

Licensing Sub-Committee Report

Item No:	
Date:	25 October 2018
Licensing Ref No:	18/07713/LIPN - New Premises Licence
Title of Report:	University of Westminster 4-12 Little Titchfield Street London W1W 7UW
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	28 June 2018		
Applicant:	University Of Westminster The Court Of Governors		
Premises:	University of Westminster		
Premises address:	4-12 Little Titchfield Street London W1W 7UW	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	<p>Situated within the premises is the University's School of Law. The applicant proposes to licence three areas within the Ground and Lower Ground Floors; specifically Portland Hall, Lecture Theatre G.03 and a Refectory.</p> <p>The applicant proposes to hire out these areas for both external events and private events for staff and students of the University.</p>		
Premises licence history:	This is an application for a new premises licence and as such there is no licence history.		
Applicant submissions:	The applicant's submissions can be found at Appendix 2 of the report.		
Note:	<p>The applicant had previously applied to permit Late Night Refreshment Monday to Sunday from 23:00 to 01:00. The applicant has amended the terminal hour for Late Night Refreshment on Monday to Sunday to 00:00.</p> <p>The application was originally scheduled to be heard on 8th September 2018. However, the application was adjourned and relisted to 25th October 2018.</p>		

1-B Proposed licensable activities and hours							
Regulated Entertainment							
Performance of a Play; Performance of Dance; Exhibition of Film; Performance of Live Music; Playing of Recorded Music; and Anything of a similar description				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:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		<p>Sunday's immediately before a bank holiday: 09:00 – 00:00</p> <p>The premises may provide the authorised licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.</p>					

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:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			The premises may remain open for the provision of late night refreshment from 23:00 on New Year's Eve to 05:00 on New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			Sunday's immediately before a bank holiday: 09:00 – 00:00 The premises may provide the authorised licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	N/A	N/A	N/A
End:	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Seasonal variations/ Non-standard timings:			The premises are not open to the general public. The University's 24 hours Security Team or Receptions require advance notice of visitors and guest lists for both internal and third party events.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	11 July 2018

I refer to the application for a new Premises Licence for the above mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.

The applicant is seeking the following licensable activities:

- 1. Performance of Dance “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 2. Exhibition of a Film “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 3. Performance of Live Music “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 4. Playing of Recorded Music “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 5. Anything of a similar description to Live Music, Recorded Music or Performance of Dance “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day

Year's Eve to the start of authorised hours on New Year Day

6. Performance of a Play "Indoors" at the following times

Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year's Eve – Licenced hours extended from the end of authorised hours on New Year's Eve to the start of authorised hours on New Year Day

7. Late Night Refreshment "Indoors" at the following times

Monday to Sunday: 23:00 to 01:00 hours
New Year Eve 23:00 to 05:00 hours on New Year's Day

8. Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30 hours
Friday to Saturday: 10:00 to 00:00 hours
Sunday: 12:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year's Eve – Licenced hours extended from the end of authorised hours on New Year's Eve to the start of authorised hours on New Year Day

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

1. The performance of dance and the hours requested to perform dance would have the likely effect of causing an increase in Public Nuisance within the area
2. Exhibition of films and the hours requested would have the likely effect of causing an increase in Public Nuisance within the area
3. The performance of live music and the hours requested to perform live music would have the likely effect of causing an increase in Public Nuisance within the area
4. The playing of recorded music and the hours requested to play recorded music would have the likely effect of causing an increase in Public Nuisance within the area
5. The hours requested for anything of a similar description to Live Music, Recorded Music or Performance of Dance would have the likely effect of causing an increase in Public Nuisance within the area
6. The performance of play and the hours requested to perform play would have the likely effect of causing an increase in Public Nuisance within the area
7. The provision of late night refreshment and the hours requested to perform LNR would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
8. The supply of alcohol and the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant has provided conditions in support of the application. These are being considered but they do not fully address the concerns of Environmental Health. Additional conditions may be proposed.

It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of

Public Nuisance and Public Safety.

The following conditions have been proposed by the Environmental Health Service:

1. There shall be no supply of alcohol and provision of late night refreshment otherwise than to persons attending pre-booked events at the premise.
2. Security staff or Stewards shall assist with the departure of guests or attendees from events and encourage them to depart quietly and safely from the premises and the area.
3. All exit points from the premises shall be manned for the duration of any events until 60 minutes after licensable activities have ceased.
4. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
5. During events, the Premises Licence Holder shall ensure that there is at least one security officer or steward for every 100 patrons (or part thereof) to manage the effective dispersal of guests from the premises until all guests have left.
6. The Premises Licence Holder shall ensure that any queue to enter the premises which forms outside of the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway. Any queue shall be restricted to the Little Titchfield Street.
7. All guests or attendee's at an event (excluding members of staff) shall vacate the premises within 60 minutes after the terminal hour for licensable activities.
8. During licensable activities, customers **shall NOT** enter or leave the premises from the Riding House Street entrances except in the event of an emergency.
9. 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, Premises Management 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.
10. 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.
11. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be restricted to the Little Titchfield Street.

13. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
14. 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.
15. A dedicated telephone number for the designated premises supervisor or event manager shall be maintained to be used by any one person who may wish to make a complaint during the operation of events which shall be provided to the Local Authority; interested residents and local businesses and ward councillors. Any changes in the number should be notified to those parties within 7 days of the change.
16. A log should be kept of all complaints received by the premises in relation to events, whether through the dedicated telephone number or by other means. The log shall be available for inspection by Council Officers at all times when the premises are open to the public.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
20. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
21. 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.
22. 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.
23. 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.
24. 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.
25. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
26. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
27. The edges of the treads of steps and stairways shall be maintained so as to be

conspicuous.

28. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
29. No licensable activities shall take at the premises until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the capacity so determined has replaced this condition on the Licence. The capacity shall not exceed 530 persons excluding staff.

On 29th August the Environmental Health Service provided a complaint history associated with the premises as detailed below:

Complaint history ref. 18/07713/LIPN, University Of Westminster, 4-12 Little Titchfield Street

Date & Time	Complaint	Outcome/officer comment
07.03.2014 23:16	Large group of at least 50 people outside university of Westminster making a lot of noise for the past hour	Was 15-20 x students standing o/s front of building, on pavement, talking. street otherwise vacant and quiet. went in, spk to security on reception. he just started his shift, but confirmed that was an event earlier this eve which finished around 22.30 hrs. said are no specific door staff provided. but are 3 x security staff - 1 x reception, 1 x library, and 1 x mobile in building. noted that is signage by exit doors reqstng that students keep quiet as leave at night. poor control of students on external frontage.

Responsible Authority: Metropolitan Police Service (**Withdrawn**)

Representative: PC Bryan Lewis

Received: 24 July 2018

Our objection relates to the following:

- Insufficient licence conditions addressing the prevention of crime and disorder
- More information is required to properly assess the effect of this application

On 2nd August 2018 the Metropolitan Police Service made the following comments and proposed the following conditions:

Further to my representation. Why are you seeking 01:00 for late night refreshment therefore beyond WCC core hours? When I spoke to Alex during our meeting at the premises, he seemed unaware of your proposed timings for LNR

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light

condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
3. 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.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
5. 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.
6. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, as licensed premises, shall be displayed outside the premises.

On 7th August the applicant responded as follows:

Further to your emails of 20 August 2018, I have taken instructions and confirm that the applicant is content with the proposed police conditions.

In regards to the request for late night refreshment, I am advised that this was sought as a provision just in case the University should ever want it. The University is comfortable in reducing the hours to midnight. I am further advised that the University advises those hiring the building that it shuts at 23:00. As such, any late nights will be an exception.

Should you require additional information, please do not hesitate to contact me.

Following the agreement of condition the Metropolitan Police Service have withdrawn their representation.

2-B Other Persons	
Resident representation 1	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	17 July 2018
<p>1. Any entrance/exit in Riding House Street will have a marked effect on my quality of life as it is bound to increase footfall, and congregation, of revellers in Middleton Place.</p> <p>2. I am within 25 metres of such entrance/exit and so the process of notice has either not been followed or is flawed, as I have not been served notice to my address, yet it will be a substantial change for me and my family (see 1).</p> <p>3. Playing music/dance/recorded music are inappropriate in a high density and partly residential area and I do not see the need for them in an educational establishment. If they can't make ends meet without this commercialism maybe they should cease their educational business. Have the Council looked at the University's books?</p> <p>4. The closing times are far too late and are much later I believe than other premises in the area, and we would get noise from the performances and from any people exiting onto Riding House Street.</p> <p>4. The Westminster Local Plan does not make clear the policy for balancing residents interests with commercial interests. This is the democratic thing to do. In the absence of any policy surely you should by default maintain the current status quo, i.e. no major changes to any current licence.</p> <p>5. We have had a number of licence requests that seem to be try-ons. By putting a statement in the Local Plan, business would see that you have criteria and businesses could tailor their application to those criteria rather than squeeze as much past residents as possible.</p> <p>6. In constructing a statement for the Local Plan please note that it is in the interests of business that not all areas of London should become Ibiza-on-Thames. It would not be good for the city or Westminster.</p> <p>7. I can see that businesses are now paying higher rates, but the Council should not feel that they have to increase the latitude of the licence (e.g. by giving away pavement space, and, as in this case, extending drinking time) as a quid pro quo.</p>	
Resident representation 2	
Address and/or Residents Association:	[REDACTED]
Received:	24 July 2018
<p>Our association has a number of concerns about this application and in particular the late hours applied for. We are particularly concerned about the use of Riding House Street as an entrance and exit to the venue for licensed activities. As a very minimum we would like to see a condition that doors on Riding House Street are not used except as an emergency exit. We are concerned to prevent noise nuisance to the great number of residents in the Riding House Street area.</p> <p><i>On 30th August 2018 further comments were made by the Fitzrovia Neighbourhood Association as follows:</i></p>	

I would like to attend and speak at this hearing on behalf of our association and would also like Mr Richard Brown of Westminster CAB to represent me and my association at the hearing.

I would also like the following email from local residents to be included as part of my submission to support our concerns about this application.

From: Middleton Place Residents Association

Sent: 27 July 2018 11:45

Subject: Application Reference: 18/07713/LIPN

Dear Sir/Madam,

Application Reference: 18/07713/LIPN, University Of Westminster The Court Of Governors, 4-12 Little Titchfield Street, London, W1W 7UW

Residents Group Objection

I write on behalf of all the neighbours of Middleton Place who are unanimously against this application. None of us received notice of this application from the Council despite being well within 25 metres of the proposed exit on Riding House Street. I suspect this is because the application misleadingly gives Little Titchfield Street as the address of the application.

Middleton Place is a pedestrian walkway consisting of 12 residential properties (Numbers 1-12 Middleton Place, some of which are multi-tenanted). Any one leaving the proposed premises and walking north would choose Middleton Place as their route.

It would be unacceptable to subject residents to the late-night noise that would accompany people leaving the premises after the proposed the serving of refreshments until 1am, seven-days a week. Noise levels would undoubtedly be further exacerbated by the proposed supply of alcohol until 11:30pm Mon-Thu, midnight Fri & Sat and 10:30pm on Sundays. And although I hate to say it because I was once a university student myself (and I have a daughter who is currently one), the mix of alcohol, late-night entertainment and students would be a recipe for a lot of noise.

The Licencing Team has always been helpful and understanding of Middleton Place resident's need to get a full night's sleep. Last year, thanks to your involvement, we were able to enter into a voluntary agreement with the Yorkshire Grey pub (on the junction of Langham Street and Middleton Place) that no drinks would be consumed outside the premises after 10:30pm. The pub has enforced this agreement and it has made a wonderful improvement to our quality of life. Please do not destroy all that good work by allowing this application.

Thank you,

Middleton Place Residents Association

Resident representation 3	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	14 July 2018
<p>I understand that this application refers to Riding House Street as the entrance/exit - directly opposite the entrance to Middleton Place.</p> <p>The inevitable prospect of much noise and disruption day and late night to this confined residential conservation area, which already has a noisy public house at the Langham Street end, would largely destroy the amenity of Middleton Place.</p> <p>Would the applicant please reconsider the placing of the entrance/exit and move this to the less residential Little Titchfield Street.</p>	
Resident representation 4	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	26 July 2018
<p>I support the request of the Fitzrovia Neighbourhood Forum that restricts the use of the entrance and exit to Riding House Street to the venue for licensed activities only, including for back of house and for use in emergencies only. The doors to the venue and bar should have double sound proofing so that there is no noise leakage. Riding House Street contains a number of residential properties and this will prevent a loss of amenity caused by noise disturbance on Riding House Street. For this reason, the doors to Riding House Street should only be used as a secondary means of escape (if required).</p>	
Resident representation 5	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	23 July 2018
<p>I strongly object to this licence application on the grounds of the disturbance it will cause to the residents of Riding House Street, Little Titchfield Street and Middleton Place.</p> <p>Performances in the theatre will cause noise pollution to all the people living in these streets.</p> <p>There is no doubt that inconsiderate smokers will continue to pollute the air and litter the streets with their butts, and they and others will resort to noisy conversations on these narrow, quiet streets making life intolerable for residents late into the night. We in Little Titchfield Street have complained many times to Westminster City Council and The University of Westminster about the disturbance outside our apartment block caused by students smoking and shouting throughout the night when the University library operates during most of the day and night. This licence will only aggravate these problems to an already unsatisfactory situation.</p> <p>Further, the licencing of refreshments and alcohol late into the night is particularly concerning because it would result in extended pollution and noise from smokers and drinkers on the streets into the night and the early hours of the morning. The effect of alcohol on people brings another layer of complexity and neither resident nor University security staff are prepared to intervene - having lived on Little Titchfield Street for many years, I have no faith</p>	

in the University's ability to prevent disturbance now let alone the possibility of preventing it in the future when fuelled by alcohol (should the licence be granted). The University has form in not being able to prevent disturbance as time and time again having complained directly to them about disturbance, they've investigated and reverted apologising saying they will remind/train their security staff; evidence of their inability to prevent disturbance - even without alcohol being involved.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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> 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 provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PVC1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy MD1 applies	It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy COMB1 applies	<p>(i) Where a premises proposes to operate as a 'combined use premises' applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1, CH1, CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1 & PB2, FFP1 & FFP2, MD1 & MD2.</p>
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 FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.
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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	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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

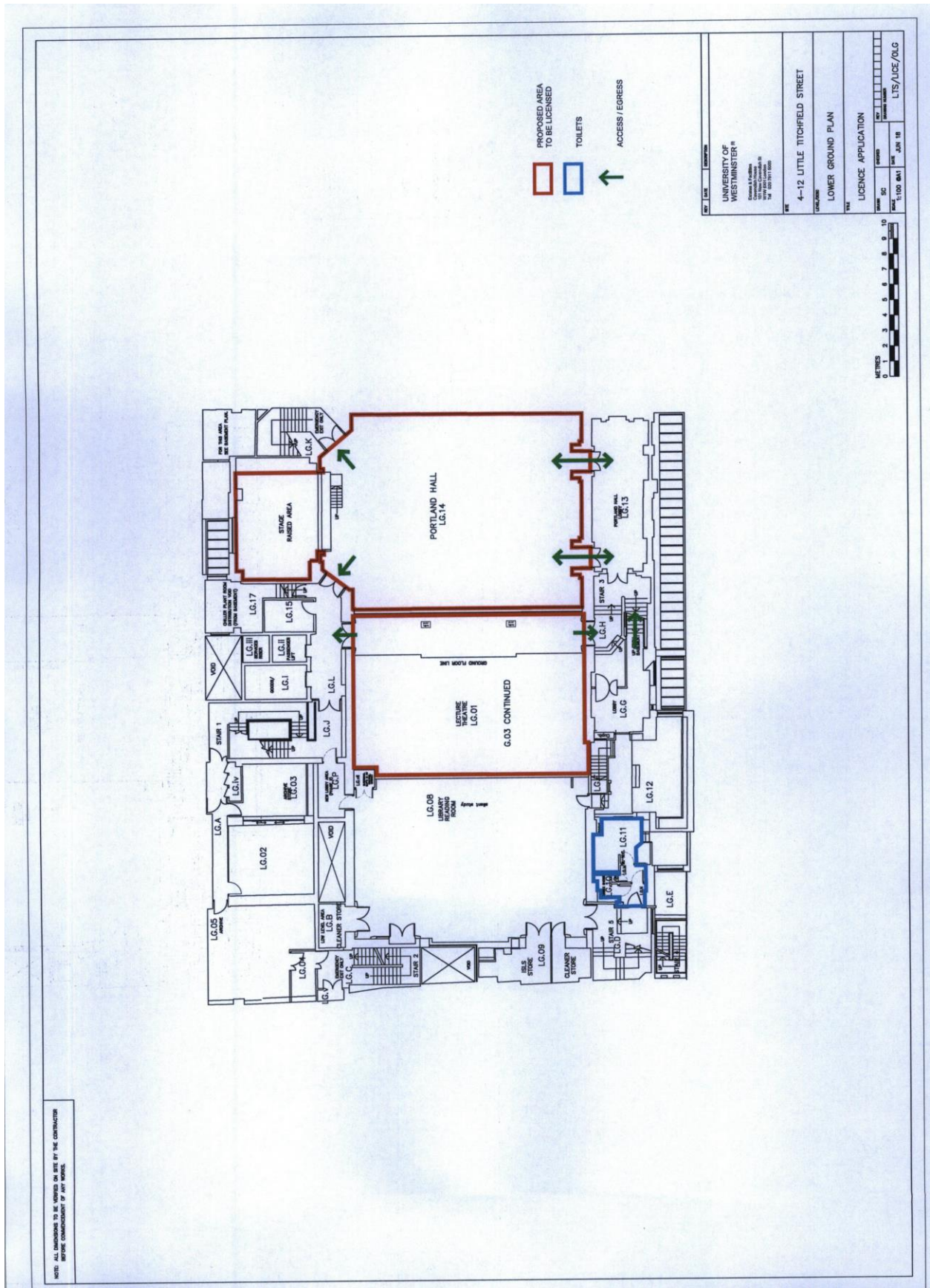
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

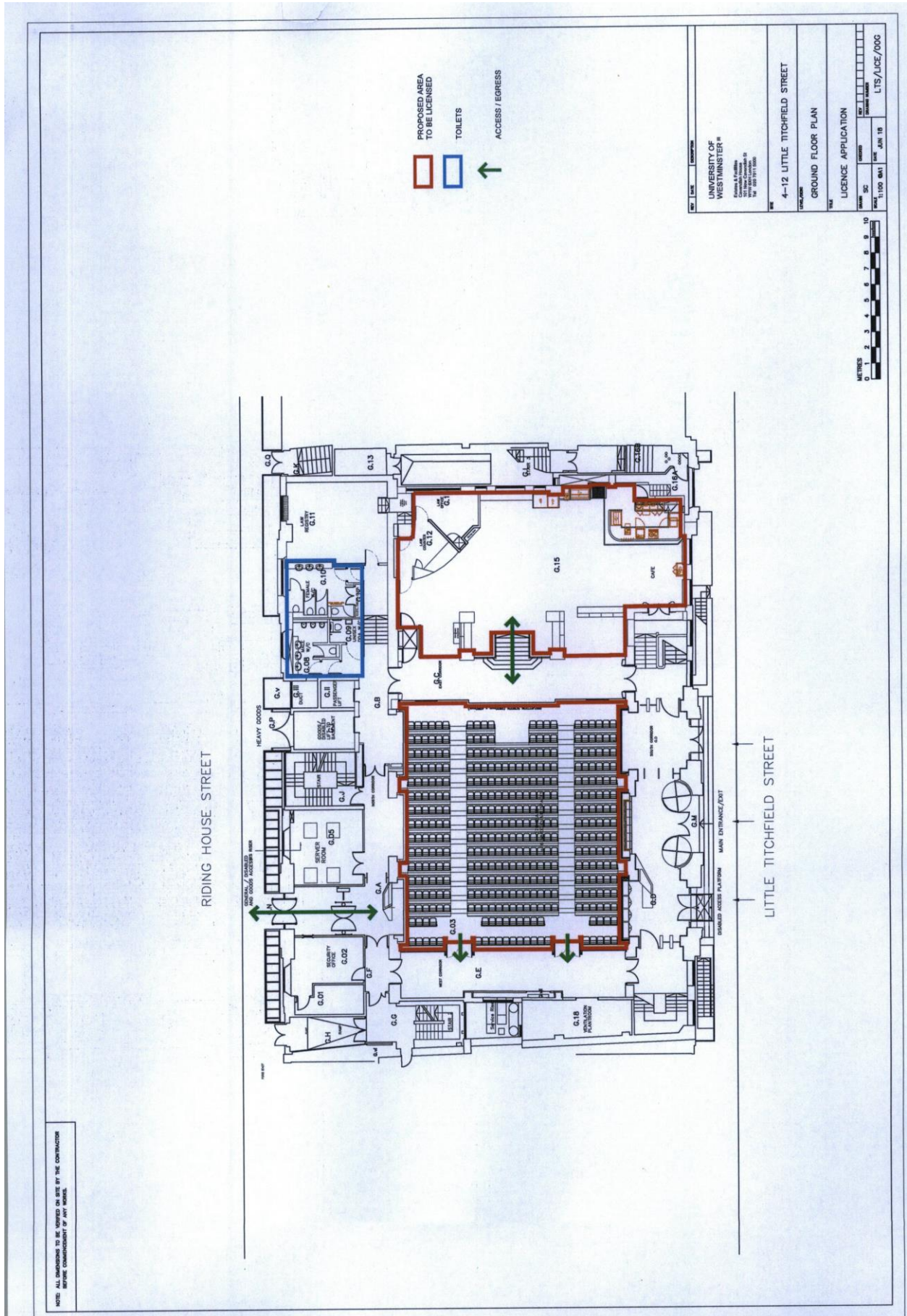
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	11 July 2018
5	Metropolitan Police representation (Withdrawn)	24 July 2018
6	Resident representation 1	17 July 2018
7	Resident representation 2	24 July 2018

8	Resident representation 3	14 July 2018
9	Resident representation 4	26 July 2018
10	Resident representation 5	23 July 2018

Lower Ground Floor



Ground Floor



The premises is used for educational purposes. The University's School of law is situated within the premises. There are three distinct areas within the Ground and Lower Ground Floors to be licensed being Portland Hall which is a performance hall, the adjoining Lecture Theatre G.03 and a Refectory.

These areas are let to external hirers for private events through the University's Commercial Services Team. The University also holds private events for staff and students of the University in these areas, such as seminars, lectures and some theatrical performance, all of which may or may not have alcohol available and occasional regulated entertainment as part of the event.

The majority of the events are conference or lecture based but there are occasional amateur dramatic shows performed by students and staff societies affiliated with the University.

Portland Hall and the G.03 Lecture Theatre are both popular facilities that are hired to external clients which are respected businesses hosting conferences. It is common for the Refectory to support both locations for hospitality purposes on such events but it is primarily used as a coffee shop during normal business hours.

Premises History

Appendix 3

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.

Conditions consistent with the operating schedule

9. Alcohol will not be stored on the premises. All alcohol is brought from the University's wine cellar in Regent Street. The store is locked and under the control of the Catering Manager.

10. All events will be pre-planned and with a full guest list for both internal and third party events.
11. A risk assessment will be carried out for all events to ensure safety of attendees and staff.

Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the Operating Schedule

12. There shall be no supply of alcohol and provision of late night refreshment otherwise than to persons attending pre-booked events at the premise.
13. Security staff or Stewards shall assist with the departure of guests or attendees from events and encourage them to depart quietly and safely from the premises and the area.
14. All exit points from the premises shall be manned for the duration of any events until 60 minutes after licensable activities have ceased.
15. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
16. During events, the Premises Licence Holder shall ensure that there is at least one security officer or steward for every 100 patrons (or part thereof) to manage the effective dispersal of guests from the premises until all guests have left.
17. The Premises Licence Holder shall ensure that any queue to enter the premises which forms outside of the premises is orderly and supervised by security staff or stewards to ensure that there is no public nuisance or obstruction to the public highway. Any queue shall be restricted to the Little Titchfield Street.
18. All guests or attendee's at an event (excluding members of staff) shall vacate the premises within 60 minutes after the terminal hour for licensable activities.
19. During licensable activities, all guest and attendees (excluding members of staff) shall not enter or leave the premises from the Riding House Street entrance except in the event of an emergency.
20. 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.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited so far as is possible to 15 persons at any one time.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be restricted to the Little Titchfield Street.
23. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
24. 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.

25. A direct telephone number for the premises shall be publicly available at all times the premises are open.
26. A log should be kept of all complaints received by the premises in relation to events, whether through the dedicated telephone number or by other means. The log shall be available for inspection by Council Officers at all times when the premises are open to the public.
27. For each event, the Premises Licence Holder shall ensure that there is an Event Management Plan to include, but not limited to: Noise Management Plan; Customer Dispersal Policy and Security & Stewarding arrangement. Such plan shall be kept on the premises and made available immediately upon the request of Police or authorised officer during and up to 31 days after the event
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
30. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
31. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
32. 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.
33. 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.
34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

40. No licensable activities shall take at the premises until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the capacity so determined has replaced this condition on the Licence. The capacity shall not exceed 530 persons excluding staff.

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

41. 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.
42. 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 required.
43. 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.
44. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
45. 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.
46. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, as licensed premises, shall be displayed outside the premises.

University of Westminster, 4-12 Little Titchfield Street



August 23, 2018

1:1,250
0 0.01 0.02 0.04 mi
0 0.015 0.03 0.06 km
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Resident count: 127

Premises within 75 metres of University of Westminster, 4-12 Little Titchfield Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/03941/LIPDPS	Riding House Cafe	43 Great Titchfield Street London W1W 7PQ	Restaurant	Monday to Thursday; 09:30 - 00:00 Friday to Saturday; 09:30 - 01:00 Sunday; 12:00 - 23:30 Sundays before Bank Holidays; 12:00 - 00:00
16/07226/LIPDPS	Assorti	14 Riding House Street London W1W 7EB	Restaurant	Monday to Sunday; 12:00 - 23:00
06/06856/WCCMAP	Harris Delicatessen	41 Great Titchfield Street London W1W 7PF	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
16/06113/LIPN	Fashion And Media News	39 Great Titchfield Street London W1W 7PF	Shop (large)	Monday to Tuesday; 08:00 - 21:00 Wednesday; 08:00 - 22:00 Thursday to Friday; 08:00 - 23:00 Saturday; 10:00 - 19:00
17/06354/LIPN	Engine Partners UK Ltd	60 Great Portland Street London W1W 7RT	Office	Not Recorded; XXXX - XXXX
12/07336/LIPN	The Sweet Spot	60 Great Titchfield Street London	Restaurant	Monday to Sunday; 06:00 - 23:00
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street London W1W 7PP	Restaurant	Monday to Sunday; 08:00 - 23:00
13/06619/LIPT	The King's Arms	68 Great Titchfield Street London W1W 7QL	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/11140/LIPN	Not Recorded	Basement And Ground Floor 88 Great Portland Street London W1W 7NT	Hairdresser or beauty salon	Monday to Sunday; 07:00 - 23:00

18/02599/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/03715/LIPDPS	Mac And Wild	Ground Floor 65 Great Titchfield Street London W1W 7PT	Restaurant	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:30 Sundays before Bank Holidays; 09:00 - 00:30
17/05643/LIPDPS	Homeslice	Basement And Ground Floor 52 Wells Street London W1T 3PR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/04486/LIPDPS	Gaylord India Restaurant	79-81 Mortimer Street London W1W 7SJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00