



City of Westminster

Licensing Sub-Committee Report

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| Item No: | |
| Date: | 20th October 2016 |
| Classification: | For General Release |
| Title of Report: | Takeover Basement 12-13 Greek Street W1D 4DL |
| Uniform Reference: | 16/10943/LITENP |
| Report of: | Director for Public Protection & Licensing |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | Miss Claire Hayes Senior Licensing Practitioner |
| Contact Details: | Telephone: 020 7641 7816 E-mail: chayes@westminster.gov.uk |

1. TEMPORARY EVENT NOTICE DETAILS

| | | | |
|---|--|--|---|
| <p>Proposal:</p> | <p><u>Permitted Temporary Activities:</u></p> <ul style="list-style-type: none"> • Sale by Retail of Alcohol (On sales) • Provision of regulated entertainment • Provision of late night refreshment <p><i>(Please see Temporary Event Notice at Appendix A)</i></p> | | |
| <p>Premises User:</p> | <p>Oscar Flohr</p> | <p>Premises Name and Address:</p> | <p>Takeover Basement 12-13 Greek Street London W1D 4DL</p> |
| <p>Date Temporary Event Notice Received:</p> | <p>10th October 2016</p> | <p>Period of Event:</p> | <p>22.30 on 27/10/16 to 03.30 on 28/10/16 22.30 on 28/10/16 to 03.30 on 29/10/16 22.30 on 29/10/16 to 03.30 on 30/10/16</p> |
| <p>Ward Name:</p> | <p>West End</p> | <p>Cumulative Impact Area:</p> | <p>Yes – West End</p> |
| <p>Number of attendees at event (including staff):</p> | <p>243</p> | | |
| <p>Details of Premises Licence:</p> | <p>The Premises currently has two premises licences. Both are currently held by the freeholders however neither licence currently has a Designated Premises Supervisor.</p> <p style="text-align: center;"><i>Copies of both licences are attached at Appendix B</i></p> | | |
| <p>Previous History</p> | <p>On 5th October 2016 a late Temporary Event Notice was submitted by Mr Flohr for an event from 13th to 15th October 2016. The notice received objections from both the Police and Environmental Health Service and was Counter Noticed.</p> | | |
| <p>Notice of Objection by the Metropolitan Police</p> | <p>The Metropolitan Police has given a notice of objection under s.104 of the Licensing Act 2003. The notice of objection states: Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder:</p> <ul style="list-style-type: none"> • Insufficient detail describing the events. • Insufficient undertakings provided to promote the licensing objectives. <p>Also the notice makes reference to a 696 risk assessment which has not been received by the Police Licensing Team and the hours sought are beyond those permitted by the licence referred to in the Notice.</p> <p>A copy of the objection is attached at Appendix C</p> | | |

| | |
|--|---|
| Notice of Objection by the Environmental Health Service | <p>The Environmental Health Service has given a notice of objection under s.104 of the Licensing Act 2003. The notice of objection states:</p> <p>Objections are made to this TEN as insufficient undertakings have been provided with regards to Public Safety:</p> <p>A partial inspection of the premises was carried out on 27 September 2016 during which issues arose regarding the special effects used, loose backrest to seating and the standard of decorative paintwork for which remedial measures were requested.</p> <p>Environmental Health has received no confirmation that the works requested have been carried out.</p> <p>A copy of the objection is attached at Appendix D</p> |
| Premises User Submissions | No further information has been provided by the premises user. |
| Recommendation: | That the Sub-Committee consider the notice of objection given by the Environmental Health and the Metropolitan Police and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003. |

Additional procedural information – please see Appendix E

If you have any questions about this report, please contact Miss Claire Hayes on 020 7641 7816 or at chayes@westminster.gov.uk

Appendix A



Westminster
Temporary Event Notice
Licensing Act 2003

For help contact
tens@westminster.gov.uk
Telephone: 020 7641 1884

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

GT/TAKEOVER/2/16

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

OSCAR

Family name

FLOHR

E-mail address

gtlicensingconsultants@googlemail.com

Main telephone number

07810 826778

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Is the applicant's business registered outside the UK?

Yes No

Business name

THE TAKEOVER

If the applicant's business is registered, use its registered name.

VAT number

- NONE

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

First name

Family name

E-mail address

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

Location Details

Provide further details about the location of the event

IN THE BAR AREA
PLEASE NOTE THAT THE LANDLORDS HOLD PREMISES LICENCES, BUT OUR CLIENTS DO NOT CURRENTLY HAVE PERMISSION TO USE THEM.
WE AGREE TO THE ATTACHMENT OF THE CONDITIONS OF PREMISES LICENCE NUMBER 15/01344/LIPDPS (HELD BY SOHO ESTATES) TO THE TEN THROUGHOUT ITS OPERATION. OUR CLIENT HAS COMPLETED & SUBMITTED MPS FORM 696 AND

Continued from previous page...

THE LIST OF CONDITIONS TO BE ATTACHED TO THE TEN TO THE COUNCIL & POLICE FOR EACH EVENT (ALL DOCUMENTS SENT TO PS HOPPE'S E MAIL ADDRESS AT WESTMINSTER POLICE LICENSING UNIT & TO SCD9 DESK)

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

BAR LOCATED IN THE BASEMENT OF 12/13 GREEK STREET. ENTRANCE ON GROUND FLOOR.

Describe the nature of the event below (see also guidance on completing the form, note 5)

27/10/16 ROOM SERVICE -- JODIE HARSH DJ
28/10/16 HALLOWEEN PARADE PARTY - DJ GUS ROBERTSON FROM RAZORLIGHT - INDIE ROCK
29/10/16 HALLOWEEN PARTY LARS LARSON DJ
MPS FORM 696 HAS BEEN PROVIDED BY CLIENTS FOR EACH EVENT.

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date

27 / 10 / 2016
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Continued from previous page...

Event end date

30 / 10 / 2016
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 9)

22.30 27/10/16 TO 03.30 28/10/16
22.30 28/10/16 TO 03.30 29/10/16
22.30 29/10/16 TO 03.30 30/10/16

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 10)

243

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
 Off the premises only
 Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

NONE

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority LONDON BOROUGH OF WANDSWORTH

Licence number LB WANDS /03976

Continued from previous page...

Date of issue

/ /
dd mm yyyy

Date of expiry

/ /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

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CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 18)

* The information contained in this form is correct to the best of my knowledge and belief

* I understand that it is an offence:

* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

Appendix B



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

Schedule 12
Part B

WARD: West End
UPRN: 100023604297

Premises licence
summary

Regulation 33, 34

Premises licence number:

16/07873/LIPDPS

Part 1 – Premises details

Postal address of premises:

Miabella
Basement
12-13 Greek Street
London
W1D 4DL

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00

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

Monday to Sunday: 00:00 to 00:00

Sale by Retail of Alcohol

Monday to Sunday: 10:00 to 03:00

Sunday: 12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30

Sunday: 09:00 to 23:00

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

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

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

Soho Estates Limited
Portland House
12-13 Greek Street
London
W1D 4DL

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

00473566

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

Name: Gary Furey

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

Restricted

Date: 29th July 2016

This licence has been authorised by Miss Aisha George on behalf of the Director - Public Protection and Licensing.



Schedule 12
Part A

WARD: West End
UPRN: 100023604297

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/01344/LIPDPS

Original Reference:

05/02434/LIPCV

Part 1 – Premises details

Postal address of premises:

Miabella London
Basement
12-13 Greek Street
London
W1D 4DL

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00

Sunday: 09:00 to 23:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00

Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00

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

Sale by Retail of Alcohol

| | |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 03:00 |
| Sunday: | 12:00 to 22:30 |

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

| | |
|---------------------|----------------|
| Monday to Saturday: | 09:00 to 03:30 |
| Sunday: | 09:00 to 23:00 |

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

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

Part 2

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

Soho Estates Limited
Portland House
12-13 Greek Street
London
W1D 4DL

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

00473566

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

Name: Mr Leonard Shahini

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

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

Licence Number: Z01N178WES/1
Licensing Authority: London Borough of Waltham Forest

Date: 12 October 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person 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.

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

Conditions relating to regulated entertainment

9. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following.
12. Whilst the premises are in use under this licence:
- (a) The entertainment shall be limited to a type commonly known as discotheque and to background music;
 - (b) No live performances shall be used.
13. The sound limiter is to be set to the satisfaction of officers from the Environmental Regulation Service. The operational panel shall then be secured and the system shall not be altered without prior agreement with this Department.
14. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Regulation Service.

15. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
16. All doors giving access/egress to the premises shall not be fixed open after 23:00.
17. All openable windows shall be closed after 23:00.
18. The number of persons accommodated (excluding staff) shall not exceed 243.

Conditions related to the sale of alcohol

19. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
20. No striptease, no nudity and all persons on the premises to be decently attired.
21. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
22. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
23. No application shall be made for the grant of an occasional licence.
24. Intoxicating liquor may only be sold or supplied to persons admitted to the premises as follows:
 - (a) On Monday to Thursday after 23:30 by payment of an admission fee of not less than £3 for music, dancing and entertainment;
 - (b) On Friday and Saturday after 23:30 by payment of an admission fee of not less than £5 for music, dancing and entertainment;
 - (c) Persons who are specially invited guests of the management listed by name at reception prior to admission, such list to be available for inspection by the relevant authorities;
 - (d) By private invitation to a bona fide private function held at the premises of which 24 hours notice has been given to the Police;
 - (e) Artistes and persons employed on the premises.

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

25. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

Monday to Saturday

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 and extend until 03:00 the following morning except:
 - (i) the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between midnight and 03:00 the following morning, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-

- (i) with the substitution of references to 04:00 in the morning to 03:00 in the morning
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

Sundays:

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12:00 noon to 22:30;
- (b) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (c) 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, 00:00 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.

26. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) take all other reasonable precautions for the safety of the children.
27. 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.

- 28. 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

29. 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.
30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
31. 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.
32. 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.
33. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff, shall be clearly displayed and visible at all times.
34. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
35. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
36. (a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.
 - (b) Notwithstanding 36(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.
37. All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.

38. All persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.
39. Whenever the premises are open for licensable activities an attendant shall be on duty in any designated male and female toilets.

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

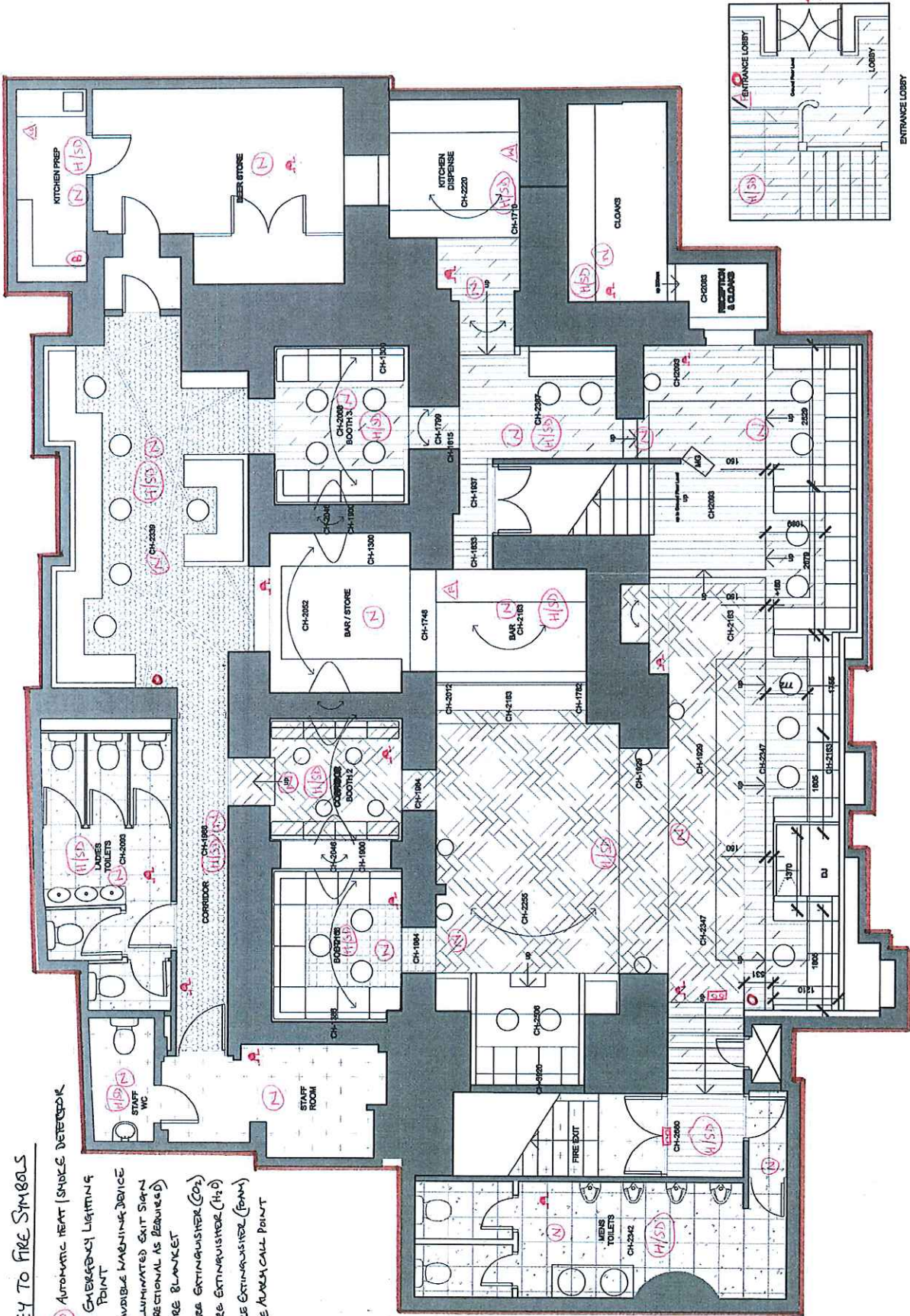
40. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment showing details of all drinks and food items purchased.

Annex 4 – Plans

Attached

KEY TO FIRE SYMBOLS

- (HSD) AUTOMATIC HEAT (SMOKE) DETECTOR
- (N) EXERCISENY LIGHTING POINT
- (A) AUDIBLE WARNING DEVICE
- (SD) ILLUMINATED EXIT SIGN (FUNCTIONAL AS REQUIRED)
- (B) FIRE BLANKET
- (A) FIRE EXTINGUISHER (CO₂)
- (A) FIRE EXTINGUISHER (H₂O)
- (A) FIRE EXTINGUISHER (FOAM)
- (O) FIRE ALARM CALL POINT



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MIT Properties (London) LTD
 Job Title: Soho Club Greek St
 Drawing Title: Proposed General Arrangement
 Job Number: 1158
 Scale: 1:50 @ A2
 Date: 23.10.09
 Drawn by: SG

Drawn by: SG
 Checked by: SG
 Approved by: SG
 Date: 23.10.09
 Scale: 1:50 @ A2
 Job Number: 1158

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

Schedule 12
Part B

WARD: West End
UPRN: 100023604297

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/01344/LIPDPS

Part 1 – Premises details

Postal address of premises:

Miabella London
Basement
12-13 Greek Street
London
W1D 4DL

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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

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

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

Soho Estates Limited
Portland House
12-13 Greek Street
London
W1D 4DL

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

00473566

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

Name: Mr Leonard Shahini

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

Restricted

Date: 12 October 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.



Schedule 12
Part A

WARD: West End
UPRN: 100023604297

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

16/07873/LIPDPS

Original Reference:

14/01492/LIPN

Part 1 – Premises details

Postal address of premises:

Miabella
Basement
12-13 Greek Street
London
W1D 4DL

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:00

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

Monday to Sunday: 00:00 to 00:00

Sale by Retail of Alcohol

Monday to Sunday: 10:00 to 03:00

Sunday: 12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30

Sunday: 09:00 to 23:00

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

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

Part 2

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

Soho Estates Limited
Portland House
12-13 Greek Street
London
W1D 4DL

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

00473566

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

Name: Gary Furey

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

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

Licence Number: LN/200713043
Licensing Authority: London Borough Of Enfield

Date: 29th July 2016

**This licence has been authorised by Miss Aisha George on behalf of the Director -
Public Protection and Licensing.**

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person 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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following.
13. Whilst the premises are in use under this licence:
 - (a) The entertainment shall be limited to a type commonly known as discotheque and to background music;
 - (b) No live performances shall be used.
14. The sound limiter is to be set to the satisfaction of officers from the Environmental Regulation Service. The operational panel shall then be secured and the system shall not be altered without prior agreement with this Department.
15. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Regulation Service.
16. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
17. All doors giving access/egress to the premises shall not be fixed open after 23:00.
18. All openable windows shall be closed after 23:00.
19. The number of persons accommodated (excluding staff) shall not exceed 243.
20. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
21. No striptease, no nudity and all persons on the premises to be decently attired.
22. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
23. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
24. No application shall be made for the grant of an occasional licence.
25. Intoxicating liquor may only be sold or supplied to persons admitted to the premises as follows:

- (a) On Monday to Thursday after 23:30 by payment of an admission fee of not less than £3 for music, dancing and entertainment;
- (b) On Friday and Saturday after 23:30 by payment of an admission fee of not less than £5 for music, dancing and entertainment;
- (c) Persons who are specially invited guests of the management listed by name at reception prior to admission, such list to be available for inspection by the relevant authorities;
- (d) By private invitation to a bona fide private function held at the premises of which 24 hours notice has been given to the Police;
- (e) Artistes and persons employed on the premises.

26. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

(i) Monday to Saturday

(a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 and extend until 03:00 the following morning except:

- (i) the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing end between midnight and 03:00 the following morning, the permitted hours shall end when the music and dancing end.

(b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-

(i) with the substitution of references to 04:00 in the morning to 03:00 in the morning

(c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

(d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;

- (h) 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;
- (i) 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.

- (ii) Sundays:

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12:00 noon to 22:30;
- (b) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (c) 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, 00:00 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.

27. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) take all other reasonable precautions for the safety of the children.
28. 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.

29. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
30. 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.
31. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
32. 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.

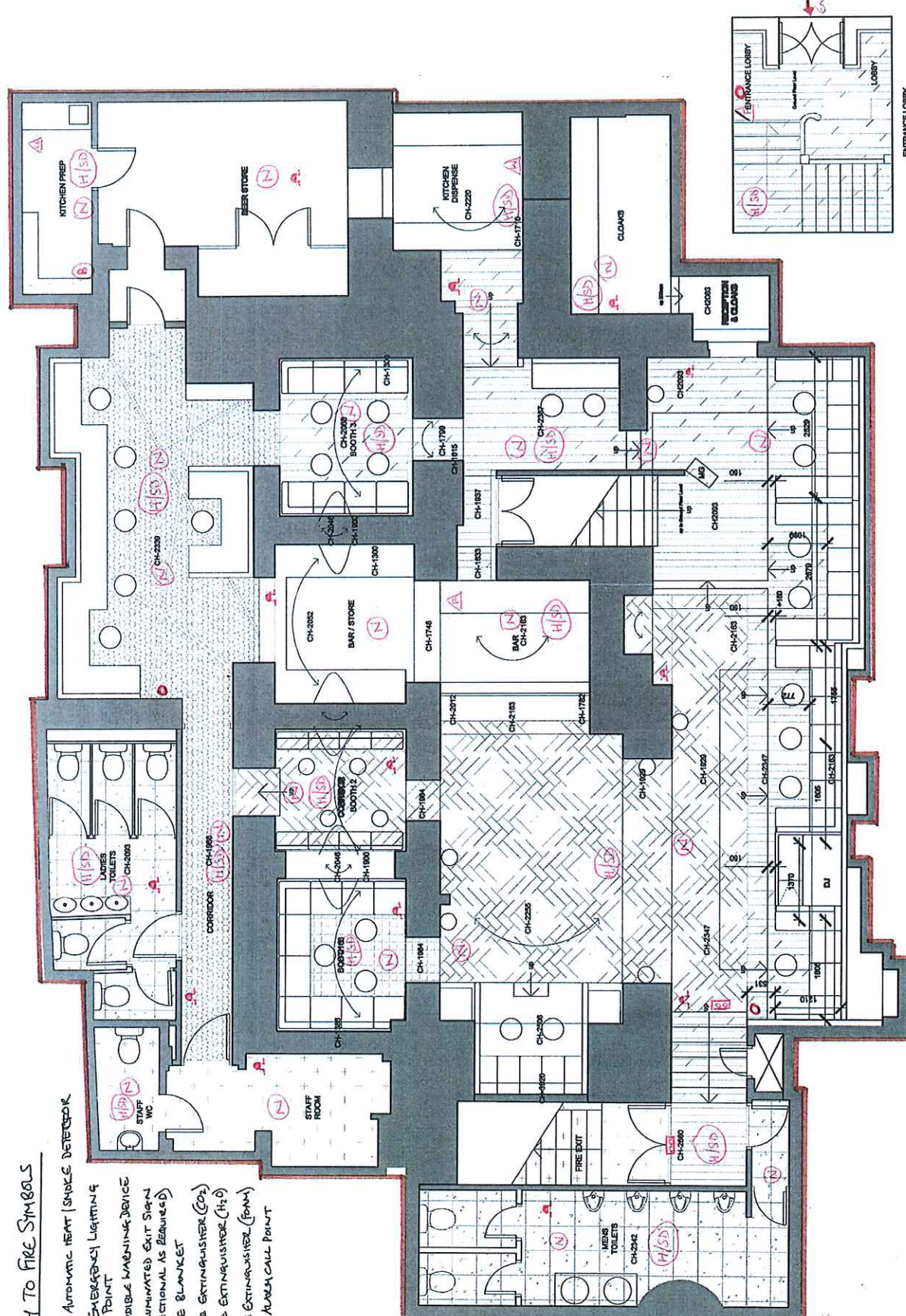
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
34. All SIA staff engaged at the premises shall wear high visibility yellow jackets or vests. SIA licences worn by door staff, shall be clearly displayed and visible at all times.
35. A daily Door Supervisor Log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/Badge Number/Expiry date of SIA Licence and a signature of the Door Supervisor.
36. A log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
37. (a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to be served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink from the table.

(b) Notwithstanding 41(a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.
38. All customers entering the premises will have their ID scanned on entry. All records shall be stored for a minimum period of 31 days with date and time stamping. These records shall be made available immediately upon request of the police or authorised officer throughout the preceding 31 day period.
39. All persons entering or re-entering the premises shall be searched by an SIA- trained member of staff and monitored by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of the permitted hours or until there is no further admissions.
40. Whenever the premises are open for licensable activities an attendant shall be on duty in any designated male and female toilets.
41. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment showing details of all drinks and food items purchased

Annex 4 – Plans

Attached

- KEY TO FIRE SYMBOLS**
- (H/S) AUTOMATIC HEAT SMOKE DETECTOR
 - (N) EMERGENCY LIGHTING POINT
 - AUDIBLE WARNING DEVICE
 - (I/S) ILLUMINATED EXIT SIGN (DIRECTIONAL AS REQUIRED)
 - (F) FIRE BLANKET
 - (E) FIRE EXTINGUISHER (CO₂)
 - (A) FIRE EXTINGUISHER (H₂O)
 - (A) FIRE EXTINGUISHER (FOAM)
 - FIRE ALARM CALL POINT



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Client
 MIT Properties (London) LTD

Job Title
 Scho Club
 Great St

Drawing Title
 Proposed General Arrangement

Job Number
 1155

Date
 1:50 @ A2

Date
 23.10.09

Drawn By
 SG

| Revision | Description | Date |
|----------|------------------------------|----------|
| Rev A | North walling shown amended. | 20.12.08 |
| Rev B | Layout modification. | 20.01.09 |
| Rev C | Layout modification. | 20.01.09 |
| Rev D | Amendment of plans. | 20.01.09 |

Drawing Number
 02

Scale
 1:50 @ A2

Date
 23.10.09

Drawn By
 SG

Checked By
 SG

Date
 23.10.09

Consultee Comments for Licensing Application 16/10943/LITENP

Application Summary

Application Number: 16/10943/LITENP

Address: Basement 12-13 Greek Street London W1D 4DL

Proposal: TEN Personal Licence Holder

Case Officer: Miss Gemma Hanson

Consultee Details

Name: Mr Reaz Guerra

Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP

Email: rguerra@westminster.gov.uk

On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear Graham

With reference to the above TEN , Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder:

Insufficient detail describing the events.

Insufficient undertakings provided to promote the licensing objectives.

Also the notice makes reference to a 696 risk assessment which has not been received by the Police Licensing Team and the hours sought are beyond those permitted by the licence referred to in the Notice.

Please reply to all on this email and contact me should you have any questions.

Kind regards

Reaz

PC Reaz Guerra 1614CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP
Tel - 0207 641 1708

Appendix D

Consultee Comments for Licensing Application 16/10943/LITENP

Application Summary

Application Number: 16/10943/LITENP

Address: Basement 12-13 Greek Street London W1D 4DL

Proposal: TEN Personal Licence Holder

Case Officer: Miss Gemma Hanson

Consultee Details

Name: Mr Anil Drayan

Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP

Email: adrayan@westminster.gov.uk

On Behalf Of: Environmental Health Service For TENS

Comments

Objections are made to this TEN as insufficient undertakings have been provided with regards to Public Safety:

A partial inspection of the premises was carried out on 27 September 2016 during which issues arose regarding the special effects used, loose backrest to seating and the standard of decorative paintwork for which remedial measures were requested.

Environmental Health has received no confirmation that the works requested have been carried out.

ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

2. TEMPORARY EVENT NOTICE PROCEDURE

- 2.1 Under s.100(1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 2.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance including staff and performers.
- 2.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 23.00 and 05.00).
- 2.4 The premises user must send a copy of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

3. NOTICE OF OBJECTION BY POLICE / ENVIRONMENTAL HEALTH

- 3.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working day of receipt of the notice.

4. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE

- 4.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 4.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 4.3 The Council must convene a hearing to consider the notice of objection and give at least two days' notice to the premises user and the police.
- 4.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place.
- 4.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.

- 4.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision, and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

5. APPEAL

- 5.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 5.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

6. POLICY CONSIDERATIONS

- 6.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2016. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.