

Licensing Sub-Committee Report

Item No:	
Date:	10 May 2018
Licensing Ref No:	18/03318/LIPV - Premises Licence Variation
Title of Report:	Claridges Hotel 47 - 57 Brook Street Mayfair London W1K 4HR
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Shannon Pring Senior Licensing Officer
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1. Application

1-A Applicant and premises					
Application Type:	Variation of a Premises L	Licence, Licensing	g Act 2003		
Application received date:	26 March 2018				
Applicant:	Claridges Hotel Limited				
Premises:	Claridges Hotel				
Premises address:	Claridges Hotel 47 - 57 Brook Street	Ward:	West End		
	Mayfair London W1K 4HR	Cumulative Impact Area:	No		
Premises description:	The premises currently of	perates as a 4* h	otel.		
Variation description:	According to the application, the variation seeks to: Extend the Premises Licence (as applies to Claridges Bar known on the Premises Licence as The Brook Street Bar) to include the Davies Street external seating area. No changes are proposed to any other regulated activity or hours.				
Premises licence history:	The premises benefits from a premises licence which can be found at Appendix 2 of the report and a full licence history can be found at Appendix 3 of the report.				
Applicant submissions:	The hotel has obtained planning consent from the City of Westminster to reinstate the historic Garden Entrance door to the bar (see detail plan). The tables and chairs will sit on the hotel's private land which is screened from Davies Street by high railings. Given the residential nature of the hotel and nearby properties, the external area will be carefully managed so as to prevent any form of public nuisance.				

1-B Current and proposed licensable activities, areas and hours								
Late night re	Late night refreshment – Brook Street Bar							
Indoors, out	doors o	r both	Curren	it:			Pro	posed:
			Indoors	3			Both	n
	Current Proposed L Hours Hours			Licen	sable .	Area		
	Start:	End:	Start:	End:	Curre	nt:		Proposed:
Monday	23:00	01:30						
Tuesday	23.00	01.30						Dunal, Chuant Dan
Wednesday		Brook Stree		D.		ot.	Brook Street Bar and Davies Street	
Thursday	23:00	02:00	No ch	nange	БЮ	Bar	Cl	External Seating
Friday	23.00	02.00				Dai		Area
Saturday				Area			Alea	
Sunday	23:00	00:30						
Non-standar	on-standard Current:					Prop	osed	:
timings:	imings: Condition 18: There shall be no			No ch	nange	9		
entry or		•	entry to the Brook					
	Stre	treet Bar via the Brooks Street						
	Entrance after 01:00							

Sale by Retail of Alcohol – Brook Street Bar								
On or off sales			Current :			Pro	posed:	
			Both				No (change
	Cur	rent	Proposed Licens		nsable <i>i</i>	Area		
	Но	urs	Но	urs				
	Start:	End:	Start:	End:	Curr	ent:		Proposed:
Monday	07:30	00:00						
Tuesday	07.30	00.00				Brook Street Bar		Brook Street Bar and Davies Street
Wednesday			No change		Br/			
Thursday	07:30	02:00			Dit			
Friday	07.30	02.00				Dai		External Seating Area
Saturday								
Sunday	09:00	00:30						
Non-standar	d Curr	Current:				Propos	sed:	
timings:	Cond	dition 18	8: There shall be no			No cha	nge	
entry or re-entry to the Brook		(
	Stree	street Bar via the Brooks Street						
Entrance after 01:00								

Hours premises are open to the public							
	Current Hours		Proposed P Hours		Premises Area		
	Start:	End:	Start:	End:	Curr	ent:	Proposed:
Monday							
Tuesday							Dunals Chroat Day and
Wednesday					Dun als Otan at	Brook Street Bar and	
Thursday	00:00	00:00	00:00	00:00	BIC		Davies Street
Friday						Bar	External Seating Area
Saturday							Alea
Sunday							
Non-standar	d Curr	Current:				Proposed	
timings:	Cond	dition 18	ition 18: There shall be no			No change	;
	entry	or re-e	r re-entry to the Brook				
	Stree	et Bar vi	ar via the Brooks Street				
	Entra	Entrance after 01:00					

1-C Layout alteration

The variation application seeks to extend the area of the premises licence (known on the licence as The Brook Street Bar) to include the Davies Street External Area following the grant of planning permission.

2. Representations

2-A Responsible Authorities				
Responsible Authority:	Environmental Health Service			
Representative:	Mr Ian Watson			
Received:	20 April 2018			

I refer to the application for variation.

This representation is based on the plans of the ground floor and operating schedule submitted.

The applicant is seeking the following

1. To include a new part of the ground floor (external area) on Davies Street accessed from the Brook Street Bar into the licensed area.

I wish to make the following representation

1. Representation is made on Prevention of Public Nuisance. The applicant has not provided any details of when the outside area will cease trading to minimise nuisance.

Should you wish to discuss the matter further please do not hesitate to contact me.

Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	PC Bryan Lewis
Received:	18 April 2018

Our objections relate to the following:

Insufficient licence conditions proposed to promote the licensing objectives.

I will contact you to discuss the matter.

Following the agreement of the proposed conditions, the Police have withdrawn their representation.

2-B Other Persons				
Received:	07 April 2018			

1:46 PM on 07 Apr 2018 Claridges Hotel has a long track record of disregarding the interests of neighbours. Construction works are regularly carried out at night and on Sundays, in violation of the Noise Abatement laws. The application states that the outside bar / garden will be open 24 hours a day, which is unacceptable. They claim to have "robust" controls in place to ensure no disruption to neighbours, which is clearly not the case; I have reported them numerous times for the construction works on Sundays and at night, and each time the management of Claridges feigns ignorance.

Westminster has taken no action against Claridges for repeated violations of the noise abatement laws, so I have no confidence that Claridges will limit the noise from an outside bar area. This will be a source of significant noise and disruption and will constitute a private nuisance that interferes with my legal right to enjoyment of my residential property. The law recognizes that landowners, or those in rightful possession of land, have the right to the unimpaired condition of the property and to reasonable comfort and convenience in its occupation.

The extent and duration of the disturbance will be daily, and continue into the night. There is no Social value in Claridge's proposal; it is purely to maximise profits of the hotel's bar. Given Claridge's track record of disregard for the Noise Abatement laws, there is no credibility to their claim of "robust" controls for mitigating or preventing the harm. The locality is next to and across from residential properties and is not suitable for the proposed use as an outside bar.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:			
Policy HRS1 applies	(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.		
	(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.		
Policy PB1 applies	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1and CH1.		

4. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises licence
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Ms Shannon Pring				
	Licensing Support Officer				
Contact:	Telephone: 020 7641 1884 Email: spring3@westminster.gov.uk				

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					
1	Licensing Act 2003	N/A			
2	City of Westminster Statement of Licensing Policy	7 th January 2016			
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018			
4	Environmental Health Service	20 April 2018			
5	Metropolitan Police Service (Withdrawn)	18 April 2018			

There are no supporting documents from the Applicant

Premises licence Appendix 2

The current, issued premises licence is enclosed. There has been a subsequent variation application (ref: 18/00436/LIPV); however, the licence following this application has not yet been issued.



Schedule 12 Part A

WARD: West End UPRN: 100023474940

Premises licence

Regulation 33, 34

Premises licence number:	13/07342/LIPV	
Original Reference:	05/06663/LIPCV	

Part 1 - Premises details

Postal address of premises:

Claridges Hotel 47-57 Brook Street Mayfair London W1A 2JQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance

Provision of facilities for Dancing

Exhibition of a Film

Provision of facilities for making Music

Performance of Live Music

Playing of Recorded Music

Provision of facilities for entertainment of a similar description to making music or dancing 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 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Provision of facilities for Dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00 (Private Bedrooms)

Monday to Sunday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Monday to Sunday: 09:00 to 01:00 (Other Areas)

Non-standard Timings: See condition 26

Provision of facilities for making Music

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Performance of Live Music

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Playing of Recorded Music Unrestricted

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

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

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30 (Ground Floor Lounge, Restaurant and Bar)

Sunday: 23:00 to 00:00 (Ground Floor Lounge, Restaurant and Bar)

Monday to Tuesday:

Wednesday to Saturday:

Sunday:

Monday to Tuesday:

23:00 to 01:30 (Brook Street Bar)

23:00 to 02:00 (Brook Street Bar)

23:00 to 00:30 (Brook Street Bar)

Monday to Saturday:

23:00 to 00:30 (Other Areas)

Sunday: 23:00 to 00:30 (Other Areas)
Sunday: 23:00 to 00:00 (Other Areas)

Non-standard Timings: See condition 26

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: 07:30 to 01:00 (Ground Floor Lounge, Restaurant and Bar) Sunday: 07:30 to 23:30 (Ground Floor Lounge, Restaurant and Bar)

Monday to Tuesday:

Wednesday to Saturday:

Sunday:

Monday to Saturday:

O7:30 to 00:00 (Brook Street Bar)

O7:30 to 02:00 (Brook Street Bar)

O7:30 to 00:30 (Brook Street Bar)

O7:30 to 00:00 (Other Areas)

Sunday:

O7:30 to 23:30 (Other Areas)

Monday to Saturday: 10:00 to 23:00 (Two shops in the bottom left hand corner (leading

off the Lobby) of the Ground Floor)

Sunday: 12:00 to 22:30 (Two shops in the bottom left hand corner (leading off the Lobby)

of the Ground Floor)

Non-standard Timings: See condition 26

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1 and 2

The opening hours of the premises:

Monday to Sunday 00:00 to 00:00

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:

Claridges Hotel Limited C/o Maybourne Hotel Group 1 Vine Street Mayfair London W1J 0AH

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

00029022

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

Name: Martyn Nail

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: 13296

Licensing Authority: London Borough Of Richmond Upon Thames

Date: 12 November 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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:
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- 5. The responsible person shall ensure that no alcohol is dispensed 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).
- 6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) 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 a holographic mark.
- 8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

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

Conditions related to Regulated Entertainment

Ground Floor Lounge, Restaurant and Bar

- 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 11pm on each of the days Monday to Saturday to 1am on the day following.
- 13. The entertainment to be provided under this licence shall be restricted to live bands and discotheque with ancillary dancing. The entertainment shall be provided by a maximum of twelve performers.
- 14. The number of persons accommodated at any one time (excluding staff) in the first floor restaurant shall not exceed 30; Ground Floor Lounge, 100; Ground Floor Restaurant, 120; and Brook Street Bar, 70.

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

- 15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

- 16. 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) take all other reasonable precautions for the safety of the children.
- 17. 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

- 18. There shall be no entry or re-entry to the Brook Street Bar via the Brook Street Entrance after 0100.
- 19. No windows to the Brook Street Bar nor the entrance from Brook Street into the Brook Street Bar shall be fixed open after 2300.
- 20. Films shall be permitted 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.

The two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor

- 21. No permanent bar shall be constructed in the shops.
- 22. Consumption of alcohol in the shops shall only be part of pre-booked event

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

Ground Floor Lounge, Restaurant and Bar: Monday to Saturday Only

- 23. (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 07:30 (12.00 on Christmas Day and Good Friday) and extend until 01:00 on the morning following, except that -
- (i) the permitted hours shall end at 00:00 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 00:00 midnight and 01:00, the permitted hours shall end when the music and dancing end;
- (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (c) 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.

Other Areas and on Sundays in the Ground Floor Lounge, Restaurant and Bar

24. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 07:30 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 07:30 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 07:30 to 23:00
- (f) On New Year's Eve on a Sunday, 07:30 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) 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;
- 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.

- 25. The service of alcohol (restricted to wines and champagnes and no other alcoholic beverages) is permitted between 07:30 and 10:00am during "Champagne Breakfasts", served by a waiter or waitress to seated customers. The service of such alcohol will be ancillary to the supply of food
- 26. On no more than 15 occasions per year and following 10 days' prior notice to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such a time as agreed with the Police. The police having the power to veto such application.

Annex 4 - Plans

Attached



Schedule 12 Part B

WARD: West End UPRN: 100023474940

Premises licence summary

Regulation 33, 34

Premises licence number:	13/07342/LIPV

Part 1 - Premises details

Postal address of premises:

Claridges Hotel 47-57 Brook Street Mayfair London W1A 2JQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance

Provision of facilities for Dancing

Exhibition of a Film

Provision of facilities for making Music

Performance of Live Music

Playing of Recorded Music

Provision of facilities for entertainment of a similar description to making music or dancing 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 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Provision of facilities for Dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00 (Private Bedrooms)

Monday to Sunday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Monday to Sunday: 09:00 to 01:00 (Other Areas)

Non-standard Timings: See condition 26

Provision of facilities for making Music

09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar) Monday to Saturday:

Non-standard Timings: See condition 26

Performance of Live Music

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Playing of Recorded Music Unrestricted

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

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

Dance

Monday to Saturday: 09:00 to 01:00 (Ground Floor Lounge, Restaurant and Bar)

Non-standard Timings: See condition 26

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30 (Ground Floor Lounge, Restaurant and Bar) Sunday: 23:00 to 00:00 (Ground Floor Lounge, Restaurant and Bar)

23:00 to 01:30 (Brook Street Bar) Monday to Tuesday: Wednesday to Saturday: 23:00 to 02:00 (Brook Street Bar) Sunday: 23:00 to 00:30 (Brook Street Bar) Monday to Saturday: 23:00 to 00:30 (Other Areas) 23:00 to 00:00 (Other Areas) Sunday:

See condition 26 Non-standard Timings:

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: 07:30 to 01:00 (Ground Floor Lounge, Restaurant and Bar) Sunday: 07:30 to 23:30 (Ground Floor Lounge, Restaurant and Bar)

Monday to Tuesday: 07:30 to 00:00 (Brook Street Bar) Wednesday to Saturday: 07:30 to 02:00 (Brook Street Bar) Sunday: 07:30 to 00:30 (Brook Street Bar) Monday to Saturday: 07:30 to 00:00 (Other Areas) Sunday: 07:30 to 23:30 (Other Areas)

Monday to Saturday: 10:00 to 23:00 (Two shops in the bottom left hand corner (leading

off the Lobby) of the Ground Floor)

Sunday: 12:00 to 22:30 (Two shops in the bottom left hand corner (leading off the Lobby)

of the Ground Floor)

Non-standard Timings: See condition 26

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

and 2

The opening hours of the premises:

Monday to Sunday 00:00 to 00:00 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:

Claridges Hotel Limited C/o Maybourne Hotel Group 1 Vine Street Mayfair London W1J 0AH

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

00029022

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

Name: Martyn Nail

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

Restricted

Date: 12 November 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Licence & Appeal History

Application	Details of	Date Determined	Decision
	Application		
05/06663/LIPCV	Conversion of licence to Licensing Act 2003	19/09/2005	Granted under Delegated Authority
05/12307/LIPDPS	Application to vary the designated premises supervisor	13/12/2005	Granted under Delegated Authority
12/09668/LIPV	A variation application to add films (in public areas to conform to existing regulated hours) in private bedrooms, 24 hours. To extend the hours for the sale by retail of alcohol and late night refreshment in the Brook Street Bar only (which has a capacity of 70) by one hour to 02:00 on Wednesday, Thursday, Friday and Saturday and to 00:30 on Sunday	21/12/2012	Granted under Delegated Authority
13/07342/LIPV	A variation application to amend the ground floor plans of the hotel to include some of the shop areas on the plans attaching to the premises licence. There is no change proposed to the existing regulated hours or activities. The shops would trade on the same basis as "other areas" shown on page 2 of the premises licence.	08/11/2013	Granted under Delegated Authority
18/00436/LIPV	A variation application to include on the event spaces and function rooms of the Mezzanine Floor on the Premises Licence.	02/03/2018	Granted under Delegated Authority

18/03318/LIPV	Current application	

There is no appeal history

Temporary Event Notices

Application	Date determined	Decision
17/12516/LITENP	21/11/2017	Notice Granted
17/10819/LITENP	08/12/2018	Notice Granted
15/02021/LITENP	02/04/2015	Notice Granted
14/06718/LITENP	16/12/2014	Notice Granted
14/01884/LITENP	14/04/2014	Notice Granted
13/07471/LITENP	24/10/2013	Notice Granted
13/07470/LITENP	24/10/2013	Notice Granted
13/07469/LITENP	19/12/2013	Notice Granted

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a variation of a premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Conditions: On Current Licence -

Mandatory:

- 1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
- 2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- 3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

P = D+(DxV)

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

Conditions related to Regulated Entertainment

Ground Floor Lounge, Restaurant and Bar

- 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 11pm on each of the days Monday to Saturday to 1am on the day following.
- 13. The entertainment to be provided under this licence shall be restricted to live bands and discotheque with ancillary dancing. The entertainment shall be provided by a maximum of twelve performers.
- 14. The number of persons accommodated at any one time (excluding staff) in the first floor restaurant shall not exceed 30; Ground Floor Lounge, 100; Ground Floor Restaurant, 120; and Brook Street Bar, 70.

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

- 15. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

- 16. 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) take all other reasonable precautions for the safety of the children.
- 17. 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

- 18. There shall be no entry or re-entry to the Brook Street Bar via the Brook Street Entrance after 0100.
- 19. No windows to the Brook Street Bar nor the entrance from Brook Street into the Brook Street Bar shall be fixed open after 2300.
- 20. Films shall be permitted 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.

The two shops in the bottom left hand corner (leading off the Lobby) of the Ground Floor

- 21. No permanent bar shall be constructed in the shops.
- 22. Consumption of alcohol in the shops shall only be part of pre-booked event

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

Ground Floor Lounge, Restaurant and Bar: Monday to Saturday Only

- 23. (a) Subject to the following paragraphs, the permitted hours on Monday to Saturday shall commence at 07:30 (12.00 on Christmas Day and Good Friday) and extend until 01:00 on the morning following, except that -
- (i) the permitted hours shall end at 00:00 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 00:00 midnight and 01:00, the permitted hours shall end when the music and dancing end;
- (b) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (c) 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.

Other Areas and on Sundays in the Ground Floor Lounge, Restaurant and Bar

24. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises

except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 07:30 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 07:30 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 07:30 to 23:00
- (f) On New Year's Eve on a Sunday, 07:30 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) 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;
- 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.

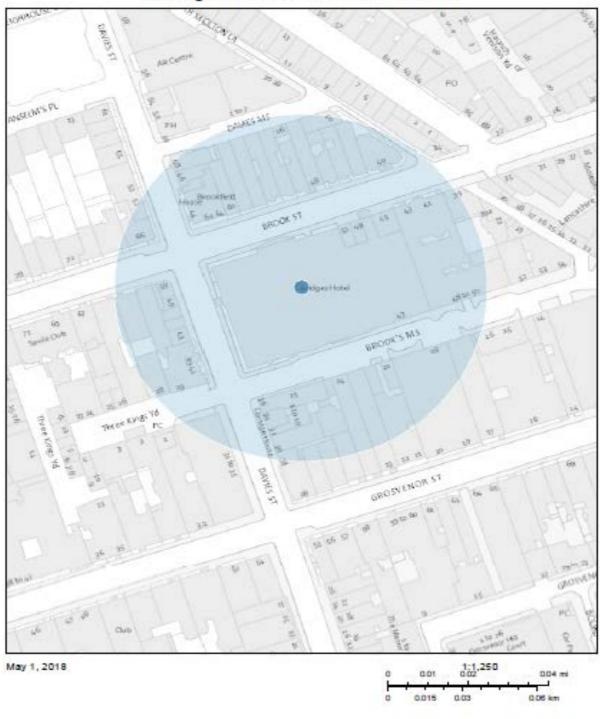
- 25. The service of alcohol (restricted to wines and champagnes and no other alcoholic beverages) is permitted between 07:30 and 10:00am during "Champagne Breakfasts", served by a waiter or waitress to seated customers. The service of such alcohol will be ancillary to the supply of food
- 26. On no more than 15 occasions per year and following 10 days' prior notice to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such a time as agreed with the Police. The police having the power to veto such application.

Conditions proposed by the Police and agreed by the Applicant to form part of the operating schedule

- 27. 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 outside table area shall be covered by external CCTV. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
- 28. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. 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

- 29. 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) Any faults in the CCTV system, searching equipment or scanning equipment
 - (f) Any refusal of the sale of alcohol
 - (g) Any visit by a relevant authority or emergency service.
- 30. Service to the external tables shall cease at 23:00 hours and the tables put out of use by 23:30 hours daily.

Claridge's Hotel, 47-57 Brook Street



Licence Number	Trading Name	Address	Premises Type	Time Period
14/03274/LIPDPS	Claridge's Restaurant	Concession 1 47 - 57 Brook Street Mayfair London W1K 4HR	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:30
13/07342/LIPV	Claridges Hotel	Claridges Hotel 47 - 57 Brook Street Mayfair London W1K 4HR	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
12/03704/LIPN	The Refinery	60 Brook Street Mayfair London W1K 5DU	Hairdresser or beauty salon	Monday to Tuesday; 10:00 - 19:00 Wednesday to Friday; 10:00 - 20:00 Saturday; 09:00 - 18:00 Sunday; 11:00 - 17:00
15/09517/LIPN	Not Recorded	19 Brook's Mews London W1K 4DX	Cafe	Monday to Sunday; 07:00 - 22:00