

# Licensing Sub-Committee Report

Item No:	
Date:	9 December 2021
Licensing Ref No:	21/07647/LIPN - New Premises Licence
Title of Report:	Whistle Punks 198-200 Piccadilly London W1J 9HU
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

## 1. Application

<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	2 August 2021		
<b>Applicant:</b>	Whistle Punks Uk Ltd		
<b>Premises:</b>	Whistle Punks		
<b>Premises address:</b>	198-200 Piccadilly London W1J 9HU	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	West End
<b>Premises description:</b>	The premises intends to operate as a sporting venue.		
<b>Premises licence history:</b>	This is a new premises application and therefore no premises licence history exist.		
<b>Applicant submissions:</b>	On submission of the application, the applicant provided a brief outline of the application which can be found at <b>Appendix 2</b> .		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Films:</b>	<b>Indoors, outdoors or both</b>					<b>Indoors</b>	
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>	N/A						

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

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

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

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			<b>On premises</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

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

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Ian Watson
<b>Received:</b>	26 <sup>th</sup> August 2021

I refer to the application for a New Premises Licence.

The applicant has submitted floor plans of the premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' the premises Monday to Sunday between 09.00 to 23.30 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 to 23.30 hours.
3. To provide regulated entertainment 'Indoors' comprising
  - Films
  - Indoor Sporting Events
  - Recorded MusicMonday to Sunday between 09.00 to 00.00 hours.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided additional information with the application which is being addressed.

Should you wish to discuss the matter further please do not hesitate to contact me.

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	05 August 2021		

This kind of business, an axe-throwing bar, is a horrible idea, in general and especially for this area. The proposal mentions safety measures and refers to the alcohol bar as "ancillary". I cannot imagine how proprietors can disconnect drinking with throwing sharp weapons. Is this a good idea? Encouraging patrons to think it's okay to connect alcohol with dangerous implements. The 'sport' attracts by definition people interested in violent activity, and encourages interest and skill in wielding or throwing axes, knives and clubs outside of the premises. Yes, the owners do not endorse nor can they control what happens outside their doors, but this activity courts and fosters violent mentalities at a time when the Met police are trying to stem the flood of knife crimes. Yes, axe-throwing bars have proven very profitable and very popular in the US (and parts of the UK), the obvious motive for this proposed venture. Yes, there have not been fatalities. But those are not reasons to transport it to the central West End, where large crowds gather in Piccadilly Circus, and tourists, theatre goers, museum visitors and other peace loving people are in great numbers. Add to that intoxicated people who delight in violent activity, and it is a recipe for problems. Nearby [REDACTED] is a peaceful enclave of St. James, and St. James church itself is directly opposite the axe-bar, a church that celebrates a peaceful and loving lifestyle. I strongly urge you not to approve this proposal for something far from being harmless faddish fun.

<b>Name:</b>	[REDACTED] <i>(Withdrawn 15 October 2021)</i>		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	05 August 2021		

[REDACTED] near the above proposed licence application for Whistles Punks Ltd, Unit 4, 200 Piccadilly .

I strongly object to granting a license to the above company .

1. The type of entertainment offered by this company is inappropriate to a central London location. For example, indoor 'axe throwing' is potentially dangerous given the problems with crime that already exist. No amount of security or safe guarding could guarantee that someone could not leave with a lethal weapon. How could Westminster even consider granting this company a license given the knife crime in London? Add alcohol to the equation and this would be a potential disaster.

2. Our area is already plagued by licensed premises which result in drunken behaviour, screaming, yelling, car revving, etc. late nights and early mornings. We have Tramp on Jermyn Street, Tiger Tiger on Regent Street a pub on Babmaes Street and a pub on Duke Street , all of whose 'patrons' are consistently noisy and often drunk. On many occasions I have seen vomit, urine and even faeces on Jermyn Street and Apple Tree Yard left by these revellers. If you doubt that they are from these premises please note that I have observed people leaving the pubs to urinate or to vomit on Jermyn Street and Apple Tree Yard. Many clubbers park their cars outside Waterstones' Jermyn Street entrance and create disturbance when they go to and

return from these places. Allowing another licensed premise around the corner will only exacerbate an already untenable situation.

3. The Council needs to liaise with the Metropolitan Police when considering this application. Already overworked and understaffed, the Met certainly do not need yet another licensed premise in the area

I increasingly feel that residents in Westminster City Council are 'low men on the totem pole' when it comes to granting planning and licensing applications. I believe we are the last to be considered when it comes to the negative impact business premises have on our lives. I hope this is not the case with this application.

***Following mediation, the interested party withdrew their representation on 15 October 2021.***

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

#### **Policy HRS1 applies**

- 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.
- 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:
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 of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

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.

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.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

**1. Casinos**

Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

**2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 9am to Midnight.

**3. Delivery Centres**

Monday to Saturday: 8am to 11pm.

Sunday: 9am to 10.30pm.

**4. Hotels**

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

For the sale of alcohol to guests for consumption in

hotel/guest rooms only: Anytime up to 24 hours.

**5. Outdoor Spaces**

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

**6. Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

**7. Qualifying Clubs**



	<p>Monday to Thursday 9am to 11.30pm  Friday and Saturday 9am to Midnight  Sunday: 9am to 10.30pm  Sunday immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>8. Restaurants</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>9. Sexual Entertainment Venues and Sex Cinemas</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b>  Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.  E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy CCSOS1 (A) applies</b></p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinemas, cultural and live sporting venues and outdoor space.</li> <li>5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated</li> </ol>

area.

6. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C.

B. Applications inside the West End Cumulative Impact Zone will generally 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 operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
5. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinema, cultural venue, live sporting premises or outdoor space.
6. The sale by retail of alcohol and/or late-night refreshment after 11pm is limited to customer, patrons or members of the audience who will or have made use of the primary function of the venue as a cinema, cultural venue or live sporting premises.
7. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C.

C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:

1. Cinema

For the exhibition of feature or shorts films to an audience.

2. Cultural Venues

a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience.

b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues.

c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment.

3. Live sporting premises: the premises or the use to which the licence is intended for

a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.

b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.

c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event.

4. Outdoor space

The use of an outdoor space for licensable activities and other purposes as part of or ancillary to an event, small to large concerts, national significant musical concert or events (e.g. Hyde Park), Mayoral or council organised events and seasonal activities (e.g. Christmas market or Winter Wonderland).

	<p>5. For the purposes of C1 to C3 above:</p> <p>a. The sale of alcohol and late-night refreshment must be an ancillary function to the primary purpose of the venue.</p> <p>b. An audience may include either invited guests, members of that venue or associated organisation or members of the public who have purchased a ticket or not.</p>
--	--

#### 4. Equality Implications

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

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

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

#### 5. Appendices

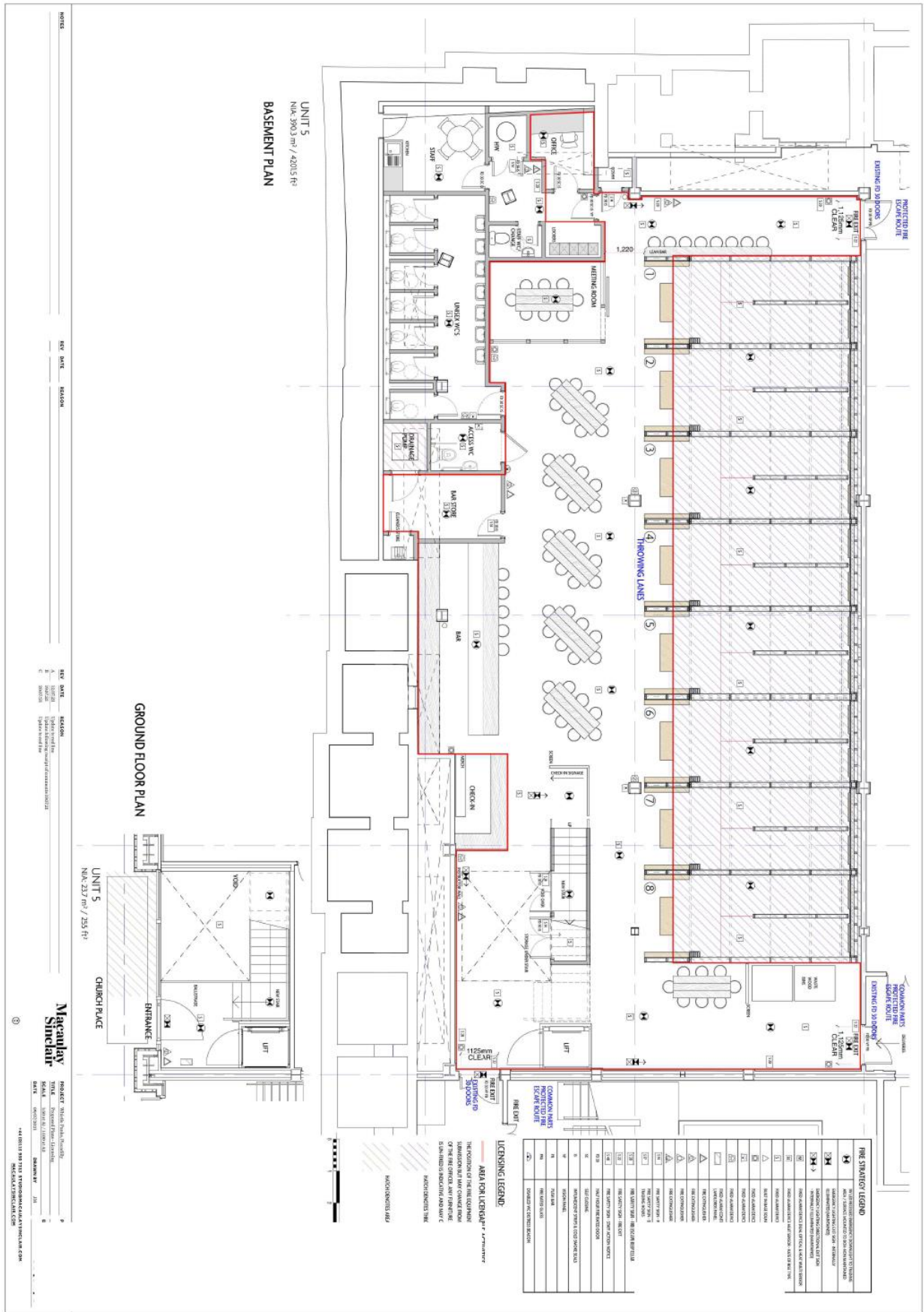
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	26 August 2021
5	Interested party 1	05 August 2021
6	Interested party 2 ( <i>Withdrawn 15 October 2021</i> )	05 August 2021



**General**

The premises is currently empty but was part of a retail store. The premises will have an entrance on Church Place leading down into the basement, where licensable activities will take place.

The Applicant already operates a number of sporting venues which incorporate axe throwing as a controlled activity and the sale of alcohol as an ancillary licensable activity. The existing licensed sites are located in Leeds, Manchester and Bristol, all of which trade without licensing issues.

There will be the sale of alcohol for consumption on this premises and this will also be ancillary to the main activity on site.

There are significant public transport possibilities around the area. This will be a venue with wide appeal and events led rather than alcohol-led. The activities provided, will also entertain audiences.

The premises is not located within Westminster's cumulative impact zone, but it is in the West End special consideration zone. Policy SCZ1 has therefore been considered. The hours for requested for licensable activities and closing times are within Westminster Council's Core Hours Policy HRS1 for live sporting venues.

There is no policy presumption against the grant of this application, provided it does not impact on the licensing objectives. The proposed conditions are offered to promote the licensing objectives.

Appropriate conditions detailed below have been drafted in consultation with Senior Practitioner Environmental Health (Licensing) and Westminster's District Surveyor who conducted a site visit as part of a Pre Consultation exercise.

## **Premises History**

## **Appendix 3**

There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

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



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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

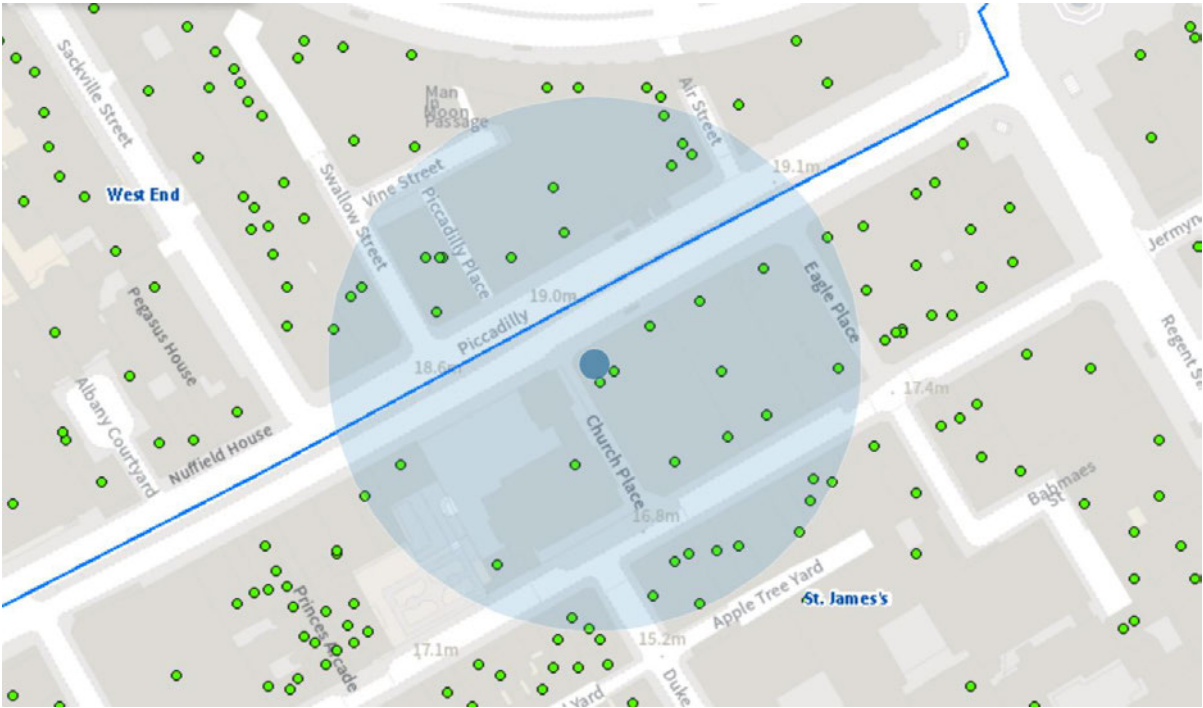
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

## Conditions consistent with the operating schedule

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
12. 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:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. There shall be a personal license holder on duty on the premises at all times when the premises are authorised to sell alcohol.
15. All high risk activities will be hosted at all times and equipment locked away from customers when not in use.
16. No alcohol will be permitted inside the high risk activity areas, the lanes, hatched blue on the approved licence plans.
17. Customers will not be permitted to take part in high risk activities if they are unable to participate in the activity safely.
18. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
19. 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.
20. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

21. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
22. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
23. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
24. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retardant fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
25. The sale of alcohol shall be ancillary to the main function of the premises as an axe throwing/live sporting venue.
26. Loudspeakers shall not be located outside the building.
27. Recorded music shall not be played in the entrance of the premises
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. Substantial refreshment and non-intoxicating beverages including drinking water shall be available to all parts of the premises where alcohol is sold or supplied for consumption on the premises.
30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
31. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
33. 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.
34. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
35. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
36. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (X) persons.

37. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
38. A Challenge 25 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.
39. All customers attending the venue shall be 18 years or over.



Resident count: 53

**Licensed premises within 75 metres of 198-200 Piccadilly, London, W1J 9HU**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
11/11074/LIPN	Rush	200 Piccadilly London	Hairdresser or beauty salon	Saturday; 08:30 - 18:00   Sunday; 10:00 - 17:00   Monday to Friday; 08:00 - 21:00
16/05422/LIPVM	Waterstone's	203-206 Piccadilly London W1J 9HD	Cafe	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 00:30
15/04589/LIPT	Caffe Concerto	29-31 Piccadilly London W1J 0LF	Restaurant	Monday to Sunday; 08:00 - 23:30
20/11548/LIPCH	The Dilly	Le Meridien Hotel 21 Piccadilly London W1J 0BH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
11/12638/LIPDPS	Le Meridien Hotel	Le Meridien Hotel 21 Piccadilly London W1J 0BH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
06/07001/WCCMAP	The Yoshino Restaurant	3-5 Piccadilly Place London W1J 0DB	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/05410/LIPDPS	Assouline	196A Piccadilly London W1J 9DY	Cafe	Sunday; 09:00 - 00:00   Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30
08/03634/LIPDPS	BG Group	Fifth Floor To Sixth Floor Eagle House 108 - 110 Jermyn Street London SW1Y 6RP	HQs and Institutional Offices	Monday to Sunday; 00:00 - 00:00

21/05856/LIPV	B A F T A (British Academy Of Film And Television Arts)	BAFTA 195 Piccadilly London W1J 9LN	Shop	Sunday; 07:00 - 00:30   Monday to Saturday; 07:00 - 01:30
---------------	--	--	------	---