



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

25 November 2021

21/07370/LIPV - New Premises Licence

Blacks
Basement To First Floor
67 Dean Street
London

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	23 July 2021		
Applicant:	Blacks Limited		
Premises:	Blacks		
Premises address:	Basement To First Floor 67 Dean Street London W1D 4QH	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises current trade as a private member club		
Variation description:	<p>1. Amend Condition 17 to the following The hours of operation for the premises when open to the public will be Monday to Thursday 12:00 to 23:00 Friday to Saturday 12:00 to 00:00 Sunday 12:00 to 22:30 After these times the premises will only trade as a private members club</p> <p>2. To Amend Condition 18 to the following When the premises are open to the public. These areas shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>		
Premises licence history:	The premises have had the benefit of a premises licence since at least 2005. The current premises licence (licence number 19/12079/LIPV) is attached as Appendix 1 of this report. A full licence history for the premises appears at appendix 3		

Applicant submissions:	Submissions from the applicant appear at appendix 2
Applicant amendments:	None

1-B	Current and proposed licensable activities, areas and hours
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Regulated Entertainment

Live music

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:30	No change		Basement to second floor	No change
Tuesday	10:00	01:30				
Wednesday	10:00	01:30				
Thursday	10:00	01:30				
Friday	10:00	01:30				
Saturday	10:00	01:30				
Sunday	12:00	00:30				
Seasonal Variations/Non-standard timings:	Current: None				Proposed: No change	

Late night refreshment (Basement and ground floors)

Indoors, outdoors or both		Current :				Proposed:	
		Indoors				No change	
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday	23:00	01:30	No change		Basement to second floor	No change	
Tuesday	23:00	01:30					
Wednesday	23:00	01:30					
Thursday	23:00	01:30					
Friday	23:00	01:30					
Saturday	23:00	01:30					
Sunday	23:00	01:00					
Seasonal variations/ Non-standard timings:	Current: The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day				Proposed: No change		

Late night refreshment (First and second floors)						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Basement to second floor	No change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	23:30				
Saturday	23:00	23:30				
Sunday	N/A					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day				No change	

Sale by Retail of Alcohol (Basement and ground floors)						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Basement to second floor	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	12:00	00:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)				No change	

Sale by Retail of Alcohol (First and second floors)						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No change		Basement to second floor	No change
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00				

Saturday	10:00	23:00			
Sunday	12:00	22:30			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:30	No change		Basement to second floor	No change
Tuesday	10:00	01:30				
Wednesday	10:00	01:30				
Thursday	10:00	01:30				
Friday	10:00	01:30				
Saturday	10:00	01:30				
Sunday	12:00	01:00				
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	None			No change		

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being varied
Condition	Proposed variation
17. The hours of operation for the Basement and Ground Floor when open to the public will be; Monday to Thursday 12:00 to 23:00 Friday to Saturday 12:00 to 00:00 Sunday 12:00 to 22:30 After these times the premises will only trade as a private members club.	17. The hours of operation for the premises when open to the public will be; Monday to Thursday 12:00 to 23:00 Friday to Saturday 12:00 to 00:00 Sunday 12:00 to 22:30 After these times the premises will only trade as a private members club
18. When the Basement and Ground Floor are open to the public. These areas shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption,	18. When the premises are open to the public. These areas shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service

<p>(v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>	<p>of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>
<p>In the event that the application is granted, the following conditions will require the words “with the exception of the ground floor and basement” removed:</p> <p>19. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.</p> <p>21. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, there shall be no more than 4 guests per member on the premises at any time, save for guests of members: a) Taking a table meal; or b) Attending a pre-booked and bona fide private function or event booked by a member no less than 24 hours in advance. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the council; '</p> <p>22. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, guests of members can only purchase alcohol whilst that member is present on the premises.</p> <p>Conditions 19, 21 and 22 above were not proposed to be varied in the initial application however the conditions would</p>	<p>19. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.</p> <p>21. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, there shall be no more than 4 guests per member on the premises at any time, save for guests of members: a) Taking a table meal; or b) Attending a pre-booked and bona fide private function or event booked by a member no less than 24 hours in advance. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the council; '</p> <p>22. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, guests of members can only purchase alcohol whilst that member is present on the premises.</p>

need amendment to reflect the variation sought.	
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1-D	Conditions being added	
Conditions		
<ul style="list-style-type: none"> The DPS or manager will be responsible for ensuring that members of the public who are not bona fide guests of club members are notified 20 minutes prior to the premises closing to members of the public that they will be asked to leave at that time. Members of the public not bona fide guests of club members must be off the premises by the time stipulated on the licence for members of the public. No more than five bona fide guests of a member or the manager will be permitted at any one time. 		
Adult entertainment:	Current position:	Proposed position:
	None	change

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Metropolitan Police Service	
Representative:	Bryan Lewis	
Received:	19 August 2021 (withdrawn 12 November 2021)	
<p>This is a Police objection to your application for a variation of the premises licence for Blacks, 67 Dean Street, W1. The premises is located in the West End CIA, therefore more customers arriving and leaving after core hours, may lead to an increase in crime and disorder in a high risk area. Happy to discuss.</p> <p>Following consultation with the applicant the Metropolitan Police withdrew their representation on 12 November 2021</p>		
Responsible Authority:	Licensing Authority	
Representative:	Roxsana Haq	
Received:	20 August 2021	
<p>I write in relation to the application submitted to vary a Premises Licence for the following premises:</p> <p>21/07370/LIPV: Blacks, Basement to First Floor, 67 Dean Street, London W1D 4QH</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> Public Nuisance Prevention of Crime & Disorder 		

- Public Safety
- Protection of Children from harm

This application seeks the following:

1. Amend Condition 17 which currently states:

The hours of operation for the Basement and Ground Floor when open to the public will be;

Monday to Thursday 12:00 to 23:00

Friday to Saturday 12:00 to 00:00

Sunday 12:00 to 22:30

After these times the premises will only trade as a private members club.

to the following –

The hours of operation for the premises when open to the public will be;

Monday to Thursday 12:00 to 23:00

Friday to Saturday 12:00 to 00:00

Sunday 12:00 to 22:30

After these times the premises will only trade as a private members club.

2. To Amend Condition 18 to the following –

When the premises are open to the public.

These areas shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and

provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed

and resealed bottles of wine supplied ancillary to their meal.

3. To add the following conditions to the operating schedule –

- The DPS or manager will be responsible for ensuring that members of the public who are not

bona fide guests of club members are notified 20 minutes prior to the premises closing to members of the public that they will be asked to leave at that time. Members of the public not bona fide guests of club members must be off the premises by the time stipulated on the licence for members of the public.

- No more than five bona fide guests of a member or the manager will be permitted at any one

time.

4. To notify under Section 33 of the Licensing Act 2003 that the registered address of the holder

of

the Licence has changed to – Jubilee House, Townsend Lane, London, England, NW9 8TZ

The premises is located within the West End Cumulative Impact Zone (CIZ) and as such, a number of policy points must be considered namely Cumulative Impact Policy CIP1, Qualifying Club Policy QUC1 and Restaurant Policy RTN1.

Policy CIP1 states:

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

The Licensing Authority note that a version of the Councils restaurant condition has been proposed when open to the public. Is the applicant willing to accept the Council's updated model restaurant condition 66 when open to the public which states:

"The premises shall only operate as a restaurant,

(i) in which customers are shown to their table or the customer will select a table themselves,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,

(iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,

(v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal."

Qualifying Club Policy QUC1

B. Applications within the West End Cumulative Impact Zones may be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
4. The application and operation of the venue meeting the definition for a Qualifying Club as per Clause C.

C. For the purpose of this policy a Qualifying Club for the sale of alcohol for members and guests will meet the requirements of the general conditions in section 62, and the additional conditions in Section 64 of the Licensing Act 2003.

As the Licensing Authority's policies, in relation to the Cumulative Impact Zones (CIZ), are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions in relation to the capacity of the premises and how the proposed operation of increasing access to members of the public and the number of bona fide guests of members from 4 to 5 per member will not add to cumulative impact given the increase in numbers of people within the West End CIZ as per policy CIP1 and QUC1.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation and I look forward to hearing from you soon.

3.	Policy & Guidance
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The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply
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	<p>of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p>Policy RTN1(B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal

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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.	Appendices
Appendix 1	Premises Licence 21/07370/LIPV
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:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police representation	19 August 2021 (withdrawn 12 November 2021)
5	Licensing Authority representation	20 August 2021



Schedule 12
Part A

WARD: West End
UPRN: 010033570853

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

Premises licence

Regulation 33, 34

Premises licence number:

19/12079/LIPV

Original Reference:

05/06523/LIPCV

Part 1 – Premises details

Postal address of premises:

Blacks
Basement To First Floor
67 Dean Street
London
W1D 4QH

Telephone Number: 020 7287 3381

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music
Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 00:30

Late Night Refreshment
Monday to Saturday: 23:00 to 01:30 (Basement and Ground Floors)
Monday to Saturday: 23:00 to 23:30 (Second Floor)
Monday to Saturday: 23:00 to 23:30 (First Floor)
Sunday: 23:00 to 01:00 (Basement and Ground Floors)

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 01:00 (Basement and Ground Floors)
Monday to Saturday: 10:00 to 23:00 (First Floor)
Monday to Saturday: 10:00 to 23:00 (Second Floor)
Sunday: 12:00 to 22:30 (First Floor)
Sunday: 12:00 to 00:30 (Basement and Ground Floors)
Sunday: 12:00 to 22:30 (Second Floor)

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 01:30
Sunday: 12:00 to 01:00

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:

Blacks Limited
67 Dean Street
London
W1D 4QH
Electronic Mail : moira@blacksclub.com

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

02721400

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

Name: Justin Peter Stephen Wallace

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: 355835
Licensing Authority: London Borough Of Brent

Date: 4 August 2020

This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

Whole Premises or those parts of the premises operating at the time as a private member's club:

9. (i) Alcohol may be sold or supplied:

- (a) Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve
10:00 to 01 :00 Basement & Ground Floors
- Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 00:30
Basement & Ground Floors
- Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve
10:00 to 23:00 First Floor
- Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30
First Floor
- Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve
10:00 to 23:00 Second Floor
- Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30
Second Floor

Basement and Ground Floor of the premises operating at the time as a restaurant open to the general public

- (b) Monday to Thursday other than Christmas Day, Good Friday or New Year's Eve
12:00 to 23:00 Basement & Ground Floors
- Friday and Saturday other than Christmas Day, Good Friday or New Year's Eve
12:00 to 00:00 Basement & Ground Floors
- Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30
Basement & Ground Floors

Christmas Day, Good Friday or New Year's Eve

- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
- (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve) and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (iii)
 - (a). Alcohol may be sold or supplied until 01.00 in the morning following weekdays (other than Good Friday and Christmas Day), 00.30 a.m. in the morning following Sundays (other than Christmas Day) and 00.30 in the morning following Good Friday to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
 - (b). That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.
 - (c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
 - (d) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight (23.00 on Sunday) or less than half an hour before the entertainment is due to end, except in accordance with condition number 9(ii) above.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes in the basement and ground floor and twenty minutes on the first floor after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 11. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

12. Music volumes at the premises will be kept to a level whereby it is inaudible within any residential dwelling in the immediate vicinity. If notified by a neighbour that music from the premises can be heard inside their premises, the music levels will be immediately reduced accordingly to a level at which they are no longer audible.
13. The premises shall install and maintain a comprehensive CCTV system in areas open to non members, as per the minimum requirements of the Westminster Police Licensing Team in . 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 and will include the external area immediately outside 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.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
15. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke shall not be permitted to take drinks or glass containers with them
16. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - i. all crimes reported to the venue
 - ii. all ejections of patrons
 - iii. any complaints received concerning crime and disorder
 - iv. any incidents of disorder
 - v. any faults in the CCTV system.
 - vi. any refusal of the sale of alcohol
 - vii. any visit by a relevant authority or emergency service.
17. The hours of operation for the Basement and Ground Floor when open to the public will be;
Monday to Thursday 12:00 to 23:00
Friday to Saturday 12:00 to 00:00
Sunday 12:00 to 22:30

After these times the premises will only trade as a private members club.

18. When the Basement and Ground Floor are open to the public. These areas shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

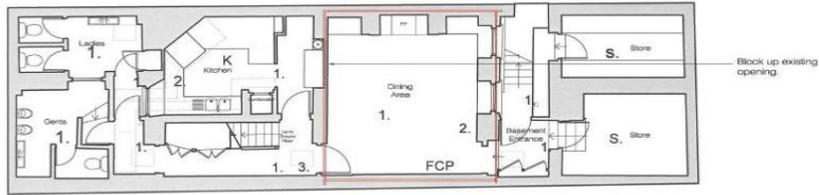
Annex 3 – Conditions attached after a hearing by the licensing authority

19. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
20. A legible list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book legibly recording the names and dates of attendance of any guests introduced by members which shall be retained for a period of 28 days. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
21. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, there shall be no more than 4 guests per member on the premises at any time, save for guests of members:
 - a) Taking a table meal; or
 - b) Attending a pre-booked and bona fide private function or event booked by a member no less than 24 hours in advance. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the council; '
22. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, guests of members can only purchase alcohol whilst that member is present on the premises.
23. The number of persons accommodated at any one time (including staff) shall not exceed the following:
 - Second Floor - 30 persons (excluding staff)
 - First Floor - 60 persons (excluding staff)
 - Ground Floor - 40 persons (excluding staff)
 - Basement - 30 persons (excluding staff)With no more than 90 persons (including staff) on the premises at any one time.
24. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
25. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall not be permitted to take drinks or glass containers with them.
26. The courtyard area shall cease to be used after 21:00 hours and there shall be no more than 5 persons present there at any one time.
27. 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.
28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that

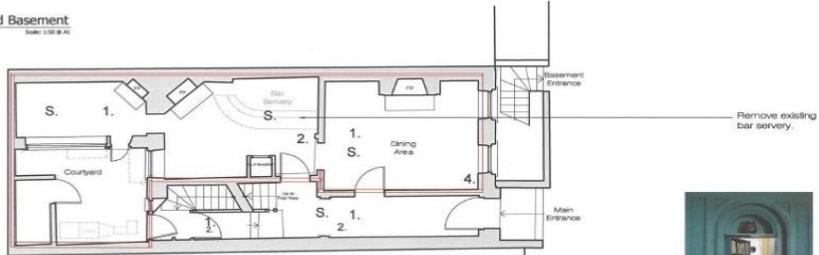
this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
30. 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.

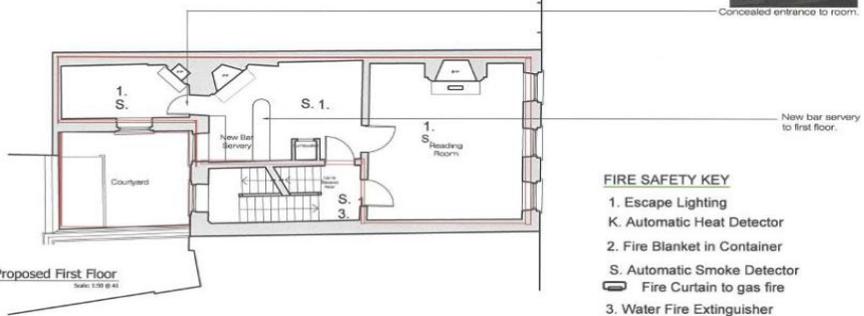
Annex 4 – Plans



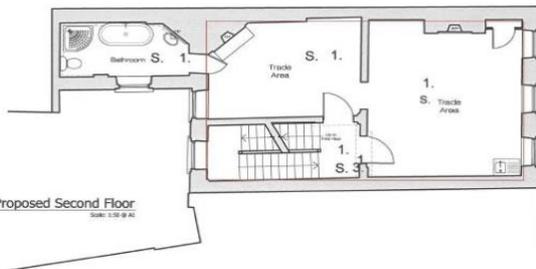
1 Proposed Basement
Scale: 1:50 @ A1



2 Proposed Ground Floor
Scale: 1:50 @ A1



3 Proposed First Floor
Scale: 1:50 @ A1



4 Proposed Second Floor
Scale: 1:50 @ A1

FIRE SAFETY KEY

- 1. Escape Lighting
- K. Automatic Heat Detector
- 2. Fire Blanket in Container
- S. Automatic Smoke Detector
- Fire Curtain to gas fire
- 3. Water Fire Extinguisher
- 4. Carbon Dioxide Fire Extinguisher (2 kilo capacity)
- FCP. Fire Call Point with Fire Acton sign adjacent
- Area For Licensable Activity



REVISIONS		DATE	
No.	Desc.		

LIMITINARY

design **red**

12, Lifford Way, Lifford Business Centre, Farnborough, Hants, MK13 8JG
Tel: 01753 337890 Fax: 01753 345713 E-mail: m@redesign-uk.co.uk



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

Schedule 12
Part B

WARD: West End
UPRN: 010033570853

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/12079/LIPV

Part 1 – Premises details

Postal address of premises:

Blacks
Basement To First Floor
67 Dean Street
London
W1D 4QH

Telephone Number: 020 7287 3381

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 00:30

Late Night Refreshment

Monday to Saturday: 23:00 to 01:30 (Basement and Ground Floors)
Monday to Saturday: 23:00 to 23:30 (Second Floor)
Monday to Saturday: 23:00 to 23:30 (First Floor)
Sunday: 23:00 to 01:00 (Basement and Ground Floors)

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00 (Basement and Ground Floors)
Monday to Saturday: 10:00 to 23:00 (First Floor)
Monday to Saturday: 10:00 to 23:00 (Second Floor)
Sunday: 12:00 to 22:30 (First Floor)
Sunday: 12:00 to 00:30 (Basement and Ground Floors)
Sunday: 12:00 to 22:30 (Second Floor)

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 01:30
Sunday: 12:00 to 01:00

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:

Blacks Limited
67 Dean Street
London
W1D 4QH

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

02721400

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

Name: Justin Peter Stephen Wallace

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

Restricted

Date: 4 August 2020

This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.

From: [Piers Warne](#)
To: [Lewis, Bryan: WCC](#); [Haq, Roxsana: WCC](#)
Cc: [Jackaman, Kevin: WCC](#)
Subject: blacks variation to the premises licence
Date: 20 September 2021 15:42:48
Importance: High

Dear Roxsana and Brian, I hope this finds you well?

Kevin, copied in, has confirmed that the only two valid representations received in relation to this application are yours. He has also confirmed that there is a backlog in matters being heard and so were this matter to go to a hearing, it would not be until toward the end of the year. As you will appreciate, this would be difficult for my client and as such I am very keen to see if we can reach agreement on the matter. I have set out below what would effectively be my submissions to the Licensing Sub-Committee addressing the points you raised in your representations.

Can I please ask that given the application itself does not fall outside of Core Hours for the purposes of the variation and indeed deals with the other policy points raised, whether on reflection you might agree that engaging the Licensing Sub-Committee is not appropriate or necessary?

The premises

Traditionally, the premises has operated as a private member's club operating solely for the members and their bona fide guests. The hours granted on the licence and the conditions restricted activities accordingly.

In October 2019, an application was made to open up the ground floor and basement to members of the public to dine. Restaurant conditions, alongside additional conditions agreed with licensing acting as a responsible and Metropolitan Police, were added to the licence to ensure that the public were only permitted to use the premises to dine and only during Westminster 'core hours'. The first and second floors of the premises would continue to operate as a private member's club. The application was granted under delegated powers.

Unfortunately, with the onset of the Pandemic and subsequent lockdowns and restrictions on opening, this has had a profound and dramatic effect on the operation of Blacks, both as a private member's club and as a restaurant.

The current application

This is an application to extend the premises' ability to trade the first and second floor in exactly the same way: either as a restaurant within core hours, or as a private members club as per the existing licence. We have sought to do this by amending the conditions already on the licence currently permitting the ground and basement floors to trade this way.

Grant of this application will therefore permit:

The premises (or any part of it) to trade as a restaurant for members of the public up to core hours, with full restaurant condition restricting that use; or
The premises (or any part of it) to trade as a private member's club for the full hours as set out in the licence.

Given that the operation of a private member's club requires anyone attending the premises to be a member, or attending as a bona fide guest, it is straightforward for management to ensure that they are fully aware of who is a member (or bona fide guest) and who is attending the premises to dine as a member of the public, and to act accordingly in terms of the provisions of the licence.

Prior to submission, we also consulted with the police and environmental protection officers and agreed to the following conditions that form part of this application:

- The DPS or manager will be responsible for ensuring that members of the public who are not

bona fide guests of club members are notified 20 minutes prior to the premises closing to members of the public that they will be asked to leave at that time. Members of the public not bona fide guests of club members must be off the premises by the time stipulated on the licence for members of the public.

- No more than five bona fide guests of a member or the manager will be permitted at any one time.

As such, the application does not change the operation of the premises in any way from that previously permitted, it simply extends the flexibility across all floors. It is also worth noting that the following 2 conditions are on the premises licence and are not being amended:

23. The number of persons accommodated at any one time (including staff) shall not exceed the following:

Second Floor - 30 persons (excluding staff)

First Floor - 60 persons (excluding staff)

Ground Floor - 40 persons (excluding staff)

Basement - 30 persons (excluding staff)

With no more than 90 persons (including staff) on the premises at any one time.

26. The courtyard area shall cease to be used after 21:00 hours and there shall be no more than 5 persons present there at any one time.

Purpose of operating as a restaurant

The primary reason for this application is to allow for a measure of flexibility in terms of using the premises. Being able to book diners into the upper floors not only allows groups of various sizes to book into what is an iconic building, it also allows for flexibility for members to potentially have access to the ground floor or basement without those floors having to be given over to diners.

The use of the premises as a restaurant is anticipated to serve the pre-theatre dining public, as well as allowing the premises to operate more fully as a restaurant for Saturday Brunches and Sunday lunches. It is likely that outside of these times, more of the premises will be given over to use by club members, but with the flexibility to allow for groups to book in for dining.

Westminster Licensing Policy considerations

Westminster licensing policy, as updated in January 2021, sets out a number of policy considerations relevant to this application:

D24. The Licensing Authority has also identified premises use types, such as restaurants... and combined use premises that will not have a presumption to refuse applications that are made within the Cumulative Impact Zone. However, applications for these premises use types must demonstrate that they will not add to cumulative impact. The Revised Guidance recognises that different types of premises have different impacts.

This application requires the premises to operate, when open to the public (as opposed to members) as a restaurant, with full restaurant conditions. As such it therefore falls outside of the presumption to refuse the application as set out in the West End Cumulative Impact Zone Policy CIP1. The addition of the first and second floors to those parts of the premises that may trade as a restaurants adds no additional space to that already licensed and there is no increase in the capacities set by condition 23 that currently sits on the premises licence.

D27. The current policy recognises that well managed members clubs, which meet the qualifying criteria in the Act to operate under the authority of a club premises certificate, have little association with crime and disorder and public nuisance, because of their membership controls and the strict criteria which the premises must meet. In particular these "qualifying clubs" are often characterised by long standing membership which is valued by the member and gives a real incentive for the club to promote the licensing objectives in its neighbourhood. New members are often nominated and vetted

by existing members and in all cases there is a delay of at least two days between the grant of membership and the use of the club by the new member. Membership is usually intended to be long term and often renewable annually, with a significant financial commitment on joining.

It is fair to comment that there has been no allegation that the operation of the premises as a member's club undermines the licensing objectives. There are no changes to the hours or operation of the premises, when operating as a private members club envisaged by this application.

D32. Applicants for licences for premises uses that do not have a presumption to refuse must provide evidence that they will not add to cumulative impact within the West End Cumulative Impact Zone. The applicant must provide significant mitigation within the operation schedule and the rationale on how their operation will not add to cumulative impact. It is not for the Licensing Authority to identify and put forward proposals for how a premises could prevent adding to cumulative impact in the area. Applicants that fail to add sufficient information within their operating schedule and don't adequately demonstrate how they will not add to cumulative impact may have all or part of their application refused, if representations are received.

There is no evidence that the premises operating as a restaurant has previously, or would if the application were granted, undermine any of the four licensing objectives. Following the application in 2019 to allow the premises to operate as a restaurant, and the addition of conditions in agreement with officers at that time, alongside the additional conditions agreed with the Metropolitan Police in advance of making this application, the applicants feel that this represents a sufficiently robust operating schedule to comply with the above policy consideration. The applicants have considered additional conditions that could be added, but has determined that the balance between promoting the licensing objectives and adding to the administrative burden of further conditions on the face of the licence is adequately met here.

HRS1 A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.

This application is within core hours. For the reasons set out above, it is submitted that it is not contrary to any other policies in the Westminster Statement of Licensing Policy.

Conclusion

Premises are having to increasingly look at their operations to ensure that they are viable going forward. Whilst members may have concerns that they are 'losing' their club to the general public, this application looks to strike the correct balance in ensuring the longevity of the premises as a club for the benefit of members by having a flexible facility to operate as a restaurant for members of the public. Blacks is a storied club and important monument to the culture of Soho and Westminster in general. Opening it up on a limited basis as applied for allows the public to enjoy dining in a unique and historic venue, which in and of itself is good both for the club in terms of securing its future but also as a means of opening up the cultural heritage of Westminster to a wider audience.

I look forward to receiving any comments you may have in relation to my submissions.

Kind regards

Piers Warne
Legal Director
for TLT LLP

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www.TLTsolicitors.com

The Government has launched a consultation on Proposed planning reforms to support hospitality businesses, markets and historic visitor attractions so that outdoor space can be used more easily without the need for full planning permission. Consultation ends on 14 November 2021. To respond go to:

[Supporting defence infrastructure and the future of time-limited permitted development rights - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/supporting-defence-infrastructure-and-the-future-of-time-limited-permitted-development-rights)

From: [Lewis, Bryan: WCC](#)
To: [Piers Warne](#)
Cc: [Jackaman, Kevin: WCC](#); [Licensing: WCC](#)
Subject: RE: Blacks Club
Date: 12 November 2021 15:06:28

Hi Piers

I am content with the amendment. The police representation in relation to this application is now withdrawn.

Regards

Bryan

From: Piers Warne <Piers.Warne@TLTsolicitors.com>
Sent: 10 November 2021 12:50
To: Lewis, Bryan: WCC <blewis1@westminster.gov.uk>
Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: Blacks Club
Importance: High

Dear Bryan

Many thanks for your time today. I am seeing if a member of the licensing enforcement team will be able to assist in this matter whilst Roxsana is away. I am still hoping to resolve this matter without the need for a hearing. I will keep you informed.

As discussed, I have noticed that the application as submitted omitted to make reference to 3 current conditions that would technically need amending to allow the top two floors to operate as a restaurant- more technically, the conditions need to be amended to disapply the membership conditions and allow the public to use these floors. These conditions are numbered 19, 21 and 22. The amendment needed is to remove the wording: 'with the exception of the ground floor and basement'.

The effect of the amendment to these conditions is to allow all floors to operate as a restaurant (condition 18) within core hours (condition 17), rather than just basement and ground floor as currently permitted. Please note that there is no change to the capacity conditions as set out on the licence in condition 23, so no increase in numbers currently permitted to use the premises.

Apologies for the administrative oversight here, but if you are happy to agree that this change can be made without altering the purpose or scope of the intended application and can confirm this to Kevin, on copy, then I would anticipate that this would be dealt with as part of your representation should we get to a position where you and the licensing officer are happy to withdraw and avoid a hearing. If a hearing is needed, then obviously we will be raising this with the Committee in the same terms.

Below I have set out the amendments to 17 and 18 for ease of reference.

1. Amend Condition 17 to the following –
The hours of operation for the premises when open to the public will be;
Monday to Thursday 12:00 to 23:00
Friday to Saturday 12:00 to 00:00
Sunday 12:00 to 22:30
After these times the premises will only trade as a private members club.

2. To Amend Condition 18 to the following –

When the premises are open to the public.

These areas shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

3. To add the following conditions to the operating schedule –

The DPS or manager will be responsible for ensuring that members of the public who are not bona fide guests of club members are notified 20 minutes prior to the premises closing to members of the public that they will be asked to leave at that time. Members of the public not bona fide guests of club members must be off the premises by the time stipulated on the licence for members of the public.

No more than five bona fide guests of a member or the manager will be permitted at any one time.

I look forward to hearing from you.

Kind regards

Piers

Piers Warne

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Regulations have been passed increasing the number of Temporary Event Notices a licensed premises can give from 15 to 20, and increases the maximum number of days on which temporary events may be held at such premises from 21 to 26, in the calendar years 2022 and 2023.

The Regulations also extend the provision of the Business and Planning Act 2020 to allow sales of alcohol for consumption off the premises to licensed premises that did not have that permission, for a further year to 30 September 2022

A copy of the regulations can be found [here](#)

[Law Firm of the Year 2021 \(The Lawyer\)](#)

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Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06523/LIPCV	Conversion	15.09.2005	Granted under delegated authority
06/07579/WCCMAP	Master licence	15.09.2005	Granted under delegated authority
11/00672/LIPDPS	Variation of DPS	03.02.2011	Granted under delegated authority
14/03609/LIPT	Transfer – Giuseppe Mascoli to Blacks Limited	30.06.2014	Granted under delegated authority
14/05708/LIPDPS	Variation of DPS	20.08.2014	Granted under delegated authority
14/07347/LIPV	Variation – To permit guests to purchase alcohol and vary layout	30.10.2014	Granted by Licensing Sub Committee
15/00610/LIPDPS	Variation of DPS	24.02.2015	Granted under delegated authority
15/06263/LIPDPS	Variation of DPS	12.08.2015	Granted under delegated authority
16/04790/LIPDPS	Variation of DPS	18.05.2016	Granted under delegated authority
16/05178/LIPDPS	Variation of DPS	01.06.2016	Granted under delegated authority
16/07437/LIPVM	Minor variation – Variation of capacity condition	03.08.2016	Granted under delegated authority
17/15042/LIPV	Variation – add second floor to the licensed area	22.01.2018	Granted under delegated authority
18/00946/LIPDPS	Variation of DPS	07.09.2018	Granted under delegated authority
19/12079/LIPV	Variation – Amending conditions to permit the ground floor and basement to trade as a restaurant open to the public	31.10.2019	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.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

Whole Premises or those parts of the premises operating at the time as a private member's club:

9. (i) Alcohol may be sold or supplied:
- (a) Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve 10:00 to 01 :00 Basement & Ground Floors
 - Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 00:30 Basement & Ground Floors
 - Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve 10:00 to 23:00 First Floor
 - Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30 First Floor
 - Monday to Saturday other than Christmas Day, Good Friday or New Year's Eve 10:00 to 23:00 Second Floor
 - Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30 Second Floor

Basement and Ground Floor of the premises operating at the time as a restaurant open to the general public

- (b) Monday to Thursday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 23:00 Basement & Ground Floors
- Friday and Saturday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 00:00 Basement & Ground Floors
- Sunday other than Christmas Day, Good Friday or New Year's Eve 12:00 to 22:30 Basement & Ground Floors

Christmas Day, Good Friday or New Year's Eve

- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
- (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

(ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve) and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

(iii) (a). Alcohol may be sold or supplied until 01.00 in the morning following weekdays (other than Good Friday and Christmas Day), 00.30 a.m. in the morning following Sundays (other than Christmas Day) and 00.30 in the morning following Good Friday to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.

(b). That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.

(c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial

refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

(d) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight (23.00 on Sunday) or less than half an hour before the entertainment is due to end, except in accordance with condition number 9(ii) above.

NOTE - The above restrictions do not prohibit:

(a) during the first thirty minutes in the basement and ground floor and twenty minutes on the first floor after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there;

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

12. Music volumes at the premises will be kept to a level whereby it is inaudible within any residential dwelling in the immediate vicinity. If notified by a neighbour that music from the premises can be heard inside their premises, the music levels will be immediately reduced accordingly to a level at which they are no longer audible.
13. The premises shall install and maintain a comprehensive CCTV system in areas open to non members, as per the minimum requirements of the Westminster Police Licensing Team in . 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 and will include the external area immediately outside 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.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
15. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke shall not be permitted to take drinks or glass containers with them
16. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - i. all crimes reported to the venue
 - ii. all ejections of patrons
 - iii. any complaints received concerning crime and disorder
 - iv. any incidents of disorder
 - v. any faults in the CCTV system.
 - vi. any refusal of the sale of alcohol
 - vii. any visit by a relevant authority or emergency service.
17. The hours of operation for the Basement and Ground Floor when open to the public will be;
Monday to Thursday 12:00 to 23:00
Friday to Saturday 12:00 to 00:00
Sunday 12:00 to 22:30

After these times the premises will only trade as a private members club.

Condition 17 is proposed to be varied by the applicant to the following:

17. The hours of operation for the premises when open to the public will be;
Monday to Thursday 12:00 to 23:00
Friday to Saturday 12:00 to 00:00
Sunday 12:00 to 22:30
After these times the premises will only trade as a private members club
18. When the Basement and Ground Floor are open to the public.
These areas shall only operate as a restaurant
(i) in which customers are shown to their table,
(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
(iv) which do not provide any take away service of food or drink for immediate consumption,
(v) which do not provide any take away service of food or drink after 23.00, and
(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

Condition 18 is proposed to be varied by the applicant to the following:

18. When the premises are open to the public.
These areas shall only operate as a restaurant
(i) in which customers are shown to their table,
(ii) where the supply of alcohol is by waiter or waitress service only,
(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
(iv) which do not provide any take away service of food or drink for immediate consumption,
(v) which do not provide any take away service of food or drink after 23.00, and
(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal

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

19. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.

Condition 19 is proposed to be varied by the applicant to the following:

19. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, alcohol may only be sold for consumption by members of a private club and their bona fide guests. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
20. A legible list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book legibly recording the names and dates of attendance of any guests introduced by members which shall be retained for a period of 28 days. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.

21. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, there shall be no more than 4 guests per member on the premises at any time, save for guests of members:
- a) Taking a table meal; or
 - b) Attending a pre-booked and bona fide private function or event booked by a member no less than 24 hours in advance. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the council;

Condition 21 is proposed to be varied by the applicant to the following:

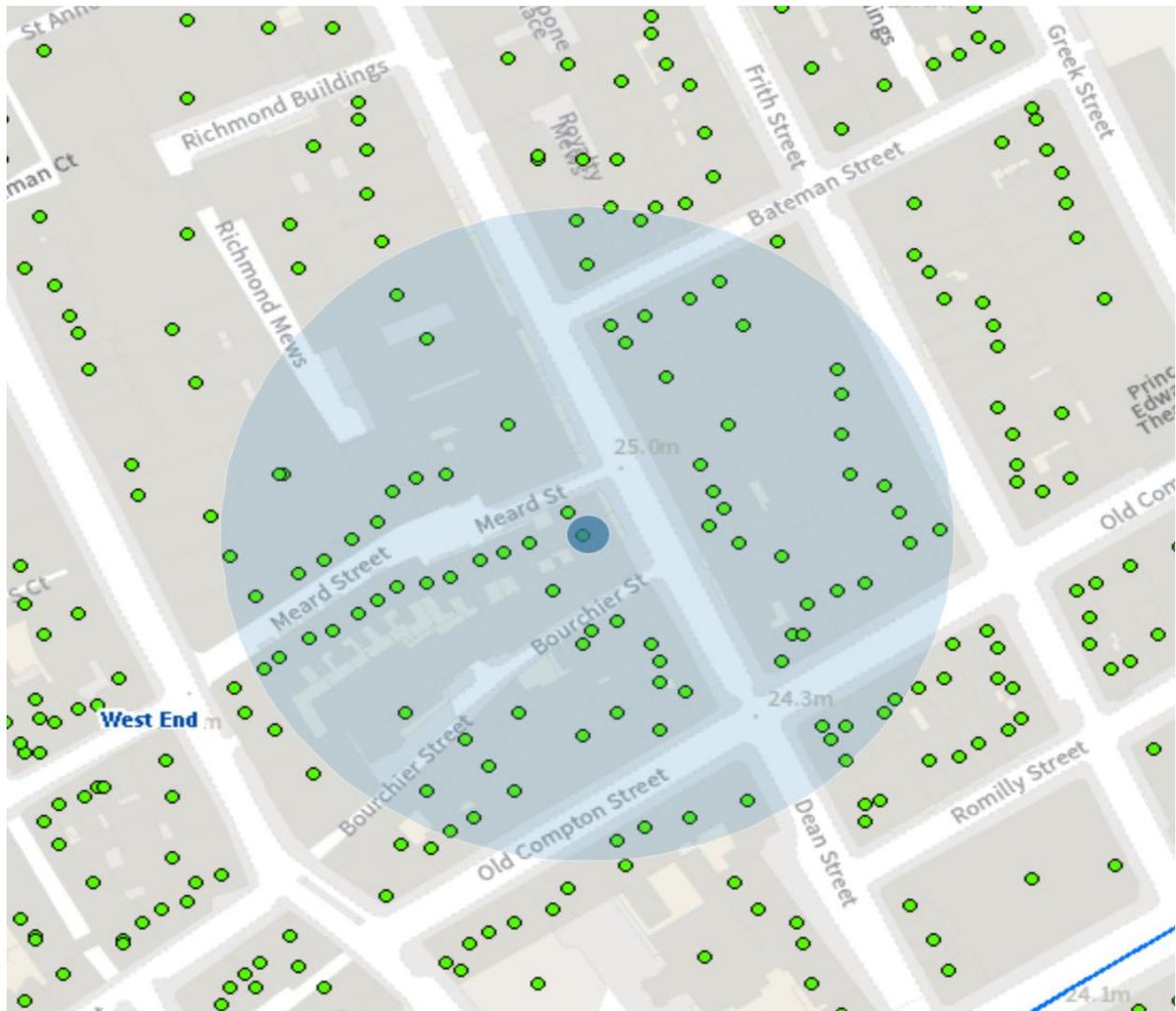
21. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, there shall be no more than 4 guests per member on the premises at any time, save for guests of members:
- a) Taking a table meal; or
 - b) Attending a pre-booked and bona fide private function or event booked by a member no less than 24 hours in advance. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the council; '
22. With the exception of the ground floor and basement between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, guests of members can only purchase alcohol whilst that member is present on the premises.

Condition 18 is proposed to be varied by the applicant to the following:

22. Between 12:00 to 23:00 hours Monday to Thursday, 12:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday, guests of members can only purchase alcohol whilst that member is present on the premises
23. The number of persons accommodated at any one time (including staff) shall not exceed the following:
Second Floor - 30 persons (excluding staff)
First Floor - 60 persons (excluding staff)
Ground Floor - 40 persons (excluding staff)
Basement - 30 persons (excluding staff)
With no more than 90 persons (including staff) on the premises at any one time.
24. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
25. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall not be permitted to take drinks or glass containers with them.
26. The courtyard area shall cease to be used after 21:00 hours and there shall be no more than 5 persons present there at any one time.
27. 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.
28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be

swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
30. 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.



Resident Count: 137

Licensed premises within 75m of 67 Dean Street, London, W1D 4QH				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/12079/LIPV	Blacks	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00

17/08963/LIPN	Rambla	64 Dean Street London W1D 4QQ	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
11/02308/LIPDPS	Prix Fixe Brasserie	Basement And Ground Floor 39 Dean Street London W1D 4PU	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/10945/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/08374/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
17/14701/LIPCH	Cay Tre (Soho)	42 - 43 Dean Street London W1D 4PZ	Restaurant	Monday to Sunday; 09:30 - 01:30
21/05299/LIPCH	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/11145/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:00 Sundays

				before Bank Holidays; 12:00 - 00:30
19/15029/PREAPM	Not Recorded	44-45 Dean Street London W1D 4QB	Not Recorded	
21/01417/LIPCH	The Groucho Club	44-45 Dean Street London W1D 4QB	Club or institution	Sunday; 12:00 - 00:00 Monday to Saturday; 09:00 - 02:30
19/01788/LIPDPS	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/06360/LIPT	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Restaurant	Monday; 09:00 - 03:30 Tuesday to Sunday; 09:00 - 05:00
20/11368/LIPCH	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Not Recorded	
16/05700/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/13568/LIPN	Not Recorded	44 Old Compton Street London W1D 4TY	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Shop	Sunday; 08:00 - 22:00 Monday to Saturday; 07:00 - 01:00
16/04124/LIPV	Cookhouse Joe	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays

				before Bank Holidays; 12:00 - 00:00
19/03723/LIPT	Oliver Maki	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4LR	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
18/02552/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Wine bar	Monday; 10:00 - 23:00 Tuesday; 10:00 - 23:00 Wednesday; 10:00 - 23:00 Thursday; 10:00 - 23:00 Friday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:00
20/03127/LIPN	Not Recorded	Royalty House 72-74 Dean Street London W1D 3SG	Office	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 01:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 03:30

19/04930/LIPN	Runway East	66 Old Compton Street London W1D 4UH	Office	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30 Friday; 09:00 - 23:30 Saturday; 09:00 - 23:30 Sunday; 09:00 - 23:30
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
20/10046/LIPN	Tomato (Shadow Licence)	54 Frith Street London W1D 4SL	Restaurant	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 10:00 - 01:00
20/11539/LIPDPS	Tomato	54 Frith Street London W1D 4SL	Restaurant	Sunday; 10:00 - 01:00 Monday to Saturday; 10:00 - 01:30
21/06005/LIPDPS	Lords Of Poke	64 Old Compton Street London W1D 4TL	Cafe	Friday; 07:30 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00 Monday to Thursday; 07:30 - 23:30

21/08175/LIPDPS	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 00:30
15/03854/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Sunday; 07:00 - 22:50 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
18/10183/LIPDPS	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:00
08/06508/LIPDPS	The Arts Theatre Club	50 Frith Street London W1D 4SQ	Shop	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30
16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/11325/LIPCH	Ground To Fourth Floor	8 - 14 Meard Street London W1F 0EQ	Office	Not Recorded; XXXX - XXXX
20/11213/LIPT	Old Compton Brasserie	36 Old Compton Street London W1D 4US	Restaurant	Monday to Sunday; 07:00 - 01:30
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00

20/07527/LIPDPS	Rubys	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
20/09463/LIPT	Jackson & Rye	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
20/05763/LIPV	Maoz	43 Old Compton Street London W1D 6HG	Restaurant	Sunday; 11:00 - 00:00 Monday to Thursday; 11:00 - 01:00 Friday to Saturday; 11:00 - 02:00
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 12:00 - 01:00
21/04987/LIPDPS	Laxsa In Soho	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
18/04298/LIPDPS	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Cafe	Monday to Saturday; 12:00 - 22:00
17/14216/LIPDPS	Maitre Choux	60 Dean Street London W1D 6AW	Cafe	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 23:00
18/01928/LIPDPS	Hipchips	49 Old Compton Street London W1D 6HL	Restaurant	Sunday; 12:00 - 20:00 Monday to Saturday; 12:00 - 23:00
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 01:30

20/03241/LIPT	Salon 64	14 Bateman Street London W1D 3AG	Hairdresser or beauty salon	Monday; 08:00 - 22:30 Tuesday; 08:00 - 22:30 Wednesday; 08:00 - 22:30 Thursday; 08:00 - 22:30 Friday; 08:00 - 22:30 Saturday; 08:00 - 22:30
21/01748/LIPVM	Rudy's Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00
21/05920/LIPDPS	Rudys Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00
21/02319/LIPVM	Neat Meat	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday; 11:00 - 23:30 Tuesday; 11:00 - 23:30 Wednesday; 11:00 - 23:30 Thursday; 11:00 - 23:30 Friday; 11:00 - 00:00 Saturday; 11:00 - 00:00 Sunday; 11:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
20/05990/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street London W1D 5BF	Shop	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30