



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	11 April 2019
Licensing Ref No:	19/01701/LIPV - Premises Licence Variation
Title of Report:	ME Hotel 335 Strand London WC2R 1HA
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackamam@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	7 February 2019		
<b>Applicant:</b>	London XXI Limited		
<b>Premises:</b>	ME Hotel		
<b>Premises address:</b>	335 Strand London WC2R 1HA	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises currently operates as a Hotel, with ancillary bar and restaurant facilities on the ground floor and rooftop and function rooms in the basement.		
<b>Variation description:</b>	<p>1. To permit the use of the southern terrace area on the 10th floor from Monday to Saturday until 01.00:</p> <p>Amend condition 32 to read:</p> <p>After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:</p> <ol style="list-style-type: none"> <li>On Monday to Saturday until 01:00 after which it shall be cleared of all patrons;</li> <li>In an emergency at any time; and</li> <li>For access to and from the Penthouse Suite at any time.</li> </ol> <p><b>A modified condition 32 has been proposed by the Environmental Health Service and agreed by the Applicant, to read as follows:</b></p> <p>After 22.30 the area marked Terrace 1 on the licence plan shall not be used except:</p> <ol style="list-style-type: none"> <li>On Monday to Saturday until midnight (in the blue hatched area) after which it shall be cleared of all patrons;</li> <li>On Monday to Saturday until 01.00 hours (in the red cross hatched area) after which it shall be cleared of all patrons;</li> <li>In an emergency at any time;</li> <li>For access to and from the Penthouse Suite at any time.</li> </ol> <p><b>Add a new condition:</b></p> <p>2. The windows and openings on the terrace area shall be kept closed at all times after 22.30 hours.</p> <p><b>A modified condition has been proposed by the Environmental Health Service and agreed by the Applicant, to read as follows:</b></p>		

	The windows and openings on the terrace area (cross hatched red on the plan) shall be kept closed at all times after 22.30 hours
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2011. The current premises licence reference is 18/07151/LIPDPS which is attached as <b>Appendix 1</b> of this report. Please see <b>Appendix 5</b> of the report for a full licence history
<b>Applicant submissions:</b>	The applicant has made substantial alterations to enclose the terrace area to minimise noise disturbance

### 1-B Current and proposed licensable activities, areas and hours

#### Regulated Entertainment

#### Exhibition of a film

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:00	00:00	No change		Hotel Guest Rooms only	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				

#### Performance of live music

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:01	00:00	No change		Basement Function Rooms Only	No change
<b>Tuesday</b>	00:01	00:00				
<b>Wednesday</b>	00:01	00:00				
<b>Thursday</b>	00:01	00:00				
<b>Friday</b>	00:01	00:00				
<b>Saturday</b>	00:01	00:00				
<b>Sunday</b>	00:01	00:00				

Playing of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:01	00:00	No change		Basement Function Rooms Only	No change
Tuesday	00:01	00:00				
Wednesday	00:01	00:00				
Thursday	00:01	00:00				
Friday	00:01	00:00				
Saturday	00:01	00:00				
Sunday	00:01	00:00				

Performance of a Play						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:01	00:00	No change		Basement Function Rooms Only	No change
Tuesday	00:01	00:00				
Wednesday	00:01	00:00				
Thursday	00:01	00:00				
Friday	00:01	00:00				
Saturday	00:01	00:00				
Sunday	00:01	00:00				

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		The whole of the premises	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				

Sale by Retail of Alcohol (Residents, guests of residents and persons attending a pre-booked function)						
On or off sales			Current :		Proposed:	
			On and off the premises		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:01	00:00	No change		The whole of the premises	No change
Tuesday	00:01	00:00				
Wednesday	00:01	00:00				
Thursday	00:01	00:00				
Friday	00:01	00:00				

<b>Saturday</b>	00:01	00:00			
<b>Sunday</b>	00:00	00:01			

<b>Sale by Retail of Alcohol (Non-residents)</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On and off the premises		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	03:00	No change		10 <sup>th</sup> Floor Roof Area	No change
<b>Tuesday</b>	08:00	03:00				
<b>Wednesday</b>	08:00	03:00				
<b>Thursday</b>	08:00	03:00				
<b>Friday</b>	08:00	03:00				
<b>Saturday</b>	08:00	03:00				
<b>Sunday</b>	08:00	03:00				

<b>Sale by Retail of Alcohol (Non-residents)</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On and off the premises		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	01:00	No change		Ground Floor Cucina Assellina Restaurant	No change
<b>Tuesday</b>	08:00	01:00				
<b>Wednesday</b>	08:00	01:00				
<b>Thursday</b>	08:00	01:00				
<b>Friday</b>	08:00	01:00				
<b>Saturday</b>	08:00	01:00				
<b>Sunday</b>	08:00	01:00				

<b>Sale by Retail of Alcohol (Non-residents)</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On and off the premises		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	02:00	No change		Ground Floor STK Restaurant and Marconi Bar and Lounge	No change
<b>Tuesday</b>	08:00	02:00				
<b>Wednesday</b>	08:00	02:00				
<b>Thursday</b>	08:00	02:00				
<b>Friday</b>	08:00	02:00				
<b>Saturday</b>	08:00	02:00				
<b>Sunday</b>	08:00	02:00				

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	00:01	00:00	No change		The whole of the premises	No change
<b>Tuesday</b>	00:01	00:00				
<b>Wednesday</b>	00:01	00:00				
<b>Thursday</b>	00:01	00:00				

<b>Friday</b>	00:01	00:00			
<b>Saturday</b>	00:01	00:00			
<b>Sunday</b>	00:01	00:00			

<b>1-C Layout alteration</b>
No change

<b>1-D Condition proposed to be varied by the applicant</b>	
<b>Condition 32</b>	<b>Proposed variation</b>
<p>After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:</p> <p>a. On Thursday to Saturday until midnight after which it shall be cleared of all patrons;</p> <p>b. In an emergency at any time; and</p> <p>c. For access to and from the Penthouse Suite at any time</p>	<p>After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:</p> <p>d. On Monday to Saturday until 01:00 after which it shall be cleared of all patrons;</p> <p>e. In an emergency at any time; and</p> <p>f. For access to and from the Penthouse Suite at any time</p> <p><b>A modified condition has been proposed by the Environmental Health Service and agreed by the Applicant, to read as follows:</b></p> <p>After 22.30 the area marked Terrace 1 on the licence plan shall not be used except</p> <p>e. On Monday to Saturday until midnight (in the blue hatched area) after which it shall be cleared of all patrons</p> <p>f. On Monday to Saturday until 01.00 hours (in the red cross hatched area) after which it shall be cleared of all patrons</p> <p>g. In an emergency at any time</p> <p>h. For access to and from the Penthouse Suite at any time"</p>

<b>1-E Conditions proposed to be added by the applicant</b>
<p>The windows and openings on the terrace area (cross hatched on the plan) shall be kept closed at all times after 22.30 hours.</p> <p><b>A modified condition has been proposed by the Environmental Health Service and agreed by the Applicant, to read as follows:</b></p> <p>The windows and openings on the terrace area (cross hatched red on the plan) shall be kept closed at all times after 22.30 hours</p>

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Reaz Guerra
<b>Received:</b>	26 February 2019
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>There is insufficient detail within the operating schedule to promote the Licensing Objectives. The hours sought exceed Westminster's Core Hours Policy.</p> <p>An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.</p> <p>It is for these reasons that we are objecting to the application.</p>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	7 March 2019
<p>This representation is based on the operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"><li>1. To permit the use of the southern terrace to 01.00 hours.</li><li>2. To amend condition 32 to reflect this change.</li><li>3. To add an additional condition concerning the use of the windows.</li></ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"><li>1. Representation is made on the likely effect of impacting on Prevention of Public Nuisance.</li><li>2. Representation is made on the likely effect of impacting on Prevention of Public Nuisance.</li><li>3. Representation is made on the likely effect of impacting on Prevention of Public Nuisance.</li></ol> <p>Following a visit to the premises a plan of the new covered area has been requested plus additional emergency lighting has been requested within the new covered areas</p> <p><b>On 28 March the Environmental Health Service submitted the following further comments:</b></p> <p>I refer to the application for variation of the Premises Licence.</p> <p>If the variation is accepted then the following conditions need to be added/updated.</p>	

Current condition

32. After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:
- a. On Thursday to Saturday until midnight after which it shall be cleared of all patrons;
  - b. In an emergency at any time; and
  - c. For access to and from the Penthouse Suite at any time

Modified

32. After 22:30 the area marked Terrace 1 on the licence plan shall not be used except:
- a. On Monday to Saturday until midnight (in the hatched area) after which it shall be cleared of all patrons;
  - b. On Monday to Saturday until 01.00 hours (in the cross hatched area) after which it shall be cleared of all patrons;
  - c. In an emergency at any time; and
  - d. For access to and from the Penthouse Suite at any time
- The windows and openings on the terrace area (cross hatched on the plan) shall be kept closed at all times after 22.30 hours.

**The conditions proposed have been agreed by the applicant and an amended plan has been submitted. The amended plan appears at appendix 3.**

**The Environmental Health Service have also submitted photograph of the premises which appear at appendix 4**

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	5 March 201		
I live on the [REDACTED] of [REDACTED] and I'm worried that of too much noise at night if the area on the 10th floor of the hotel were to open until 1 am.			



### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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 provision of other licensable activities:</u></p> <p>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>
<b>Policy HOT1 applies</b>	<p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel.</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</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 characteristic 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

<b>Appendix 1</b>	Current Premises Licence
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Amended 10 <sup>th</sup> Floor Terrace Plan
<b>Appendix 4</b>	Site photographs
<b>Appendix 5</b>	Premises history
<b>Appendix 6</b>	Proposed conditions
<b>Appendix 7</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 8094 Email: kjackaman@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service Representation	26 February 2019
<b>5</b>	Environmental Health Service Representation	7 March 2019
<b>6</b>	Interested Party Representation	5 March 2019



**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: St James's  
UPRN: 100023433005

Premises licence

Regulation 33, 34

Premises licence number:

18/07151/LIPDPS

Original Reference:

11/06782/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

ME Hotel  
335 Strand  
London  
WC2R 1HA

**Telephone Number:** Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

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

<b>Exhibition of a Film</b>	
Monday to Sunday:	00:00 to 00:00 (Hotel Guest Rooms only)
<b>Performance of Live Music</b>	
Monday to Sunday:	00:01 to 00:00 (Basement Function Rooms Only)
<b>Playing of Recorded Music</b>	
Monday to Sunday:	00:01 to 00:00 (Basement Function Rooms Only)
<b>Performance of a Play</b>	
Monday to Sunday:	00:01 to 00:00 (Basement Function Rooms Only)
<b>Late Night Refreshment</b>	
Monday to Sunday:	23:00 to 05:00

**Sale by Retail of Alcohol**

Monday to Sunday: 00:01 to 00:00 (Residents, guests of residents and persons attending a pre-booked function)  
Monday to Sunday: 08:00 to 03:00 (Non residents: 10th Floor Roof Area)  
Monday to Sunday: 08:00 to 01:00 (Non residents: Ground Floor Cucina Assellina Restaurant)  
Monday to Sunday: 08:00 to 02:00 (Non residents: Ground Floor STK Restaurant and Marconi Bar & Lounge)  
Non-standard Timings: See conditions in Annex 3

The opening hours of the premises:

Monday to Saturday: 00:01 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

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

London XXI Limited  
336-337 The Strand  
London  
WC2R 1HA

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

08303817

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

**Name:** Abu Ala Akhtar

**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:** LN/14274  
**Licensing Authority:** London Borough Of Islington

**Date:** 15 March 2019

This licence has been authorised by Kevin Jackaman 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.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

**Annex 2 – Conditions consistent with the operating Schedule**

None



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

11. The provision of regulated entertainment is restricted to the basement area only.
12. The number of persons accommodated at any one time within the basement area (excluding staff) shall not exceed 300 persons. (subject to District Surveyor approval).
13. All activities shall be pre-booked and details of the event organiser and event shall be kept for a period of 21 days after the event.
14. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
15. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
16. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
20. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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, should be non-combustible.
21. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - o Any emergency lighting battery or system
  - o Any electrical installation
  - o Any emergency warning system
22. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fire works
  - o firearms
  - o lasers
  - o explosives and highly flammable substances.
  - o real flame.
  - o strobe lighting.
23. 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.

24. Other than in hotel bedrooms, 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.
25. Licensable activity in this area will only be provided to hotel residents and their bona fide guests, persons attending a pre booked function, artists or performers at such functions. 10th Floor
26. The number of persons accommodated at any one time on the 10th Floor (including staff) shall not exceed 240 persons.
27. The supply of alcohol shall be by waiter or waitress service only.
28. There shall be no entry to the 10th floor of the premises after 01.00 except to the following persons:-
  - o Residents of the Hotel and/or their guests (maximum number of 4 bona fide guests).
  - o A list of the persons on the guest list to be held at the Hotel reception.
  - o Persons attending a pre-booked function - a list of the persons attending the private function to be available at the Hotel reception.
  - o Persons employed by the Hotel proprietor including artistes.
29. Alcohol shall not be supplied to non residents on the rooftop bar area after 02.00 Hours.
30. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents 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.
31. The premises licence holder shall ensure that any patrons drinking and/or smoking on the external terrace area do so in an orderly manner and are supervised by sufficient staff so as to ensure that there is no public nuisance.
32. After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:
  - a. On Thursday to Saturday until midnight after which it shall be cleared of all patrons;
  - b. In an emergency at any time; and
  - c. For access to and from the Penthouse Suite at any time
33. All doors to the south terrace to be kept closed after 22.30 hours save for the central door that shall be kept closed except for immediate access and egress.
34. After 22:30 apart from access to and egress from the terrace all patrons on the south terrace are to be seated when licensable activity is authorised.
35. After 22:30 there shall be no more than 60 patrons permitted on the south terrace.

36. After 22:30 there shall be no music on the south terrace.
37. At least four dedicated SIA door supervisors shall be provided in all parts of the 10th floor terrace at all times that it is occupied by patrons, at least one of which is to be in attendance on the south terrace from 22:30 until cessation of licensable activities to ensure good order.
38. Notices shall be prominently displayed at all entrances to the terrace clearly stating that after 22:30 all patrons using the south terrace must remain seated.
39. All SIA registered door supervisors shall ensure that their SIA badges are visible at all times. First Floor Fine Dining Restaurant (Cucina Assellina Restaurant)
40. Intoxicating liquor in the fine dining restaurant area shall not be sold or supplied on the premises otherwise than to a person seated taking table meals there and for consumption by any such person as an ancillary to their meal.
41. Notwithstanding the above condition, alcohol may be supplied and consumed prior to their meal in the designated bar area.
42. The supply of alcohol shall be by waiter or waitress service only in the fine dining restaurant. Ground Floor Restaurant and Bars (STK Restaurant and Marconi Bar and Restaurant)
43. Where licensable activity is permitted on the ground floor, the supply of alcohol may only be permitted to non-residents (save for guests of residents and persons attending a pre-booked function) between 08.00 and 02.00 on the day following.
44. On the ground floor where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at all entrances to the premises from 22.00.
45. There shall be no new entry for non-residents after 00:30.
46. The maximum number of persons (excluding staff) within the ground floor licensed areas between 01.00 hours and 02.00 hours shall not exceed STK Restaurant 200 persons; Marconi Bar and Lounge 60 persons
47. After 1.00am, the sale of alcohol in the ground floor restaurants will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
48. After 1.00am, the sale and consumption of alcohol in the Marconi bar will be to seated persons, supplied by waiter / waitress. Ground Floor Reception Area
49. Supply of alcohol to the first floor reception area shall only be to hotel residents and their bona fide guests
50. No regulated entertainment is permitted in the first floor reception area. All Areas
51. 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.
52. Notwithstanding the permitted hours, alcohol may be supplied to persons residing in the premises for consumption by such persons and their bona fide guests at anytime without restrictions.



53. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
54. Patrons temporarily leaving the premises on the ground floor for the purposes of smoking shall not take any drinks of any kind with them outside the premises.
55. All deliveries shall be to the service road leading to the basement delivery area.
56. No loudspeakers shall be located in the entrance area/corridor or external to the building, including the external terrace area on the 10th Floor.
57. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00hours.
58. 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.
59. 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.
60. All refuse will be stored internally prior to collection.
61. Any 'off' sales of alcohol are to be in sealed containers only and for consumption off the premises.
62. There will be no self-service of alcohol except for in the guest bedrooms.
63. Notices shall be prominently displayed at all exits and on the 10th Floor external roof terraces requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
64. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
65. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
66. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
67. There shall be at least one SIA registered door supervisor employed at the entrance to the Hotel at all times.
68. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

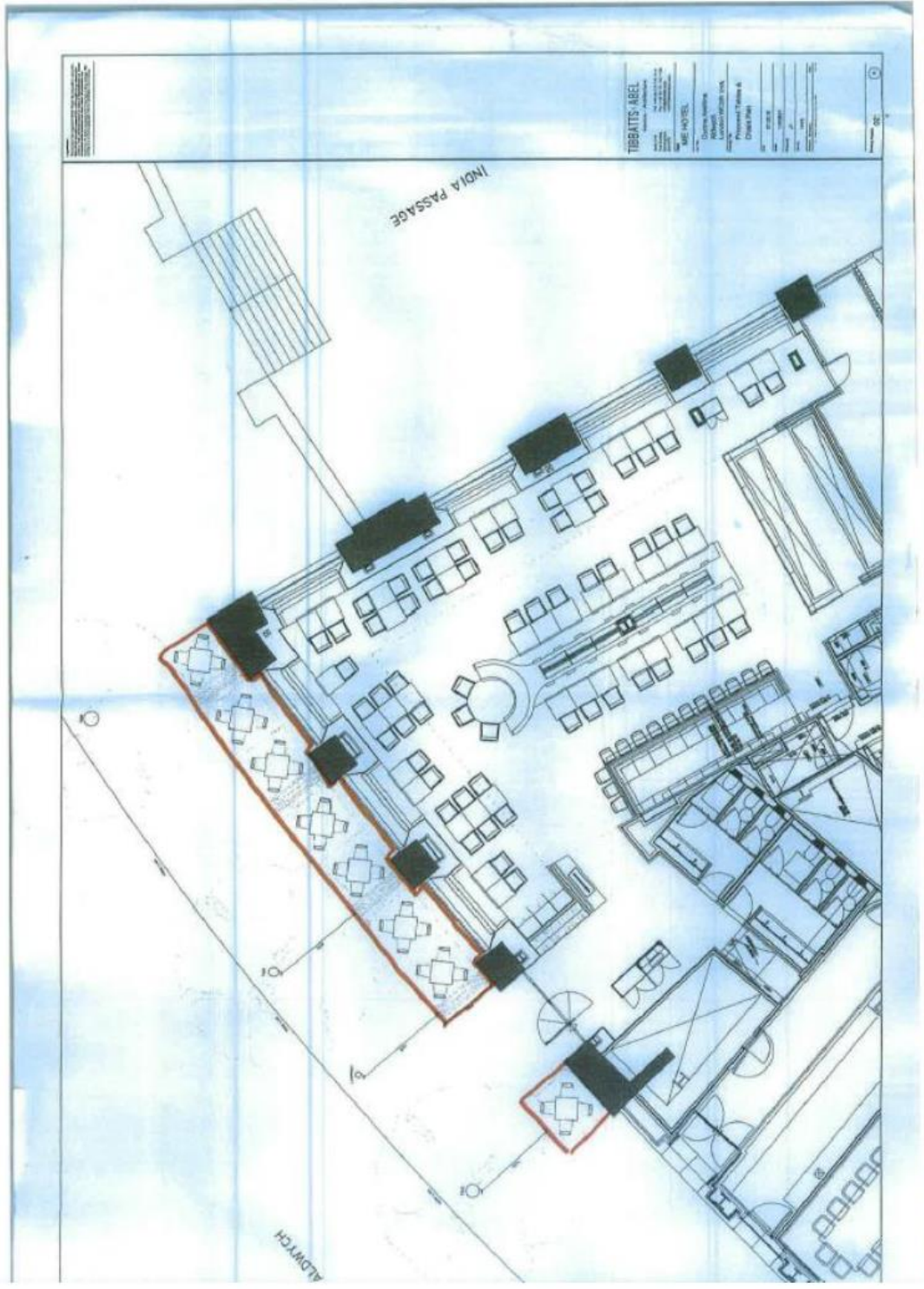
69. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and 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.
70. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
71. CCTV will be provided to cover the external area used for tables and chairs
72. All service of alcohol within the external area (edged in red) on the Aldwych as shown on plan JT 1413 shall be by waiter or waitress and to person seated only.
73. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

Annex 4 – Plans









1:100  
A1  
1/10/2010

**TIBBATT'S LABEL**  
Architects  
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

INDIA PASSAGE

ALMAYCH





*Aim lot of accessible  
activity*

- RFV
- Head Inventory
- CCTV Camera
- Fire Exit Storage
- Fire Extinguisher
- Fire Alarm

**3rd Floor Reception /  
ROOF TERRACE**

ROE MUIR - WILKINSON | Foster + Partners  
OPERATIONAL MANAGEMENT | 11/2014/15





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

Schedule 12  
Part B

WARD: St James's  
UPRN: 100023433005

Premises licence  
summary

Regulation 33, 34

Premises licence number:

18/07151/LIPDPS

### ***Part 1 – Premises details***

**Postal address of premises:**

ME Hotel  
335 Strand  
London  
WC2R 1HA

**Telephone Number:** Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

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

<b>Exhibition of a Film</b> Monday to Sunday:	00:00 to 00:00 (Hotel Guest Rooms only)
<b>Performance of Live Music</b> Monday to Sunday: Rooms Only)	00:01 to 00:00 (Basement Function
<b>Playing of Recorded Music</b> Monday to Sunday: Rooms Only)	00:01 to 00:00 (Basement Function
<b>Performance of a Play</b> Monday to Sunday: Rooms Only)	00:01 to 00:00 (Basement Function
<b>Late Night Refreshment</b> Monday to Sunday:	23:00 to 05:00

**Sale by Retail of Alcohol**

Monday to Sunday: 00:01 to 00:00 (Residents, guests of residents and persons attending a pre-booked function)  
Monday to Sunday: 08:00 to 03:00 (Non residents: 10th Floor Roof Area)  
Monday to Sunday: 08:00 to 01:00 (Non residents: Ground Floor Cucina Assellina Restaurant)  
Monday to Sunday: 08:00 to 02:00 (Non residents: Ground Floor STK Restaurant and Marconi Bar & Lounge)  
Non-standard Timings: See conditions in Annex 2

The opening hours of the premises:

Monday to Saturday: 00:01 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

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

London XXI Limited  
336-337 The Strand  
London  
WC2R 1HA

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

08303817

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

**Name:** Abu Ala Akhtar

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

Restricted

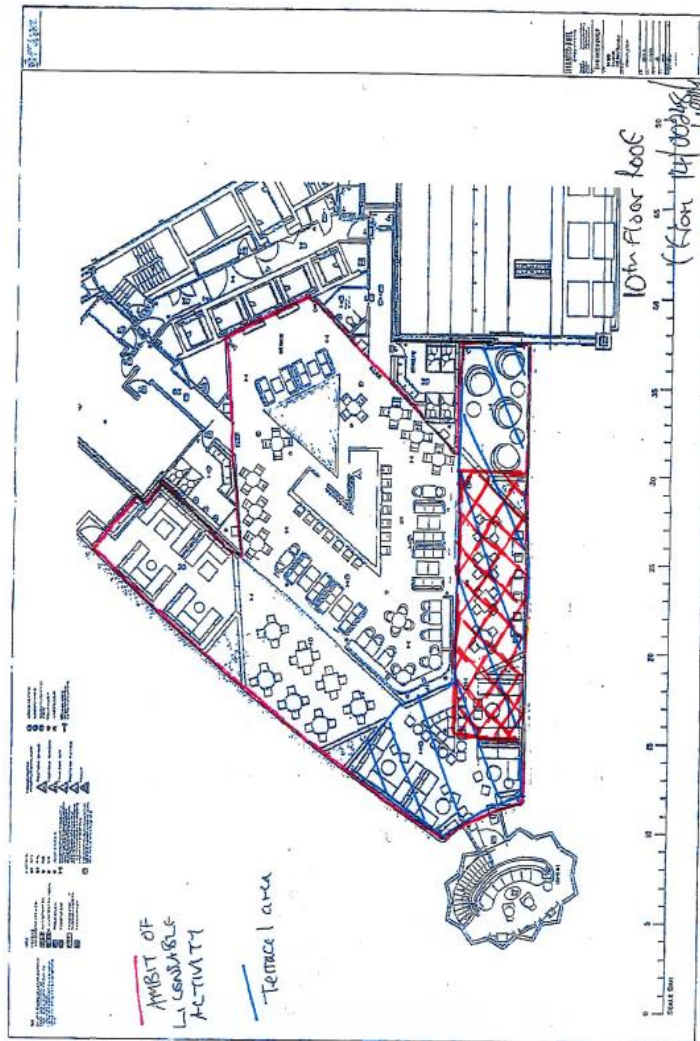
**Date:** 15 March 2019

**This licence has been authorised by Mr Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

**Applicant Supporting Documents**

**Appendix 2**

None submitted







**Licence & Appeal History**

**Appendix 5**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
11/06782/LIPN	New premises licence	17/11/2011	Granted under delegated authority
12/01735/LIPT	Transfer of premises licence – Sol Melia SA to London Ltd	23/3/2012	Granted under delegated authority
12/04408/LIPVM	Minor variation – ground floor change of layout	13/06/12	Granted under delegated authority
12/07063/LIPV	Variation – Inclusion of 1 <sup>st</sup> floor reception to Licensed area	19/9/2012	Granted under delegated authority
13/01927/LIPV	Variation – Amend conditions	26/4/13	Granted under delegated authority
13/02417/LIPV	Variation – Variation of hours for non-residents	30/5/2013	Granted under delegated authority
13/03742/LIPT	Transfer – London Limited to London XXI Limited	10/6/2013	Granted under delegated authority
14/00248/LIPVM	Minor variation – addition of conditions agreed with the Police	30/1/2014	Granted under delegated authority
14/02293/LIPV	Variation – To permit off sales of alcohol to customers in seating area	24/4/2014	Granted under delegated authority
14/06927/LIREVP	Review of the premises licence	16/10/2014	Conditions were modified and added to the licence
15/01186/LIPV	Variation – removed conditions and vary hours	23/4/2015	Refused by Licensing Sub Committee
15/08328/LIPVM	Minor Variation – Installation of new lobby doors	13/10/2015	Granted under delegated authority
18/03239/LIPV	Variation – To permit regulated entertainment in the basement function room and recorded music in the ground	17/5/2018	Granted by Licensing Sub Committee



	floor restaurant and bar		
18/06018/LIPV	Variation – amend restrictions relating to 10 <sup>th</sup> Floor Terrace	19/7/2018	Granted by Licensing Sub Committee

**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 appropriate for the promotion of the licensing objectives.

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

**Conditions: On Current Licence -**

**Mandatory:**

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

## **Annex 2 – Conditions consistent with the operating Schedule**

None

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

11. The provision of regulated entertainment is restricted to the basement area only.
12. The number of persons accommodated at any one time within the basement area (excluding staff) shall not exceed 300 persons. (subject to District Surveyor approval).
13. All activities shall be pre-booked and details of the event organiser and event shall be kept for a period of 21 days after the event.
14. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
15. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
16. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
20. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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, should be non-combustible.
21. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - o Any emergency lighting battery or system
  - o Any electrical installation
  - o Any emergency warning system
22. 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 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fire works
  - o firearms

- o lasers
- o explosives and highly flammable substances.
- o real flame.
- o strobe lighting.

23. 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.

24. Other than in hotel bedrooms, 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.

25. Licensable activity in this area will only be provided to hotel residents and their bona fide guests, persons attending a pre booked function, artists or performers at such functions.  
10th Floor

26. The number of persons accommodated at any one time on the 10th Floor (including staff) shall not exceed 240 persons.

27. The supply of alcohol shall be by waiter or waitress service only.

28. There shall be no entry to the 10th floor of the premises after 01.00 except to the following persons:-

- o Residents of the Hotel and/or their guests (maximum number of 4 bona fide guests).
- o A list of the persons on the guest list to be held at the Hotel reception.
- o Persons attending a pre-booked function - a list of the persons attending the private function to be available at the Hotel reception.
- o Persons employed by the Hotel proprietor including artistes.

29. Alcohol shall not be supplied to non residents on the rooftop bar area after 02.00 Hours.

30. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents 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.

31. The premises licence holder shall ensure that any patrons drinking and/or smoking on the external terrace area do so in an orderly manner and are supervised by sufficient staff so as to ensure that there is no public nuisance.

32. After 22:30 the area marked Terrace 1 (shown hatched on the plan) on the licence plan shall not be used except:

- a. On Thursday to Saturday until midnight after which it shall be cleared of all patrons;
- b. In an emergency at any time; and
- c. For access to and from the Penthouse Suite at any time

**A modified condition 32 has been proposed by the Environmental Health Service and agreed by the Applicant, to read as follows:**

- After 22.30 the area marked Terrace 1 on the licence plan shall not be used except
- a. On Monday to Saturday until midnight (in the blue hatched area) after which it shall be cleared of all patrons
  - b. On Monday to Saturday until 01.00 hours (in the red cross hatched area) after which it shall be cleared of all patrons
  - c. In an emergency at any time
  - d. For access to and from the Penthouse Suite at any time"
- 33. All doors to the south terrace to be kept closed after 22.30 hours save for the central door that shall be kept closed except for immediate access and egress.
  - 34. After 22:30 apart from access to and egress from the terrace all patrons on the south terrace are to be seated when licensable activity is authorised.
  - 35. After 22:30 there shall be no more than 60 patrons permitted on the south terrace.
  - 36. After 22:30 there shall be no music on the south terrace.
  - 37. At least four dedicated SIA door supervisors shall be provided in all parts of the 10th floor terrace at all times that it is occupied by patrons, at least one of which is to be in attendance on the south terrace from 22:30 until cessation of licensable activities to ensure good order.
  - 38. Notices shall be prominently displaced at all entrances to the terrace clearly stating that after 22:30 all patrons using the south terrace must remain seated.
  - 39. All SIA registered door supervisors shall ensure that their SIA badges are visible at all times. First Floor Fine Dining Restaurant (Cucina Assellina Restaurant)
  - 40. Intoxicating liquor in the fine dining restaurant area shall not be sold or supplied on the premises otherwise than to a person seated taking table meals there and for consumption by any such person as an ancillary to their meal.
  - 41. Notwithstanding the above condition, alcohol may be supplied and consumed prior to their meal in the designated bar area.
  - 42. The supply of alcohol shall be by waiter or waitress service only in the fine dining restaurant. Ground Floor Restaurant and Bars (STK Restaurant and Marconi Bar and Restaurant)
  - 43. Where licensable activity is permitted on the ground floor, the supply of alcohol may only be permitted to non-residents (save for guests of residents and persons attending a pre-booked function) between 08.00 and 02.00 on the day following.
  - 44. On the ground floor where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at all entrances to the premises from 22.00.
  - 45. There shall be no new entry for non-residents after 00:30.

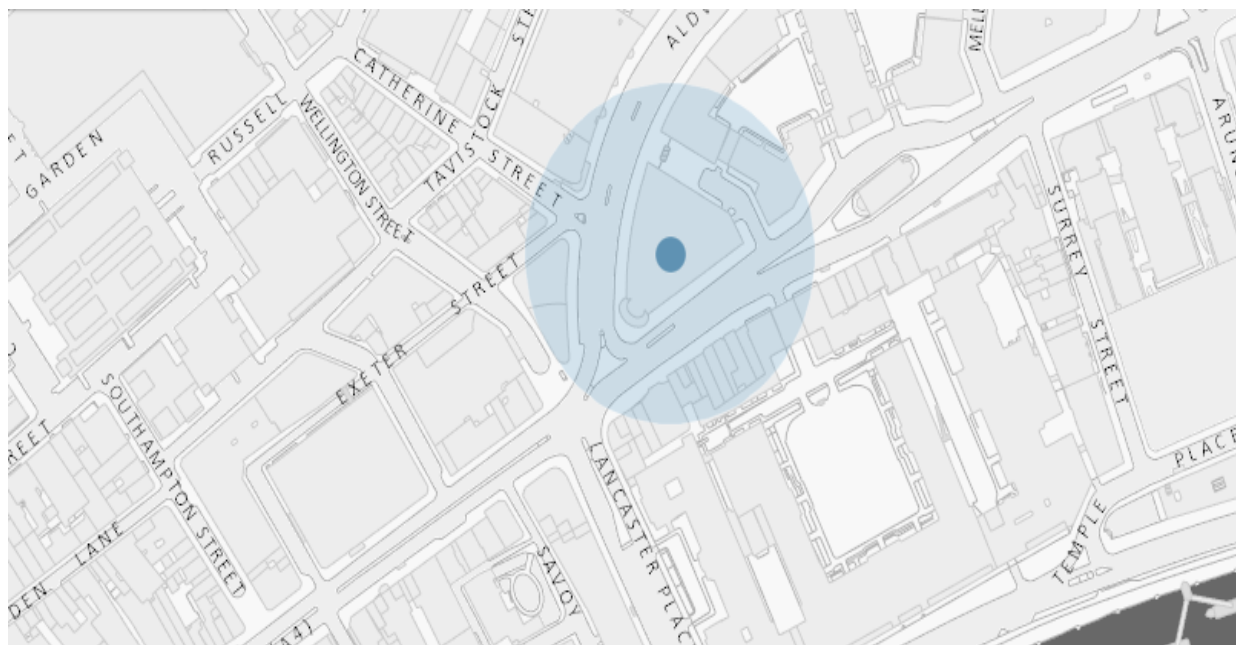
46. The maximum number of persons (excluding staff) within the ground floor licensed areas between 01.00 hours and 02.00 hours shall not exceed STK Restaurant 200 persons; Marconi Bar and Lounge 60 persons
47. After 1.00am, the sale of alcohol in the ground floor restaurants will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
48. After 1.00am, the sale and consumption of alcohol in the Marconi bar will be to seated persons, supplied by waiter / waitress. Ground Floor Reception Area
49. Supply of alcohol to the first floor reception area shall only be to hotel residents and their bona fide guests
50. No regulated entertainment is permitted in the first floor reception area. All Areas
51. 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.
52. Notwithstanding the permitted hours, alcohol may be supplied to persons residing in the premises for consumption by such persons and their bona fide guests at anytime without restrictions.
53. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
54. Patrons temporarily leaving the premises on the ground floor for the purposes of smoking shall not take any drinks of any kind with them outside the premises.
55. All deliveries shall be to the service road leading to the basement delivery area.
56. No loudspeakers shall be located in the entrance area/corridor or external to the building, including the external terrace area on the 10th Floor.
57. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00hours.
58. 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.
59. 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.
60. All refuse will be stored internally prior to collection.
61. Any 'off' sales of alcohol are to be in sealed containers only and for consumption off the premises.
62. There will be no self-service of alcohol except for in the guest bedrooms.



63. Notices shall be prominently displayed at all exits and on the 10th Floor external roof terraces requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
64. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
65. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
66. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
67. There shall be at least one SIA registered door supervisor employed at the entrance to the Hotel at all times.
68. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
69. 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.
70. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
71. CCTV will be provided to cover the external area used for tables and chairs
72. All service of alcohol within the external area (edged in red) on the Aldwych as shown on plan JT 1413 shall be by waiter or waitress and to person seated only.
73. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

**Condition proposed by the Environmental Health Service and agreed with the applicant so as to form part of the operating schedule**

74. The windows and openings on the terrace area (cross hatched red on the plan) shall be kept closed at all times after 22.30 hours



Resident count; 96

**Premises within a 75m radius of the premises**

16/08623/LIPDPS	ME Hotel	335 Strand London WC2R 1HA	Hotel, 4+ star or major chain	Monday to Saturday; 00:01 - 00:00
18/07151/LIPDPS	ME Hotel	335 Strand London WC2R 1HA	Hotel, 4+ star or major chain	Monday to Saturday; 00:01 - 00:00
06/03676/WCCMAP	Sitar Indian Restaurant	Basement And Ground Floor 149 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/00677/LIPDPS	Thai Square	148 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
17/10169/LIPDPS	Pizza Express	Ground Floor 147 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

17/03399/LIPVM	India Club	143-145 Strand London WC2R 1JA	Restaurant	Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00   Sunday; 12:00 - 22:30
06/08176/WCCMAP	Strand News	145 Strand London WC2R 1JA	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
18/10556/LIPDPS	Kings College London - Bush House The Vault	Bush House 30 Aldwych London WC2B 4BG	College of Further Education	Monday to Tuesday; 09:00 - 01:30   Wednesday; 09:00 - 03:00   Thursday; 09:00 - 03:30   Friday to Saturday; 09:00 - 04:00   Sunday; 09:00 - 01:00
18/02201/LIPV	Kings College	Bush House 30 Aldwych London WC2B 4BG	Educational	
16/00953/LIPDPS	One Aldwych Hotel	Ground Floor To Sixth Floor 1 Aldwych London WC2B 4BZ	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
19/01156/LIPDPS	The Restaurant	1 - 5 Catherine Street London WC2B 5JS	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00