

# Licensing Sub-Committee Report

Item No:	
Date:	15 March 2018
Licensing Ref No:	17/14655/LIPN - New Premises Licence
Title of Report:	King's College London- Bush House (Undercroft) Bush House 30 Aldwych London WC2B 4BG
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 December 2017  The application was received on the 8 <sup>th</sup> December 2017 however became valid on 31 <sup>st</sup> January 2018 due to a failed Notice Check. A new RRD date was calculated to 26.02.2018 and the Responsible Authorities' representations updated accordingly.		
<b>Applicant:</b>	Kings College Student Union		
<b>Premises:</b>	King's College London- Bush House (Undercroft)		
<b>Premises address:</b>	Bush House 30 Aldwych London WC2B 4BG	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	According to the application, this is a new premises licence for the relocation of Kings College London Students Union into the Undercroft of Bush House. On commencement of use of the Undercroft the licence in respect of the Macadam Building will be surrendered. As a consequence there will be no overall increase in occupancy or additional licensed area within the Borough of Westminster. The premises will operate as multi-functional space in the day being used for events by the Students Union to support its daytime operation including the provision of food. During the evening and late night the premises will operate as bar/night club facility.		
<b>Premises licence history:</b>	This is a new application and therefore no premises licence history exist.  However the applicant has a premises licence for another site namely, the Macadam Building Students Union which is attached at Appendix 5 of the report.  Pre-application was given to the applicant regarding the development project of Bush House in 2017 (Appendix 6)		
<b>Applicant submissions:</b>	The applicant is Kings College London Students Union which is to take as part of Kings College Development of Bush House the Undercroft of the premises which will form the Students Union facility in replacement for that previously offered within the Macadam Building. It is intended that the Undercroft shall trade on a virtually identical basis to that of the Macadam Building Students Union. Within the Students Union there will be provision		

of food along with an open plan format which will allow the space to be used for a range of activities from daytime events through to a night club style operation.

During the daytime the premises will operate speed gates which will restrict access into the building, the predominant form of access through the speed gates being a member of the Students Union or College. These will operate between 8 a.m. and 8 p.m.

Thereafter control of points of entry will be risk assessed and if the premises is being operated for events then, door supervisors will be engaged based on a ratio of 1:100, such ratio to be amended if, the event is non controversial or considered to be of higher risk.

The layout is proposed in accordance with plan deposited with the Licensing Authority with this application being 1513/SK01903P3.

All licensable activities are to take place internally in the area outlined in red.

The submitted licensing hours sought for the premises in respect of on and off sales are as follows: Monday and Tuesday 10:00 until 01:00 hours  
Wednesday 10:00 until 02:30 hours  
Thursday 10:00 until 03:00 hours  
Friday and Saturday 10:00 until 03:30 hours  
Sunday 10:00 until 00:30 hours

The application seeks to obtain authorisation under the Licensing Act 2003 for the following activities.

- 1.To permit regulated entertainment.
- 2.To permit late night refreshment after 23:00 hours
- 3.To permit sale of alcohol and regulated entertainment on New Years Eve from 10:00 until 03:00 hours on the 2nd January thereby providing extended hours.
- 4.To permit the premises to open for licensable activities to show broadcast of televised sporting events of national or international importance outside normal operating hours as identified within the application such opening times for this purpose to be confirmed upon seven days prior notice in writing to the Metropolitan Police. The notification shall provide the opening times and the nature of the sporting event to be viewed.
- 5.Should the Annual Fresher's Ball be held on a Monday or Tuesday the sale of alcohol will be permitted

	<p>until 03:30 with recorded music until 4:00 hours. The premises to close at 04:30.</p> <p>The opening hours of the premises will be from 09:00 hours each day with closure 30 minutes after cessation of licensable activities.</p> <p>This site will be operated on the same principles as the current Students Union. That operation has been awarded the Gold Standard for Best Bar None for the last three years and it is not envisaged the change in location will impact upon the quality of supervision and control provided by the management team.</p> <p>Kings College London Students Union have operated many sites of a similar nature for a considerable period with an excellent track records and will transfer to the operation of the Undercroft all policies and protocols agreed and operated by them.</p>
<b>PLAN</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.

<b>1-B Proposed licensable activities and hours</b>							
<b>Regulated Entertainment: Exhibition of a Film, Performance of a Play, Indoor Sporting Event, Live Music, Playing of Recorded Music, Performance of a Dance</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	02:30	03:00	03:30	03:30	00:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>To licensable activities when broadcasting international or national sporting events, 7 days notice will be given to the Police.</p> <p>To permit sale of alcohol and such regulated entertainment as authorised hereunder on New Year's Eve commencing to 10:00 until 03:00 hours on the 2<sup>nd</sup> January.</p> <p>In respect of the commencement of British Summertime the time for licensable hours to be extended by 1 hour to permit later closure.</p> <p>Should the annual Fresher's Ball be held on a Monday or Tuesday the sale of alcohol will be permitted until 03:30 with recorded music until 04:00 hours. The premises to close at 04:30.</p>					

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	01:00	01:00	02:30	03:00	03:30	03:30	00:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>To permit sale of alcohol and such regulated entertainment as authorised hereunder on New Year's Eve commencing t 10:00 until 03:00 hours on the 2<sup>nd</sup> January.</p> <p>In respect of the commencement of British Summertime the time for licensable hours to be extended by 1 hour to permit later closure.</p> <p>Should the annual Fresher's Ball be held on a Monday or Tuesday the sale of alcohol will be permitted until 03:30 with recorded music until 04:00 hours. The premises to</p>					

	close at 04:30.
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Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	02:30	03:00	03:30	03:30	00:30
<b>Seasonal variations/ Non-standard timings:</b>			<p>To permit sale of alcohol and such regulated entertainment as authorised hereunder on New Year's Eve commencing t 10:00 until 03:00 hours on the 2<sup>nd</sup> January.</p> <p>In respect of the commencement of British Summertime the time for licensable hours to be extended by 1 hour to permit later closure.</p> <p>Should the annual Fresher's Ball be held on a Monday or Tuesday the sale of alcohol will be permitted until 03:30 with recorded music until 04:00 hours. The premises to close at 04:30.</p>				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	01:30	01:30	03:00	03:30	04:00	04:00	01:00
<b>Seasonal variations/ Non-standard timings:</b>			<p>To permit sale of alcohol and such regulated entertainment as authorised hereunder on New Year's Eve commencing t 10:00 until 03:00 hours on the 2<sup>nd</sup> January.</p> <p>In respect of the commencement of British Summertime the time for licensable hours to be extended by 1 hour to permit later closure.</p> <p>Should the annual Fresher's Ball be held on a Monday or Tuesday the sale of alcohol will be permitted until 03:30 with recorded music until 04:00 hours. The premises to close at 04:30.</p> <p>The premises will close 30 minutes after the end of the non-standard timings.</p>				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Sally Fabbriatore
<b>Received:</b>	19 <sup>th</sup> February 2018

I refer to the application for a new Premises Licence for the above premises.

This representation is based on the Operating Schedule and the submitted plans, the Undercroft titled with the address and drawing number SK(01)903 rev P3 and dated 4/3/16.

The applicant is seeking the following in the Undercroft:

1. To allow the Supply of Alcohol both 'on and off' the premises Monday and Tuesday 10:00–01:00 hours, Wednesday 10:00–02:30 hours, Thursday 10:00–03:00 hours, Friday and Saturday 10:00 – 03:30 hours and Sunday 10:00-00:30 hours.
2. To allow Late Night Refreshment 'indoors' Monday and Tuesday 23:00–01:00 hours, Wednesday 23:00–02:30 hours, Thursday 23:00–03:00 hours, Friday and Saturday 23:00 – 03:30 hours and Sunday 23:00-00:30 hours.
3. To allow the provision of Regulated Entertainment of Plays, Films, Recorded Music, Live Music and Performance of Dance 'indoors' and indoor sporting events Monday and Tuesday 10:00–01:00 hours, Wednesday 10:00–02:30 hours, Thursday 10:00–03:00 hours, Friday and Saturday 10:00 – 03:30 hours and Sunday 10:00-00:30 hours.
4. To allow the above provisions from 10:00 hours on New Year's Eve to 03:00 hours on 2<sup>nd</sup> January.
5. To allow the above provisions for an extra hour on the commencement of British Summertime.
6. If the Annual Fresher's Ball falls on a Monday or Tuesday, the sale of alcohol shall be extended to 03:30hours and recorded music shall be extended to 04:00 hours.
7. To allow the above licensable activities when broadcasting international or national sporting events, 7 days notice will be given to the Police.

I wish to make the following representation in relation to the above application:

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.

2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the area.
3. The provision of Regulated Entertainment may cause an increase in Public Nuisance in the area and may impact on Public Safety.
4. The non-standard timings may cause an increase in Public Nuisance in the area.

The applicant has proposed conditions within the operating schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.**

<b>Responsible Authority:</b>	The Metropolitan Police
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	20 <sup>th</sup> February 2018

**Our objections relate to the following:**

- More information is required to properly assess this application
- Times applied for are beyond WCC core hours



### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy MD1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy COMB1 applies:	<p>(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p>

#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Copy of Licence 16/08900/LIPN – King College Student Union The Macadam Building
<b>Appendix 5</b>	Copy of Pre-App Report regarding Bush House Development
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

**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	April 2017
<b>4</b>	Application Form	8 <sup>th</sup> December 2017
<b>5</b>	The Environmental Health Service Representation	19 <sup>th</sup> February 2018
<b>6</b>	The Metropolitan Police - Representation	20 <sup>th</sup> February 2018

**Applicant Supporting Documents**

Appendix 1

No supporting documents received

There is no licence or appeal history for the premises.

## **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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

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

### **Conditions consistent with the operating schedule**

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. 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 must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
15. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

16. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
17. The number of persons permitted in the premises at any one time (including staff) shall not exceed (X) persons.
18. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
19. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.
20. 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 1000, 30 June 2000, 16 January 2001 and 1 October 2001
21. Should the regulated entertainment of films be used for the presentation of films in a close seated format then the Students Union is to provide the Environmental Health Consultation Team 14 days notice in advance of the event and provide details of the risk assessment undertaken.
22. The campus is a no smoking area.
23. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device .
24. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
28. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
29. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day
32. A Challenge 21 proof of age scheme shall be operated at the premises where the only identification are recognised photographic identification cards, such as a driving licence, age card with the PASS Hologram.
33. Persons under the age of 16 will not be allowed to enter the premises after 19:00 unless attending a pre booked function or accompanied by an adult.
34. 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 (or the holder of the club premises certificate):
  - (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) to take all other reasonable precautions for the safety of the children.

**Copy of licence for the Student Union for  
The Macadam Building**



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

Schedule 12  
Part A

WARD: St James's  
UPRN: 100023433054

Premises licence

Regulation 33, 34

Premises licence number:

16/08900/LIPN

Original Reference:

16/08900/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Philosophy Bar - Kings College Student Union  
Surrey Street  
London  
WC2R 2NS

**Telephone Number:** n/a

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Monday to Sunday: 10:00 to 10:00

To permit regulated entertainment until 01:00 on Friday, Saturday, Sunday and Monday at Bank Holiday Weekends and Christmas Eve,

**Late Night Refreshment**

Friday to Sunday: 23:00 to 01:00

The proposed hours to only apply during non-standard hours.

**Sale by Retail of Alcohol**

Monday to Sunday: 10:00 to 23:00

To permit the sale of alcohol until 01:00 on Friday, Saturday, Sunday and Monday at Bank Holiday Weekends and Christmas Eve. New Years Eve commencing at 10:00 until 01:00 on 2<sup>nd</sup> January.

**The opening hours of the premises:**

Monday to Sunday

10:00 to 23:30

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

On

**Part 2**

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

Kings College Student Union  
The Macadam Building  
Surrey Street  
London  
WC2R 2NS

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

05762196

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

**Name:** Lucia Giraud –Telme

*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:**

**Personal Licence Number** 13/15167/LAPR  
**Licensing Authority** London Borough of Newham

**Date:** 29.11.2016

**Signed:** pp



**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.



## Annex 2 – Conditions consistent with the operating Schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. A Challenge 25 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, Valid Student Identity Card or proof of age card with the PASS Hologram.
12. 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
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system.
  - (f) any visit by a relevant authority or emergency service.
13. 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.
14. In respect of all private functions and individual events, the need for SIA security staff be risk assessed and a documentary copy of the assessment be retained for a minimum of 28 days for inspection by the Responsible Authorities.
15. The provision of licensable activities are for use of students and staff of King's College and their bona fide guests or those persons attending a pre-booked function.
17. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
19. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

## Annex 2 – Conditions consistent with the operating Schedule

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10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. A Challenge 25 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, Valid Student Identity Card or proof of age card with the PASS Hologram.
12. 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:
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  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system.
  - (f) any visit by a relevant authority or emergency service.
13. 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.
14. In respect of all private functions and individual events, the need for SIA security staff be risk assessed and a documentary copy of the assessment be retained for a minimum of 28 days for inspection by the Responsible Authorities.
15. The provision of licensable activities are for use of students and staff of King's College and their bona fide guests or those persons attending a pre-booked function.
17. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
19. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. No speakers shall be located in the entrance area.
22. Number of persons accommodated at any one time excluding staff shall not exceed 80 persons.
23. 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.
24. Alcoholic drinks may not be removed from the premises in open containers saved for consumption in external areas provided for that purpose.
25. Notices shall be displayed at all exits requesting the public to respect the needs of local residents the needs of the local residents and to leave the premises and area quietly.

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

None Held.

**Annex 4 – Plans**

Attached.



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

Schedule 12  
Part B

WARD: St James's  
UPRN: 100023433054

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/08900/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Philosophy Bar - Kings College Student Union  
The Macadam Building  
Surrey Street  
London  
WC2R 2NS

**Telephone Number:** n/a

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Monday to Sunday: 10:00 to 10:00

To permit regulated entertainment until 01:00 on Friday, Saturday, Sunday and Monday at Bank Holiday Weekends and Christmas Eve,

**Late Night Refreshment**

Friday to Sunday: 23:00 to 01:00

The proposed hours to only apply during non-standard hours.

**Sale by Retail of Alcohol**

Monday to Sunday: 10:00 to 23:00

To permit the sale of alcohol until 01:00 on Friday, Saturday, Sunday and Monday at Bank Holiday Weekends and Christmas Eve. New Years Eve commencing at 10:00 until 01:00 on 2<sup>nd</sup> January.

**The opening hours of the premises:**

Monday to Sunday

10:00 to 23:30

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

On

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

Kings College Student Union  
The Macadam Building  
Surrey Street  
London  
WC2R 2NS

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

05762196

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

**Name:** Lucia Giraud – Teime

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

Restricted

**Date:** 29.11.2016

**Signed:** pp



**Director - Public Protection and Licensing**

# Pre-Application report for The Refurbishment of Bush House



City of Westminster

Officer Name: Nicola Curtis  
Designation: Environmental Health Officer  
Date: 5<sup>th</sup> June 2017  
Contact number: 020 7641 3187  
Email: ncurtis@westminster.gov.uk  
Uniform Ref Number: 17/01343/PREAPM

Trading name of business and address: Bush House, 30 Aldwych, London, WC2B 4BG		
Reference Number if Applicable: 17/04591/PREAPM		
Licence: n/a		Cumulative Impact Area:  No
Type of Business: Higher Education		
<p><b>Pre application advice purpose:</b> Bush House has been acquired by King's College London (KCL) and is being renovated throughout. KCL intends to apply for a new premises licence to cover some parts of the building. Advice was sought on technical suitability of the premises and policy implications in advance of the appropriate application. A site meeting was held on the 11<sup>th</sup> May 2017 between John Iveson of KCL, and Nicola Curtis (Environmental Health Officer) and Alan Lynagh (District Surveyor). Premises are currently empty.</p> <p><b>Proposal:</b> The proposal is to licence the following areas for internal hospitality events and external hires:</p> <p><b>Central Block</b> – Ground Floor Arcade; 1<sup>st</sup> Floor (hospitality space); 4<sup>th</sup> Floor (hospitality space); 8<sup>th</sup> Floor (hospitality space – to include two terraces)</p> <p><b>North East Block</b> – 1<sup>st</sup> Floor (hospitality space)</p> <p>Alcohol sales within these areas would take place from temporary bars for each function, with the exception of the Ground Floor arcade 'cafe' area.</p> <p>The licensable activities to be requested are Supply of Alcohol for consumption 'on' the premises; Provision of Late Night Refreshment; and Provision of Regulated Entertainment (to comprise live and recorded music).</p> <p><b>Environmental Health Comments:</b></p> <p><b>Hours</b></p> <p>This advice is based on the applicant stating that the intention is to apply for 'core hours'; however as the premises are not situated in one of Westminster's Cumulative Impact Areas (CIA) the applicant could apply for longer hours if so required. Core hours for the requested activities are:</p> <p><u>Supply of Alcohol for Consumption 'on' the premises</u></p> <p>Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight</p>		



Other Sundays: Midday to 22:30  
Monday to Thursday: 10:00 to 23:30

Provision of Late Night Refreshment

Friday and Saturday: 23:00 to midnight  
Sundays immediately prior to Bank Holidays: 23:00 to midnight  
Monday to Thursday: 23:00 to 23:30

Provision of Regulated Entertainment

Friday and Saturday: 09:00 to midnight  
Sundays immediately prior to Bank Holidays: 09:00 to midnight  
Other Sundays: 09:00 to 22:30  
Monday to Thursday: 09:00 to 23:30

The applicant also wishes to apply for additional hours on New Year's Eve; the usual times requested for this are from the terminal hour for permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

**Public Nuisance and Public Safety**

To minimise nuisance it is advised that loud speakers should not be located within the external terrace areas or external to the building; neither should Regulated Entertainment take place on the terraces. It is advised that the use of the terraces should cease at 00.00 hours (midnight).

It was noted at the site visit that the guarding used as edge protection on the North and South terraces was constructed from 3 horizontal metal rails. If these areas are to be used in connection with licensable activities horizontal rails should be avoided or made inaccessible, and openings within the guarding should be such that a 100mm sphere cannot pass through.

**Licensing Policy:**

The premises are not located within any cumulative impact areas and therefore do not need to address cumulative impact. The premises neither fall into policy RNT1 as model condition 66 will not be proposed or Policy PB1 as the premises will not be used exclusively or primarily for the supply of alcohol. Therefore the application will need to satisfy the licensing objectives of Public Safety, Prevention of Public Nuisance, Crime and Disorder and Protection of Children from Harm and be determined on its merits.

**Operating Schedule**

The Operating Schedule of such an application should include the following conditions, to ensure that the licensing objectives of Public Safety, Prevention of Public Nuisance, Protection of Children from Harm and Prevention of Crime and Disorder are addressed:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made

available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the building as a higher education establishment.
4. Within the hospitality spaces (to include the ground floor arcade when used for functions), alcohol shall only be sold for consumption by KCL students, staff and their guests, or by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
5. Within the ground floor arcade café, alcohol shall only be sold for consumption by KCL students, staff and their guests, and substantial food and non-intoxicating beverages, including drinking water, shall be available.
6. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
7. Loudspeakers shall not be located outside the premises building or on either terrace.
8. No Regulated Entertainment shall be provided on either terrace.
9. The doors and windows both terraces shall be kept closed after 2300 except for the access and/or egress of persons.
10. The terraces shall not be used for Licensable Activities after 0000 hours.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed: (Please see the detail in the District Surveyor section for capacity advice)

Central Block

- Ground Floor Arcade cafe TBC persons
- Ground Floor Arcade as a function space TBC persons
- 1<sup>st</sup> Floor hospitality space: (East Courtyard) 280-343 – West Courtyard – 120 Theatre TBC
- 4<sup>th</sup> Floor hospitality space: 110 Theatre – Function Space: TBC
- 8<sup>th</sup> Floor hospitality space South: 110-258 TBC
- 8<sup>th</sup> Floor hospitality space North: 110-258 TBC
- 8<sup>th</sup> Floor North Terrace: 120 TBC
- 8<sup>th</sup> Floor South Terrace: 120 TBC

North East Block

- 1<sup>st</sup> Floor hospitality space: TBC

14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
15. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. A Challenge 25 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.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
19. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.
20. 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.
21. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
22. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
24. All emergency exit doors shall be available at all material times without the use of a key,

code, card or similar means.

25. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
26. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
27. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.

#### **District Surveyor Comments**

In general it will be helpful to get an understanding of the proposed fire strategy for the premises so it is clear what principles are underlying the design. It was advised on site that BS9999 was the most likely standard that is being applied so confirmation of this would be helpful. In the comments below this has been assumed but the ADB approach with regard to capacity has also been detailed for reference purposes.

#### **Capacity and Proposed Means of Escape.**

##### **Eighth Floor**

It appears that there is another floor above eighth floor so would query the lack of lobbies to the main central staircase. This does appear to be the case on other floors so assume that the main central staircase would be lost in a fire situation. Therefore the capacities have been based on the remaining exits from the two function areas at this level.

The exits are 900mm wide so using a standard ADB approach this would equate to a capacity of 110 in each North and South Terrace. Applying a BS9999 approach and assuming a standard 4.1mm per person calculation this could increase to 219 in each terrace and upwards to 258 and 3.485mm per person was used. Allowable in BS9999 where a 15% reduction from 4.1mm is achievable based on an automatic fire alarm and detection system is installed.

The terraces both currently have two inward opening exit doors from the terrace side that are 1100mm wide. These are however close to each other so effectively could be deemed one exit. Applying a strict interpretation of codes and discounting one route the maximum capacity in these areas could be restricted to 60 people (inward opening door), however it is accepted that the terrace is an external space and as long as no risks are introduced onto the terrace (BBQ's, electrical equipment etc) it may be possible to assume you would have a flow through both doors and a capacity of 120 (60 x 2) is possible. The terrace can hold well over 400 people on floor space so consideration of the means of escape from this area may be worthwhile to increase this figure upwards.

The exit staircase appears to be 1100mm wide so it is recommended that the overall stair capacity is assessed and provided for our consideration also. It is however noted that there appears to be a reduction in the stair width to 950mm on the second flight down from the eight floor and the minimum stair width for a BS9999 approach is 1100mm. Can the staircase width throughout be confirmed for our consideration.



It is advised that suitable guarding is provided to the edges of the terrace and the railings are designed with vertical balustrades in line with building regulations. The existing horizontal bar design would not be appropriate for public use as it has the potential to be readily climbed upon. Furthermore the terraces should have suitable primary and secondary lighting and appropriate escape signage. In addition the area should have suitable sounders to ensure the fire detection and alarm system is heard from this area.

#### **Fourth Floor**

The fourth floor auditorium has approximately 100 seats and two exits at 900mm. Applying ADB this will allow 110 people so it is recommended this will be an appropriate figure for this area based on both the means of escape and the floor space factors.

The wider function space appears to be a flexible space but we would query the means of escape arrangements from the rear areas as the floor space would allow much higher figures to some areas than the means of escape design would support. Particular attention is drawn to the inward opening doors proposed as this limits capacity to 60 in the three separate rooms proposed. We suggest we discuss this area further at a separate meeting.

#### **First Floor – East Courtyard**

The main front exit at first floor level could it appears be fully discounted by a fire to the main doors into the foyer. This means the capacity of this space will be limited to the rear alternative exit capacity.

There are currently two 900mm exits leading back to a 1400mm stair. The stair capacity is therefore likely to be the limiting capacity factor. Under ADB the stair capacity would be 280 and under BS9999 it could be up to 343 if applying a 15% reduction under BS9999 for the fire alarm and detection system.

#### **First Floor – West Courtyard**

The auditorium capacity appears to be 120 and there are two 900mm doors to support this, which appears adequate. However both exits from the theatre appear to be signed back to the central main staircase exit. As previously mentioned if this route were discounted then it may be that patrons would need to be signed back to the rear alternative exit and it may be appropriate to sign one of the auditorium exits back to this stair.

The wider function space appears to be a flexible space but we would query what capacities are proposed for these areas and assume the central breakout area for example would be used in conjunction with the theatre? If there is a desire for a separate event in this area while the theatre is in use this may be difficult to support. We would recommend a separate meeting to discuss the capacities within these areas.

#### **Ground Floor – Arcade and Cafe**

The arcade area appears to be a flexible space but we would query what capacities are proposed for these areas and if there is a desire for each area to be used separately for licensable activity. The overall floor area is circa 300-325 sqm so floor space will support capacities in the region of 650. These may need to be reduced however due to the individual spaces and means of escape limitations. We would recommend a separate meeting to discuss the capacities within these areas. Discounting the main centre block exit the means of escape appear to support a substantial figure

circa 800 so it is likely the floor space limitation of circa 650 would apply. This will however need to be fully clarified at a separate meeting.

With regard to the café area this sits within the wider arcade area and is well served by numerous exit routes. The plan provided does not detail the seating layout or designated demise of the café area. If this can be provided we can advise further with regard to the acceptable capacity for this space.

#### **Ground Floor – Auditorium**

The auditorium at ground floor level currently appears to have 6 exits at 800mm. Applying ADB and discounting one this would equate to a maximum capacity of 300. However as you come through these exits if the central block exit is lost the remaining exit to the West side is a small 800mm door. This may restrict the capacity and we would recommend this is considered. On this basis we recommend a further meeting to discuss the capacity at this level to this area.

#### **General Fire/Public Safety Considerations to support any application**

We would recommend the points detailed below are also incorporated into the alterations proposed for the premises:

- Clarification on the cause and effect for the fire alarm system should be confirmed. Simultaneous is assumed but any details appreciated for further consideration.
- All protected exit routes to be provided with 30 minutes fire separation to other parts of the premises.
- All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.
- Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4
- Any sound equipment should be linked to cut out on operation of the fire alarm and detection system.

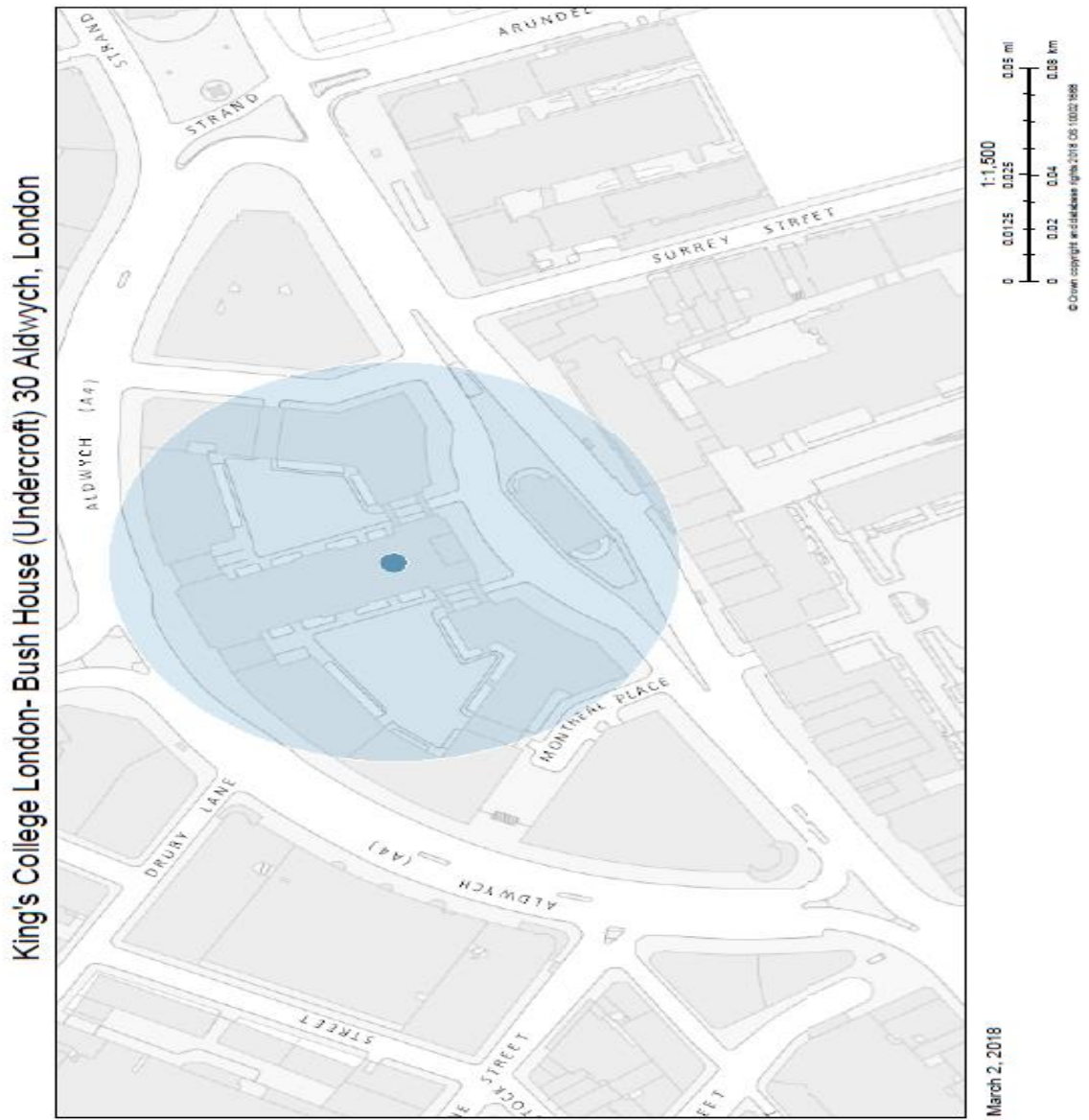
#### **Conclusions**

If my advice is incorporated into the respective applications, and model conditions are included then Westminster Licensing Policy will be met, and the licensing objectives of Public Safety, Prevention of Public Nuisance, Protection of Children from Harm and Prevention of Crime and Disorder will be addressed.

As part of the application process it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

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

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**Resident Count: 0**

No licensed premises in the vicinity.