

# Licensing Sub-Committee Report

Item No:	
Date:	23 April 2020
Licensing Ref No:	20/01140/LIPN - New Premises Licence
Title of Report:	Brunel Buildings 2 Canalside Walk 11 <sup>th</sup> Floor City Of Westminster London W2 1DG
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	28 January 2020		
<b>Applicant:</b>	Columbia Pictures Corporation Limited		
<b>Premises address:</b>	Brunel Buildings 2 Canalside Walk 11 <sup>th</sup> Floor City Of Westminster London W2 1DG	<b>Ward:</b>	Hyde Park
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises is a new multi-tenanted commercial office development building which comprises of 16 storeys with two basement levels. The applicant will be occupying the tenth to thirteenth floor however the applicant is only seeking to licence the eleventh floor for the screening of private films with a bar and refreshment facility available.		
<b>Premises licence history:</b>	This is a new premises application and therefore no Premises Licence history exist.		
<b>Applicant submissions:</b>	On submission of the application the applicant submitted a supporting document detailing the history of the licence holder and their proposal to surrender their current licence. The documentation also details the operation of the new premises. A copy of the document and licence detailed in the supporting document can be found at Appendix 2.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			N/A				

Films				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			N/A				

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

Sale by retail of alcohol				On or off sales or both:			On Premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service ( <i>Withdrawn 23 March 2020</i> )
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	7 February 2020
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed licensable activities in line with the relevant policies within the Council's Statement of Licensing Policy dated January 2016.</p> <p><b>Applicant is seeking the following licensable activities:</b></p> <ol style="list-style-type: none"> <li>Exhibition of film indoors at the following times: Monday to Thursday: 09:00 – 23:30 hours Friday to Saturday: 09:00 – 00:00 hours (midnight) Sunday 09:00 – 22:30 hours</li> <li>Playing of recorded music indoors at the following times: Monday to Thursday: 23:00 – 23:30 hours Friday to Saturday: 23:30 – 00:00 hours (midnight)</li> <li>Provision of late-night refreshment indoors at the following times: Monday to Thursday: 23:00 – 23:30 hours</li> </ol>	

Friday to Saturday: 23:00 – 00:00 hours (midnight)

4. Supply alcohol for consumption “on” the premises at the following times:

Monday to Thursday: 10:00 – 23:30 hours

Friday to Saturday: 10:00 – 00:00 hours (midnight)

Sunday 12:00 – 22:30 hours

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

1. The hours requested to exhibit films would have the likely effect of causing an increase in Public Nuisance within the area
2. The hours requested to play recorded music would have the likely effect of causing an increase in Public Nuisance within the area
3. The hours requested to provide late night refreshment would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
4. The supply of alcohol and the hours requested would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

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

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

**Following agreement of additional conditions, Environmental Health withdrew their representation on 23 March 2020.**

<b>Responsible Authority:</b>	Metropolitan Police Service <b>(Withdrawn 27 February 2020)</b>
<b>Representative:</b>	PC Brian Hunter
<b>Received:</b>	11 February 2020

I am in receipt of the above application and inform you that we the Metropolitan Police are making a representation against it. I note the details of the application and the attached Operating schedule which are accepted, in addition should this licence be granted we would like to see the following conditions attached:-

- A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the *premise as a private film screening venue*
- There shall be no external advertisement of the bar facilities at the premises.

**Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 27 February 2020.**

**2-B Other Persons**

**Name:**

██████████

**Address and/or Residents Association:**

██████████

**Status:**

Valid

**In support or opposed:**

Opposed

**Received:**

25 February 2020

Our concerns on the application mainly centre on persons arriving or leaving Brunel House ██████████  
██████████  
causing noise and anti - social nuisance with potential crime and disorder.

We therefore object to this application.

We need confirmation hours applied are within WCC Core Hours etc.

Also position on food available during Core Hours.

We recall no off - sales applied but if applied for we would want no sale of beer or cider over 5.5% except for premium brands in glass containers or cans.

We have concern over smoking and congregation of persons outside and need clarification of arrangements for a 'smoking area' ██████████.

We assume, ██████████, there are internal refuse & recycling storage arrangements and that deliveries and collections of refuse and recycling only take place Monday to Saturday between 08.00 and 18.00 but can this please be confirmed.

We are confident that agreement can be reached with applicant.

As usual we are more than happy to discuss or meet up with applicant and their advisors to discuss the application.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p><b>Policy HRS1 applies</b></p>	<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><b>For premises for the supply of alcohol for consumption on the premises:</b></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><b>For premises for the supply of alcohol for consumption off the premises:</b></p> <p>Monday to Saturday: 08:00 to 23:00            Sundays: 10:00 to 22:30</p> <p><b>For premises for the provision of other licensable activities:</b></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>
<p><b>Policy PB1 applies</b></p>	<p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p>
<p><b>Policy PVC1 applies</b></p>	<p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.</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, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

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

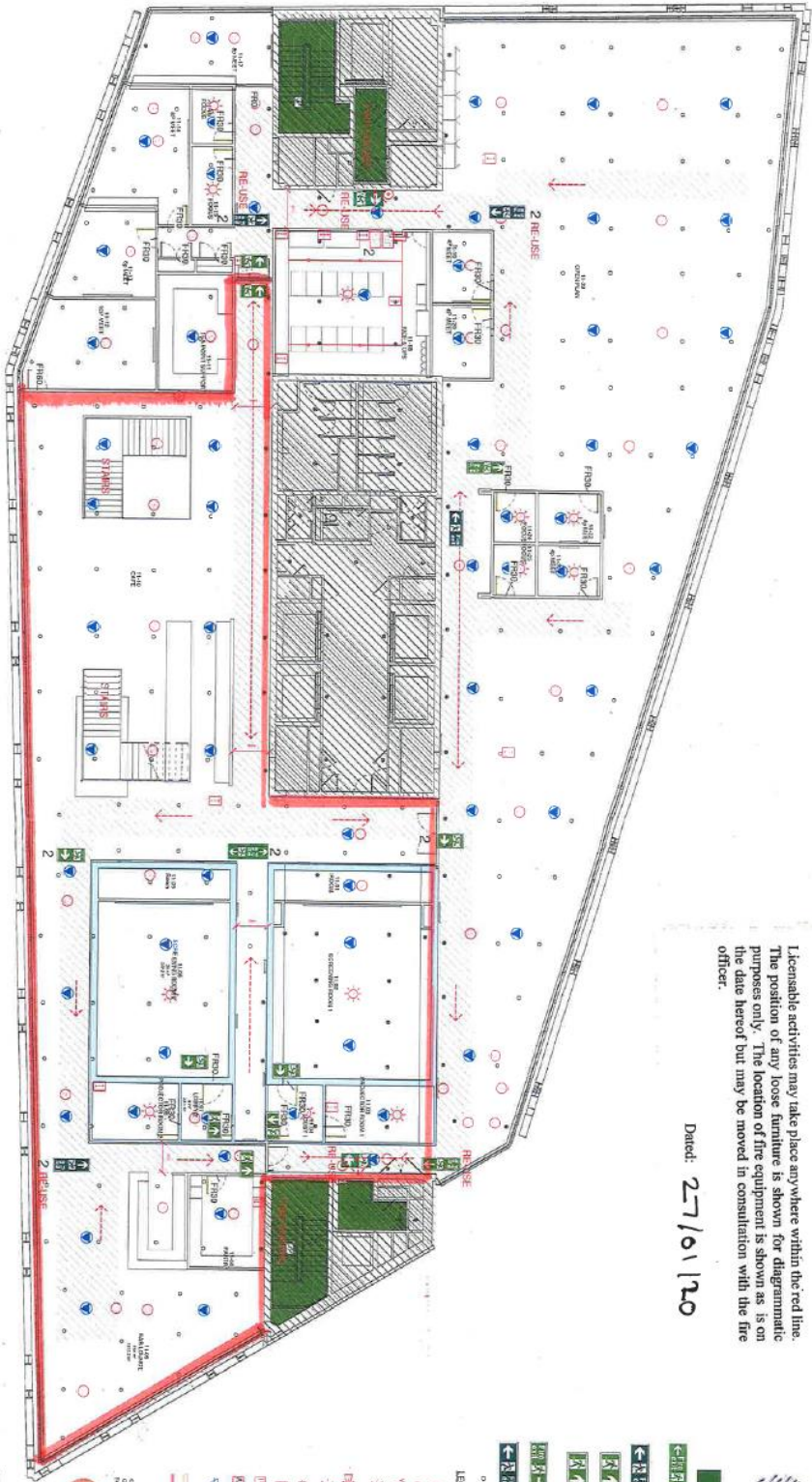
<b>Report author:</b>	Miss Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>

**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 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service Representation <b>(Withdrawn 23 March 2020)</b>	7 February 2020
<b>5</b>	Metropolitan Police Service Representation <b>(Withdrawn 27 February 2020)</b>	11 February 2020
<b>6</b>	Resident Representation	25 February 2020

\* Please see attached seating plan, drawing number 006136A-11 Rev C



Licensed activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of the equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated: 27/01/20

**RESONATE**  
INTERIOR ARCHITECTURE

117th Floor, 117th Street, New York, NY 10035  
Tel: +1 212 693 9000  
www.resonateinterior.com

**LEGEND:**

- ① ROOM OUTLINE
- ② FLOOR FINISH
- ③ FLOOR FINISH TO BE EXCLUDED FROM CONTRACT
- ④ FLOOR FINISH TO BE EXCLUDED FROM CONTRACT
- ⑤ FLOOR FINISH TO BE EXCLUDED FROM CONTRACT
- ⑥ FLOOR FINISH TO BE EXCLUDED FROM CONTRACT
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**PROJECT INFORMATION:**

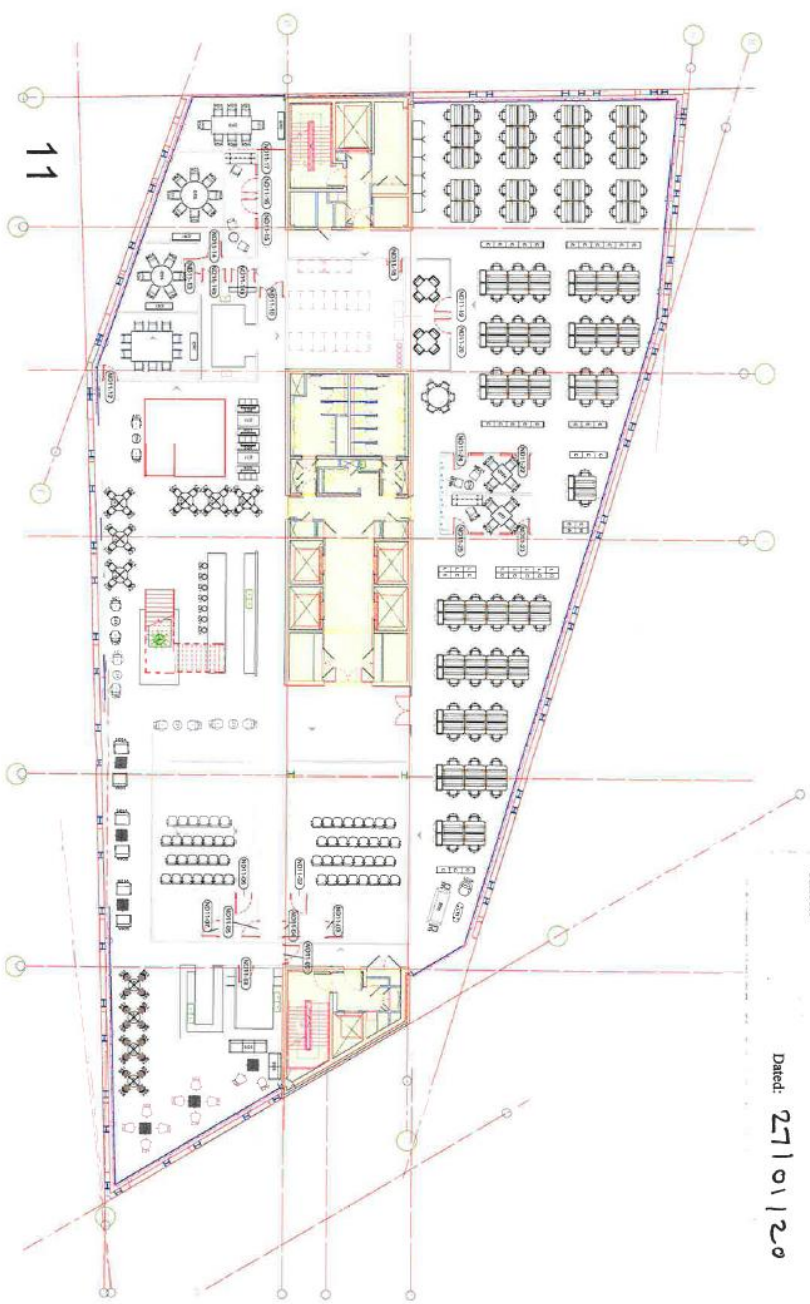
PROJECT NAME: 117TH FLOOR - FINE STRATEGY PLAN

DATE: 27/01/20

SCALE: 1:100

CONTRIBUTION: 2012 FSI-11





The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated: 27/01/20

C	Added roof columns area 11-24/1-25	13-12-19
B	Changes to the codes on plan	13-12-19
A	Issued for Comment	04-12-18
No.	Revision/Issue	Date



**SPACECRAFT**  
 Client: SONY PICTURES & ENTERTAINMENT  
 Drawing Title: 11TH FLOOR  
 TWEENTH ROBINSON BUILDING  
 Site Location: Farringham, London

Draw No: QMS13 GA-11  
 Revision: C  
 Scale: 1:100@A0  
 Date: 16-07-20  
 Drawn: KG  
 Slated: RM  
 64-89 Old Street, London, EC1Y 9AN  
 T: 020 7348 0000  
 F: 020 7348 0001  
 E: info@spacecraft.com  
 www.spacecraft.com

The drawing is the property of Spacecraft and may not be used for any other project without the written consent of Spacecraft International. All drawings are created and issued in electronic form. Spacecraft International is not responsible for any loss or damage to the original drawing or any copies thereof.

**SUPPORTING INFORMATION**

The applicant, Columbia Pictures Corporation Limited, currently operates at 25-29 Golden Square, London, W1F 9JS under premises licence number 12/04080/LIPDPS. The Operator will shortly be moving premises and proposes to operate at a new site, Brunel Building, 2 Canalside Walk, London, W2 1DG with a view to using the premises much like their current premises. The current premises licence will be surrendered at the appropriate time.

The premises is a brand new multi-tenanted commercial office development building which comprises 16 storeys with two basement levels. The applicant will be occupying the tenth to thirteenth floors. For the purposes of this new premises licence application, only the eleventh-floor forms part of the application and proposed licensed area, as shown in the attached drawing numbered 2012 FST-11 Rev C2.

The applicant proposes to have screening rooms that will be used predominantly for the screening of their films to the press both pre and post release. They will use the bar for drinks before and/or after the screening. The applicant proposes to host staff and friends/family events where they screen films and open the bar for drinks. The applicant also proposes to hold private events at the premises with the use of the requested licensable activities, as set out in the application.

The location of the premises is easily accessible either by way of public transport via the closest station, Paddington Station, by various bus links or by taxi.

**Licence holders' current premises licence for 25-29 Golden Square, London, W1F 9JS**



City of Westminster

Schedule 12  
Part A

WARD: West End  
UPRN: 010033534813

64 Victoria Street, London,  
SW1E 6QP

Regulation 33, 34

**Premises licence**

**Premises licence number:**

12/04080/LIPDPS

**Original Reference:**

05/07070/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Columbia Pictures Corporation Limited  
25 - 29 Golden Square  
London  
W1F 9JS

**Telephone Number:** c/o 020 7339 7010

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Playing of Recorded Music  
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 time the licence authorises the carrying out of licensable activities:**

**Exhibition of a Film**

Monday to Sunday: 09:00 to 00:00

**Playing of Recorded Music**

Unrestricted

**Late Night Refreshment**

Monday to Saturday: 23:00 to 23:30

**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 23:00  
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: 10:00 to 23:30  
Sunday: 12:00 to 23:00

**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:**

Columbia Pictures Corporation Limited  
25 Golden Square  
London  
W1F 9LN

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

242372

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

**Name:** Mr Max Phountzi

**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:** 2012/00638/LAPER  
**Licensing Authority:** London Borough of Hammersmith & Fulham

**Date:** 28<sup>th</sup> June 2012

## 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.

10. 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.

**Conditions reproducing the effect of conditions subject to which the relevant existing licenses have effect.**

**Conditions for Sale of Alcohol**

11. Beverages other than intoxicating liquor (including drinking water) shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. A closed circuit television system shall be installed operated and maintained as reasonably specified by the Metropolitan Police Crime Prevention Officer. Recording to be retained for 31 days.
13. No striptease, no nudity and all persons to be decently attired at all times.
14. Intoxicating liquor may only be sold or supplied under authority of this licence to; Employees and officers of Columbia Pictures Corporation Limited, or its associated companies (the company) Guests of the said employees, officers and Company. Persons attending a private function in respect of which the licensee has had 24 hours written notice. Persons attending a private viewing of a film in respect of which the licensee has had 24 hours written notice. A list of persons referred to at 2,3 and 4 shall be kept at reception to the premises and be made available for inspection by police.

15. The maximum number of persons to be accommodated on the premises at any one time shall not exceed the number agreed by the Fire Officer in writing which at the time of grant is 80 including staff.
16. No draught beer.

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

None

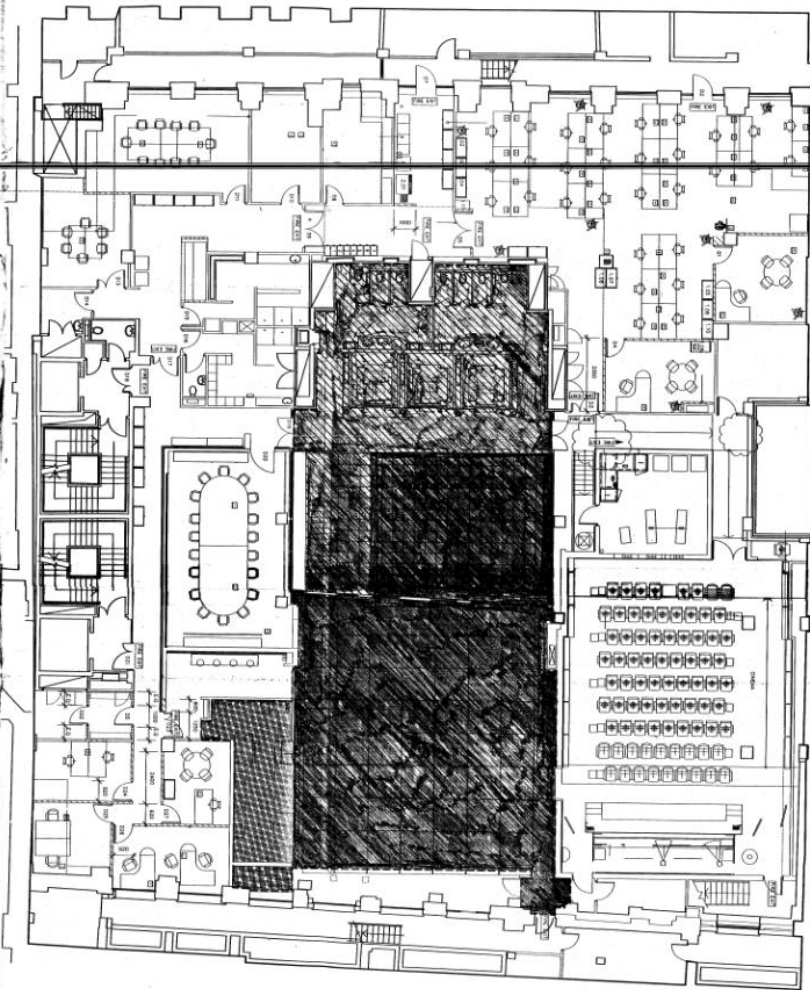


### **Annex 3 – Conditions attached after a hearing by the licensing authority**

17. All credit card sales must be accompanied with an itemised bill.

# Annex 4 – Plans

Copyright of detailed drawings and plans remains with the client. The position of the furniture is shown for illustrative purposes only. The drawings may be revised without the consent of the client. Date: 2.8.05



Client		COLUMBIA PICTURES	
Project		25 GOLDEN SQUARE LONDON	
Drawing		LOWER GROUND FLOOR BAR AND ASSOCIATED AREAS	
Scale	1:100	Sheet	PA-10-03
Project No	L1022	Revised	02
Client Reference	02	Approved	BA
		Checked	GL
		Drawn	GL
		Date	2.8.05



City of Westminster

Schedule 12  
Part B

WARD: West End  
UPRN: 010033534813

64 Victoria Street, London,  
SW1E 6QP

Premises licence  
summary

Regulation 33, 34

Premises licence  
number:

12/04080/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Columbia Pictures Corporation Limited  
25 - 29 Golden Square  
London  
W1F 9JS

**Telephone Number:** c/o 020 7339 7010

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Playing of Recorded Music  
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:**

**Exhibition of a Film**

Monday to Sunday: 09:00 to 00:00

**Playing of Recorded Music**

Unrestricted

**Late Night Refreshment**

Monday to Saturday: 23:00 to 23:30

**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 23:00  
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: 10:00 to 23:30  
Sunday: 12:00 to 23:00

**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:**

Columbia Pictures Corporation Limited  
25 Golden Square  
London  
W1F 9LN

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

242372

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

**Name:** Mr Max Phountzi

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

Restricted

**Date:** 28<sup>th</sup> June 2012

## **Premises History**

## **Appendix 3**

There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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.



### **Conditions consistent with the operating schedule**

10. 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.
11. 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 to the public. This staff member shall be able to show police recent data or footage with the minimum of delay when requested.
12. An incident log shall be kept at the premises and made available on request to an authorised council officer 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 refusals of the sale of alcohol
  - (h) Any visit by a relevant authority or emergency service

### **Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule.**

13. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 300 persons (to be assessed on removal of works condition)
14. Beverages other than intoxicating liquor (including drinking water) shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold or supplied
15. 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.
16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
17. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
18. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
19. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

20. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

**Conditions proposed by the Police and agreed with the applicant so as to form part of the operating schedule.**

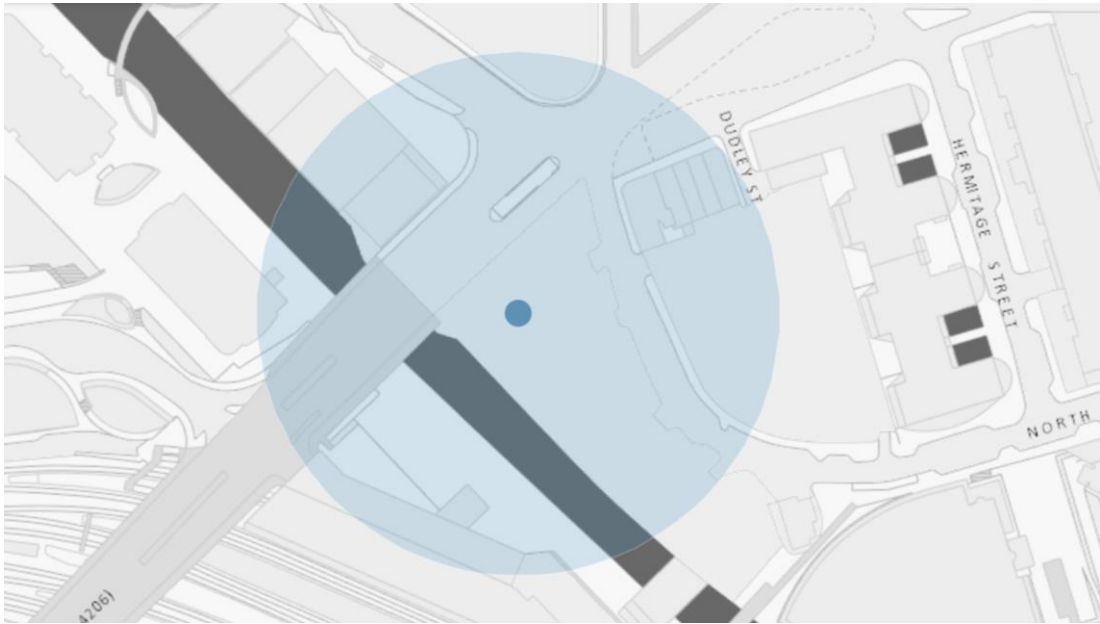
21. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
22. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premise as a private film screening venue, save for staff events.
23. There shall be no external advertisement of the bar facilities at the premises.

**Conditions proposed by the applicant and agreed with [REDACTED] so as to form part of the operating schedule.**

24. Notices shall be prominently displayed at exits requesting that patrons/smokers leaving the premises respect the needs of local residents and businesses and leave the area quietly.
25. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 the following day.
26. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.

**Conditions proposed by [REDACTED]**

27. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.



Resident Count: 0

**Licensed premises within 75 Metres of Brunel Buildings, 2 Canalside Walk, London, W2 1DG**

Licence Number	Trading name	Address	Premises Type	Time Period
19/09141/LIPN	Daisy Green, 1 Canalside Walk London W2 1DG	Mezzanine And Ground Floor Brunel Buildings 1 Canalside Walk City Of Westminster London W2 1DG	Not Recorded	Monday; 07:30 - 23:30   Tuesday; 07:30 - 23:30   Wednesday; 07:30 - 23:30   Thursday; 07:30 - 23:30   Friday; 07:30 - 00:00   Saturday; 07:30 - 00:00   Sunday; 07:30 - 22:30
19/00371/LIPN	Not Recorded	STREET RECORD Canalside Walk City Of Westminster London	Not Recorded	Monday to Saturday; 11:00 - 23:00   Sunday; 11:00 - 22:00
19/06103/LIPN	The Cheese Bar Barge	The Cheese Bar Barge Paddington Basin Sheldon Square London W2 6DS	Restaurant	Monday to Friday; 08:00 - 23:00   Saturday; 09:00 - 23:00   Sunday; 10:00 - 22:00
11/02593/LIPDPS	ETC Venues	Ground Floor To Third Floor 57 North Wharf Road London W2 1LA	Office	Monday to Saturday; 07:00 - 23:30   Sunday; 07:00 - 22:30
16/01994/LIPVM	Smiths Bar And Grill	25 Sheldon Square London W2 6EY	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:30   Sunday; 10:00 - 23:00   Sundays before Bank Holidays; 10:00 - 00:30