

Licensing Sub-Committee Report

Item No:	
Date:	31 May 2018
Licensing Ref No:	18/03038/LIPN - New Premises Licence
Title of Report:	91 Jermyn Street London SW1Y 6JT
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 Heidi Lawrance Senior Licensing Officer
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1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 March 2018		
Applicant:	Pye Properties Ltd		
Premises:			
Premises address:	91 Jermyn Street London SW1Y 6JT	Ward:	St James's
		Cumulative Impact Area:	None.
Premises description:	According to the application, the premises will operate as a nightclub.		
Premises licence history:	<p>This is an application for a new premises licence. However, the premises does currently have the benefit of a premises licence (17/08750/LIPV) and a full history can be found at Appendix 3.</p> <p>The application indicates that this new licence is intended to operate as a shadow licence which effectively replicates the activities, hours and conditions set out in the current licence.</p>		
Applicant submissions:	None submitted.		
Plan:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			Unrestricted				

Films / Live Music / Performance of Dance /				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30	03:30	03:30	03:30	03:30	03:30
Seasonal variations/ Non-standard timings:							

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	03:30	03:30	03:30	03:30	03:30	03:30	03:30
Seasonal variations/ Non-standard timings:			From 23:00 on New Year's Eve until 05:00 on New Years Day. An additional hour when British Summer Time commences.				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	03:00	03:00	03:00	03:00	03:00	03:00	00:00
Seasonal variations/ Non-standard timings:			From the start time on New Year's Eve until the finish time on New Years Day. An additional hour when British Summer Time commences.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	03:30	03:30	03:30	03:30	03:30	03:30	03:30
Seasonal variations/ Non-standard timings:			From the start time on New Year's Eve until the finish time on New Years Day. An additional hour when British Summer Time commences.				
Adult Entertainment:			Not applicable.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (WITHDRAWN)
Representative:	PC Bryan Lewis
Received:	5 th April 2018

Our objections relate to the following:

- More information is required to properly ensure this application promotes the licensing objectives

I will contact you to further discuss this matter

Further Police discussions:

Can you please confirm all conditions on the existing licence will go on the shadow licence you are applying for. That is with the exception of a slight alteration to condition (32), wording below.

When the premises are open all customers entering the premises, or entering the sub-basement floor from the basement floor, after 23:00 will have their ID and/or membership card scanned on entry, or be subject to a biometric scanning system (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).

(ii) All customers entering shall have their facial image captured by the ID Scanner camera with the exception of persons who enter using finger print scanning and have provided a recent facial image captured by the ID Scanner.

(iii) The above requirement is subject to the following exception, namely that a maximum number of 25 guests per night may be admitted at the Manager's discretion without necessarily ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure.

a. A legible record (the Signing in Sheet) of these guests' names shall be retained on the premises for inspection by the licensing authority and Police for a period of 31 days. The name of the Manager authorising the admission will be clearly recorded.

c. Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and an ID scan entry with a live photo shall be created.

d. Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Manager may nevertheless permit entry. In such circumstances he shall also record the reasons for this in the Signing in Sheet.

(iv) Notwithstanding (i) and (iii) above, patrons who are attending a pre-booked private

event at the premises do not need to have their ID scanned on entry and instead a written guest list shall be held at reception for the event, and will be retained for 31 days after the event for inspection by the police and responsible authorities upon request.

I am now withdrawing the Police objection. I have made a slight alteration to condition 32, wording agreed.

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

Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Ian Watson
Received:	10 th April 2018

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

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 03.00 hours and Sunday between 12.00 to 00.00 hours. New Year's Eve to New Year's Day. Additional hour for British Summer Time.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 and 03.30 hours. New Year's Eve to New Year's Day. Additional hour for British Summer Time.
3. To provide regulated entertainment 'Indoors' comprising
 - Films
 - Live Music
 - Recorded Music (Unrestricted)
 - Performance of DanceMonday to Sunday between 09.00 to 03.30 hours.
4. The applicant has submitted floor plans of the premises dated 10.07.2015 of the basement and sub-basement. These plans do not reflect the current layout of the premises as approved under licence 17/08750/LIPV.

I wish to make the following representation

1. No objection
2. No objection.
3. No objection.
4. Representation is raised as the proposed layout indicated on the plans dated 10.07.2015 will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance.

The applicant states that if this application is granted the licence will operate as a shadow licence. The applicant has not applied for the correct alcohol hours on a

Sunday nor applied for all the regulated entertainment currently permitted.

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

2-B Other Persons

Received: 9th April 2018

My residence is a few doors from 6-7 Ormond Yard. I object to a licence which will allow alcohol to be served until 3am because I will be disturbed by patrons leaving the premises while I am asleep.

The patrons leaving clubs in masons Yard already disturb us. The club around the corner on duke of York st has taxis purring at 3am while patrons shout at each other on the street at 3am. I pay band h council tax to live here. I object to losing any more sleep.

Received: 30th March 2018

My flat is on the rear side (West facing) of Bray House and looks directly onto 6-7 Ormond Yard. Ormond Yard is a cul-de-sac where noise is contained and amplified and residents already suffer from late night noise from patrons of the Gas Light Gentlemans Club when they leave at c.2am - 3am. Having yet another late night drinking establishment where excessive noise is created in the middle of the night as these venues close is not acceptable to the quality of life of those long term residents in the area. I strongly reject the application and encourage any council member to attend Ormond Yard at 2-3am on a Thurs/Fri/Sat morning to witness the noise already created that would only worsen if yet another late night establishment was granted a licence. Thank you for your attention to this matter.

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, PN1 and CH1.
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.

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

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	Residential map and list of premises in the vicinity
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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	Application Form	19 th March 2018
5	Metropolitan Police Service	5 th April 2018
6	Environmental Health	10 th April 2018
7	Representation	9 th April 2018
8	Representation	30 th April 2018

Applicant Supporting Documents

None submitted.

Premises History

Application	Details of Application	Decision	Date Determined
05/10267/LIPC	Conversion Application	Granted Under Delegated Authority	03.10.2005
06/00659/LIPV	Variation Application	Refused by Licensing Sub-Committee	23.03.2006
06/00692/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	03.02.2006
06/11045/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	08.11.2006
06/07411/WCCMAP	Minor Variation Application	Granted Under Delegated Authority	07.03.2007
07/11192/LIPV	Variation Application	Granted by Licensing Sub-Committee	17.01.2007
08/03918/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	03.06.2008
11/12582/LIPV	Variation Application	Refused by Licensing Sub-Committee	15.03.2012
13/02093/LIPVM	Minor Variation Application	Granted Under Delegated Authority	15.04.2013
13/09468/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	20.01.2014
15/00234/LIPT	Transfer Application	Granted Under Delegated Authority	19.01.2015
15/09736/LIPT	Transfer Application	Granted Under Delegated Authority	15.12.2015

16/13174/LIPT	Transfer Application	Granted Under Delegated Authority	20.02.2017
16/13620/LIPV	Variation Application	Application Withdrawn	02.03.2017
17/01144/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	20.02.2017
17/08750/LIPV	Variation Application	Granted by Licensing Sub-Committee	05.10.2017

Application	Details of Application	Decision	Date Determined
14/02824/LISEVN	New Sexual Entertainment Venue Application	Refused by licensing sub committee	03.07.2014

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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

10. 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

11. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
12. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
13. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
14. 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.
15. 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.
16. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. Any special effects or mechanical installations shall be arranged, operated and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the licensing authority where consent has not previously been given:
 - o dry ice and cryogenic fog
 - o smoke machines and fog generators
 - o pyrotechnics including fireworks
 - o firearms
 - o lasers
 - o explosives and highly flammable substances.
 - o real flame.
 - o strobe lighting.
18. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
19. The premises may remain open for regulated entertainment, 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.
20. 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.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:

Sub-Basement - 100
Basement- 135.

22. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
23. The sale and consumption of alcohol must be ancillary to the use of the premises for music and dancing and/or substantial refreshment.
24. The supply of alcohol in the Basement Restaurant area, as marked on the licensing plans, shall be to persons seated taking a table meal there and for consumption by such persons as ancillary to their meal. The supply of alcohol shall be by waiter or waitress service only.
25. A minimum number of 50 seats shall be maintained in the Sub-Basement area at all times of operation.
26. A minimum number of 70 seats shall be maintained in the Basement area at all times of operation.
27. There shall be a personal licence holder on duty on the premises from 22:00 until close, when the sub-basement is open to patrons.
28. The reception lobby shall be manned by staff whenever the premises is open for trade and patrons shall be greeted by a member of staff when entering the premises.
29. There shall be waiter or waitress service available throughout the premises at all times the floors are open and trading
30. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that the premises is open and trading
31. Admission to the premises by patrons shall be through the Jermyn Street entrance lobby area only
32.
 - (i) When the premises are open all customers entering the premises, or entering the sub-basement floor from the basement floor, after 23:00 will have their ID and/or membership card scanned on entry, or be subject to a biometric scanning system (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
 - (ii) All customers entering shall have their facial image captured by the ID Scanner camera with the exception of persons who enter using finger print scanning and have provided a recent facial image captured by the ID Scanner.
 - (iii) The above requirement is subject to the following exception, namely that a maximum number of 25 guests per night may be admitted at the Managers discretion without necessarily ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure.
 - a. The Police shall approve in writing the names of those managers (Police Approved Managers) who are authorised to sign in such guests, such approval shall not be unreasonably withheld. There shall be a maximum of three Police Approved Managers.

- b. A legible record (the Signing in Sheet) of these guests' names shall be retained on the premises for inspection by the licensing authority and Police for a period of 31 days. The name of the Police Approved Manager authorising the admission will also be recorded by that Manager.
 - c. Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and an ID scan entry with a live photo shall be created.
 - d. Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Police Approved Manager may nevertheless permit entry. In such circumstances he shall also record the reasons for this in the Signing in Sheet.
- (iv) Notwithstanding (i) and (iii) above, patrons who are attending a pre-booked private event at the premises do not need to have their ID scanned on entry and instead a written guest list shall be held at reception for the event, and will be retained for 31 days after the event for inspection by the police and responsible authorities upon request.

Police have proposed that condition 32 be amended as follows (agreed by the applicant)

32. (i) When the premises are open all customers entering the premises, or entering the sub-basement floor from the basement floor, after 23:00 will have their ID and/or membership card scanned on entry, or be subject to a biometric scanning system (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
- (ii) All customers entering shall have their facial image captured by the ID Scanner camera with the exception of persons who enter using finger print scanning and have provided a recent facial image captured by the ID Scanner.
- (iii) The above requirement is subject to the following exception, namely that a maximum number of 25 guests per night may be admitted at the Manager's discretion without necessarily ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure.
- a. A legible record (the Signing in Sheet) of these guests' names shall be retained on the premises for inspection by the licensing authority and Police for a period of 31 days. The name of the Manager authorising the admission will be clearly recorded.
 - b. Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and an ID scan entry with a live photo shall be created.
 - c. Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Manager may nevertheless permit entry. In such circumstances he shall also record the reasons for this in the Signing in Sheet.
- (iv) Notwithstanding (i) and (iii) above, patrons who are attending a pre-booked private event at the premises do not need to have their ID scanned on entry and instead a written guest list shall be held at reception for the event, and will be retained for 31 days after the event for inspection by the police and responsible authorities upon request.

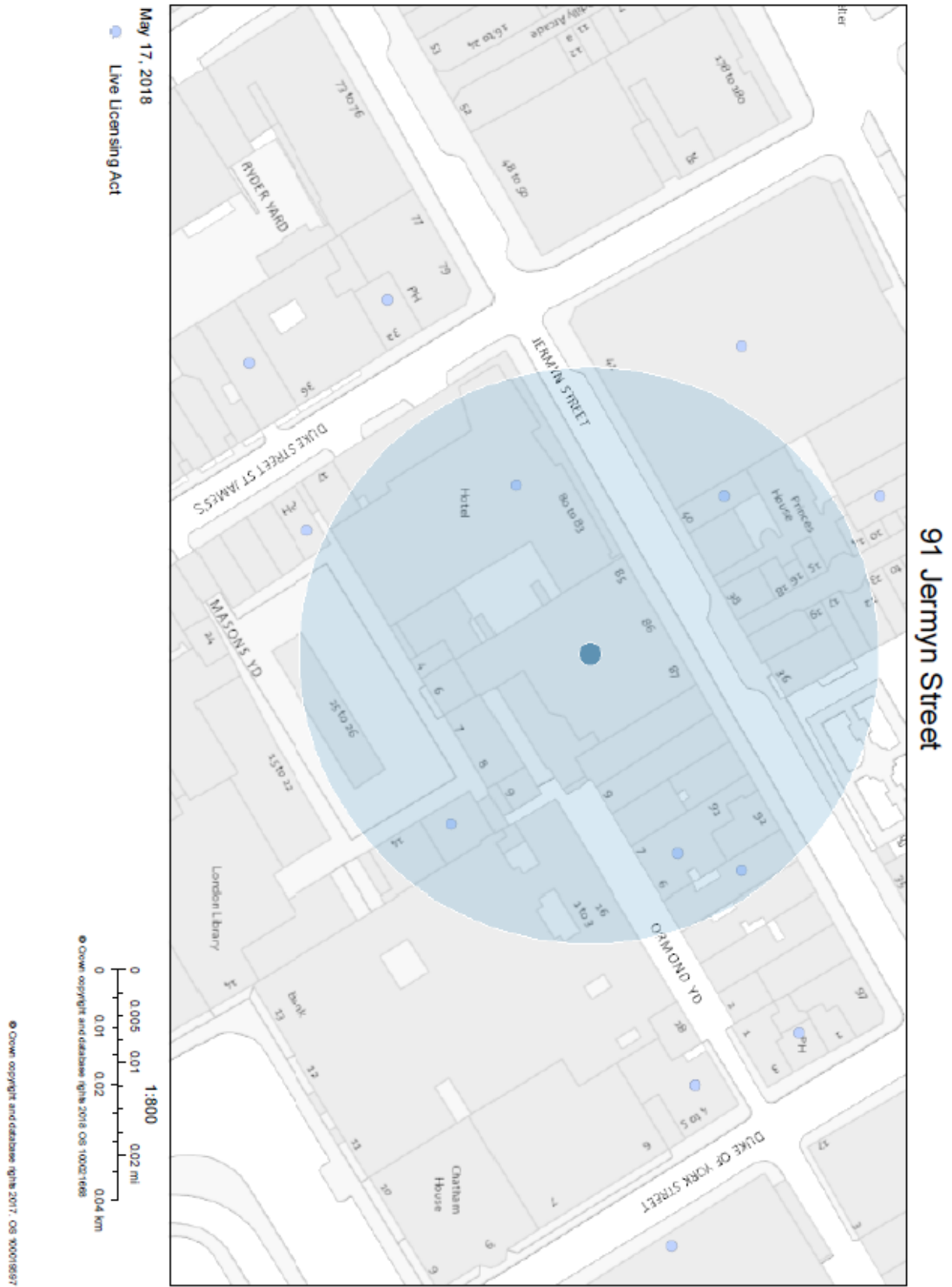
33. In relation to any membership scheme at the premises, no person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
34. A list of the names and addresses of members of the club shall be kept on the premises at all times together with a record showing the names and dates of attendance of any guests introduced by members. Both the list and the record shall be produced on demand for inspection by the police or an authorised officer of the Council
35. There shall be no entry or re-entry (save for existing customers who have left for smoking) to the premises after 02:00 hours.
36. When the sub-basement is open to patrons there will be a minimum of 1 SIA at the premises from 6pm. From 11pm there will be a minimum of 2 SIA at the premises.
37. The internal glass doors on the ground floor Jermyn Street entrance shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
38. Patrons shall not enter or leave the premises from / by Ormond Yard, except in the event of an emergency.
39. Any patrons that use Ormond Yard to gain access, smoke or leave the premises (whether by vehicle or on foot) shall be refused entry or subsequent re-entry to the premises.
40. 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.
41. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
42. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. It will be a condition of any agreement that patrons will not be collected from Ormond Yard
43. The licence holder to use the Jermyn Street address on all literature relating to the premises.
44. 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.

45. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
46. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area on Jermyn Street.
47. The premises licence holder shall ensure that any patrons 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
48. 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.
49. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear yellow high visibility armbands and will display the SIA badges prominently.
50. Staff shall clear all empty bottles promptly from any tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
51. An incident log shall be kept at the premises, completed within 24 hours 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. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system or searching equipment or scanning equipment
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.
52. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
53. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
54. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 on the following day.
55. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.

56. 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.
57. Notices shall be prominently displayed at the Jermyn Street exit requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
58. 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.
59. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
60. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
61. There shall be no cinema style screening of films.
62. Door staff dressed in yellow high visibility tabards or jackets, shall ensure safe dispersal of all customers at the premises closure time.
63. 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.

Residential Map and List of Premises in the Vicinity



Premises within 50 metres of: 91 Jermyn Street

p / n	Name of Premises	Premises Address	Licensed Hours
67403	The Cavendish Hotel	81-84 Jermyn Street London SW1Y 6JF	Monday to Saturday; 10:00 - 01:00 Monday to Sunday; 00:00 - 00:00 Sunday; 10:00 - 22:30
14665	Tramp	40 Jermyn Street London SW1Y 6DN	Monday to Sunday; 09:00 - 05:00
16240	The Jermyn Club	6 - 7 Ormond Yard London SW1Y 6JT	Monday to Sunday; 09:00 - 03:30
69777	The Scotch Of St James	Basement And Ground Floor 13 Mason's Yard London SW1Y 6BU	Monday to Saturday; 09:00 - 05:30 Sunday; 09:00 - 03:30
67414	Paxton & Whitfield Ltd	Basement And Ground Floor 93 Jermyn Street London SW1Y 6JE	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00