### IMPORTANT NOTES

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AWI PROJECT REF : 0082  
 ADDRESS : 44 BLANDFORD STREET  
 POST CODE : W1U 7HS








Title  
 LICENSING  
 PROPOSED SECOND FLOOR PLAN  
 Date 22.06.16 Scale 1:50@A1  
 Dwg No AUTH-13 Rev. A  
 Paper Size A1



















#### REVISION NOTES

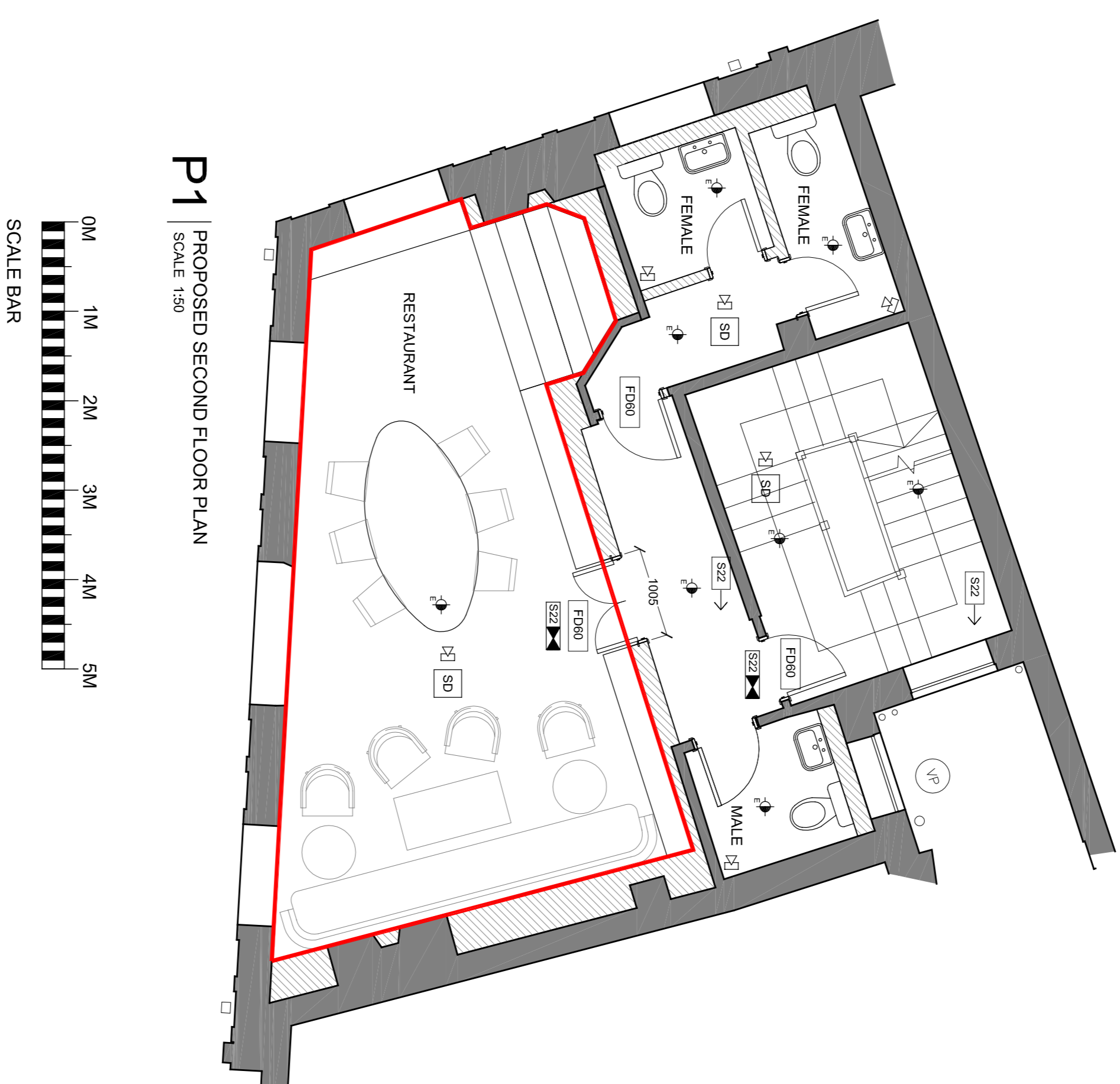
- A 05.08.2016 01. SEATING LAYOUT UPDATED.**  
**02. TOILET LAYOUT UPDATED.**  
**03. MALE TOILET RELOCATED.**

#### IMPORTANT NOTES






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FIRE LEGEND	
SYMBOL	DESCRIPTION
	EMERGENCY DOWNLIGHT FITTING
	AREA COVERED BY AUTOMATIC HEAT DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE DETECTORS
	AREA COVERED BY AUTOMATIC SMOKE & BEACON DETECTORS
	AREA COVERED BY EMERGENCY LIGHTING (BS 5266)
	ILLUMINATED FIRE EXIT SIGNAGE
	FIRE ALARM SOUNDER

FIRE LEGEND	
SYMBOL	DESCRIPTION
	FIRE ALARM CALL POINT
	PANIC BAR TO BE PROVIDED TO DOORS
	DOORS TO HAVE ONLY A SIMPLE FASTENING WITHOUT USE OF A KEY, E.G. BARREL BOLT, NIGHT LATCH
	SIGN: FIRE DOOR, KEEP SHUT - 5MM LETTERS (BOTH SIDES OF DOOR)
	SIGN: FIRE DOOR, KEEP LOCKED
	SIGN: FIRE ESCAPE, KEEP CLEAR
	SIGN: FIRE EXIT OR GRAPHIC EQUIVALENT
	75MM LETTERS
	DIRECTIONAL ARROW TO BE PROVIDED WITH SIGN
	REPEATER FIRE ALARM PANEL
	8 ZONE ADDRESSIBLE FIRE ALARM PANEL
	30 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED DOOR WITH SMOKE SEALANTS
	60 MINS FIRE PROTECTED GLASS DOOR WITH SMOKE SEALANTS
	9 LITRE WATER FIRE EXTINGUISHER
	2 KG CARBON DIOXIDE EXTINGUISHER (OR HALON)
	9 LITRE FOAM FIRE EXTINGUISHER
	FIRE BLANKET IN CONTAINER



AREA - SOM	SQM
SECOND LEVEL	
RESTAURANT AREA	27.3 SQM
KITCHEN AREA	2.8 SQM
STAIRCASE / TOILETS	23.7 SQM
TOTAL GROUND LEVEL	52.8 SQM

DEMISE AREA OF REGULATED ACTIVITY	
	DEMISE AREA
	LIQUOR STORAGE
	SALE OF ALCOHOL AND PROVISION FOR LATE NIGHT REFRESHMENTS
	SECOND FLOOR COVERS : 14
	TOTAL COVERS : 14

Legend: Areas shown in red are demised areas for the purposes of the Licensing Act 2003. Areas shown in blue are liquor storage areas for the purposes of the Licensing Act 2003. Areas shown in green are areas for the sale of alcohol and provision for late night refreshments for the purposes of the Licensing Act 2003. Areas shown in yellow are areas for second floor covers for the purposes of the Licensing Act 2003. Areas shown in orange are total covers for the purposes of the Licensing Act 2003.

AWI PROJECT REF : 0082  
 ADDRESS : 44 BLANDFORD STREET  
 POST CODE : W1U 7HS

Title  
 LICENSING  
 PROPOSED THIRD FLOOR PLAN  
 Date 22.06.16 Scale 1:50@A1  
 Dwg No AUTH-14 Rev. -  
 Paper Size A1

#### REVISION NOTES

#### IMPORTANT NOTES

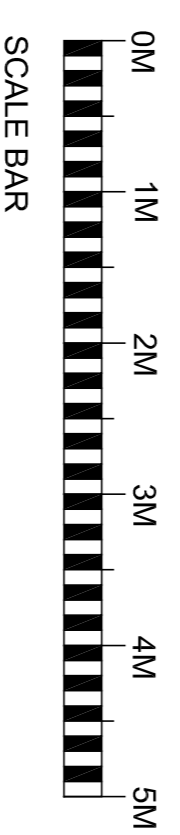
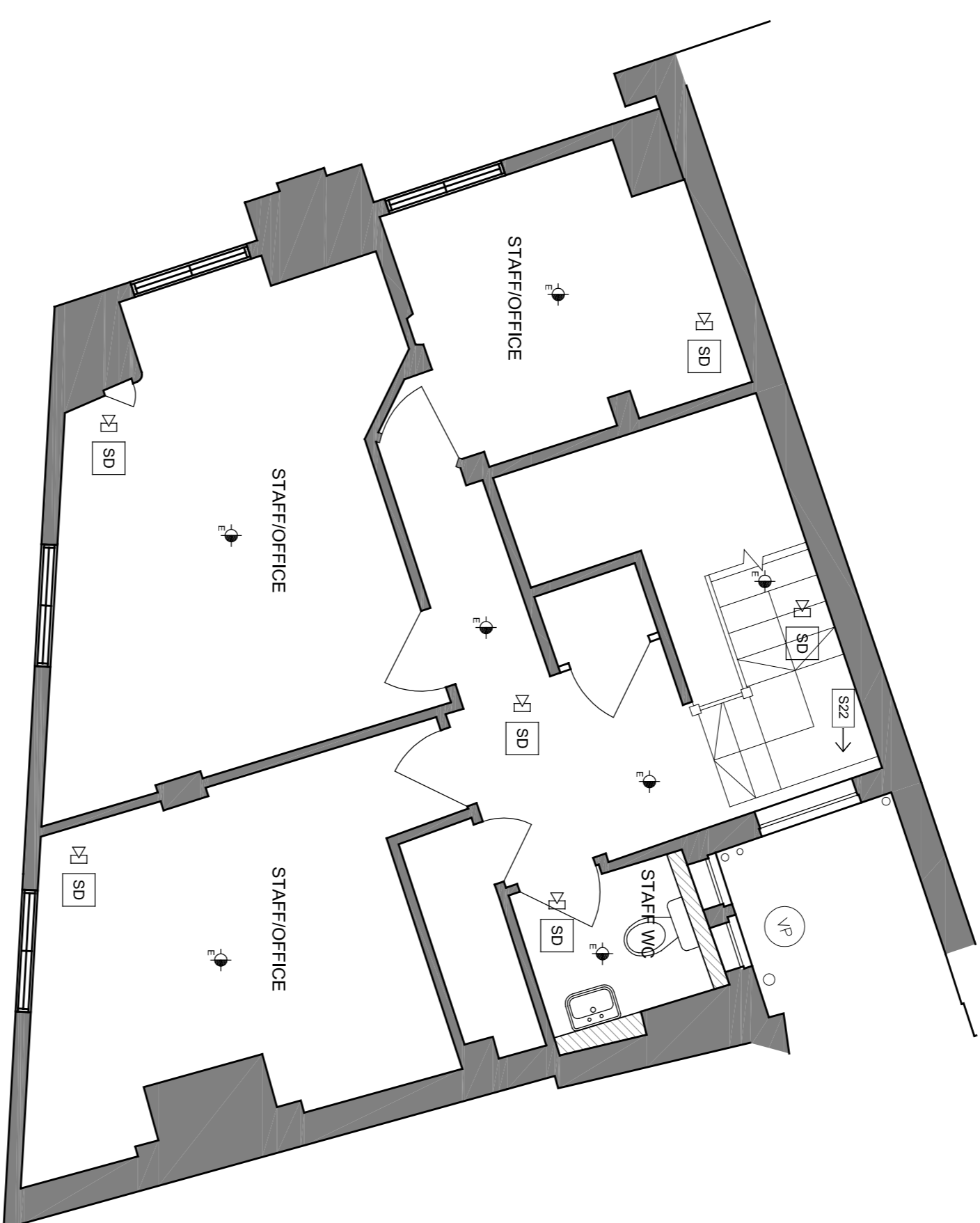
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SYMBOL	DESCRIPTION
	EMERGENCY DOWNLIGHT FITTING
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	9 LITRE WATER FIRE EXTINGUISHER
	2 KG CARBON DIOXIDE EXTINGUISHER (OR HALON)
	9 LITRE FOAM FIRE EXTINGUISHER
	FIRE BLANKET IN CONTAINER

### P1 | PROPOSED THIRD FLOOR PLAN

SCALE 1:50



AREA - SQM	SQM
THIRD LEVEL STAFF & BACK OF HOUSE TOTAL GROUND LEVEL	54.5 SQM 54.5 SQM

DEMISE AREA OF REGULATED ACTIVITY	
DEMISE AREA SALE OF ALCOHOL AND PROVISION FOR LATE NIGHT REFRESHMENTS	LIQUOR STORAGE <small>(CODED UNIT IS IN BACK OF AREA)</small>
THIRD FLOOR COVERS: 0	THIRD FLOOR COVERS: 0
TOTAL COVERS: 0	TOTAL COVERS: 0

Licensed Area: Where alcohol is sold or consumed, where the premises are used for the purpose of providing a place of entertainment, or where the premises are used for the purpose of providing a place of entertainment, or where the premises are used for the purpose of providing a place of entertainment, or where the premises are used for the purpose of providing a place of entertainment.

Thomas & Thomas  
Partners LLP

Your ref:  
Our ref: AT/LEP.1.1

38a Monmouth Street  
London WC2H 9EP  
tel: 020 7042 0410  
fax: 020 7379 6618

FAO Ms Kirstie Johnstone  
Flat 2  
40 Blandford Street  
London  
W1U 7HS

10 October 2016

Dear Ms Johnstone

**Application for a Premises Licence at 44 Blandford Street, W1**

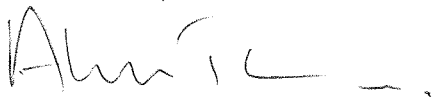
We act for the applicant in the above matter and the City Council have passed us a copy of your representation.

Our client would be more than happy to meet you and discuss your concerns and explain indeed both what they propose to do and how your concerns will be addressed.

We were wondering whether therefore whether there would be a convenient time for that to happen? If you could please let me know when might be convenient and we will make the appropriate arrangements.

If it would assist in the meantime, please don't hesitate to contact Alun Thomas of this officer on 020 7042 0412.

Yours faithfully



**Thomas & Thomas Partners LLP**

tel: 020 7042 0412

email: athomas@tandtp.com

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/05201/LIPCV Conversion and variation application	Application to convert the Justices' licence under LA03	14.09.2005	Granted by Licensing Sub-Committee
16/06596/LIPT Transfer application	Application to transfer the licence from Terry And Maria Howard to The Portman Estate Nominees (Two) Ltd	29.07.2016	Granted under delegated authority
16/07063/LIPT Transfer application	Application to transfer the licence from The Portman Estate Nominees (Two) Ltd to Le Petit Margaux London Limited	29.07.2016	Granted under delegated authority

**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.
- 9. 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**

- 10. Alcohol may be sold or supplied:
  - (a) On Monday to Thursday 10:00 to 23:30, Friday to Saturday 10:00 to 00:00 and Sunday 12:00 to 22:30
  - (b) 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (d) 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;
- (e) the taking of alcohol from the premises by a person residing there;
- (f) 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;
- (g) 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.

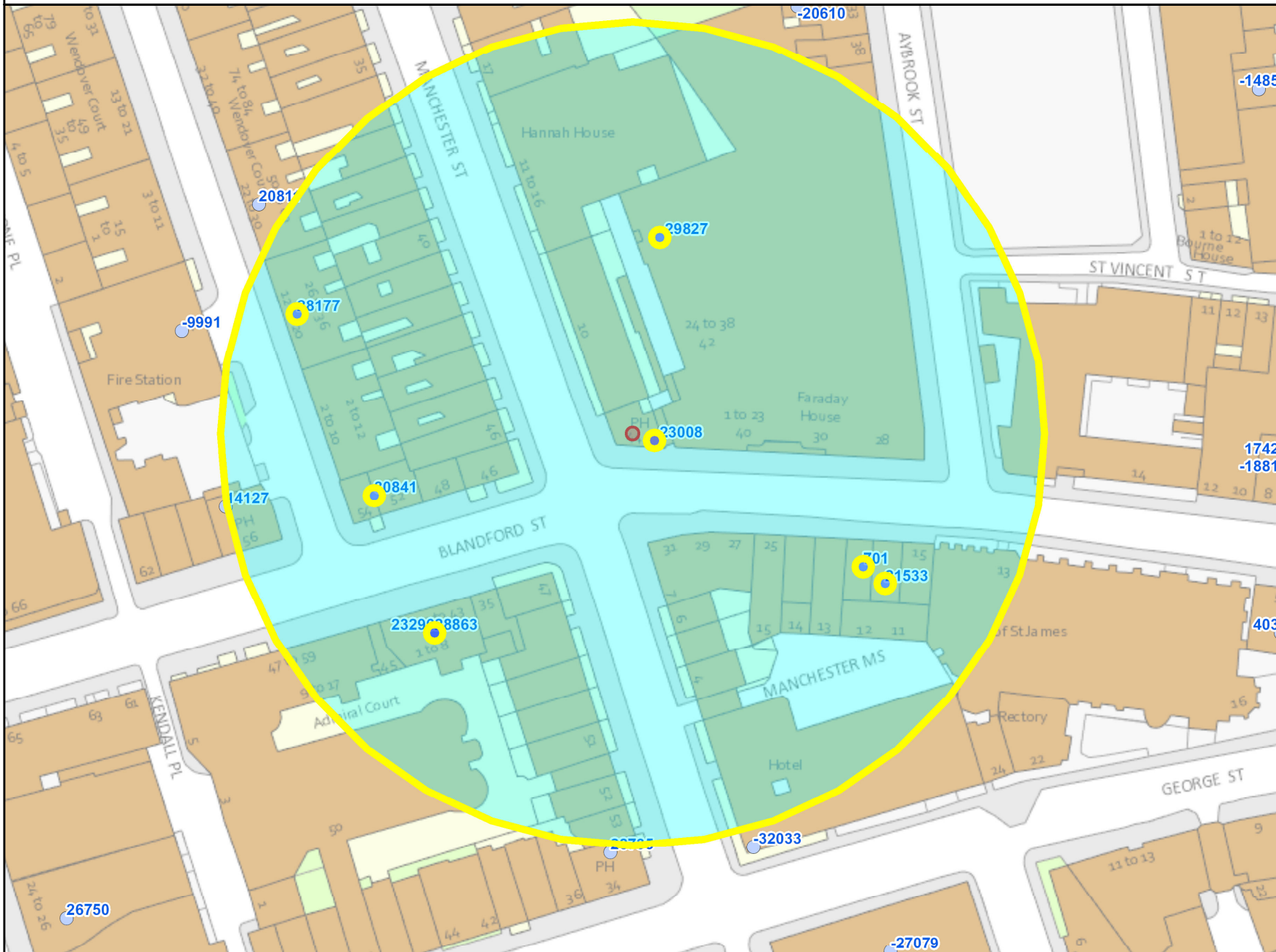
In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

11. The performance of Live Music shall be limited to a maximum of two entertainers.

**Conditions proposed by the applicant:**

12. The variation (16/09186/LIPV) of the Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
13. 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.
14. 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.
15. 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 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.
16. Save for the external area, the number of persons permitted on the premises at any one time (excluding staff) shall not exceed
  - Ground Floor – 60 persons
  - First Floor – 35 persons
  - Second Floor – 25 persons.
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

18. 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.



Residential Properties	218
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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Data Source: Uniform Database  
 Date: 09/10/2016

**Premises within 75m of: Clarette, 44 Blandford Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
16/03970/LIPN	Not Recorded	Basement And Ground Floor 19 Blandford Street London W1U 3DH	Monday to Saturday 07:30 - 00:00 Sunday 09:00 - 23:00
13/01734/LIPN	Monocle Cafe	18 Chiltern Street London W1U 7QA	Monday to Friday 07:00 - 20:00 Saturday 08:00 - 20:00 Sunday 09:00 - 19:00
15/06566/LIPDPS	Trishna	15-17 Blandford Street London W1U 3DG	Monday to Saturday 10:00 - 00:30 New Year's Eve 10:00 - 03:00 Sunday 12:00 - 00:00
09/05451/LIPDPS	Il Baretto	43 Blandford Street London W1U 7HF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
13/00772/LIPN	Il Baretto	43 Blandford Street London W1U 7HF	Sunday 10:00 - 23:00 Monday to Saturday 10:00 - 23:30
15/12083/LIPV	Purl London	Basement 50-54 Blandford Street London W1U 7HX	Monday to Thursday 12:00 - 00:00 Friday to Saturday 12:00 - 00:30 Sunday 12:00 - 23:00 New Year's Eve XXXX - XXXX
13/03468/LIPVM	Ten	Hotel 8-12 Manchester Street London	Monday to Sunday 00:00 - 00:00 Monday to Sunday 10:00 - 01:30
16/07063/LIPT	The Lincoln Inn	44 Blandford Street London W1U 7HS	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00



**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	25 August 2016
<b>5</b>	Current licence	2 August 2016
<b>6</b>	Representation – Miss Johnstone	4 September 2016
<b>7</b>	Environmental Health works condition	21 September 2016