



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

11 May 2023

23/00972/LIPN - New Premises Licence

The Soho Poly Theatre  
16 Riding House Street  
London  
W1W 7EB

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Emanuela Meloyan  
Licensing Officer

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## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	15 February 2023		
<b>Applicant:</b>	The University of Westminster		
<b>Premises:</b>	The Soho Poly Theatre		
<b>Premises address:</b>	16 Riding House Street London W1W 7EB	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	<p>According to the application form the premises intend to operate as a theatre under the name of The Soho Poly Theatre.</p> <p>The premises proposes a capacity of 60 and intends to provide contemporary performance space and a hub for community engagement.</p>		
<b>Premises licence history:</b>	This is a new premises licence application, and no premises history exists.		
<b>Applicant submissions:</b>	<p>The application has benefitted from pre-application advice.</p> <p>The applicant has proposed conditions to form part of the operating schedule that appear at Appendix 4</p>		
<b>Applicant amendments:</b>	None		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		New Year's Eve: 23:00 to 05:00 on New Year's Day					

<b>Plays</b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		New Year's Eve - licenced hours extended from the end of the authorised hours on New Year's Eve to the start of authorised hours on New Year's Day.					

<b>Films</b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		New Year's Eve - licenced hours extended from the end of the authorised hours on New Year's Eve to the start of authorised hours on New Year's Day					

Live Music				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			Sundays immediately before a bank holiday: 09:00:-00:24:00. New Year's Eve - licenced hours extended from the end of the authorised hours on New Year's Eve to the start of authorised hours on New Year's Day				

Recorded Music				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			Sundays immediately before a bank holiday: 09:00: -00:24:00. New Year's Eve - licenced hours extended from the end of the authorised hours on New Year's Eve to the start of authorised hours on New Year's Day				

Performance of dance				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			Sundays immediately before a bank holiday: 09:00-00-24:00. New Year's Eve - licenced hours extended from the end of the authorised hours on New Year's Eve to the start of authorised hours on New Year's Day				

Anything of a similar description				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			New Year's Eve extended to closing of New Year's Day				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	1 April 2023
THE UNIVERSITY OF WESTMINSTER, 16 RIDING HOUSE STREET, LONDON, W1W 7EB	
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The following plans of the premises have been submitted:</p> <ul style="list-style-type: none"><li>• Basement, drawing no. RT19035-RTA-XX-B1-DR-A-00405, Rev A dated 5.08.22 and drawing no. 112 / ARE/ OOB, dated Apr 03</li><li>• Ground Floor, drawing no. 112 / ARE/ OOG, dated Apr 03</li></ul> <p>The following licensable activities are being sought:</p> <p>Regulated Entertainments both indoors Monday to Sunday between 09.00 to 00:00 hours.:</p> <ol style="list-style-type: none"><li>1. Plays</li><li>2. Films</li><li>3. Live Music</li><li>4. Recorded Music</li><li>5. Performance of Dance</li><li>6. Anything similar to Live Music, Recorded Music and Performance of Dance</li></ol> <ol style="list-style-type: none"><li>1. Provision of Late-Night Refreshment indoors on Monday to Sunday between 23.00 to 00:00 hours</li><li>2. Supply of Alcohol 'On the premises on Monday to Sunday between 09.00 to 00:00 hours</li><li>7. I wish to make the following representations based on the operating schedule and plans submitted:<ol style="list-style-type: none"><li>1. The Regulated Entertainments sought and for the times requested may lead to an increase in Public Nuisance in the area and impact on Public Safety</li><li>2. The provision of Late-Night Refreshment for the times requested may lead to an increase in Public Nuisance in the area</li><li>3. The Supply of Alcohol and for the times requested may lead to an increase in Public Nuisance in the area and impact on Public Safety</li></ol></li></ol> <p>Environmental Health also makes the following further comments:</p> <ul style="list-style-type: none"><li>• Westminster's Statement of Licensing Policy – see on the Council's website – requires licensed premises demonstrating compliance with policy CH1, Protection of Children from Harm. Free advice on complying with this can be found in the Policy (see page 36 of policy).</li><li>• Some conditions have been offered and these are being considered as to if they are sufficient for the proposed use.</li><li>• The provision of sanitary accommodation is recommended to be at least in line with</li></ul>	

BS6465 for any proposed capacity.

- It is unclear if the premises have already been refurbished for the proposed use -it should be constructed at least in line with the Technical Standards for Places of Entertainment.

The applicant is therefore requested to contact the undersigned to discuss the above and arrange a site visit after which Environmental Health may propose additional conditions for the proposed use.

2-B Other Persons	
<b>Name:</b>	Jennifer Kavanagh
<b>Address and/or Residents Association:</b>	44 Langham Street W1W 7AU
<b>Received:</b>	16.03.2023
I am concerned at alcohol and music being available until midnight 7 days a week. This is a lot later than other venues in the neighbourhood. There are already too many licensed venues, causing noise and disruptions to neighbours.	
<b>Name:</b>	Ms Cathy MacNeil-Hollinger
<b>Address and/or Residents Association:</b>	11 Middleton Place W1W 7TQ
<b>Received:</b>	31 March 2023
I would ask that the sale of alcohol not be permitted until midnight, but be permitted instead only until 11pm. This theatre is located in a primarily residential neighborhood and serving alcohol until midnight likely will cause more noise and late night disturbances for the local residents.	
<b>Name:</b>	Christopher Shaw
<b>Address and/or Residents Association:</b>	42 Langham Street London W1W 7AT
<b>Received:</b>	31 March 2023
Dear Sir / Madam	
I write in response to the application for a new premises licence for 16 Riding House Street London W1W 7EB (University of Westminster Soho Poly Theatre - ref: 23/00972/LIPN).	
I am a resident and small business owner at 42 Langham Street, W1W 7AT.	
We would ask that the licencing committee consider the following items:	
<ul style="list-style-type: none"><li>• There is no reason for this licence to be granted outside of Westminster's core hour policy. The use of this space does not warrant a licence to sell alcohol until midnight. It brings into question the use of the space by the university. An 11pm cut-off would be more reasonable. The sale of alcohol until midnight would set a dangerous precedent for other local food and beverage venues which residents are trying to resist.</li></ul>	
This part of Fitzrovia is and should remain distinct from other parts of the West End. Other parts of the West End such as Soho are more aligned with the night-time economy. Fitzrovia however, is characterised by quieter residential streets with lower density of mixed retail and	

leisure uses. There is, however, a worrying trend of the character of the busier streets such as Great Portland Street and Soho moving into quieter side streets such as Langham Street, Riding House Street and Great Titchfield Street.

We would request the door on Riding House Street is to be used as an emergency exit only and not as a secondary exit point. This will protect the residential amenity of surrounding residents and is consistent with conversations had with the University.

The capacity of the space is also restricted to 60 persons. This should also be reflected in the conditions.

Any musical or performance equipment should also have the appropriate noise mitigation so that noise is not audible outside of the premises.

<b>Name:</b>	Mr Yoram Blumann
<b>Address and/or Residents Association:</b>	Fitzwest NF London W1

**Received:** 26 March 2023

I am writing on behalf of FitzWest Neighbourhood Forum.  
We supported the revival of the Soho Poly, and contributed some CIL funds towards it. We welcomed the added value to our area- in terms of culture, community involvement and so on.

We do not object to granting normal core hours - and would support it.  
However, we do object to the hours requested; there are residents living very near by [Middleton Place and opposite the premises].

Riding House street at this section is narrow and quiet, and if the daily hours till midnight are granted, people would be leaving post midnight, with traffic in the street, this will cause noise nuisance to the residents. therefore, we would support core hours opening hours.

<b>Name:</b>	Mrs Fiona Moss
<b>Address and/or Residents Association:</b>	5 Middleton Place London W1W 7TD

**Received:** 27 March 2023

Having lived in Middleton Place for 12 yrs and having the pub as a neighbour we have experienced many late night disturbances and this is with a 10.30 last orders. When the pub closes at 11, people spill on to the surrounding streets and after a night of drinking they tend not to rush home. To extend a license to midnight at the Soho Poly Theatre would mean even later disturbances , it is really just unfair on local residents. What is also unfair is that the Riding House exit was to be an emergency exit only!

<b>Name:</b>	Mr Rupert Hosking
<b>Address and/or Residents Association:</b>	1 Middleton Place London CM9 6RD

**Received:** 31 March 2023

We object based on the potential for late night disturbance to local residents and the fact that a midnight alcohol license is out of keeping with the restrictions on other local licenses. Over the past years the Council has taken tremendous steps to return this neighbourhood to residential, this work should not be jeopardised now.

<b>Name:</b>	Dugal Nisbet-Smith
<b>Address and/or Residents Association:</b>	2b Middleton Place London W1W 7 TA
<b>Received:</b>	29 March 2023
<p>Middleton Place is a unique walk-through residential street whose amenity is shelter from traffic and street noise. The sale of liquor until midnight from Riding House Street premises opening directly on to Middleton Place will inevitably lead to noisy late-night gatherings and street refuse affecting the quality of life for its residents.</p>	
<b>Name:</b>	Mr Gordon Tees
<b>Address and/or Residents Association:</b>	10 Middleton Place London W1W 7TG
<b>Received:</b>	29 March 2023
<p>We object to the proposed hours for sale of alcohol. We believe midnight is excessive and out of keeping with our residential neighbourhood: Middleton Place is a quiet off-the-beaten track pedestrian walkway and is home to 15 households, some with young children.</p> <p>The south entrance to Middleton Place is 10-15 metres from the Riding House Street exit of the Soho Poly Theatre. Our concern is that patrons leaving at midnight would pass noisily down Middleton Place and/or loiter thus disturbing our sleep.</p> <p>By way of reference, the Yorkshire Grey pub at the north end of Middleton Place closes all external tables at 10:30pm and ceases alcohol sales at 11pm.</p> <p>We would withdraw our objection if (1) the sale of alcohol is limited to 11pm at the latest and (2) we gained confirmation that the theatre exit on Riding House Street is to be used in the case of emergencies only (which we believe formed a basis for the original planning approval).</p>	
<b>Name:</b>	Mr Clive Carsley
<b>Address and/or Residents Association:</b>	7 Middleton Place London W1W 7TF
<b>Received:</b>	31 March 2023
<p>I wish to support the objections to this extension made by other residents of Middleton Place, particularly those objections and comments made by Mr Gordon Tees.</p>	
<b>Name:</b>	Mr Colin Chapman
<b>Address and/or Residents Association:</b>	31 Riding House Street London W1W 7DY
<b>Received:</b>	26 March 2023
<p>I wish to object to the theatre bar closing at midnight due to noise and other anti social behaviour that will be detrimental to the area. The theatre in my view should only have an alcohol licence until 11pm from Monday to Saturday in line with other establishments in the area.</p> <p>If the theatre has a later licence it will extent the potential for their clientele to cause a second round of noise pollution after the pubs and post midnight. Riding House Street is a small/narrow residential street and cars and taxis collecting patrons will also cause noise and contribute negatively to the local air quality.</p>	

Riding House Street is close to two pubs plus Riding House Cafe and we are already adversely affected by noise from their patrons. On Sunday the licence should be earlier at ten pm. The Yorkshire Grey is closed on Sundays and Riding House Cafe closes early which reduces noise. A late theatre licence is going to increase noise on a Sunday.

**Name:** Mr Tim Tidman

**Address and/or Residents Association:** 2a Middleton Place  
London  
W1W 7TA

**Received:** 27 March 2023

Well, I think this is licence creep again. Every year organisations seek to increase the licence. I would like their current licence reduced. Yet again we have to restate the arguments for and against. Why should we have to do this? Surely the Council should either censure annual re-submissions and hold the power to reduce the licence given as well as increase. How much time and effort does the Council expend on these applications. How much do other interested parties have to spend to refute these applications? It would be good if the Council were this question under freedom of information in due course if the Council continue to pander to organisations who spend all year thinking what the latest money-making (normally involving alcohol) scheme is.

The reason I am objecting again is that it is a theatre not a night club. So why do they need a licence to 12 o'clock? Did its predecessor? Have they evidence that this is what their target clientele want. I don't think so.

Also, this is all too close to Middleton Place which is a mainly residential backwater. It also funnels any sound. Granting this application will act to tip the balance further against residential living and act to hollow out the local community. We must be careful the area does not become like Ibiza, -if the customers do come - or like an out-of-date resort if the customers tire. of late night living.

**Name:** Dr John Holton

**Address and/or Residents Association:** 19 riding house st  
London  
W1W 7DT

**Received:** 29 March 2023

Allowing the sale of alcohol until 24.00 assumes the populace are civilized, responsible citizens who would not cause any disturbance when leaving recognizing there will be neighbours asleep. If the Councillors are of this persuasion they do not deserve to to make decisions. A narrow street -large groups leaving , fuelled by etoh -peace quite harmony? I object to this application for the most obvious of reasons -noise, noise noise , litter litter, urination in the street, defecation in the street (it doesnt happen? Cone down and look in the street, smell the urine

**Name:** Mrs Penelope Brudenell-Bruce

**Address and/or Residents Association:** 29A,  
Riding House Street  
London  
W1W 7DX

**Received:** 27 March 2023

I strongly object to this application. Riding House Street has a number of residential properties directly opposite the University which will be impacted by guests leaving the premises and going outside to smoke throughout their time visiting. People who have been drinking have a tendency to be very noisy and this will disrupt the quiet enjoyment of residents in this street and surrounding areas. I have objected to this before and suggested that the entrance/exit should be limited to Little Titchfield St which does not have residential properties. Previously it has been stated that Riding House St would only be an emergency exit



<b>Name:</b>	Mrs Sue Brandon
<b>Address and/or Residents Association:</b>	Flat 1 7 Middleton Place London W1W 7TF
<b>Received:</b>	30 March 2023
My husband and I object to this proposal believing that probable late night disturbances would have a negative effect on our lifestyle as we are both retired and enjoy the tranquility of our home in Middleton Place.	
<b>Name:</b>	Mr James Phillips
<b>Address and/or Residents Association:</b>	8 Middleton Place London W1W 7TF
<b>Received:</b>	02 April 2023
Hello,	
I am objecting subject to a revised 11pm cut-off for the sale of alcohol and I would like to remind the Council that we were told the door on Riding House Street is to be used as an emergency exit only.	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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"> <li>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.</li> <li>2. If the application is located within a Special Consideration Zone</li> <li>3. they have demonstrated that they have taken account of the</li> <li>4. issues identified in that area and provided adequate mitigation.</li> <li>5. Whether there is residential accommodation in the proximity of</li> <li>6. the premises that would likely be adversely affected by premises</li> <li>7. being open or carrying out operations at the hours proposed.</li> <li>8. The proposed hours of the licensable activities and when</li> <li>9. customers will be permitted to remain on the premises.</li> <li>10. The proposed hours when any music, including incidental</li> </ol>

music, will be played.

11. 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.
12. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
13. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
14. The capacity of the premises.
15. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs
16. and bars are higher risk than theatres, cinemas and other cultural
17. and sporting venues due to the nature of the operation.
18. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including
19. arrangements for people to be collected from the premises to travel home safely.
  
20. 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.
  
21. 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.
  
22. 14. Specific days for non-standard hours should be identified and
  
23. 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:

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)

- 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>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) 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</p>
<p><b>Policy CCSOS1 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 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>4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated area.</li> <li>5. 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.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone 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 applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</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 cinema, cultural venue, live sporting premises or outdoor space.</li> <li>5. 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.</li> <li>6. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>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.</li> </ol> <p>C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:</p> <ol style="list-style-type: none"> <li>1. Cinema For the exhibition of feature or shorts films to an audience.</li> <li>2. Cultural Venues a. Theatres: for the performance of plays,</li> </ol>

	<p>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.</p> <p>3. Live sporting premises: the premises or the use to which the licence is intended for</p> <ul style="list-style-type: none"> <li>a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.</li> <li>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.</li> <li>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.</li> </ul>
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#### 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>	Emanuela Meloyan Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: emeloyan@westminster.gov.uk

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

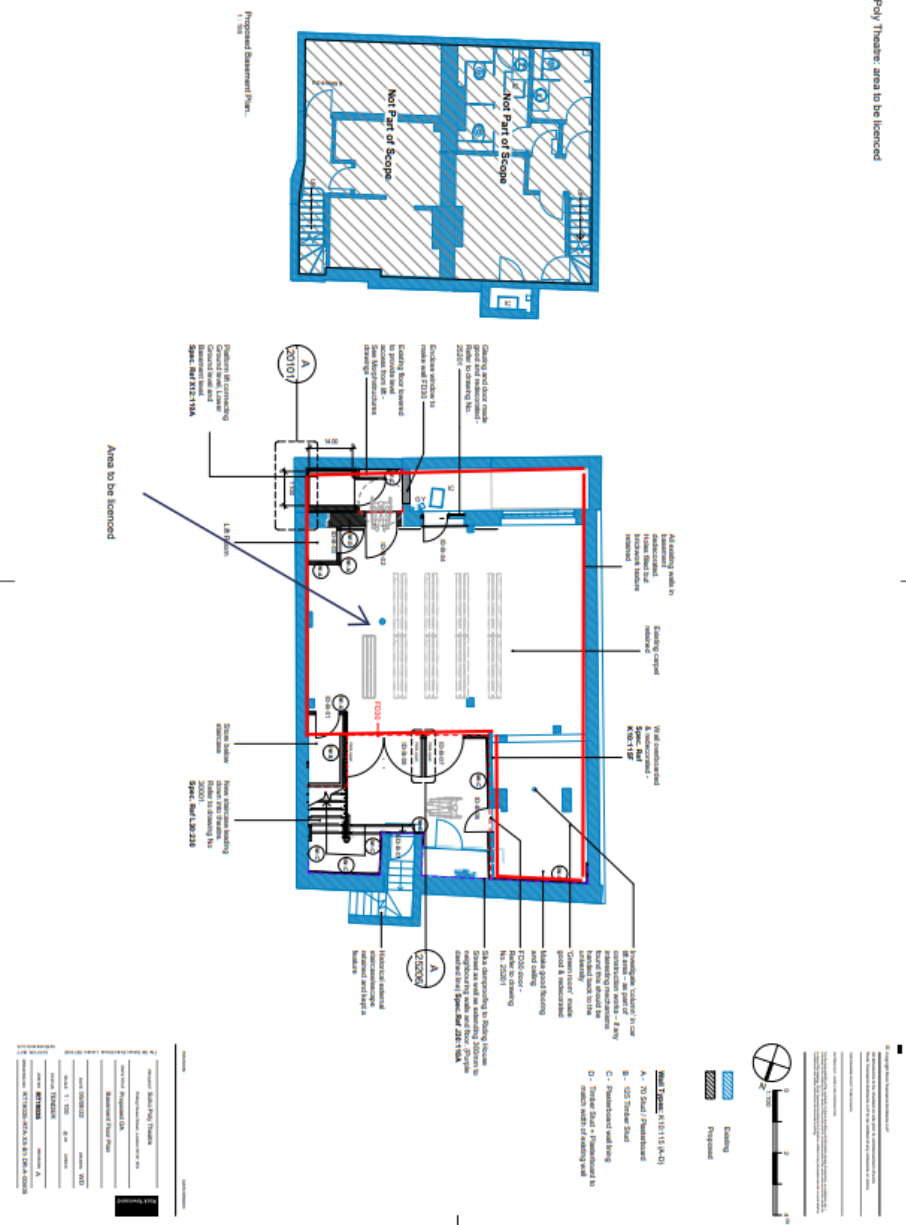
### **Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health Service	1 April 2023
<b>5</b>	Interested Party representation (1)	16 March 2023
<b>6</b>	Interested Party representation (2)	31 March 2023
<b>7</b>	Interested Party representation (3)	31 March 2023
<b>8</b>	Interested Party representation (4)	26 March 2023
<b>9</b>	Interested Party representation (5)	27 March 2023
<b>10</b>	Interested Party representation (6)	31 March 2023
<b>11</b>	Interested Party representation (7)	29 March 2023
<b>12</b>	Interested Party representation (8)	29 March 2023
<b>13</b>	Interested Party representation (9)	31 March 2023
<b>14</b>	Interested Party representation (10)	26 March 2023
<b>15</b>	Interested Party representation (11)	27 March 2023
<b>16</b>	Interested Party representation (12)	29 March 2023
<b>17</b>	Interested Party representation (13)	27 March 2023
<b>18</b>	Interested Party representation (14)	30 March 2023
<b>19</b>	Interested Party representation (15)	02 March 2023

**Appendix 1**

Solo Poly Theater area to be licensed

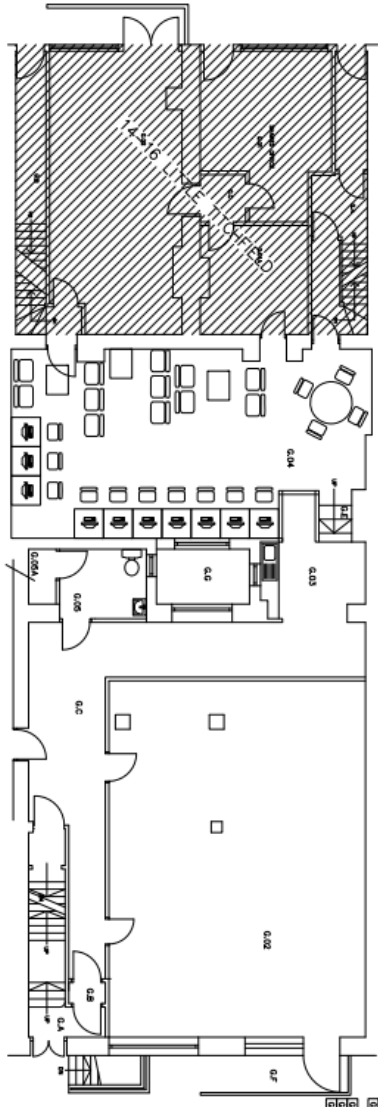
**Premises Plans**



**PROJECT INFORMATION**

Client	Solo Poly Theater
Address	1000 Main Street, Portland, ME 04101
Project Name	Proposed Basement Plan
Architect	1234 Main Street, Portland, ME 04101
Date	1/1/2023
Scale	1/8" = 1'-0"
Author	John A. Doe
Checker	Jane B. Smith
Reviewer	Robert C. Johnson

NOTED: THIS PLAN IS UNLESS OTHERWISE SHOWN.



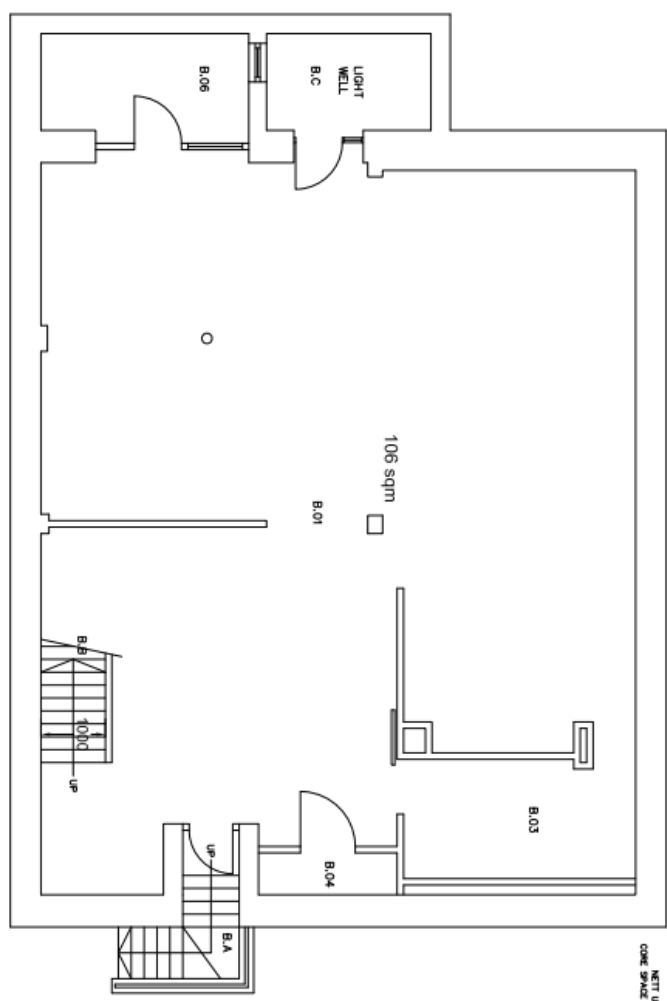
GROSS INTERNAL FOOTPRINT AREA (SQM)	159.1
GROSS USABLE INTERNAL AREA (SQM)	146.3
NETT USABLE INTERNAL AREA (SQM)	135.3
COVER SPACE (EXCLUDED FROM N/A)	13.3

ROOM NUMBER	ROOM AREA	ROOM NAME
0.01	1.1	ENTRANCE
0.02	135.3	LIVING ROOM
0.03	1.1	HALLWAY
0.04	1.1	DINING ROOM
0.05	1.1	KITCHEN
0.06	1.1	BATHROOM
0.07	1.1	STAIRS
0.08	1.1	CLOSET
0.09	1.1	TOILET
0.10	1.1	STORAGE

UNIVERSITY OF WESTMINSTER  
 ARCHITECTURE  
 16 RIDING HOUSE STREET  
 GROUND FLOOR PLAN  
 AREA DETAILS  
 112/ARE/000

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

Unmarked plan of basement, for information



GROSS INTERNAL FOOTPRINT AREA (SQM) [GFA] 132.1  
 GROSS USABLE INTERNAL AREA (SQM) [GUA] 111.4  
 NETT USABLE INTERNAL AREA (SQM) [NUA] 103.8  
 CORE SHAPE (EXCLUDED FROM NUA) [CSH] 4.9

ROOM	ROOM NO.	ROOM NAME	AREA (SQM)	PERM. HEIGHT (M)	NETT AREA (SQM)	PERM. HEIGHT (M)
B.01	106	ROOM	106.0	2.10	106.0	2.10
B.03	103	ROOM	10.0	2.10	10.0	2.10
B.04	104	ROOM	10.0	2.10	10.0	2.10
B.06	106	ROOM	1.0	2.10	1.0	2.10
B.C	-	EX	1.0	2.10	-	-

16 RIDING HOUSE STREET  
 BASEMENT PLAN  
 AREA DETAILS  
 112/A&E/1008



**Applicant Supporting Documents**

**Appendix 2**

There are no submissions from the applicant.

## **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 film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

**Conditions consistent with the operating schedule proposed by the applicant.**

10. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a Cultural Venue
11. The supply of alcohol at the premises shall only be to:
  - a. persons there taking part in rehearsals and/or educational purposes
  - b. customers, patrons or members there to view a performance or exhibition or cultural event (including permanent or temporary collections)

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

12. The premises will have a CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - b) 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.
  - c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
  - e) 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 are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
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. 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
  - g. any refusal of the sale of alcohol
  - h. any visit by a relevant authority or emergency service.
15. The number of persons accommodated at the premises as a whole at any one-time (excluding staff) shall not exceed 60 persons
16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. The public, including local resident and businesses in the vicinity, will be able to contact the Premises at all times when it is open via a publicly available telephone number.
19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
20. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

**16 Riding House Street**



28/04/2023, 10:52:37

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed

Resident Count: 127

Licensed premises within 75m of 16 Riding House Street, W1W 7EB				
Licence Number	Trading Name	Address	Premises Type	Time Period
16/07226/LIPDPS	Assorti	14 Riding House Street W1W 7EB	Restaurant	Monday to Sunday – 12:00 – 23:00
21/02071/LIPDPS	Riding House Cafe	43 Great Titchfield Street W1W 7PQ	Cafe	Monday to Thursday – 09:30 – 00:00; Friday to Saturday – 09:30 – 01:00; Sunday – 12:00 – 00:00
17/06354/LIPN	Engine Partners UK Ltd	60 Great Portland Street London W1W 7RT	Office	Monday to Sunday – 09:00 – 22:00
21/11549/LIPV	H.T. Harris	41 Great Titchfield Street London W1W 7PG	Cafe	Monday to Sunday – 08:00 – 21:00



20/04489/LIPN	Oliviers Bakery	71 Great Portland Street London W1W 7LR	Cafe	Monday to Thursday – 07:30 – 23:30; Friday to Saturday – 07:30 – 00:00; Sunday – 07:30 – 22:30
17/11140/LIPN	Townhouse	Basement And Ground Floor 88 Great Portland Street W1W 7NS	Hairdresser	Monday to Sunday – 07:00 – 23:00
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street W1W 7PT	Restaurant	Monday to Sunday – 08:00 – 23:00
22/11439/LIPT	Naroon	60 Great Titchfield Street London	Restaurant	Monday to Sunday – 06:00 – 23:00
23/00066/LIPDPS	Yorkshire Grey Public House	46 Langham Street W1W 7AX	Public House	Monday to Saturday – 10:00 – 23:30; Sunday – 12:00 – 23:00
22/10624/LIPDPS	The Whisky Exchange	90 Great Portland Street W1W 7NT	Shop	Monday to Saturday – 10:00 – 20:00; Sunday – 10:00 – 18:00
21/07820/LIPT	Mac And Wild	Ground Floor 65 Great Titchfield Street W1W 7PS	Restaurant	Monday to Thursday – 09:00 – 00:00; Friday – Saturday – 09:00 – 00:30; Sunday – 09:00 – 00:30
22/09073/LIPCHT	Kuros	Ground Floor 65 Great Titchfield Street W1W 7PS	Restaurant	Monday to Thursday – 09:00 – 00:00; Friday – Saturday – 09:00 – 00:30; Sunday – 09:00 – 00:30
21/05235/LIPVM	The Kings Arms	68 Great Titchfield Street W1W 7QL	Public House	Monday to Saturday – 07:00 – 23:30; Sunday – 07:00 – 23:00