



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

5 March 2019

Classification:

For General Release

Title of Report:

**London Late Club
28a Leicester Square
London
WC2H 7LE**

Uniform Reference:

18/15768/LIPT

Report of:

Operational Director for Premises Management

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Daisy Gadd
Senior Practitioner for Licensing**

Contact Details:

E-mail: dgadd@westminster.gov.uk

1. APPLICATION TO TRANSFER THE PREMISES LICENCE

Applications details:	An application to transfer the premises licence was received by the Licensing Service on 11 December 2018 to transfer the licence from West End Property Company Limited to London Property Company Limited.		
Current licence holder:	West End Property Company Limited	Premises Name and Address:	London Late Club 28a Leicester Square London WC2H 7LE
Proposed licence holder:	London Property Company Limited	Date Application Received:	11 December 2018
Ward Name:	St James's	Cumulative Impact Area:	West End
Objection from Metropolitan Police Service:	<p>The Metropolitan Police, as a responsible authority, object to the above transfer as we believe it undermines the licensing objectives in relation to the prevention of crime and disorder.</p> <p>Note: There is currently an ongoing review application to be determined for this premises.</p>		
Options:	<p>Section 44(5) of the Licensing Act 2003 states that</p> <p>"Where a notice is given under section 42(6) of (8) (and not withdrawn)... the authority must –</p> <ul style="list-style-type: none"> (a) Hold a hearing to consider it, unless the authority, the applicant and the [person] who gave the notice agree that a hearing is unnecessary, and (b) Having regard to the notice – <ul style="list-style-type: none"> (i) Where the notice is given under section 42(6), reject the application if it consider it appropriate for the promotion of the crime prevention objective to do so, or (ii) Where the notice is given under section 42(8), reject the application if it considers it appropriate for the prevention of illegal working in licensed premises to do so. 		

Premises licence attached as Appendix A

If you have any questions about this report, please contact Daisy Gadd at
dgadd@westminster.gov.uk

**City of Westminster**

64 Victoria Street, London, SW1E 6QP

**Schedule 12
Part A****WARD: St James's
UPRN: 100023431689****Premises licence**

Regulation 33, 34

Premises licence number:

18/02327/LIPDPS

Original Reference:

17/04597/LIPN

Part 1 – Premises details**Postal address of premises:**28A Leicester Square
London
WC2H 7LE**Telephone Number:** Not Supplied**Where the licence is time limited, the dates:**

Not applicable

Licensable activities authorised by the licence:Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol**The times the licence authorises the carrying out of licensable activities:****Performance of Dance**Monday to Wednesday: 09:00 to 03:00
Thursday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Performance of Live MusicMonday to Wednesday: 09:00 to 03:00
Thursday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

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

Monday to Wednesday: 09:00 to 03:00

Thursday to Saturday: 09:00 to 06:00

Sunday: 09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Late Night Refreshment

Monday to Wednesday: 23:00 to 03:30

Thursday to Saturday: 23:00 to 05:00

Sunday: 23:00 to 02:00

Non-standard Timings: Sundays before bank holidays the permitted hours shall be extended until 02:30 hours the following morning

On the morning on which summertime begins the permitted hour shall be extended by 1 hour

New years eve - from the end of permitted hours to 05:00 on new years day.

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00

Sunday: 10:00 to 00:30

Non-standard Timings: On Sundays immediately before Bank Holiday Mondays the permitted hours shall extend until 02:00 hours on the following day.

On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

from the end of permitted hours on new years eve to the start of permitted hours on new years day.

The opening hours of the premises:

Monday to Wednesday: 09:00 to 03:30

Thursday to Saturday: 09:00 to 06:00

Sunday: 07:00 to 02:00

On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

from the end of permitted hours on new years eve to the start of permitted hours on new years day.

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Traditek Limited
Flat 22
171 Seymour Place
London
W1H 4AT

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

10011165

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

Name: Prakash Khatri

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: 15/02564/LAPER
Licensing Authority: London Borough Of Newham

Date: 29th March 2018

This licence has been authorised by Miss Heidi Lawrance 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.

(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.
- (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.
- (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. Prior to 23:00 customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
10. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
11. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 235 persons.
12. 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.
13. There shall be a Personal Licence Holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. There shall be no striptease or nudity, and all other persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
15. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
16. The sale of alcohol shall be ancillary to the use of the premises for music and dancing and substantial refreshment.
17. The consumption of alcohol on the premises shall cease 30 minutes after the terminal hour for the sale of alcohol.
18. 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.
19. 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.
20. An incident log shall be kept at the premises, and made available on request to an authorised session 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
21. After 23:00 hours, there should be no consumption of drinks (excluding hot drinks) from vessels other than polycarbonate vessels. This condition shall not apply to the serving and consumption of wine, sparkling wine, spirits or champagne bottles with a minimum size of 70cl and champagne flutes supplied by waiter/waitress service to tables. Staff shall clear all empty wine, spirit and champagne bottles promptly from

the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.

22. 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.
23. After 23:00 hours, all customers entering the premises will have their 1D scanned on entry.
24. 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.
25. 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.
26. All emergency exit doors shall be available at all material times without the use of key, code, card or similar means.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
31. A Challenge 21 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, proof of age card with the PASS Hologram or Military ID card.
32. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
33. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. 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.
36. 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.
37. From 21:00 hours, or such other time as agreed with the Police in writing (and a copy of any agreement to be made available upon request), a minimum of 2 SIA door supervisors shall be on duty at the premises. A minimum of one shall be deployed at

the entrance and shall wear a Body Worn Video Camera. Additional door supervisors shall be employed as determined by a documented management risk assessment taking cognizance of police advice of 1 SIA per 100 customers before 23.00hrs and 1 SIA per 50 customers thereafter, (or such other advice as may be given from time to time). At all times from 23:00 hours, 2 door supervisors shall be deployed at the entrance. The risk assessment to be made available upon request.

38. A staff member from the premises who is conversant with the operation of the CCTV system (including where applicable any Body Worn Video 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.
39. A minimum of 5 SIA licensed door supervisors shall be on duty at the premises from 23.00hrs to close 7 days per week. A minimum of 2 on the entrance and 3 inside the premises (This is still subject to discussion based on what the premises is to become) Prior to this time door staff numbers will be at least a 1:100 ratio unless decided otherwise by a risk assessment conducted by a member of the venue's management team.
40. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business. A minimum of one to be wearing Body Worn Video throughout trading times and for 30 minutes after closing whilst dispersing
41. After 21.00hrs any persons entering or re-entering the premises shall be searched by a SIA licensed member of staff and monitored by the premises CCTV system. Search wands will be used during all searches.
42. Body worn video systems used by the premises must be deployed immediately during any verbal altercation or use of force made by any member of staff
43. All staff engaged in the use of Body Worn Video shall receive relevant training to ensure they are confident it's use. A record will be kept on the premises of which staff have been trained. This record will be available to the relevant authority for inspection upon request
44. Where the premises are operating for a specific pre-booked event or occasion when a guest list is in operation, only a Director, the Premises Licence Holder, the Designated Premises Supervisor or the Duty Manager will be authorised to add additional names to the guest list. Any additions less than 48 hours before the pre-booked event or occasion must be legibly entered on the list and signed for by a Director, the Premises Licence Holder, the Designated Premises Supervisor or the Duty Manager. The list will be kept for a period of 31 days following the event and will be made available immediately for inspection upon the request by a Police Officer or Council Officer.
45. After 21:00, or such other time as agreed with the Police in writing (and a copy of any agreement to be made available upon request), all security engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
46. All externally promoted events held at the venue shall be notified to the Metropolitan Police Service. A form 696 will be completed and submitted within 14 days prior to the event, or such less time as agreed with the Police. When carrying out the risk assessment for the event and holding the event the venue will take into account any reasonable advice received from the Westminster Police Licensing Team and the central Clubs/Promoters Police Team who receive the form 696 (or their equivalent) and upon a reasonable request by Police the venue will not run the event.

47. After 23:00 hours, or such earlier time as deemed necessary following risk assessment, a search policy shall be implemented of customers entering the premises. Such policy to be documented having regard to police advice and shall be made available upon request.
48. a) From 23:00 hours, a minimum of 2 door supervisors shall be deployed with Body Worn Video Camera, capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team. The video cameras shall be used until 30 minutes after closing whilst customers are dispersing.
- b) All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the preceding 31 day period.
- c) A Body worn video system shall be deployed immediately during any verbal altercation or use of force made by any member of door staff.
- d) All door staff engaged in the use of Body Worn Video shall receive relevant training to ensure that they are confident in its use. A record shall be kept on the premises of which door staff have been trained. This record will be available to the Police or Licensing Authority for inspection upon request.
49. There shall be no admittance or re-admittance to the premises after 02:00 except for patrons permitted to temporarily leave the premises to smoke.

Annex 4 – Plans

Attached



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

**Schedule 12
Part B**

**WARD: St James's
UPRN: 100023431689**

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

18/02327/LIPDPS

Part 1 – Premises details

Postal address of premises:

28A Leicester Square
London
WC2H 7LE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Wednesday:	09:00 to 03:00
Thursday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Performance of Live Music

Monday to Wednesday:	09:00 to 03:00
Thursday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

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

Monday to Wednesday: 09:00 to 03:00

Thursday to Saturday: 09:00 to 06:00

Sunday: 09:00 to 02:00

Non-standard Timings: On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

The permitted hours on new years eve will extend to the start of the permitted hours on new years day.

Late Night Refreshment

Monday to Wednesday: 23:00 to 03:30

Thursday to Saturday: 23:00 to 05:00

Sunday: 23:00 to 02:00

Non-standard Timings: Sundays before bank holidays the permitted hours shall be extended until 02:30 hours the following morning

On the morning on which summertime begins the permitted hour shall be extended by 1 hour

New years eve - from the end of permitted hours to 05:00 on new years day.

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00

Sunday: 10:00 to 00:30

Non-standard Timings: On Sundays immediately before Bank Holiday Mondays the permitted hours shall extend until 02:00 hours on the following day.

On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

from the end of permitted hours on new years eve to the start of permitted hours on new years day.

The opening hours of the premises:

Monday to Wednesday: 09:00 to 03:30

Thursday to Saturday: 09:00 to 06:00

Sunday: 07:00 to 02:00

On the morning on which summertime begins the permitted hour shall be extended by 1 hour.

from the end of permitted hours on new years eve to the start of permitted hours on new years day

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

Alcohol is supplied for consumption on the Premises.

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

Traditek Limited
Flat 22
171 Seymour Place
London
W1H 4AT

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

10011165

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

Name: Prakash Khatri

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

Restricted

Date: 29th March 2018

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