

Licensing Sub-Committee Report

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| Item No: | |
| Date: | 4 October 2018 |
| Licensing Ref No: | 18/09429/LIPN - New Premises Licence |
| Title of Report: | 40-42 William IV Street London WC2N 4DD |
| 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: | Michelle Steward Senior Licensing Officer |
| Contact details | Telephone: 0207 641 6500 Email: msteward1@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|---|--------------------------------|------------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 10 August 2018 | | |
| Applicant: | Shaftesbury Covent Garden Limited | | |
| Premises address: | 40-42 William IV Street London WC2N 4DD | Ward: | St James's |
| | | Cumulative Impact Area: | West End |
| Premises description: | There premises currently operates as 'Les Deux Salons' which is a restaurant/bar. The premises is currently licensed under reference 15/12087/LIPDPS. This application is for a shadow licence made on the same terms, conditions and plans of existing premises licence 15/12087/LIPDPS. | | |
| Premises licence history: | The premises have been licensed since 2005. The full details of the premises licence history can be found at Appendix 3 of the report. | | |
| Applicant submissions: | Please see Appendix 2 where premises licence 15/12087/LIPDPS is exhibited. | | |

| 1-B Proposed licensable activities and hours | | | | | | | |
|---|------------|-------------|---|----------------------------------|------------|------------|------------|
| 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 | |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | |
| Seasonal variations/ Non-standard timings: | | | These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | |

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|---|------------|-------------|---|---------------------------------|------------|------------|------------|
| Sale by retail of alcohol | | | | On or off sales or both: | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 11:00 | 11:00 | 11:00 | 11:00 | 11:00 | 11:00 | 12:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | |

| | | | | | | | |
|---|------------|-------------------|------------|---------------------------------|------------|------------|------------|
| Recorded Music | | | | On or off sales or both: | | | Indoors |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 11:00 | 11:00 | 11:00 | 11:00 | 11:00 | 11:00 | 12:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | 23:30 | 23:00 |
| Seasonal variations/ Non-standard timings: | | None applied for. | | | | | |

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|---|------------|-------------------|------------|-------------|------------|------------|------------|
| Hours premises are open to the public | | | | | | | |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 |
| End: | 00:30 | 00:30 | 00:30 | 00:30 | 00:30 | 00:30 | 00:30 |
| Seasonal variations/ Non-standard timings: | | None applied for. | | | | | |
| Adult Entertainment: | | Not applicable | | | | | |

2. Representations

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| 2-A | |
| Name: | ████████████████████ |
| Address and/or Residents Association: | ████████████████████ ████████████████████ |
| Received: | 21 August 2018 |
| <p>We are the owners of ██████████ at 40-42 William IV Street, the building above the premises in question.</p> <p>We strongly object to the use of the property below us in William IV Street, formerly called Les Deux Salons, whether it's the basement, ground floor or mezzanine level, as a bar, pub, or any type of drinking establishment.</p> <p>As Les Deux Salons it operated as a restaurant and we personally found no problems.</p> <p>The previous owners however, ran it as a bar (Pitcher & Piano) and it made for dreadful experiences for us, and I believe, all residents of our building.</p> <p>This included:</p> <ul style="list-style-type: none"> - very excessive late night noise from music, shouting, etc. We are on the 4th floor and could make out the content of every song and most shouting, given how loud it was (we often complained and nothing was ever done about it); - plenty of cigarette smoke coming up and into our flat, forcing us to close our living room windows. In hot summer nights, this meant we were forced to put up with extremely uncomfortable conditions in our own home; - the countless times we opened our ground floor access door in the mornings to pools of vomit and urine - needless to say, this was absolutely revolting. | |

For the above stated reasons, it was a relief when the previous owners left and the property became a restaurant, of good level, only. For the same reasons, we object to it ever becoming a bar again, if any respect for the local residents and community is to be had.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

| | |
|-----------------------------|--|
| Policy CIP1 applies: | <p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p> |
| Policy PB2 applies: | It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1. |
| Policy HRS1 applies: | <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u></p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u></p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> |

4. Equality Implications

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

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

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

5. Appendices

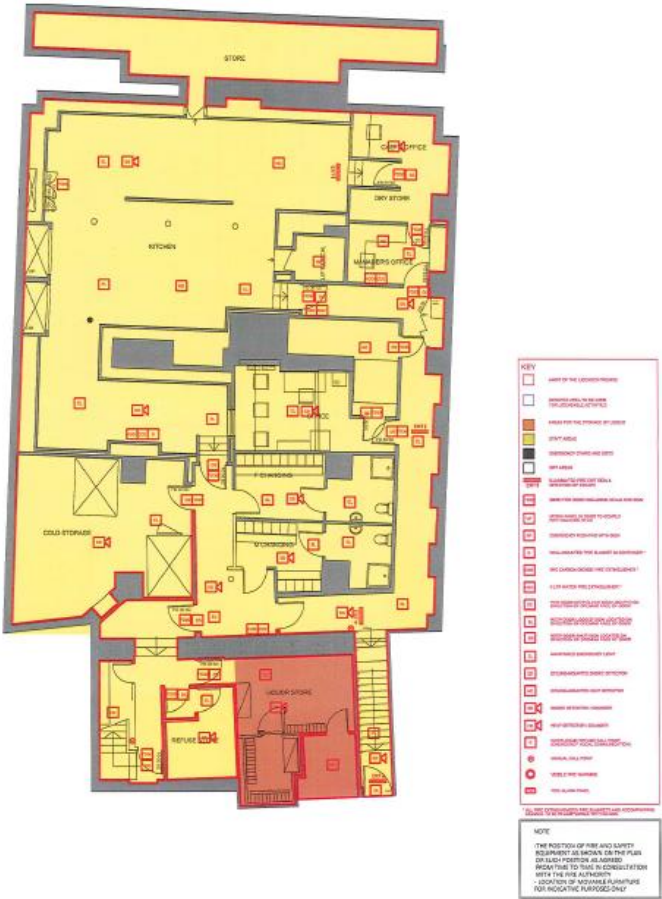
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| Appendix 1 | Premises plans |
| Appendix 2 | Applicant supporting documents |
| Appendix 3 | Premises history |
| Appendix 4 | Proposed conditions |
| Appendix 5 | Residential map and list of premises in the vicinity |

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| Report author: | Michelle Steward Senior Licensing Officer |
| Contact: | Telephone: 0207 641 6500 Email: msteward1@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 | Resident representation | 21 August 2018 |



01 GROUND FLOOR PLAN

| | | | | | | | | | | |
|-----------------------------------|--|---|---|---------------------|--------------------|-------------|---------------|------|---------------------------------|------------------------------------|
| Project Les Deux Salons | Client L'Espresso (Les Deux Salons) Ltd 100-105 Tottenham Court Road London W1P 0LP Tel: 020 7497 0200 www.l'espresso.com | SPIN architecture design&interiors 45 Market Street 107W 1RD London Tel: 020 7497 0200 | Architect PRESCOTT & CONRAN | Scale 1:100 | Date 12/03/2014 | Drawn AK | Check Date | | Notes 1:150 1:100 1:50 | L01/R GROUND FLOOR LICENSING |
| | | | | Number 2014_A002 | Rev 01 | | By | Date | | |



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

Schedule 12
Part A

WARD: St James's
UPRN: 010033572178

Premises licence

Regulation 33, 34

| | |
|--------------------------|-----------------|
| Premises licence number: | 15/12087/LIPDPS |
| Original Reference: | 05/10158/LIPN |

Part 1 – Premises details

Postal address of premises:

Les Deux Salons
Ground
40 - 42 William IV Street
London
WC2N 4DD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

| | |
|----------------------------------|----------------|
| Playing of Recorded Music | |
| Monday to Saturday: | 11:00 to 23:30 |
| Sunday: | 12:00 to 23:00 |
| Late Night Refreshment | |
| Monday to Saturday: | 23:00 to 23:30 |
| Sale by Retail of Alcohol | |
| Monday to Saturday: | 11:00 to 23:30 |
| Sunday: | 12:00 to 22:30 |

The opening hours of the premises:

Monday to Sunday: 10:00 to 00:30

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:

William IV Street Limited
Westbury 2nd Floor
145 - 157 St John Street
London
EC1V 4PY

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

09276067

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

Name: Peter Prescott

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: LBH-PER-0559
Licensing Authority: London Borough Of Hackney

Date: 27th January 2016

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

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. A noise limiter located in a separate and remote lockable cabinet from the volume control 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's Community Protection Department 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 to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
11. 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.
12. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
13. 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.
14. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
15. The certificates listed below shall be submitted to the Council annually.
 - i. Any emergency lighting battery or system
 - ii. Any electrical installation
 - iii. Any fire alarm system
16. 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.
17. No changes shall be made to the approved layout of the premises without the consent of the Council.
18. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
19. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
20. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

22. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
23. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
24. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
25. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
26. Ventilation ducting and shafts generally shall be maintained in a clean condition.
27. Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
28. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.
29. Grease filters in extract ventilation hoods in kitchens and serveries shall be regularly cleaned e.g. weekly.
30. Any special effects or mechanical installations shall be arranged 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 7 days prior notice being given to the Council where consent has not previously been given.
 - i dry ice and cryogenic fog
 - ii smoke machines and fog generators
 - iii pyrotechnics including fire works
 - iv firearms
 - v lasers
 - vi explosives and highly flammable substances.
 - vii real flame.
 - viii Strobe lighting.
31. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
32. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
33. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
34. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
35. At the close of business each day the premises are open for the purposes of the licence the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its' junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
36. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

37. Rubber pads that will prevent noise nuisance arising from the movement of furniture shall be installed and maintained under the feet of the legs of all tables and chairs within the premises.
38. Cleaning is not to take place at the premises before 06:00.
39. 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.
40. The sale of alcohol and provision of late night refreshment is allowed from the end of permitted hours on New Year's Eve to the commencement time for those activities on New Year's Day.
41. The number of persons permitted in the premises at any one time shall not exceed:
Ground floor 120
First floor 110.
42. All windows and external doors 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.
43. 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.
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 preceding 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. 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.
46. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
47. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
48. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033572178

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/12087/LIPDPS

Part 1 – Premises details

Postal address of premises:

Les Deux Salons
Ground
40 - 42 William IV Street
London
WC2N 4DD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

| | |
|----------------------------------|----------------|
| Playing of Recorded Music | |
| Monday to Saturday: | 11:00 to 23:30 |
| Sunday: | 12:00 to 23:00 |
| Late Night Refreshment | |
| Monday to Saturday: | 23:00 to 23:30 |
| Sale by Retail of Alcohol | |
| Monday to Saturday: | 11:00 to 23:30 |
| Sunday: | 12:00 to 22:30 |

The opening hours of the premises:

Monday to Sunday: 10:00 to 00:30

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:

William IV Street Limited
Westbury 2nd Floor
145 - 157 St John Street
London
EC1V 4PY

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

09276067

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

Name: Peter Prescott

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

Restricted

Date: 27th January 2016

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

Licence & Appeal History

| Application | Details of Application | Date Determined | Decision |
|--------------------|---|------------------------|------------------------------------|
| 05/10158/LIPN | New Premises licence application | 24.11.2005 | Granted by Licensing Sub-Committee |
| 05/12335/LIPDPS | Application to vary the Designated Premises Supervisor. | 08.12.2005 | Granted under Delegated Authority |
| 06/00904/LIPDPS | Application to vary the Designated Premises Supervisor. | 09.02.2006 | Granted under Delegated Authority |
| 07/02384/LIPT | Application to transfer the premises licence from Pitcher & Piano Ltd to Marston's PLC. | 04.07.2007 | Granted under Delegated Authority |
| 07/10545/LIPDPS | Application to vary the Designated Premises Supervisor. | 21.12.2007 | Granted under Delegated Authority |
| 06/04924/WCCMAP | Master licence | | |
| 08/08516/LIPV | Application to vary the premises licence. The variation sought changes to the layout of the premises. | 18.11.2008 | Granted under Delegated Authority |
| 10/01893/LIPT | Application to transfer the premises licence from Marston's PLC to Arbutus Restaurants Limited. | 08.04.2010 | Granted under Delegated Authority |
| 10/01896/LIPDPS | Application to vary the Designated Premises Supervisor. | 08.04.2010 | Granted under Delegated Authority |
| 10/05703/LIPVM | Application for a minor variation that sought changes to the layout of the premises. | 19.08.2010 | Granted under Delegated Authority |
| 14/11131/LIPT | Application to transfer the premises licence from Arbutus Restaurants Limited to William IV Street Limited. | 06.02.2015 | Granted under Delegated Authority |

| | | | |
|-----------------|--|------------|------------------------------------|
| 14/11139/LIPDPS | Application to vary the Designated Premises Supervisor. | 06.02.2015 | Granted under Delegated Authority |
| 15/02298/LIPV | Application to vary the premises licence. The variation sought changes to the layout of the premises and to extend the terminal hour for all licensable activities | 21.05.2015 | Granted by Licensing Sub-Committee |
| 15/02493/LIPDPS | Application to vary the Designated Premises Supervisor. | 07.07.2015 | Granted under Delegated Authority |
| 15/12087/LIPDPS | Application to vary the Designated Premises Supervisor. | 27.01.2016 | Granted under Delegated Authority |

There is no appeal history

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

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

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

Conditions consistent with the operating schedule

9. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. A noise limiter located in a separate and remote lockable cabinet from the volume control 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's Community Protection Department 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 to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
11. 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.
12. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
13. 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.
14. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and

mechanical equipment, shall at all material times be maintained in good condition and full working order.

15. The certificates listed below shall be submitted to the Council annually.
 - i. Any emergency lighting battery or system
 - ii. Any electrical installation
 - iii. Any fire alarm system
16. 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.
17. No changes shall be made to the approved layout of the premises without the consent of the Council.
18. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
19. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
20. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
22. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
23. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
24. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
25. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
26. Ventilation ducting and shafts generally shall be maintained in a clean condition.
27. Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
28. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.

29. Grease filters in extract ventilation hoods in kitchens and serveries shall be regularly cleaned e.g. weekly.
30. Any special effects or mechanical installations shall be arranged 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 7 days prior notice being given to the Council where consent has not previously been given.
 - i dry ice and cryogenic fog
 - ii smoke machines and fog generators
 - iii pyrotechnics including fire works
 - iv firearms
 - v lasers
 - vi explosives and highly flammable substances.
 - vii real flame.
 - viii Strobe lighting.
31. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
32. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
33. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
34. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
35. At the close of business each day the premises are open for the purposes of the licence the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its' junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
36. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
37. Rubber pads that will prevent noise nuisance arising from the movement of furniture shall be installed and maintained under the feet of the legs of all tables and chairs within the premises.
38. Cleaning is not to take place at the premises before 06:00.
39. 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.
40. The sale of alcohol and provision of late night refreshment is allowed from the end of permitted hours on New Year's Eve to the commencement time for those activities on New Year's Day.

41. The number of persons permitted in the premises at any one time shall not exceed:

Ground floor 120
First floor 110.

42. All windows and external doors 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.
43. 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.
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 preceding 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. 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.
46. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
47. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
48. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

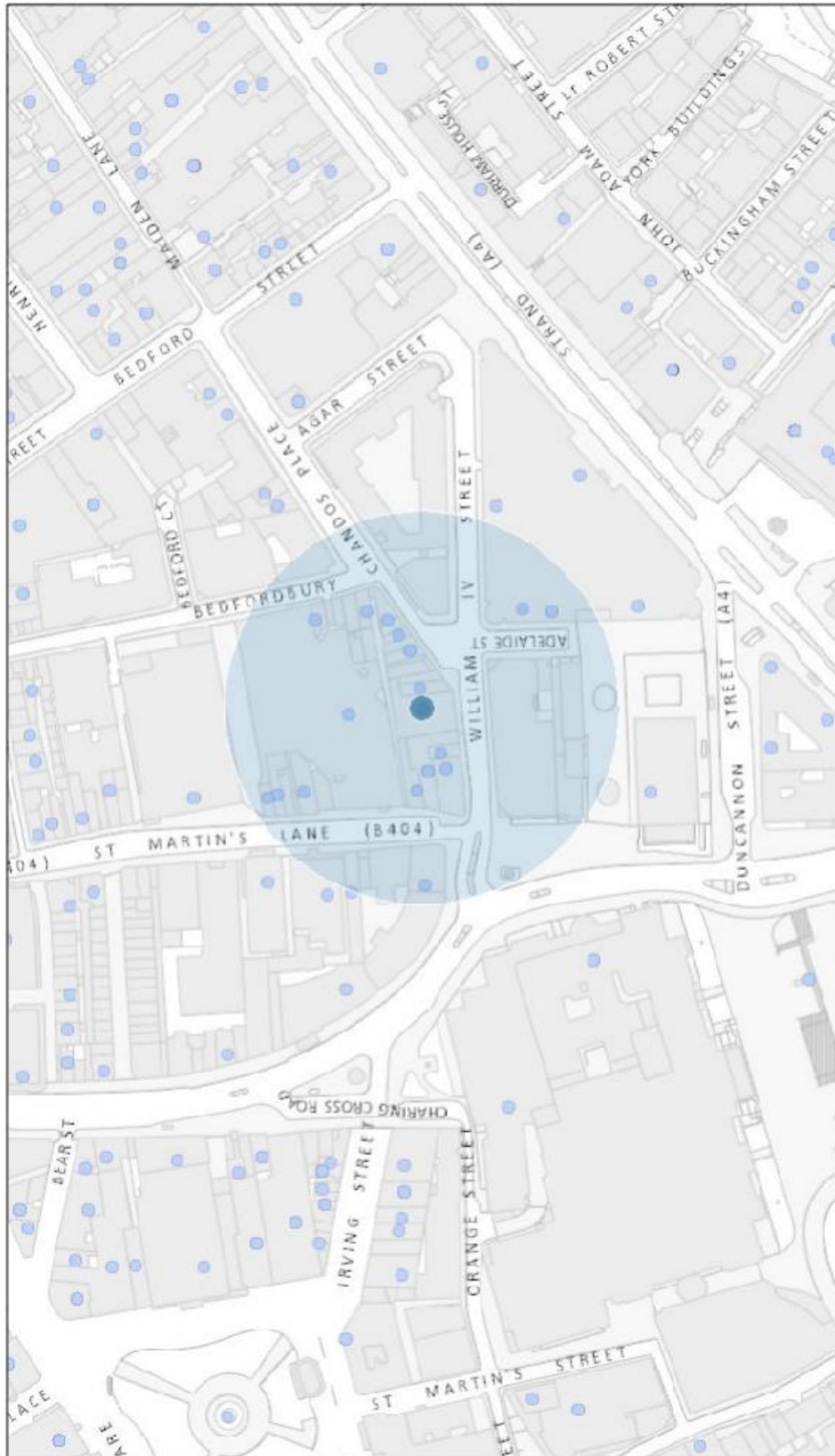
Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

40-42 William IV Street



September 25, 2018
● Live Licensing Act



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Resident count = 42

Premises within 75 metres of 40-42 William IV Street

| Licence Number | Trading Name | Address | Premises Type | Time Period |
|-----------------------|----------------------------|--|----------------------------------|---|
| 15/12087/LIPDPS | Les Deux Salons | Ground 40 - 42 William IV Street London WC2N 4DD | Restaurant | Monday to Sunday; 10:00 - 00:30 |
| 17/08693/LIPT | Hazuki Japanese Restaurant | Basement And Ground Floor 43 Chandos Place London WC2N 4HS | Restaurant | Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 |
| 16/03895/LIPDPS | Rosetta | Basement And Ground Floor 38 William IV Street London WC2N 4DD | Cafe | Monday to Saturday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 |
| 17/07701/LIPDPS | Harp Public House | 47 Chandos Place London WC2N 4HS | Public house or pub restaurant | Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00 |
| 18/05907/LIPDPS | Bancone | 39 William IV Street London WC2N 4DD | Restaurant | Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 |
| 16/12993/LIPN | Not Recorded | 30 St Martin's Lane London WC2N 4ER | Restaurant | Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 |
| 18/02595/LIPT | The Chandos Public House | 29 St Martin's Lane London WC2N 4ER | Pub or pub restaurant with lodge | Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00 |
| 16/08352/LIPV | English National Opera | London Coliseum 32 - 35 St Martin's Lane London WC2N 4ES | Theatre | Monday to Sunday; 09:00 - 00:00 |
| 06/04687/WCCMAP | The 2 Brydges Club | 2 Brydges Place London WC2N 4HP | Club or institution | Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 23:00 |
| 11/08058/LIPDPS | Notes Music And Coffee | 31 St Martin's Lane London WC2N 4ER | Cafe | Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 |

| | | | | |
|-----------------|-----------------------------|---|--------------------------------|---|
| 16/04272/LIPDPS | The Marquis | 51-52 Chandos Place London WC2N 4HS | Public house or pub restaurant | Monday to Thursday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sunday; 12:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00 |
| 06/08668/WCCMAP | Thai Pot Restaurant | 1 Bedfordbury London WC2N 4BP | Restaurant | Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 |
| 17/10257/LIPCH | The Lemon Tree Public House | 4 Bedfordbury London WC2N 4BP | Public house or pub restaurant | Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00 |
| 13/03410/LIPN | Barrafina | 10 Adelaide Street London WC2N 4HZ | Restaurant | Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 |
| 16/09313/LIPDPS | San Carlo Fumo | Basement And Ground Floor 37 St Martin's Lane London WC2N 4ER | Restaurant | Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00 New Year's Eve; 07:00 - 06:59 |
| 16/12336/LIPDPS | Tandoor Chop House | 8 Adelaide Street London WC2N 4HZ | Restaurant | Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 |
| 15/02806/LIPN | La Roche Cafe | 39 St Martin's Lane London WC2N 4ER | Cafe | Monday to Sunday; 08:00 - 23:00 |
| 18/07723/LIPDPS | Prezzo | Ground 10 St Martin's Place London WC2N 4JL | Wine bar | Monday to Saturday; 09:00 - 02:30 Sunday; 09:00 - 23:00 |

| | | | | |
|-----------------|-----------------|--|------|--|
| 15/00994/LIPDPS | Cafe St Martins | 40 St Martin's Lane London WC2N 4ER | Shop | Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 |
|-----------------|-----------------|--|------|--|