



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 May 2019
Licensing Ref No:	19/02741/LIPV - Premises Licence Variation
Title of Report:	The Gaslight Of St James's 4 Duke Of York Street London SW1Y 6LA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	6 March 2019		
Applicant:	The Gaslight Of St James's Ltd		
Premises:	The Gaslight Of St James's		
Premises address:	4 Duke Of York Street London SW1Y 6LA	Ward:	St James's
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as a gentleman's club and has the benefit of a sexual entertainment venue licence.		
Variation description:	<p>To vary the existing premises licence as follows:</p> <p>1.To amend condition 30 which states:</p> <p>The maximum capacity at the premises when licensable activities consisting of the sale of supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). After 2.30 am the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.</p> <p>to the following:</p> <p>The maximum capacity at the premises when licensable activities consisting of the sale of supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). [After 2.30am on Mondays to Saturdays and after 22.30 pm on Sundays]the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.</p> <p>2.To amend condition 33 which states:</p> <p>No admission or re-admission to the premises shall be permitted, except for smokers, later than one hour before the terminal hour for the sale of alcohol.</p> <p>to the following:</p> <p>No admission or re-admission to the premises shall be permitted, except for smokers, later than half an hour before the terminal hour for the sale of alcohol, Mondays to Saturdays and on 22.30pm on Sundays.</p>		

	<p>3. To amend the terminal hour for the sale of alcohol to 00:00 on Sundays.</p> <p>4. To vary the layout at the premises as follows:</p> <ul style="list-style-type: none"> • Location of fixed seating, podium and stage • Configuration of the bar servery • WC provision • Staff area as part of public area
Premises licence history:	These premises currently hold a Premise Licence 18/00126/LIPDPS. For a full history, please refer to Appendix 3.
Applicant submissions:	The applicant provided a letter of support and is attached to this report at Appendix 2.

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Performance of Dance, Anything of a similar description to Live Music, Recorded Music or Performance of Dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:00	No Change		Basement Only	No Change
Tuesday	09:00	03:00				
Wednesday	09:00	03:00				
Thursday	09:00	03:00				
Friday	09:00	03:00				
Saturday	09:00	03:00				
Sunday	09:00	00:00				
Seasonal variations:	Current:				Proposed:	
	None				No Change	
Non-standard timings:	Current:				Proposed:	
	None				No Change	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	03:30	No Change		Basement Only	No Change
Tuesday	23:00	03:30				
Wednesday	23:00	03:30				
Thursday	23:00	03:30				
Friday	23:00	03:30				
Saturday	23:00	03:30				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard	Current:				Proposed:	
	None				No Change	

timings:		
----------	--	--

Sale by Retail of Alcohol						
On or Off Sales			Current :		Proposed:	
			Both		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No Change		Basement Only	No Change
Tuesday	10:00	03:00				
Wednesday	10:00	03:00				
Thursday	10:00	03:00				
Friday	10:00	03:00				
Saturday	10:00	03:00				
Sunday	12:00	22:30	12:00	00:00		
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	03:30	No Change		Basement Only	No Change
Tuesday	09:00	03:30				
Wednesday	09:00	03:30				
Thursday	09:00	03:30				
Friday	09:00	03:30				
Saturday	09:00	03:30				
Sunday	09:00	00:00	09:00	00:30		
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

1-C Layout alteration
To vary the layout at the premises as follows:
<ul style="list-style-type: none"> • To indicate the location of fixed seating, podium and stage; • To indicate the configuration of the bar servery; • To indicate the wc provision and • To include a staff area as part of the public area;

1-D Conditions proposed by the applicant to be amended:

Condition	Proposed variation				
30. The maximum capacity at the premises when licensable activities consisting of the sale of supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). After 2.30 am the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.	30. The maximum capacity at the premises when licensable activities consisting of the sale of supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). After 2.30am on Mondays to Saturdays and after 22.30 pm on Sundays the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.				
33. No admission or re-admission to the premises shall be permitted, except for smokers, later than one hour before the terminal hour for the sale of alcohol.	33. No admission or re-admission to the premises shall be permitted, except for smokers, later than half an hour before the terminal hour for the sale of alcohol, Mondays to Saturdays and on 22.30pm on Sundays.				
Relevant entertainment:	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Current position:</th> <th style="width: 50%;">Proposed position:</th> </tr> </thead> <tbody> <tr> <td>The premises has the benefit of Sexual Entertainment Venue Licence, 18/10043/LISEVR as shown at Appendix 3.</td> <td>No Change</td> </tr> </tbody> </table>	Current position:	Proposed position:	The premises has the benefit of Sexual Entertainment Venue Licence, 18/10043/LISEVR as shown at Appendix 3.	No Change
Current position:	Proposed position:				
The premises has the benefit of Sexual Entertainment Venue Licence, 18/10043/LISEVR as shown at Appendix 3.	No Change				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn</i>)
Representative:	PC Bryan Lewis
Received:	21 March 2019
<p>Police object to this application, as it does not promote the licensing objectives, namely the prevention of crime and disorder for the following reasons:</p> <ul style="list-style-type: none">• Insufficient conditions• Some existing conditions require updating <p>Following discussions with the Metropolitan Police Service and the subsequent agreement of conditions, the Metropolitan Police Service withdrew their representation on the 3 April 2019.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	1 April 2019
<p>I refer to the application for variation of the Premises Licence.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none">1. To vary the hours for the Supply of Alcohol on a Sunday from 22.30 hours to 00.00 hours.2. To vary condition 30 and 33 regarding Sunday trading hours and last admissions.3. To vary the layout of the premises to include, fixed seating, configuration of the bar, public toilets and new public area. <p>I wish to make the following representation</p> <ol style="list-style-type: none">1. The additional hours requested for the Supply of Alcohol on a Sunday will have the likely effect of causing an increase in Public Nuisance within the area.2. The variation of conditions concerning Sunday trading hours and last admissions will have the likely effect of causing an increase in Public Nuisance within the area.3. The alterations will need to be assessed to ensure they do not impact on Public Safety. <p>No additional information has been provided and a visit will need to be made to the premises to fully assess the variation.</p>	

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	15 March 2019		
<p>Please acknowledge this anonymous objection to both applications 19/02770/LISEVV and 19/02741/LIPV for the Gaslight Club, 4 Duke of York Street, London, SW1Y 6LA</p> <p>Current issues I have with the applications are as follows;</p> <p>Antisocial behaviour outside the Gaslight Club. Outside the Gaslight Club on Duke of York St a number of affiliated and unaffiliated men solicit people on the street for dancers during opening hours. This is unacceptable for people living on Duke of York Street that have a right not to be solicited for sexual entertainment on the way to their homes. Also, men on Duke of York St standing outside their cars are soliciting massages with woman at a different venue after 3am when the Gaslight Club is closed. These men blend in with clients parked cars and loiter around the Gaslight club.</p> <p>Clients cars are parked for significant amounts of time on double yellow lines in April Tree Yard and Ormond Yard both adjacent to Duke of York St. Sometimes clients urinate in these side streets before and after entering the Gaslight Club.</p> <p>Management other than security stand outside the Gas Light club for a long amount of time more than necessary during opening hours when only workers should be outside for a cigarette break. Those members of staff stand on the steps blocking the entrance to 4-5 Duke of York Street next door chatting amongst each other.</p> <p>Bottles are sometimes found in the plant box next door at 4-5 Duke of York Street. The entrance to 4-5 Duke of York Street has 19 apartments and their entrance should remain clear and clean at all times.</p> <p>Any renewal or variation of this application and all other Gas Light applications including References: 19/02770/LISEVV and 19/02741/LIPV should consider addressing these series issues before these applications are accepted.</p> <p>Please let me know if these issues will be addressed. I wish to remain anonymous.</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy COMB1 applies:	<p>(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies.</p> <p>It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1&PB2, FFP1 & FFP2, MD1 & MD2.</p>
Policy NS1 applies:	<p>(i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1.</p> <p>(ii) Applications will be subject to appropriate conditions which promote the licensing objectives.</p>

	<p>(iii) Applications will not be granted in proximity to:</p> <p>(a) residential accommodation</p> <p>(b) schools</p> <p>(c) places of worship</p> <p>(d) community facilities or public buildings.</p> <p>(iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises in proximity to each other and in the vicinity.</p>
--	---

4. Equality Implications

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

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

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

4. Appendices

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

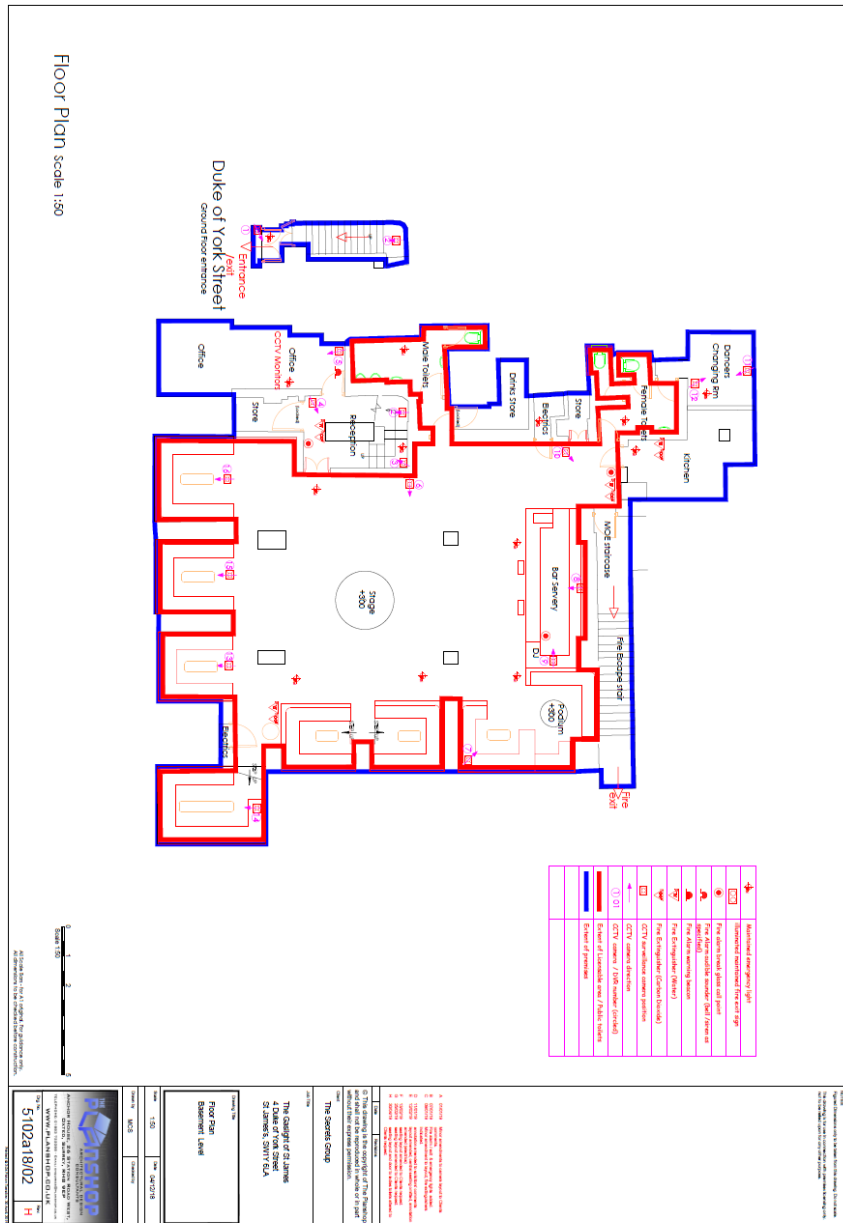
Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service Representation (Withdrawn)	21 March 2019
5	Environmental Health Service Representation	1 April 2019
6	Anonymous Representation	15 March 2019

Licensing Plan



Floor Plan scale 1:50

Letter of Support

**3 Bray House, 4 Duke of York Street,
St James's London, SW1Y 6LA**

Mr Stephen Lee

The Gaslight of St James's Limited
4 Duke of York Street
St James's
SW1Y 6LA

Wednesday 1st May 2019

Dear [REDACTED]

To the Westminster Licencing Team

You have been a tenant at The Gaslight for about seven years.

I refer to the telephone call you made to me some weeks ago, prior to your making the current application to slightly vary your hours, and I would confirm that I advised that Bray House Management would not have any objection.

In all of that time you have managed the club to a very high standard and we have not had any cause to complain about the conduct of your customers or the operation of the club.

It may be that other operators in the area cause problems and you get blamed but we, as Directors of Bray House Management Limited, who also live in Bray House, do not have any such complaints.

Yours sincerely,



[REDACTED]
Director – Bray House Management Limited.

Current Premises Licence



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

Schedule 12
Part A

WARD: St James's
UPRN: 010033533670

Premises licence

Regulation 33, 34

Premises licence
number:

18/00126/LIPDPS

Original Reference:

05/08028/LIPCV

Part 1 – Premises details

Postal address of premises:

The Gaslight Of St James Ltd
4 Duke Of York Street
London
SW1Y 6LA

Telephone Number: 0208 942 2501

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
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 00:00

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

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

Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 00:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 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:**

The Gaslight Of St James's Ltd
The Stockwood Suite A
Britannia House
Leagrave Road
Luton
LU3 1RJ

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

8380467

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

Name: XXXXXXXXXX

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: 0 [REDACTED]
Licensing Authority: City Of Westminster Council

Date: 9 April 2018

This licence has been authorised by Mr Steve Rowe 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.

9(iii). Where the permitted price given by Paragraph 9(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.

9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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.

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. From 8:00pm on Thursdays, Fridays and Saturdays when licensable activities are taking place and premises are being used as a hostess club, then at least one personal licence holder shall be present on the premises.
12. CCTV with time and date recording facility shall be installed at the premises in accordance with the advice of a Metropolitan Police Officer Prevention Officer. Recordings shall be made and retained for at least thirty-one days and shall be readily available for inspection by the Police or Westminster City Council.
13. On Mondays to Saturdays, when the premises are being used as a hostess club, after 11:00pm intoxicating liquor shall not be sold or supplied to persons unless a minimum entry fee of £7 has been paid for admission to the premises or an annual admission fee of £250 (not to be credited against consumables). However, notwithstanding the above, intoxicating liquor may be sold or supplied after 11:00pm to the following persons who have not paid an admission fee:-
 - a) Persons who are taking a table meal where the consumption of alcohol is ancillary to that meal;
 - b) Any person attending a bona fide private function at the premises;
 - c) Artistes or persons working at the premises;
 - d) Bona fide guests of the proprietor, a list of whom shall be kept at the reception for inspection by the appropriate authorities;
14. Suitable beverages other than intoxicating liquor including drinking water shall be available at the premises.
15. The sound limiting device shall be set at such a level and sealed and maintained to the satisfaction of the Environmental Health Office and noise and vibration from mechanical equipment or from music provided at the premises shall not be audible in nearby residential property so as to constitute a nuisance.
16. Should there be any change to the management structure plan, deposited with Westminster City Council Licensing Authority, the licensee shall notify the Licensing Authority as soon as reasonable practical and, in any event, within seven days.
17. Whenever the premises are used for the provision of regulated entertainment, the internal lobby doors shall remain closed except for customer access and exit and in the event of emergency.
18. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of the local residents and to leave the premises and area quietly.
19. The licensee and managers shall ensure that staff do not cause noise or disturbance when entering or exiting the premises or when carrying out their duties at the door or outside the premises.
20. Noise and disturbance arising from taxis picking up and setting down clients at the premises shall be minimised as far as possible.
21. At least one registered door supervisor shall be employed at the premises when the premises are open for the provision of regulated entertainment to the public.
22. Whenever hostesses are working at the premises, customers shall be informed as soon as their bills reach £2,000 (such figure may be adjusted with the written agreed of the Police or Licensing Authority to take inflation into account) and customers should sign their agreement at this point and again upon the bills reaching £4,000, £6,000 and such further multiples of £2,000.

All bills shall clearly show the numbers of customers in the party and the number and names of the hostesses who have entertained them and be signed by the customer. All bottles of champagne shall be signed for. These bills shall be retained for ninety days and shall be readily available to the Police and/or the Licensing Authority upon reasonable request.

23. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to hostesses.

24. A permanent written record shall be maintained in the form of a "refusals book" kept at the premises. This record shall be signed by or on behalf of the licensee on a daily basis and record the details of any customer who refuses to pay his/her bill giving details of the customer's name, contact details and a detailed copy of the bill. These records shall be retained for a period of ninety days and be made available to the Police and/or the Licensing Authority upon reasonable request.

25. A notice outlining the Code of Conduct for the customer "as agreed with the Police" shall be positioned at the entrance, reception, bar area and table menus. It shall be of an adequate size (font 16) so that it can be easily read by the customer.

26. All hostesses activities shall be conducted openly and at no time shall hostesses entertain customers in areas to the premises that are screened, hidden by curtains or not in public use.

27. No payment shall be made by or on behalf of the licensee to unlicensed minicabs for bringing customers to the premises and there shall be no soliciting of custom by means of persons on the public highway other than by means of handing out flyers outside the vicinity of the premises.

28. All refuse is paid, properly presented and placed out for collection no earlier than thirty minutes before collection time. Refuse cannot be left on the highway for more than two hours and thirty minutes.

29. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is indicated or affixed up on the surface of the highway or up on any building, structure, works, street furniture, tree or any other property or is distributed in the street to the public that advertises or promotes the establishment its premises or any of its events, facilities, goods or services.

30. The maximum capacity at the premises when licensable activities consisting of the sale or supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). After 2.30am the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.

31. Draught beer shall not be sold or supplied within the premises without the approval of the Environmental Health Officer and if necessary an amendment to the layout drawings of the premises.

32. Music and/or dancing and/or food shall be available within the premises.

33. No admission or re-admission to the premises shall be permitted, except for smokers, later than one hour before the terminal hour for the sale of alcohol.

34. After 02:00 on the morning following Monday to Saturday the sale of alcohol must be ancillary to the use of the premises for relevant entertainment (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
35. There shall be no off-sales after 02:00 hours.
36. Customers will be encouraged to utilize the preferred taxi company of the licence holder and also to remain in the premises whilst awaiting arrival of their taxi.
37. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033533670

Premises licence
summary

Regulation 33, 34

Premises licence
number:

18/00126/LIPDPS

Part 1 – Premises details

Postal address of premises:

The Gaslight Of St Jamess Ltd
4 Duke Of York Street
London
SW1Y 6LA

Telephone Number: 0208 942 2501

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
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 00:00

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

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

Monday to Saturday:

09:00 to 03:00

Sunday:

09:00 to 00:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 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:

The Gaslight Of St James's Ltd
The Stockwood Suite A
Britannia House
Leagrave Road
Luton
LU3 1RJ

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

8380467

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

Name: [REDACTED]

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

Restricted

Date: 9 April 2018

This licence has been authorised by Mr Steve Rowe on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/08028/LIPCV	Conversion of Licence	4 October 2005	Granted under delegated authority
06/02983/LIPDPS	Variation of Designated Premises Supervisor	21 April 2006	Granted under delegated authority
06/12027/LIPV	Variation of Premises Licence	18 October 2007	Granted under delegated authority
07/09433/LIPT	Transfer of Premises Licence	17 October 2007	Granted under delegated authority
06/06504/WCCMAP	Master Licence		
08/00190/LIPDPS	Variation of Designated Premises Supervisor	10 January 2008	Granted under delegated authority
13/01253/LIPT	Transfer of Premises Licence	19 April 2013	Granted under delegated authority
13/01504/LIPDPS	Variation of Designated Premises Supervisor	19 April 2013	Granted under delegated authority
14/00831/LIPV	Variation of Premises Licence	15 May 2015	Granted at Licensing Sub-Committee
16/01917/LIPDPS	Variation of Designated Premises Supervisor	4 March 2016	Granted under delegated authority
18/00126/LIPDPS	Variation of Designated Premises Supervisor	9 April 2018	Granted under delegated authority

There is no appeal history

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

11. From 8:00pm on Thursdays, Fridays and Saturdays when licensable activities are taking place and premises are being used as a hostess club, then at least one personal licence holder shall be present on the premises.
12. CCTV with time and date recording facility shall be installed at the premises in accordance with the advice of a Metropolitan Police Officer Prevention Officer. Recordings shall be made and retained for at least thirty-one days and shall be readily available for inspection by the Police or Westminster City Council.
13. On Mondays to Saturdays, when the premises are being used as a hostess club, after 11:00pm intoxicating liquor shall not be sold or supplied to persons unless a minimum entry fee of £7 has been paid for admission to the premises or an annual admission fee of £250 (not to be credited against consumables). However, notwithstanding the above, intoxicating liquor may be sold or supplied after 11:00pm to the following persons who have not paid an admission fee:-
 - a) Persons who are taking a table meal where the consumption of alcohol is ancillary to that meal;
 - b) Any person attending a bona fide private function at the premises;
 - c) Artistes or persons working at the premises;
 - d) Bona fide guests of the proprietor, a list of whom shall be kept at the reception for inspection by the appropriate authorities;
14. Suitable beverages other than intoxicating liquor including drinking water shall be available at the premises.
15. The sound limiting device shall be set at such a level and sealed and maintained to the satisfaction of the Environmental Health Office and noise and vibration from mechanical equipment or from music provided at the premises shall not be audible in nearby residential property so as to constitute a nuisance.
16. Should there be any change to the management structure plan, deposited with Westminster City Council Licensing Authority, the licensee shall notify the Licensing Authority as soon as reasonable practical and, in any event, within seven days.
17. Whenever the premises are used for the provision of regulated entertainment, the internal lobby doors shall remain closed except for customer access and exit and in the event of emergency.
18. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of the local residents and to leave the premises and area quietly.
19. The licensee and managers shall ensure that staff do not cause noise or disturbance when entering or exiting the premises or when carrying out their duties at the door or outside the premises.
20. Noise and disturbance arising from taxis picking up and setting down clients at the premises shall be minimised as far as possible.
21. At least one registered door supervisor shall be employed at the premises when the premises are open for the provision of regulated entertainment to the public.
22. Whenever hostesses are working at the premises, customers shall be informed as soon as their bills reach £2,000 (such figure may be adjusted with the written agreed of the

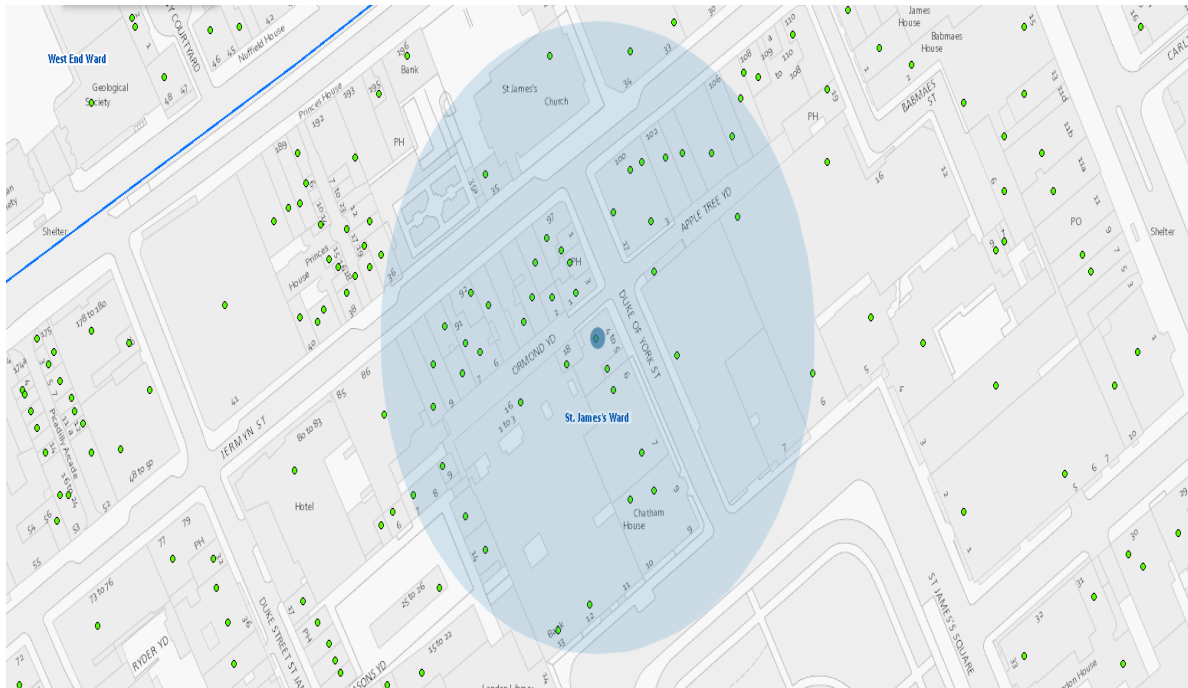
Police or Licensing Authority to take inflation into account) and customers should sign their agreement at this point and again upon the bills reaching £4,000, £6,000 and such further multiples of £2,000. All bills shall clearly show the numbers of customers in the party and the number and names of the hostesses who have entertained them and be signed by the customer. All bottles of champagne shall be signed for. These bills shall be retained for ninety days and shall be readily available to the Police and/or the Licensing Authority upon reasonable request.

23. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to hostesses.
24. A permanent written record shall be maintained in the form of a "refusals book" kept at the premises. This record shall be signed by or on behalf of the licensee on a daily basis and record the details of any customer who refuses to pay his/her bill giving details of the customer's name, contact details and a detailed copy of the bill. These records shall be retained for a period of ninety days and be made available to the Police and/or the Licensing Authority upon reasonable request.
25. A notice outlining the Code of Conduct for the customer "as agreed with the Police" shall be positioned at the entrance, reception, bar area and table menus. It shall be of an adequate size (font 16) so that it can be easily read by the customer.
26. All hostesses activities shall be conducted openly and at no time shall hostesses entertain customers in areas to the premises that are screened, hidden by curtains or not in public use.
27. No payment shall be made by on behalf of the licensee to unlicensed minicabs for bringing customers to the premises and there shall be no soliciting of custom by means of persons on the public highway other than by means of handing out flyers outside the vicinity of the premises.
28. All refuse is paid, properly presented and placed out for collection no earlier than thirty minutes before collection time. Refuse cannot be left on the highway for more than two hours and thirty minutes.
29. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is indicated or affixed up on the surface of the highway or up on any building, structure, works, street furniture, tree or any other property or is distributed in the street to the public that advertises or promotes the establishment its premises or any of its events, facilities, goods or services.
30. The maximum capacity at the premises when licensable activities consisting of the sale or supply of alcohol or the provision of late night refreshment are taking place shall be 150 persons (including staff). Whenever regulated entertainment is also provided or provided independently, then the maximum capacity of the premises shall be 110 (excluding staff). After 2.30am the number of persons on the premises (excluding performers and staff) will be reduced from 110 to 70 save for any private pre-booked functions in respect of which the booking shall have been made at least 24 hours beforehand and the records relating to such booking shall be retained for a minimum period of 30 days following the function.
31. Draught beer shall not be sold or supplied within the premises without the approval of the Environmental Health Officer and if necessary an amendment to the layout drawings of the premises.

32. Music and/or dancing and/or food shall be available within the premises.
33. No admission or re-admission to the premises shall be permitted, except for smokers, later than one hour before the terminal hour for the sale of alcohol.
34. After 02:00 on the morning following Monday to Saturday the sale of alcohol must be ancillary to the use of the premises for relevant entertainment (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
35. There shall be no off-sales after 02:00 hours.
36. Customers will be encouraged to utilize the preferred taxi company of the licence holder and also to remain in the premises whilst awaiting arrival of their taxi.
37. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

Residential Map and List of Premises in the Vicinity

Appendix 5



Resident Count: 44

Premises within 75 metres of The Gaslight of St James's, 4 Duke of York Street, London, SW1Y 6LA					
Licence Number	Trading Name	Address	Premises Type	Time Period	Application Type
06/07266/WCCMAP	Al Duca Restaurant	Bray House 4 - 5 Duke Of York Street London SW1Y 6LA	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:30	Master Licence - Premises Licence
18/00126/LIPDPS	The Gaslight Of St James Ltd	4 Duke Of York Street London SW1Y 6LA	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00	Premises Licence - Change of DPS
14/06965/LIPDPS	Red Lion Public House	2 Duke Of York Street London SW1Y 6JP	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00	Premises Licence - Change of DPS
17/00744/LIPDPS	SG Hambros Private Banking	Ground Floor To Top Floor Ensearch House 8 St	Office	Monday to Sunday; 00:00 - 00:00	Premises Licence - Change of DPS

		James's Square London SW1Y 4JU			
18/12303/LIPDPS	Paxton & Whitfield Ltd	Basement And Ground Floor 93 Jermyn Street London SW1Y 6JE	Shop	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00	Premises Licence - Change of DPS
18/03038/LIPN	Not Recorded	91 Jermyn Street London SW1Y 6JB	Night clubs and discos	Monday to Sunday; 09:00 - 03:30	Premises Licence - New
18/12722/LIPRW	The Wellington Club	91 Jermyn Street London SW1Y 6JB	Night clubs and discos	Monday to Sunday; 09:00 - 03:30	Premises Licence - Removal of Works
18/15638/LIPVM	The Scotch Of St James	Basement And Ground Floor 13 Mason's Yard London SW1Y 6BU	Night clubs and discos	Monday; 09:00 - 05:30 Tuesday; 09:00 - 05:30 Wednesday; 09:00 - 05:30 Thursday; 09:00 - 05:30 Friday; 09:00 - 05:30 Sunday; 09:00 - 03:30	Premises Licence - Variation - Minor
18/01013/LIPVM	The Scotch Of St James	Basement And Ground Floor 13 Mason's Yard London SW1Y 6BU	Night clubs and discos	Monday to Saturday; 09:00 - 05:30 Sunday; 09:00 - 03:30	Premises Licence - Variation - Minor
18/15737/LIPDPS	Rio Tinto	6 St James's Square London SW1Y 4JU	Not Recorded	Monday to Sunday; 00:00 - 00:00	Premises Licence - Change of DPS