

Xestminster	Licensing Sub-Committee Report
Item No:	
Date:	5 October 2023
Licensing Ref No:	23/03384/LIPN - New Premises Licence
Title of Report:	The University Women's Club 2 Audley Square London W1K 1DB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End

City of Westminster Statement of Licensing Policy

Financial summary:

Policy context:

Report Author:

Contact details

None

Karyn Abbott Senior Licensing Officer

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

Application 1.

1-A Applicant and premis	ses			
Application Type:	New Premises Licence, Lice	nsing Act 2003		
Application received date:	22 May 2023			
Applicant:	The University Women's Clu	b Ltd		
Premises:	The University Women's Clu	b		
Premises address:	2 Audley Square London	Ward:	West End	
	W1K 1DB	Cumulative Impact Area:	None	
		Special Consideration Zone:	None	
Premises description:	According to the application proprietary member's club.	•		
Premises licence history:	 The premises currently benefits from a club premises certificate (06/07833/WCCMAC). This application follows pre-application advice and seeks to replace the club premises certificate with a new premises licence: a) regularise the permitted hours for alcohol and other licensable activities to 7am to 1am, Monday to Sunday - i.e. actually reducing the hours for regulated entertainment (which are currently unrestricted, 24/7); and b) permitting alcohol to be supplied to persons attending bona fide pre-booked functions and events, alongside standard supplies to members of the Club and their guests. 			
Applicant submissions:	The applicant has provided documents that include an introduction and description of the application, the pre- application advice report, list of proposed conditions, the Club's dispersal policy and a letter to interested parties. This can be found at Appendix 2 of the report. The proposed 20 conditions can be found at Appendix 4 of the report.			
Applicant amendments:	None			

1-B Pro	oposed lice	nsable a	ctivities and he	ours			
Films:				Indoors, o	utdoors or l	both	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non- standard timings:Unrestricted for residents.From the end of permitted hours on New Year's Eve to						ia ta	
Standard t	innings:		the start of per				eiu

1-B Proposed licensable activities and hours

Live Music:					Indoors, o	Indoors		
Day:	Mon	Tues		Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00)	07:00	07:00	07:00	07:00	07:00
End:	01:00	01:00)	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non- standard timings:			Fro	Unrestricted for residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Recorded	Music:			Indoors, o	Indoors			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00	
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00	
Seasonal variations/ Non- standard timings:			Unrestricted for residents. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Performance of Dance:					Indoors, o	Indoors			
Day:	Mon	Tues		Wed	Thur	Fri	Sat	Sun	
Start:	07:00	07:00)	07:00	07:00	07:00	07:00	07:00	
End:	01:00	01:00)	01:00	01:00	01:00	01:00	01:00	
	Seasonal variations/ Non-			Unrestricted for residents.					
standard timings:			From the end of permitted hours on New Year's Eve to						
	the start of per			mitted hours	on New Yea	ar's Day.			

Anything of a similar description to that falling within (e), (f) or (g):					Indoors, o	both	Indoors	
Day:	Mon	Tues		Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00)	07:00	07:00	07:00	07:00	07:00
End:	01:00	01:00)	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non- standard timings:			Fro		r residents. of permitted h mitted hours			/e to

Late Night Refreshment:					Indoors, o	Indoors		
Day:	Mon	Tues		Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00)	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00)	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non- standard timings:			Fro		r residents. of permitted h mitted hours			ve to

Sale by retail of alcohol					On or off s	ales or both	h:	Both
Start:	07:00	07:00)	07:00	07:00	07:00	07:00	07:00
End:	01:00 01:00 01:00				01:00	01:00	01:00	01:00
Seasonal variations/ Non-			Un	restricted fo	r residents.			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
standard t	Seasonal variations/ Non- standard timings: Adult Entertainment:		None None				

2. Representations

2-A Responsible Authorities

Responsible	Environmental Health
Authority:	
Representative:	Sally Fabbricatore
Received:	19 June 2023

I refer to the application for a new Premises Licence for the above premises. The premises does benefit from a club premises certificate, 06/07833/WCCMAC.

This representation is based on the Operating Schedule and the submitted plans for the building which are titled with the address.

The applicant is seeking the following on the **basement**, ground, first, second, third and fourth floors:

- 1. To allow the Supply of Alcohol 'on and off' the premises Monday to Sunday 07:00-01:00 hours.
- 2. To allow the provision of Late-Night Refreshment 'indoors' Monday to Sunday 07:00-01:00 hours.
- 3. To allow the provision of Regulated Entertainment: Films, Live Music, Recorded Music, Performance of Dance and anything similar 'indoors' Monday to Sunday 07:00-01:00 hours.
- 4. To allow the above provisions from the end of New Year's Eve to the start of permitted hours on New Year's Day, and to allow the timings to be unrestricted for residents.

I wish to make the following representation in relation to the above application:

- 1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
- 2. The provision of Late-Night Refreshment may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
- 3. The provision of Regulated Entertainment may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
- 4. The non-standard timings may cause an increase in Public Nuisance in the area.

The applicant did seek pre-application advice, 23/00855/PREAPM. Further information has been provided, including proposed conditions. Further conditions may be proposed by Environmental Health in order to promote the Licensing Objectives.

The granting of the new Premises Licence as presented would have the likely effect of

causing an increase in Public Nuisance in the area and may impact on Public Safety.

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

2-B Other Persons
Name:
Address and/or Residents Association:
Received: 8 June 2023
Dear Sirs,
I have a the University Women's Club and my sector of this establishment and this has been the subject of several complaints in the past.
I therefore STRONGLY OBJECT to this application in entirety, as this establishment is a direct and I wish to have peace and quiet enjoyment in my home without having to listen to late night music (live and recorded), dance nights or even guests venturing out into the garden which is directly opposite my flat.
I have a right to quiet enjoyment of my home without having to deal with issues like this. We residents are already suffering from the noise from the Audley Square development, and now we face possibly suffering late night noise as well! Please do not allow licensing such as this to create misery for hundreds of taxpaying Westminster residents. During lockdown in June and July 2020, I called in many complaints (11 times over 2 months!) to the Noise Team about number 3 Audley Square, which is the building next to the University Women's Club as they were having noisy parties. This is one property behind UWC so if the noise from them was unbearable, the noise from our direct neighbour will be even worse!
Please therefore REJECT this application in its entirety.
Name:
Address and/or Residents Association:
Received: 8 June 2023
Re application 23/03384/LIPN I OBJECT to the new premise licence application for the University Women's Club Ltd on the grounds that the playing of music is very disruptive as to the Club and in the past I have raised concerns/complaints with Westminster Council about the level and duration of loud music being played especially during the summer months when everyone has their windows opened. The music has been very loud and the noise the guests makes the whole thing unbearable as the space is very small and it vibrates higher. This is the residential part of Mayfair and as residents, I have to content with all the building works noise in the daytime and then the music/noise from the Club. They have used bands in the past that go on late into the night. One off event was not an issue but to be given a licence to this on a regular basis is not fair to residents who want to peace and tranquility for well being and health. Please take this into account and appreciate that the levels of noise in Mayfair are already very high and at times quite stressful.
Thank you for taking the time to read this.

Name:	
Address and/or Residents Association:	
Received: 1 June 2023	
that noise from buildings nearby echoes in the occasions where loud music played in nearby There is a large construction site nearby while from live music in the evenings is added to the second seco	dential block and the nature of the buildings is such ne inner courtyard. There have been several by buildings has kept me awake all night ! ich can be quite noisy during the daytime. If noise
Name:	
Address and/or Residents Association:	
Received: 10 June 2023	
well-being, she is nearly 80 years old and sp I am very concerned about the living condition situation during lockdown in June 2020 with horrible for all of The big change in licence will certainly cause very discreet and authentic part of Mayfair w	UWC and I am extremely worried about the the licence would represent for me and my ts the noise will have in my mother's health and bends long periods of time in the flat. ons of Westminster, because we already suffered a loud parties at No3 Audley Square, and this was . The UWC is e a serious change in the neighbourhood that is a
Name:	
Address and/or Residents Association:	
Received: 5 June 2023	
establishment is really near one third of the would like to have peace and be quiet in our gardens. We already have to face problems and noise	music all day long (whatever live or recorded). The whole flats sector : as residents we homes, have the possibility to go out in our e due to the Audley Square developments during by night? Before deciding, please think about how it

Name:		
Address and/or Res	sidents Association:	
Received:	9 June 2023	
Noise:	0 00110 2020	
		ome. This development will generate a lot of noise very concerned about future nightly noise that will
Parking: This is already a problem, the nearby car parks have been closed, leaving only limited street parking, even for permit holders.		
Traffic: South Audley Street delays. This will only		ften blocked by delivery vans and causing long
Name:		Mr
Address and/or Res	sidents Association:	
Received:	15 June 2023	
Club, I wish to OBJE	CT to this application.	the University Women's
permissions sought t	hreaten to generate a g ntitled to be able to enjo	ication. The all-encompassing hours and great deal of noise and disruption for the residents of by their domestic existences with a reasonable
The club has not con of their neighbours.	sulted us about this at a	all and appears to have little regard for the welfare
I urge you to REJEC	T this application for the	e reasons stated above.
Name:		
Address and/or Res	sidents Association:	
Received:	1 June 2023	· · · · · · · · · · · · · · · · · · ·
The Garden of this p		so as you know noise
		be unbearable to all the residents. This has been
		ally complained, phoning the police on several Few years ago they stopped this practice and the
	p.m. which is acceptable	
		lot of the Residents are elderly who live her, WHAT
DUTY OF CARE AN	D RESPECT to allow s	uch a disturbance. Furthermore, they stand in the
		screaming. Maybe next time if this happens the
	oower to do something. CT TO THIS LICENSE	being extended.

Further Submission		· · · · · · · · · · · · · · · · · · ·
I did send an objectio	n through, but somethir	ng wrong with your website.
		my Partner are. There are other elderly residents as you know noise reverberates. I have
		police and the Club itself but no notice was take.
		hed they stopped the music at 11 p.m, Now they
		orning. This is obviously outrageous considering aming and shouting outside in the Gardens also
		hat you cannot sleep. IS THIS DUTY OF CARE
AND RESPECT. I ST	RONGLY OBJECT to t	his license being given.
	E THOUGHT FOR THE	NEIGHBOURS
I have already made Name:	a complaint	
Address and/or Res	idents Association:	
Received:	16 June 2023	
Dear Madam or Sir,		
I've been		nce 1972 when there was the 21 Club was just
goings throughout the		bearable with the late night noise and coming and
genige in eugneer in	,	onto the UWC and if this Licence is granted for
		ek and from 7am through to 1am what peace and
		uring the night to sleep.
		nd music life once again will be unbearable. is given not only to myself but also to my
neighbours		here are many Council Tax payers.
	p Mayfair a lovely and p	peaceful residential part of london by declining this
application.		
Name:		
Address and/or Res	idents Association:	
Received:	31 May 2023	
I am the General Mar	nager	, which The University
Women's Club	a has been the subject	of this
		of several complaints in the past. On behalf of our o this application in entirety, as this establishment
		s that wish to have peace and quiet enjoyment in
		ight music (live and recorded), dance nights or
even guests venturing		
to deal with issues lik		It to quiet enjoyment of their homes without having
to deal with issues like this. They are already suffering the construction noise from the Audley Square development which frequently overruns the finishing times during weekdays as well as		
weekends, and now t	hey will have to suffer la	ate night noise as well? Please see the sense in not
• •	h as this to create mise	ery for hundreds of taxpaying Westminster
residents. Please therefore REJ	ECT this application in	its entirety.
Further Submission		ell as 09:47 AM this morning and received

Name:		
Address and/or R	esidents Association:	
Received:	28 May 2023	
willing to withdraw Firstly I query whe excluded apart from then I would not be no cut-off time.	which are minor and if agen this objection. ther this operation needs munfinished drinks havin concerned about the sug on restricting deliveries an	a objection on grounds of public nuisance. There are greement can be reached on these then I will be an off-sales provision and would prefer that it is g been taken with a meal. If this can be accepted ggested cut off time of 23.00 hours ie there need be and collections to between hours of 7am and 11pm
I made an objectio		o on 28th May. I have since become aware of e to add to my original objection:-
Whilst that might n an increase in "bor errant members bu	ot be of such concern for na fide pre-booked functio ut this is not available in th	permitted by the current club premises certificate. genuine club use, it would appear that there may be ons". A club has the ultimate sanction of expelling he case of third parties. Thus there is an increased al concerns also arise regarding the conditions
still be allowed to u 2. The condition re level. Does this sp areas/terraces on	use this space after that ti smokers specifically refe ecific reference to ground	at 23.00 hours in the rear garden but will smokers me. rs to those leaving and re-entering at ground floor floor level imply that there are other external
Name:		
Address and/or R	esidents Association:	

 Received:
 2 June 2023

 I am a
 . I work jolly hard (within Westminster) during the week

 and I do not want potentially seven nights of noise next door disturbing my sleep. This is a

 properly residential corner of Mayfair (always has been) and it's not appropriate to make it into a

 centre of night life.

 I urge planners to reject this application.

 Name:
 Image: Constraints and/or Residents Association:

 Address and/or Residents Association:
 Image: Constraints and Specification:

 Received:
 2 June 2023

 I as a
 Constraints and Specifically

 I as a
 Constraints and Specifically

 chose to move to Mayfair and Specifically
 Image: Constraint and Specifically

 peaceful nature of the area. We pay significant rents to live in this area. The planned development will significantly hamper/complicate our lifestyle from a noise, lighting and accessibility perspective. While I am generally in favor of smart planned development, this plan is quite vague.

Name:	
Address and/or Residents Association:	
Received: 6 June 2023	
I object to the application.	
Lurge you to reject this application as the s	ound and noise would interfere with the peace and
quiet that we, as residents of	have a right to.
Thank you for taking the time.	
Name:	
Address and/or Residents Association:	
Received: 2 June 2023	
I OBJECT to this application as this estable	
	their families live. if this application goes thru it will
	the quiet environment of the residents living in the ne finds tranquillity, happiness , love and joy to
create lifelong memories with your loved o	
Name:	
Name: Address and/or Residents Association:	
Address and/or Residents Association: Received: 5 June 2023	urbance which will result if this application is
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the	urbance which will result if this application is will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours .	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours .	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . It is application should be rejected. Name: Name:	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . It is application should be rejected.	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . It is application should be rejected. Name: Name:	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name:	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . Implemented in the unsocial hours is the unsocial hours in the unsocial hours in the unsocial hours is the unsocial hours in the unsocial hours in the unsocial hours is the unsocial hours in the unsocial hours is the unsocial hours is the unsocial hours in the unsocial hours is the unsocial hours hours is the unsocial hours is the unsocial hours is	
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a	will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a The application for a licence to play live and	will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a The application for a licence to play live an alcohol during the hours proposed is inapp	will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a The application for a licence to play live an alcohol during the hours proposed is inappresidential dwellings. The prospect of noise	will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a The application for a licence to play live an alcohol during the hours proposed is inapp residential dwellings. The prospect of noise significant number	will be severely affected by the noise at
Address and/or Residents Association: Received: 5 June 2023 It is very unreasonable to have such a dist implemented. Many of the unsocial hours . This application should be rejected. Name: Address and/or Residents Association: Received: 8 June 2023 I own a The application for a licence to play live an alcohol during the hours proposed is inapp residential dwellings. The prospect of noise significant number	will be severely affected by the noise at will be severely affected by the noise at which is located , which is located d recorded music , dancing and for the sale of ropriate given the proximity of the property to multiple e audible outside of the property every day from a is inconsistent with the be expected to be enjoyed by a high quality the applicant's property.

Name:	
Address and/or Residents Association:	
Received: 6 June 2023	
We OBJECT to application 23/03384/LIPN,	alcohol and music up to to 1am at the Ladies
University Club.	
Background We are retired and have	for 17 years, full time, with The Club
	to the garden,
and have seen many groups of people there	
	e to ring the Council Environmental Health people
•	soprano who was singing loudly at 10.30 pm with
	ner was very warm. Generally, they have been good
	ayfair Village", as estate agents call this part of
Mayfair. Like us, they have suffered noise fr We are however puzzled why this licensing	
	sts already. We can only assume there will be
increased activity from appealing to differen	
Noise	
Unfortunately this proposal contains signific	
. The rear of the 0	Club is overlooked by the rear of parts of
11pm is a problem for those of us wishing to	, and the idea of music after say
	d windows would be closed while music is played,
	ng is not air conditioned as far as I know. In summer
	doors and would want to open the doors and
windows as they always have.	
	at 11pm except for smokers. However, inebriated
	sitors are ladies) can be very noisy, and the idea of
them being there up to 1am is not acceptabl	te and have a sense of belonging and enjoyment
	. Growth is only possible when a city is a rewarding
place to live, work and visit andnight time	
consumption and associated antisocial b	pehaviour.
1 Mayfair/Audley Square	
	dential development is so close to the Club that only
	es them. At present the former Audley Square site is owners to comment on this application. However, in
	Audley St, and probably having bedrooms at the
	and would suffer the same noise nuisance as
	ooms on three sides within a short stone's throw,
	Il be above the garden. Noise would be trapped in
this enclosed area by tall residential building Summary	JS.
	m a traditional Mayfair club, whose presence many
	wed to go ahead. Any music should be capped no
later than 11pm, and the conditions under w	hich alcohol is sold should be scrutinised closely.
	udley Square) rather than the garden after a
specified hour e.g.8pm.	la ba ava Nabla an an 16 d. d. d. d.
	Id be available as respite to the numerous close
	Xmas. The fact is, unless the music is very quiet ce of air conditioning and double glazing would
mean plenty of noise leaking out even with o	
Photos	,
Both taken from . Please	note the mass of brickwork on the right is the wing

of

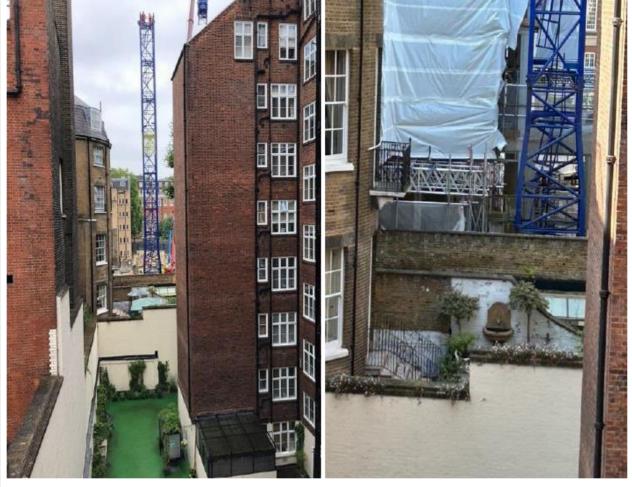
. Many windows can be seen in its ten

stories, and similar windows are also located on the side facing the blue crane, and not visible in the photo. There are probably several dozen bedroom windows within about 20 to 30 metres of the two main Club rooms, including

Here are the photos. First one is older, the distant view will be blocked off by 1 Mayfair, leaving the club (on the left with sunshades) very enclosed so sound will reverberate around. On the right are with some more under the camera position and still more to the right of the same position. The facing group calcured wall is the boundary of CH

more to the right of the camera position. The facing cream coloured wall is the boundary of CH and the Club. There are further flat windows not visible here, between the red brick of and the blue crane. In the left foreground Embassy of Qatar, 1 South Audley

St. The second photo is current, shows the garden steps and balcony which would be the source of any Club noise. This uses a mildly telephoto lens on an iPhone, while the one above is wide angle. White plastic conceals new flats under construction. These face South Audley St so the bedrooms will probably be at the back in the present view.



Name:	
Address and/or Residents Association:	

Received: Dear Sirs,

3 June 2023

I am one of the **second second second**

Name:	
Address and/or Residents Association:	
Received: 3 June 2023	
To Whom this may Concern,	
I am writing today to express my objections by The University Woman's Club. 23/03384/	to the licensing application that has been submitted /LIPN.
for late night noise from music and patrons. behaviour of noise on Curzon Street, that th dangerously show off creating noise and dis application for The University Woman's Club noise the club will make AND give further op to the patrons coming and going from the club Last year there was an issue with live and re in the early evening till very late. The noise courtyard has. Myse	ential building. Approving this application will allow The area already has an issue with anti-social e police cannot get a grip on. Cars will loudly and sturbance to residents in this building. Approving the powill only add to this anti-social behaviour, by the portunities for these dangerous drivers to show off
Audley Street. The University Woman's Club noise and disturbance. Please keep in mind vicinity so there doesn't need to be anymore Why should the long standing residents of	b is closer to us and therefore will cause even more that there are plenty of other similar venues in the
developing an epidemic in the UK, especial	
The are sub at Audley Square, so please don't provide m	pjected to noise all day from the current construction nore opportunities for noise in the evening.
Name:	
Address and/or Residents Association:	
Received: 2 June 2023	
I am writing to voice my strong objection to t will be served to the early hours.	the above application to allow parties where alcohol
	to the south of the University Women's Club, rated by alcohol-fuelled party-goers until 1am in the
Allowing such revelry in this quiet residentia peaceful corner of Mayfair.	I area will fundamentally alter the nature of this
	eading into the rear garden shall be maintained ated entertainment is provided in the ground floor
	e rear garden shall cease at 23.00 hours daily." This may be a party taking place in the rear garden until

11pm at night. In fact on the application for the license it states that alcohol be served until 1am. This will be an infringement on the rights of the neighbours — such as those of us who live in Chesterfield House — to have an evening in without boisterousness next door.		
Club must be restricted objections and reject	ed to indoors only, up to	that may take place within the University Women's 11pm. I trust you will take into account my
Name:		
Address and/or Res	idents Association:	
Received:	2 June 2023	
I am writing to you as The l	Jniversity Women's Clu	ıb
university woman's cl Monday to Sunday th and that is detrimenta Plus, we are already	lub is to play music, and lat would cause me and al to our peace and quie suffering from the cons	he reason is that the license application for the d sale of alcohol, from 07 am until 1 am at night, d my family nuisance due to the generated noise et enjoyment. truction noise from Audley Square development unbearable disturbance to us and to other
In Brief as Taxpayer,	I urge the Council to R	EJECT this application in its entirety.
Further Submission Dear Sirs	is 2 June 2023	
1DB I am writing The University Wome I object to the up mer university woman's cl Monday to Sunday th	en's Club ntioned application for t lub is to play music, and lat would cause me and	w Women's Club Ltd 2 Audley Square London W1K to to the reason is that the license application for the d sale of alcohol, from 07 am until 1 am at night, d my family nuisance due to the generated noise al to our peace and quiet enjoyment.
Plus, we are already	suffering from the cons	truction noise from Audley Square development unbearable disturbance to us and to other
	I urge the Council to R	EJECT this application in its entirety
Name:		
Address and/or Res	idents Association:	
Received:	2 June 2023	
I am a Club which i understa	, which and has already been th	is Example 1 The University Women's ne subject of several complaints in the past.
to have peace and qu		this establishment and I wish we without having to listen to late night music (live venturing out into the garden which is

particularly in the eve Audley Square devel	quiet environment of my home, and appreciate the quietness of the area, ening and at weekends. There already is construction noise from the lopment which detracts from the ambience of my flat during the day. If this at night, my life would be very different and far from that which I currently
Audley Street, Chest	tax payer in Westminster since 2001, and the quiet environment of South terfield Gardens and Curzon Street is a key attraction of the area. Please nse and affect adversely
Name:	
Address and/or Res	sidents Association:
Received:	13 June 2023
As owner of	I object to this application as this is a of , and the proposal will have a direct impact on our
property. Name:	
Address and/or Res	sidents Association:
Received:	5 June 2023
application to destroy person would allow s like to have music/no currently a very pleas expect to have enter hope that Westminst wish to live in a quiet to have this sort of di residents who have r application by individ living in a pleasant a	application by the University Women's Club which, yet again, is another y the comfort of residents of this area. I cannot believe that any reasonable such an application to proceed. I just wonder whether these people would bise on their doorsteps - or would they simply prefer to destroy what is sant residential area. Chesterfield Gardens is not Soho where one would tainment at any time of the day to satisfy the desires of selfish people. I her City Council will have some sympathy for the law-abiding people who t residential area. I wonder whether the Councillors and officials would like isturbance next to their private homes? Please consider the interests of the resided peacefully in this area for many years. I urge you to reject this luals who have no concern whatsoever for those who wish to continue nd relaxed atmosphere, as they have done so for many years. With the nd Tchenguiz on the other, this will be a very unpleasant environment in
Name:	
Address and/or Res	sidents Association:
Received:	8 June 2023
Dear Sirs, I and complaints in the pas	, establishment and this has been the subject of several st.
	LY OBJECT to this application in entirety, as this establishment is a direct and I wish to have peace and quiet enjoyment in my home without having music (live and recorded), dance nights or even guests venturing out into

the garden which is directly opposite my flat.

I have a right to quiet enjoyment of my home without having to deal with issues like this. We residents are already suffering from the noise from the Audley Square development, and now we face possibly suffering late night noise as well! Please do not allow licensing such as this to create misery for hundreds of taxpaying Westminster residents. During lockdown in June and July 2020, I called in many complaints (11 times over 2 months!) to the Noise Team about number 3 Audley Square, which is the building next to the University Women's Club as they were having noisy parties. This is one property behind UWC so if the noise from them was unbearable, the noise from our direct neighbour will be even worse!

Please therefore REJECT this application in its entirety.

Name:		
Address and/or Res	idents Association:	
Received:	18 June 2023	
Received.	16 Julie 2023	
This proposed licens	e would cause high leve	els of disturbance to our apartment as well as all
owners and tenants of	of a land a l	nd neighbouring areas. I strongly object

3. Policy & Guidance

The following policies with	hin 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: 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. 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. 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. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 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. The existing hours of licensable activities and the past operation of the premises. 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.
	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.
	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.
	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.
Policy PB1 applies	A. Applications outside the West End Cumulative 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 being within the council's Core
	Hours Policy HRS1.
	3. The operation of any delivery services for alcohol and/or latenight
	refreshment meeting the council's Ancillary Delivery of Alcohol
	and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration
	Zones policy SCZ1 if the premises are located within a designated
	zone.
	5. The application and operation of the venue meet the definition of
	a Public House or Bar in Clause D.
	D. For the purposes of this policy a Public House or Bar is defined
	as a premises, or part of a premises that's primary use is the sale or
	supply of alcohol for consumption on those premises and/or for
	consumption off the premises for consumption outside the venue.
L	

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.

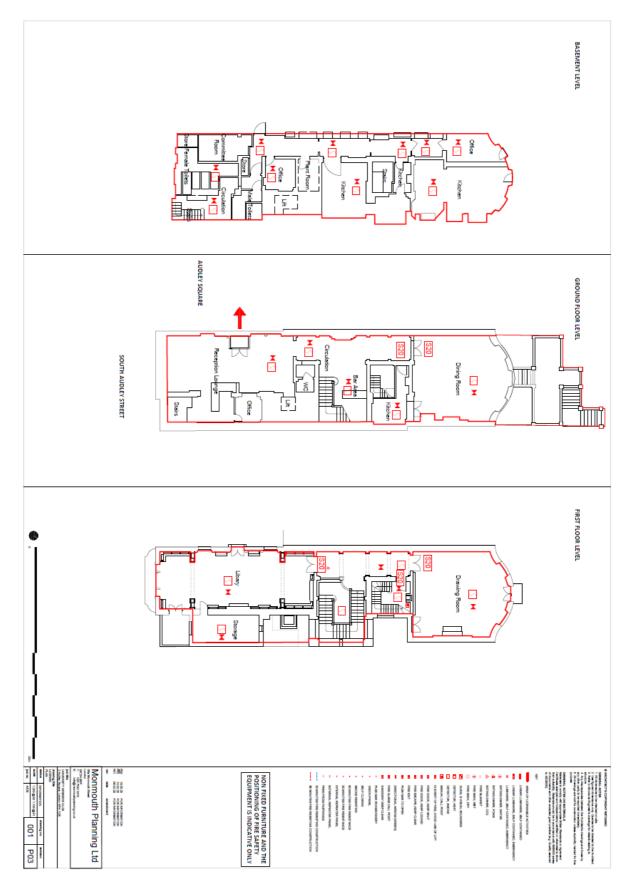
5. Appendices

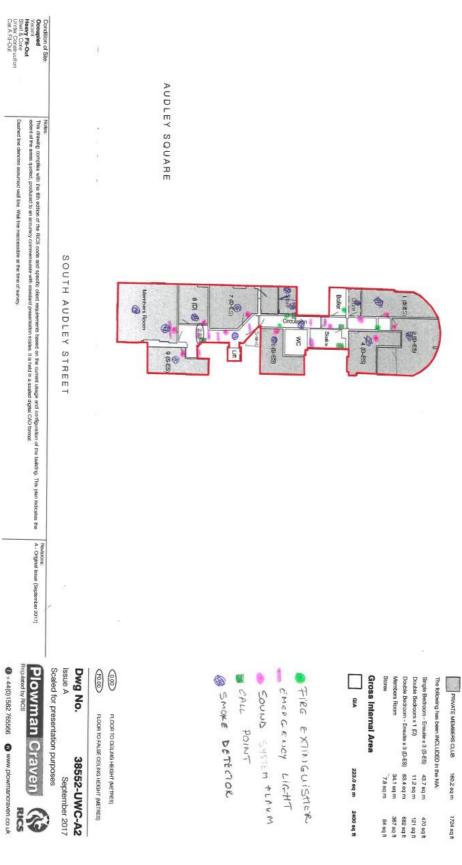
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott
-	Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@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.

Backgro	ound Documents – Local Government (Access to Infor	mation) 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	July 2023
4	Environmental Health Service	19 June 2023
5	Representation 1	8 June 2023
6	Representation 2	8 June 2023
7	Representation 3	1 June 2023
8	Representation 4	10 June 2023
9	Representation 5	5 June 2023
10	Representation 6	9 June 2023
11	Representation 7	15 June 2023
12	Representation 8	1 June 2023
13	Representation 9	16 June 2023
14	Representation 10	31 May 2023
15	Representation 11	2 June 2023
16	Representation 12	2 June 2023
17	Representation 13	6 June 2023
18	Representation 14	2 June 2023
19	Representation 15	5 June 2023
20	Representation 16	8 June 2023
21	Representation 17	6 June 2023
22	Representation 18	8 June 2023
23	Representation 19	6 June 2023
24	Representation 20	3 June 2023
25	Representation 21	3 June 2023
26	Representation 22	2 June 2023
27	Representation 23	2 June 2023
28	Representation 24	2 June 2023
29	Representation 25	13 June 2023
30	Representation 26	5 June 2023
31	Representation 27	8 June 2023
32	Representation 28	18 June 2023





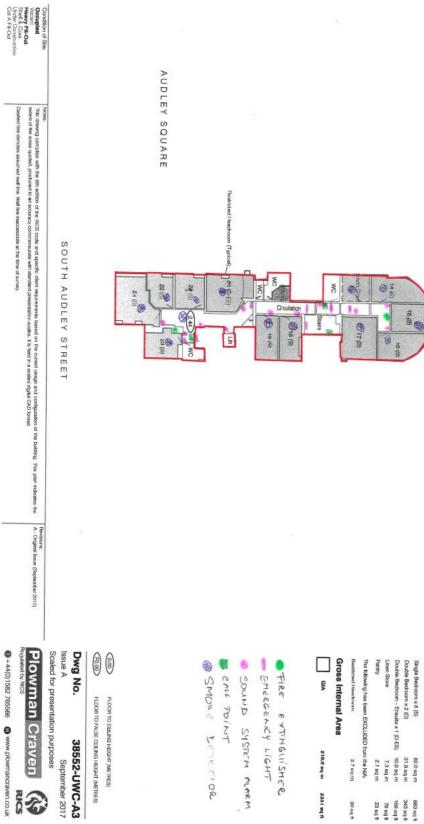
AREA PLAN

THE UNIVERSITY WOMENS CLUB 2 Audiey Square, Mayfair, LONDON, W1K

.

Second Floor

Net Internal Area		
PRIVATE MEMBERS CLUB	160.2 eq m	1724 sq ft
The following has been INCLUDED in the NBA:	he NM:	
Single Bedroom - Ensuite x 3 (S-ES)	43.7 sq m	470 sq ft
Double Bedroom x 1 (D)	11.2 sq m	121 sq 11
Double Bedroom - Ensuite x 3 (D-ES)	63.4 sq m	682 sq t
Members Room	34.1 sq m	367 sq ft



AREA PLAN

THE UNIVERSITY WOMENS CLUB 2 Audley Square, Mayfair, LONDON, W1K

Third Floor

Net Internal Area

PRIVATE MEMBERS CLUB	138,9 sq m	1496 sq f
he following has been INCLUDED in the NIA:	he NIA:	
ingle Bedroom x 8 (S)	82.0 sq m	ft pa 688
Youble Bedroom x 2 (D)	31.9 sq m	343 sq ft
ouble Bedroom - Ensuite x 1 (D-ES)	15.6 sq m	168 aq ft
nen Store	7.3 sq m	79 eq ft
antry	2.1 sq m	23 sq ft
he following has been EXCLUDED from the NIA:	n the NIA:	
anticlasia di Lina di anna		

Constituen of Site: Vecupied Vecupied Vecupied Vecupied Shell & Core Under Construction Call A Fil-Out			AUDLEY	
Notes: This Caving complex with the 6th edition of the RICS code and specific dirent requirements based on the current unage and configuration of the building. This plan indicates the A estend of the areas quoted, produced to an accuracy commence with early divided presentation scales. It is had in a scaled digital Out bornat. Laured the denotes assumed wall line. Wall line traccessible at the time of survey.	SOUTH AUDLEY STREET		Y SQUARE	Since and the second reaction of (fyperal)
A-orginal lasue (Separation 2017) Plowman Craven Regulated by RCS 0+44(0)1582 78556 @ www.plowmancraven.co.uk	Dwg No. 38552-UWC-A4 Issue A September 2017 Scaled for presentation purposes	Encore to celuna Hera-IT (METRES) FLOOR TO FALSE CELING HERA-IT (METRES)		Price UNIVERSITY WORKS CUBB 2 Audiey Square, Mayfair, LONDON, WIX Fourth Floor Met Internal Area Image: Provide Markeel Sciule Image: Provide Backworn x3 (D) Image: Provide Backworn x3 (D) </th

AREA PLAN

Thomas & Thomas

Partners LLP

The University Women's Club

2 Audley Square

London W1K 1DB



SUMMARY OF PROPOSALS

THOMAS & THOMAS PARTNERS LLP 38A MONMOUTH STREET LONDON WC2H 9EP

> Reference: TOM/UNI.28.1 **Solicitors for the Applicant**

Thomas & Thomas Partners LLP is a limited liability partnership registered in England & Wales under number OC363873. A list of members is available for inspection at our registered office at 38a Monmouth Street, London WC2H 9EP. Thomas & Thomas Partners LLP is regulated by the Solicitors Regulation Authority under number 561362.

Introduction

- The University Women's Club (the "Club") was founded in 1886, and has been in its permanent home in the stunning Grade II listed building at 2 Audley Square in Mayfair (the "Premises") since 1921. It is the sole surviving club of the original members clubs in London that were set up for women by women in the late 19th century.
- 2. While it was founded by a group of pioneering university graduates, the Club has never insisted on formal academic requirements as a pre-requisite for membership. Today, the Club's aim remains to be a sanctuary for women in the city, providing a welcoming and edifying environment for student, graduate, professional and business women of all ages and backgrounds.
- 3. The Club hosts a wide-range of talks, workshops, readings and social gatherings throughout the year. The main communal spaces are the garden-adjacent dining room (pictured below), the wood-panelled library (pictured above) and the drawing room (pictured below), all beautifully appointed and maintained. The Club is both a social destination and a valuable resource to its members: with an extensive library and program of intellectual events, alongside superb networking opportunities and career support.



The dining room

The drawing room

- 4. The Club has (and has had for many years) an existing club premises certificate, which authorises the supply and sale of alcohol to Club members and guests 11am to 11.30pm Monday to Saturday, and from 12pm to 3pm and 7pm to 10.30pm on Sunday, alongside completely unrestricted music and private entertainment.
- 5. The Club also has 22 affordably-priced bedrooms available for member and guest use and alcohol is permitted 24/7 for those staying in the rooms, as is standard for any hotel.
- 6. To be sure: while it is a dedicated women's club focused on serving the needs of women, men are welcome at all times, as guests of members.

The Application

- 7. Following pre-application advice (reference 23/00855/PREAPM), this application seeks to replace the club premises certificate with a new premises licence:
 - a) regularise the permitted hours for alcohol and other licensable activities to 7am to 1am, Monday to Sunday - i.e. actually reducing the hours for regulated entertainment (which are currently unrestricted, 24/7) very significantly; and
 - b) permitting alcohol to be supplied to persons attending bona fide pre-booked functions and events, alongside standard supplies to members of the Club and their guests.
- The 24/7 use for those staying at the Club is also to be maintained, and alcohol sales to general members of 8. the public will still not be permitted under any circumstances.
- Crucially, the nature of the club, its governance and its membership are not changing at all. The Club will 9. continue to be run impeccably by its members and for its members, in the same manner it has been for over 100 years in Audley Square.
- 10. The effect of the application will simply be to:
 - a) support the Club's endeavours and continued operation, by permitting more flexibility in relation to alcohol hours and pre-booked functions, thereby bringing it in line and up to date with many of the other traditional, long-standing members clubs in Westminster - such as the East India Club (with male only membership), the Royal Airforce Club and The Cavalry & Guards Club, all of which have premises licences authorising pre-booked events and alcohol and other activities until 1am or later. For comparison, The Dorchester Hotel - a stone's throw from the Club to the west - has a 3am public bar licence; and
 - b) provide additional protections for the licensing objectives, via a suite of new, modern licence conditions and protections recommended by Environmental Health, alongside new mandatory conditions requiring a designated premises supervisor and supervision of alcohol sales by a personal licence holder – none of which are contained in the existing club premises certificate.

Flexibility on events

11. The Club already hosts a diverse range of functions, and has done throughout its illustrious history, without impacting the licensing objectives. The Club plans to use the new licence to facilitate high calibre, occasional events, such as private dinners and receptions, which aren't necessarily subject to restrictive conditions on membership, and which may occasionally go beyond 11pm (or start earlier than 11am). These may include Page 3 of 15

soirees and receptions after - for example - gallery exhibitions, theatre performances, business conferences, awards ceremonies or fashion shows.

- 12. As with all of the Club's activities, the number, type and impact of these events will be closely monitored and curated by the Club's management committee to ensure that the atmosphere and reputation of the Club is not diminished.
- 13. Indeed, the nearest "interested parties" that could be acutely impacted by the Club's activities if they were not properly managed are the Club's very own paying members, who of course use and sleep at the club regularly. The Club is owned and managed by those members, and run for their benefit and the operation is therefore very much self-policing, and will continue to be so under the new licence. This is precisely why the Licensing Act 2003 regime and indeed Westminster's licensing policy take a more relaxed, permissive view of "qualifying clubs" (as they are referred to in the legislation). To quote paragraph F106, within Qualifying Clubs Policy QUC1:

"Westminster contains a number of well-known traditional clubs and other clubs that will be Qualifying Clubs. <u>Through their membership controls, qualifying clubs have little association with crime and disorder and public</u> <u>nuisance</u>. [emphasis added]"

Documents enclosed

- 14. The following documents are enclosed for the Licensing Sub-Committee:
 - a) the pre-app report;
 - b) the proposed list of conditions (over and above the mandatory conditions under the Licensing Act 2003), matching those suggested in the pre-app report;
 - c) the Club's dispersal policy; and
 - d) the letter from the Club drafted for the Chesterfield House residents who submitted representations, but which the Board of Directors of Chesterfield House refused to circulate.

Responsible Authorities

- 15. There have been no representations from the Police or the Licensing Authority, reflecting the inherently lowrisk nature of this application, and the vast and proven operating experience of the Club.
- 16. Pre-application advice was sought from Environmental Health (via Officer Ian Watson) in February this year that report is enclosed. All of the conditions suggested in the report have been incorporated in the

Thomas & Thomas

application. Mr. Watson has since retired, and Officer Sally Fabbricatore submitted a protective representation, requesting the opportunity to visit the premises. Ms. Fabbricatore visited the premises on 14 August, and no further conditions have been proposed.

Interested Parties

- 17. There have been a number of representations from residents of **provident and a set of**, concerned about the potential for disturbance. It appeared to the Club that these objections were largely based on a misapprehension of the Club's plans for the new licence. So, the Club prepared a letter explaining the background to the application, seeking to allay these concerns. A copy of this letter is enclosed.
- 18. The Club liaised with the General Manager of **Constant and Constant and Constan**

Irrelevant representations

- 19. Many of the representations refer to recent nuisance caused by the "1 Mayfair" development works that have been taking place for some time in Audley Square,¹ as well as parties that were held in 2020 during lockdown at 3 Audley Square.
- 20. The Club is very sympathetic to those who have been struggling with these issues. The Club are themselves all too familiar with the noise and disruption caused by the works. As shown in the image and map below, the Club is the direct neighbour to the works, considerably closer than Chesterfield House and, as set out in the letter to residents, the Club's operation and revenue have been significantly impacted. The Club has been given a business rates discount to reflect the serious disruption to its business, but Westminster have decided to reduce this by 50%, even though the development has been seriously delayed, and is now not due to complete until 2026.

¹ See here <u>https://1mayfair.com/</u>



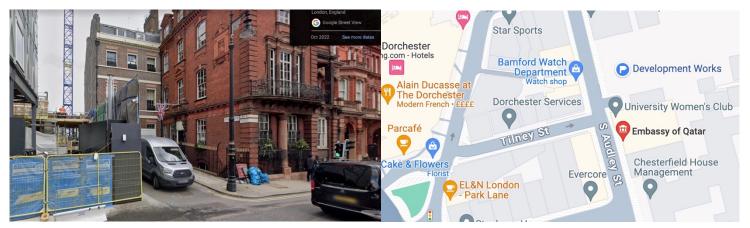


Image showing the main entrance to the Club opening onto Audley Square, with the development works visible to the left (Source: Google Street View)

Map showing the Club, with the development works on Audley Square to the north (blue flag), Chesterfield House to the south (interposed by the Embassy of Qatar) and internationally renowned hotel The Dorchester to the west (Source: Google Maps)

21. However, we must emphasise that these issues are not in any caused by or connected to the Club or its activities (or indeed any licensable activities of any premises anywhere) – indeed, the Club is itself the principle victim of them. Comments from residents relating to these issues therefore do not qualify as relevant representations under the Licensing Act 2003, and can have no bearing whatsoever on the Licensing Sub-Committee's decision as to whether to grant this application.

Policy

Qualifying Club Policy QUC1

- 22. Policy QUC1.A provides:
 - A. Applications outside the West End Cumulative [Impact] Zones 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 latenight refreshment meeting the council's Ancillary Delivery

of Alcohol and/or Late-Night Refreshment Policy DEL1.

4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated area.

- 5. The application and operation of the venue meeting the definition for a Qualifying Club as per Clause C.
- 23. The Premises are (well) outside the West End Cumulative Impact Zone or any Special Consideration Zone, and all of the other requirements are satisfied here so, there is a policy presumption in favour of grant. Taking the key points in turn:

The nature of the venue as a qualifying club

24. As alluded to above, there is no question that the Club will continue to to meet the requirements in Part 4 of the Licensing Act 2003 to be classified as a "qualifying club". The Club's goverance, management and

Thomas & Thomas

membership structure will remain completely unchanged. Switching from a club premises certificate to a premises licence does nothing to effect this - indeed, the Licensing Act 2003 is clear that it is perfectly possible for a club premises certificate and premises licence to co-exist for the same premises.²

The promotion of the licensing objectives generally

- 25. The Club takes the licensing objectives extremely seriously both with a view to protecting the interests of local residents, but also (crucially) its own members. This application will promote the licensing objectives from all angles:
 - a) The club premises certificate provisions under the Licensing Act 2003 are very deliberately "a different regime with lighter controls"³, reflecting the low-risk nature of "qualifying clubs". By "opting in" to the premises licence regime, the Club are voluntarily subjecting themselves to more rigorous statutory controls. The key differences to highlight are that:
 - i. There will be a qualified designated premises supervisor specified under the premises licence, with overall responsibility for the supply of alcohol on the Premises, answerable to the Council and the Police – and a qualified personal licence holder must oversee all alcohol sales at the Premises.
 - ii. The Police and the Licensing Authority will have the general powers of entry and inspection under section 179 of the Licensing Act 2003, which provides that: "Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation."⁴ This does not apply where a premises only has a club premises certificate, as is currently the case for the Club.
 - b) Over and above these new statutory controls, the Club have offered a suite of additional model conditions, as recommended by Environmental Health – none of which are on the existing club premises certificate. These guarantee *inter alia* that:
 - i. A strict maximum capacity of 60 will be observed in each of the library, dining room and drawing room.

```
<sup>4</sup> See section 179(1).
```

² See section 2(3): "Nothing in this Act prevents two or more authorisations having effect concurrently in respect of the whole or a part of the same premises or in respect of the same person." See also section 179(7): "Nothing in this section applies in relation to premises in respect of which there is a club premises certificate but no other authorisation." ³ Government spokesman Lord Davies in the House of Lords during the report stage of the Licensing Bill (HL Deb, vol 645, col 482, 27 February 2003).

- ii. The garden doors will always be closed after 10pm, and licensable activities in the rear garden will never go beyond 11pm.
- iii. There will be full CCTV coverage and an incident log.
- iv. No noise or vibration emanating from the Premises will cause a nuisance.
- v. Any alcohol service in the morning before 9am will be ancillary to substantial food.

The licence plans have also been modernised, as recommended by Environmenntal Health.

c) The Club have prepared a comprehensive dispersal policy (which is before the Licensing Sub-Committee), formalising the processes that will ensure members and other persons attending the Premises do so smoothly and without causing disturbance.

<u>The hours</u>

- 26. The proposed hours are slightly beyond policy "core hours" for qualifying clubs, which are 9am-11.30pm Monday to Thursday, 9am-midnight Friday & Saturday and 9am-10.30pm Sunday. But this does not mean that the application falls outside the Core Hours Policy HRS1 it is just that the application must be considered on its merits in relation to the additional hours sought, per policy HRS1.B. As to the merits:
 - a) The hours are integral to the Club's aims, and to support its endeavours financially
 - i. As explained above, the extra alcohol hours will give the Club more flexibility with its event programming.
 - ii. Beyond specific events, it will also permit a more flexible use of the space by members on a day to day basis, at a time when the time and financial pressures pressures of modern life make it increasingly difficult for working-age people to fit the Club (or indeed any social forum) into their schedule on a regular basis.
 - iii. This added flexibility will support the Club financially, in turn enabling it to further its work supporting women.

b) The application proposes a dramatic reduction in authorised hours for regulated entertainment

i. Currently, music and private entertainment are unrestricted, with 24/7 provision permitted. The rationalisation of hours proposed by the application will involve a slight extension in the window for alcohol service, but a dramatic reduction in permitted hours for entertainment. This significantly reduces the scope for disturnbance late at night, and

- c) <u>The nature of the Club and the controls offered mean the hours do not present a risk to residential</u> <u>amenity</u>
 - i. Policy HRS1 fully recognises that qualifying clubs are low-risk, and therefore merit a degree of flexibility when it comes to hours. Paragraph E18 mirrors the guidance in the Qualifying Clubs policy:

homas & Thomas

"In the past, qualifying clubs have had little association with crime and disorder or public nuisance. Through their membership requirements, they exert a degree of control over behaviour in and around their premises."

- ii. Given its self-policing membership and management structure (as discussed above), and impeccable track record, this could not be more apposite for the Club. This is reinforced by the nature of the Club's activities, the building they are housed in and the type of events they will be programming these are the antithesis of high-octane, drink-led premises. The Club has an ethos and reputation to maintain, its members interests to promote and a hotel to run.
- iii. As set out above, there are enforceable safeguards underpinning this position, in the form of the additional controls under the premises licence regime and the suite of extra licence conditions offered (alongside the dispersal policy).

The Public Sector Equality Duty

What is the duty?

- 27. Section 149(1) of the Equality Act 2010 contains a 'public sector equality duty' (the "**Duty**"), which provides that the City Council must, in the exercise of its functions, have due regard to the need to:
 - a) <u>eliminate</u> discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - b) <u>advance equality of opportunity</u> between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

(the "Equality Objectives").

- 28. The protected characteristics here include sex.⁵ And the requirement to have due regard to the need to advance equality of opportunity under limb a). involves having due regard, in particular, to the need to:⁶
 - a) <u>remove or minimise disadvantages suffered by persons who share a relevant protected</u> <u>characteristic</u> that are connected to that characteristic;
 - b) <u>take steps to meet the needs of persons who share a relevant protected characteristic</u> that are different from the needs of persons who do not share it;
 - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low,

(the "Equality of Opportunity Objectives").

What does the Duty require in relation to the application?

- 29. We set out the legal and policy context of the Duty in full in the Appendix.
- 30. In summary, the Licensing Sub-Committee must "confront the anticipated consequences [of their decision] in a conscientious and deliberate way in so far as they impact upon the equality objectives"⁷ and must do so "side by side with all other pressing circumstances"⁸, including the licensing objectives and any points raised in the course of representations.
- 31. While much progress has been made in recent decades, it its no secret that gender inequality in the workplace is still very much a live issue in the UK:
 - a) According for the Office for National Statistics, median hourly pay for full-time employees in the UK was still **8.3% less for women than for men as of April 2022**.⁹
 - b) The "Female FTSE Board Report 2022"¹⁰ by Cranfield University and Ernst & Young identified that just 36 executive director roles in the FTSE 100 were held by women a mere 16.8%. Nine of these were Chief Executive Officer i.e. only 9% of FTSE CEOs are women. The figures for the FTSE 250 are even worse, with only 47 executive directors roles (12.1%) held by women, of which only 12

⁵ Section 149(7) of the Equality Act 2010.

⁶ Section 149(3) of the Equality Act 2010.

⁷ Per the Court of Appeal in *R v Bracking*.

⁸ Ibid.

⁹ See

https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/genderpayga pintheuk/2022

¹⁰ See <u>https://www.cranfield.ac.uk/som/research-centres/gender-leadership-and-inclusion-centre/female-ftse-board-report</u>

were Chief Executive Officer. <u>That is, women make up just 4.8% of the CEOs in the UK's largest 250</u> <u>listed companies</u>. Professor Sue Vinnicombe, Professor of Women and Leadership at Cranfield School of Management and lead author of the report, described this lack of progress as *"frankly appalling"*.¹¹

- 32. There is therefore much work still to be done. The Club is unique amongst the traditional clubs in London in offering a member-owned and managed space dedicated to professional women of all backgrounds. It provides direct support to women in their careers, and offers access to a network of unparalled female talent in a host of industries and fields. Supporting the Club in its aims and work by granting this application will therefore undoubtedly advance the Equality Objectives, especially the Equality of Opportunity Objectives.
- 33. The landscape of other Wesminster clubs is important here. Of course, the licensing regime requires each application to be considered on its merits, without being bound by precedent. But in applying the Duty, the context of other traditional male-only or male-centric clubs having alcohol until 1am or later and flexibility as regards pre-booked functions is very relevant. It means the Licensing Sub-Committee must have regard to the fact that the application will promote the Equality of Opportunity Objectives in both:
 - a narrow sense, by ensuring that the only traditional members club in London dedicated to women and their careers is given comparable privileges to those enjoyed by other traditional clubs dedicated to men; and
 - b) the broadest possible sense, by helping the Club continue to provide and expand its activities supporting women.

Conclusion

- 34. In summary:
 - a) The proposals will institute more flexibility in relation to alcohol and events to assist the Club in furthering its aims, but without changing the fundamental nature of the Club whatsoever.
 - b) The application will support a Club that has been championing the interests of working women for well over 100 years, and remains a sanctuary for student, graduate, professional and business women of all ages and backgrounds – and the changes will simply bring the Club in line with other traditional members clubs in Westminster.
 - c) The application involves giving up 24/7 authorisation for music and private entertainment, and will

¹¹ See <u>https://www.cranfield.ac.uk/press/news-2022/alarming-lack-of-women-in-executive-roles-despite-ftse-350-improving-boardroom-gender-diversity</u>

therefore help safeguard residential amenity.

- d) The nature of the Club and the fact it is owned and managed by its members means the operation is self-policing. The Club has an ethos and reputation to maintain, its members interests to promote and a hotel to run. All events will be carefully curated and vetted by the management committee.
- e) This will be underpinned by the additional controls under the premises licence regime (as compared to the club premises regime), and the extensive additional licence conditions offered, together with the dispersal policy.
- f) The public sector equality duty requires the Licensing Sub-Committee to factor in the need to advance equality "side by side" with all other issues when making its decision. The context of continued inequality in the workplace in the UK, particularly in senior executive corporate roles, is highly relevant to this – and so too is the Club's unique offering to women in London.

Thomas & Thomas Partners LLP

25 September 2023

Appendix – the Public Sector Equality Duty

The scope of the Duty

 The significance of the Duty for public decision-making has been repeatedly affirmed in the Senior Courts. To quote the Court of Appeal in <u>*R* (Bracking) v SoS for Work and Pensions</u>,¹² at [60]:

"the 2010 Act imposes a <u>heavy burden</u> upon public authorities in discharging the PSED and in ensuring that there is evidence available, if necessary, to demonstrate that discharge. It seems to have been the intention of Parliament that <u>these considerations of equality of opportunity (where they arise) are now to be placed at the</u> <u>centre of formulation of policy by all public authorities</u>, **side by side with all other pressing circumstances of** <u>whatever magnitude</u> [emphasis added]."

2. Indeed, while the Duty does not curb powers to take decisions, it does require public authorities to:

"confront the anticipated consequences [of their decision] in a conscientious and deliberate way in so far as they impact upon the equality objectives for those with the characteristics identified in section 149(7) of the Equality Act 2010."¹³

3. Moreover, the Duty:

"must be "exercised in substance, with rigour, and with an open mind"; "is not a question of "ticking boxes""; "is non-delegable"; and falls upon the decision maker "personally".¹⁴

4. The Duty applies both when a local authority is formulating its policy <u>and</u> each time an individual case is determined applying that policy¹⁵.

The implications for licensing decisions generally

5. There is therefore no doubt that the Duty applies in respect of all of the City Council's functions under the Licensing Act 2003, as statutory functions of equivalent nature to the planning functions under

¹⁴ See *R*(*Bracken*) at 26, citing *R* (*Brown*) *v* Secretary of State for Work and Pensions [2008] EWHC 3158 (Admin) and *R* (*National Association of Health Stores*) *v* Department of Health [2005] EWCA Civ 154, in turn cited with approval and applied by the Supreme Court in Hotak *v* London Borough of Southwark [2016] A A.C. 811. See also <u>*R*(Buckley) *v* Bath and</u> North Somerset Council [2018] EWHC 1551 (Admin)

¹² [2013] EWCA Civ 1345

¹³ *Ibid*, at 74.

¹⁵ Pieretti v London Borough of Enfield [2010] EWCA Civ 1104

consideration in $R(Buckley)^{16}$ – and it applies every time the Licensing Sub-Committee is asked to determine an application under the Act.

- 6. The Duty overlays the Council's obligations both to promote the licensing objectives and to have regard to its statement of licensing policy and the statutory guidance under the Licensing Act 2003 and so must be given due weight when considering the individual merits of an application.
- 7. It is not sufficient simply to acknowledge the existence of the Duty in general terms when making a decision, or seek to apply a general policy that has been the subject of an EIA. Rather, careful regard with due rigour must be had to the specific impact of any decision on the Equality Objectives.
- As noted in the Equality and Human Rights Commission's "Technical guidance on the Public Sector Equality Duty: England":¹⁷

"<u>Many functions of a body subject to the duty require it to make decisions in individual cases</u>. **For example**, <u>licensing</u>, child protection measures and staff discipline. [...] Where individual decision makers exercise some degree of discretion, <u>having a policy or guidance does not remove the responsibility on them to ensure that</u> <u>they have considered all relevant matters [in relation to the Duty]</u>. [emphasis added]"

9. The Duty cannot be displaced or ignored because of other consideration in a particular case (such as the notion of "core hours" in the licensing policy) - it is something that must always be had regard to when weighing a decision, "side by side with all other pressing circumstances of whatever magnitude".¹⁸

Westminster's licensing policy and the Duty

10. Paragraphs B28 to B37 of the Policy set out the Council's intended approach to "Equality & Inclusion in Licensed Venues", with a stated view of ensuring the city "*is open and accessible to all*".¹⁹ At B31, it says that "we need to hold ourselves, as well as the venues and businesses we licence, to account to ensure that together we continue to promote and offer equal opportunities and inclusive experiences for everyone".

¹⁶ <u>R(Buckley) v Bath and North Somerset Council [</u>2018] EWHC 1551 (Admin)

¹⁷ At 5.54 and 5.57; see <u>https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england</u>

¹⁸ Per *R* (Bracking).

¹⁹ At B30.

Thomas & Thomas

- 11. The Policy proceeds on the basis that the principle means to achieve this goal and for the City Council to comply with the Duty (which is referred to at B33) is to use the licensing process to ensure operators themselves promote equality and inclusivity.
- 12. The Club has been striving to achieve the key objectives set out in paragraphs B28 to B37 of the Policy ever since it was founded well over one hundred years. The Licensing Authority's objectives set out in the *"Equality and Inclusion in Licence Venues"* are very closely aligned with the applicant's underlying principles. By granting the application, the Sub-Committee can follow the commendable ambitions set out in Policy paragraph B31.
- 13. B37 closes by pledging that "any strategy or policy affecting the licensed industry is always underpinning [sic] by the promotion of equality and inclusivity". This is welcome as an overarching principle – but it can never sidestep the fact that the Equality Objectives must be considered every time an individual application is decided.²⁰

²⁰ B37 also promises a code of practice for licensed operators, and an annual report on the Council's compliance with the Duty – but we aren't aware of those documents / reports ever having been published.



Office Name: Ian Watson Designation: Senior Practitioner Environmental Health Date: 27/03/23 Contact number: Email: iwatson@westminster.gov.uk Signed: Ian Watson Uniform Ref Number: 23/00855/PREAPM

Trading name of business and Address:

2 Audley Square, W1K 1DB

Reference Number if Applicable: 23/00855/PREAPM

	AC Applicant/Solicitor: Thomas Cumulative Impact Zone: No					
Licence: Yes 06/07833/WCCMAC	Applicant/Solicitor: Thomas	Cumulative Impact Zone: No				
	O'Maoileoin Thomas and					
	Thomas					

Type of Business: Private Members Club

Current Areas: Basement to Fourth Floor.

Current Activities: Supply of Alcohol, Recorded Music and Private Entertainment.

Current Alcohol Hours: Monday to Saturday 11.00 - 23.00 hours Sunday 12.00 - 15.00 and 19.00 - 22.30 hours.

Pre application advice purpose. To assess the proposal for the premises to apply for a Premises Licence to replace the existing Club Premises Certificate. Comment on the extension of hours to 01.00 hours and propose conditions to allow pre-booked private events. Advise on technical suitability and policy implications in advance of the appropriate application.

Issues discussed and actions taken

Inspection carried out by Ian Watson (Environmental Health – EH) of the premises to fully assess the premises and change of conditions/hours. The findings are detailed below.

Licensing Policy

The premises are not located within any Cumulative Impact or Special Consideration Zone, therefore, the applicant will only need to consider any impact on the licensing objectives and the core hours policy. There is no specific policy for premises operating as a proprietary club under a premises licence but policy QUC1 states at F106, Westminster contains a number of well-known traditional clubs and other clubs that will be Qualifying Clubs. Through their membership controls, qualifying clubs have little association with crime and disorder and public nuisance. Qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for the purposes of profit, these will be considered under the Public House and Bars Policy PB1.

Therefore, for the premises not to be considered under policy PB1 suitable conditions would need to be proposed defining a way of operation that would fall outside policy PB1 A5, that states under clause D.

D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The council is of the view that there is a clear distinction in the character and operation of 'Qualifying Clubs' and proprietary clubs and considers that proprietary clubs are very likely to contribute to cumulative impact in the CIA and will often not offer sufficient control over their members to promote the licensing objectives.

The general day to day operation of the premises will not change when operating under a premises licence. The change will allow some flexibility to permit pre-booked private functions to generate additional income.

There is no requirement to address cumulative impact at this location.

The proposed licensable hours will exceed Westminster's core hours policy. The additional hours will be considered on their merits and may still need to be conditioned to ensure that any potential impact on the licensing objectives or on areas identified under policy HRS1 B. Such areas are, the proximity of residential accommodation and the general likelihood of nuisance from any music played, people remaining on the premises or leaving, capacity and the past operation.

Applications will be considered on their own merits and subject to the application demonstrating that the operation of the premises will promote the licensing objectives, the location where the premises will operate, the proposed hours and the proposed licensable activities.

Proprietary clubs are also mentioned under the CIP1 policy @ D22, D28 and D29 respectively that states,

D22 The Licensing Authority considers that within the West End Cumulative Impact Zone premises which restrict access to general members of the public, such as proprietary clubs and premises used for private functions, will not be considered to be exceptions to cumulative impact area policies for that reason alone.

D28 In contrast, many proprietary clubs may allow members to join online with little or no prior contact with the member. Joining fees may be nominal and membership short term. Access to the club may be extended to guests of the management or other categories of person to allow immediate access. Individuals attending premises operating private functions, which could include corporate or personal events, are not necessarily known to the management of the premises, although will be known to the event organiser. Access may also be permitted to guests of invitees or guests of the management. Moreover, persons leaving proprietary clubs and premises operating private functions will sometimes cause public nuisance or be involved in crime, either as perpetrators or victims.

D29 The council is therefore of the view that there is a clear distinction in the character and operation between "qualifying clubs" and proprietary clubs and premises which promote private functions and considers that proprietary clubs and premises which promote private functions are very likely to contribute to cumulative impact in the West End Cumulative Impact Zone and will often not offer sufficient control over their members to promote the licensing objectives.

As already stated above, the premises are not located within any recognised cumulative impact zone but it would be unwise not to note the above comments and propose operational conditions to

minimise nuisance and disorder.

The current certificate is strictly conditioned with regard to the sale of alcohol and the premises have robust discipline, ethical and conduct codes in place for the members some of which can be replicated on the new application.

Public Nuisance

A check on the property file shows two complaints received in August 2021 regarding loud music emanating from the premises. No visit was made to substantiate the complaints.

Licensing Position

A new application is to be made to reflect the additional hours, activities and conditions.

The proposed licensed hours are

Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday 07.00 to 01.00 hours. Unrestricted for residents.

Late Night Refreshment 'Indoors' Monday to Sunday 23.00 to 01.00 hours.

Regulated Entertainment 'Indoors'

Recorded Music Live Music Performance of Dance Anything of a similar description Monday to Sunday 07.00 to 01.00 hours.

New Year's Eve to the start of New Year's Day.

Opening 24 hours to suit the residential accommodation.

Proposed changes.

- Replace and update current conditions with model conditions as part of a new licence application.
- Submit new plans of the premises clearly showing the proposed licensed areas.

Conditions

To address the licensing objectives with regard to the Licensing Policy the following conditions are proposed.

 The supply of alcohol for consumption 'On' the premises shall be restricted to members of The University Women's Club and their bona fide guests and persons attending bona-fide pre-booked functions and events as managed by The University Women's Club. A list of persons attending a pre-booked function or event shall be available for inspection by the relevant authorities.

- The supply of alcohol between 07.00 and 09.00 hours Monday to Sunday shall be ancillary to the provision of substantial food, except for residents and their bona fide guests.
- Substantial food and 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.
- The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed,

Dining Room – 60 persons Library – 60 persons Drawing Room – 60 persons

- There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
- All sales of alcohol for consumption 'Off' the premises will be in sealed containers only and shall not be consumed on the premises.
- A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.
- 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 preceding 31 day period.
- 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 authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
- 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.

- The external doors leading into the rear garden shall be maintained closed after 22.00 hours or when ever regulated entertainment is provided in the ground floor dining room, except for immediate access and egress or in an emergency.
- The provision of licensable activity in the rear garden shall cease at 23.00 hours daily.
- Patrons permitted to temporarily leave and then re-enter the premises at ground floor level, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- 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.
- 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.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

Conclusion

The application for a new premises licence to replace the existing club premises certificate is not against policy but may raise concerns with responsible authorities or interested parties. As such additional conditions may be required to alleviate such concerns. The proposed conditions still reflect a members club operation but allows access to the public for pre-booked private functions.

As part of the application process it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

<u>New premises licence – University Woman's Club</u> <u>Proposed Conditions</u>

- The supply of alcohol for consumption 'On' the premises shall be restricted to members of The University Women's Club and their bona fide guests and persons attending bona-fide pre-booked functions and events as managed by The University Women's Club. A list of persons attending a pre-booked function or event shall be available for inspection by the relevant authorities.
- The supply of alcohol between 07.00 and 09.00 hours Monday to Sunday shall be ancillary to the provision of substantial food, except for residents and their bona fide guests.
- Substantial food and 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.
- The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed,

Dining Room – 60 persons Library – 60 persons Drawing Room – 60 persons

- There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
- All sales of alcohol for consumption 'Off' the premises will be in sealed containers only and shall not be consumed on the premises.
- A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.
- 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 preceding 31 day period.
- 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 authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder

<u>New premises licence – University Woman's Club</u> <u>Proposed Conditions</u>

(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.

- 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.
- The external doors leading into the rear garden shall be maintained closed after 22.00 hours or when ever regulated entertainment is provided in the ground floor dining room, except for immediate access and egress or in an emergency.
- The provision of licensable activity in the rear garden shall cease at 23.00 hours daily.
- Patrons permitted to temporarily leave and then re-enter the premises at ground floor level, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- 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.
- 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.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.



1. OBJECTIVE

- 1.1 The objective of this Dispersal Policy is to ensure a quiet, controlled and swift dispersal of our patrons at all times, but particularly in the evening.
- 1.2 By following this Dispersal Policy patrons will be managed professionally and responsibly to ensure they make their onward journey without any adverse impact on our neighbours.
- 1.3 The Policy identifies and addresses the following risks:
 - 1.3.1 Noisy or anti-social behaviour by patrons leaving the premises.
 - 1.3.2 Groups of patrons leaving the premises at the same time.
 - 1.3.3 Safety of patrons smoking and leaving.
- 1.4 The Policy also helps to ensure patrons make their onward journey safely and do not become victims of crime.

2. LOCATION

- 2.1 The premises consists of the basement to fourth floor of 2 Audley Square, residing at the southern end of South Audley Street.
- 2.2 South Audley Street is a busy thoroughfare connecting Grosvenor Square to the north with Cuzon Street to the south. The immediate area consists of the Embassy of Qatar; various corporate offices; as well as luxury retail stores and other licensed premises to the north and west.
- 2.3 The nearest residential properties are located on South Audley Street, notably Chesterfield House.



3. HOURS OF OPERATION

- 3.1 All staff must be aware of the [intended] permitted hours of operation, as follows:
 - 3.1.1 Monday to Sunday: 07:00 01:00 [for non-residents]
 - 3.1.2 Unrestricted for residents of the Club residing that evening.

4. GENERAL ENTRY/EGRESS

- 4.1 Save for a basement escape, the single entrance and exit is located at ground floor level onto Audley Square. This door shall be monitored by staff.
- 4.2 When leaving the premises patrons will be reminded to respect the needs of local residents and businesses and leave the area quietly.

5. FRONT OF HOUSE

- 5.1 Staff shall monitor the entrance and be trained to:
 - 5.1.1 greet patrons on arrival at the premises; and
 - 5.1.2 assist with an orderly departure from the premises in a timely manner. This will include asking the means of transport, and where necessary, directing those leaving.
- 5.2 All staff working at the later hours will be trained to assist the exit of patrons from the premises.

6. DISPERSAL

6.1 The sole point of dispersal is the front of the premises onto South Audley Street via Audley Square.



- 6.2 Guests are expected to arrive via either public transport or taxi. Reception staff will greet patrons on arrival, overseeing that they move from reception into the Club.
- 6.3 It is anticipated that guests will leave and continue their onward journeys by either public transport network or taxi.
- 6.4 CCTV cameras are installed internally and monitor the entrance.
- 6.5 The nature of the premises and the above measures will ensure that noise and disturbance associated with patrons arriving and leaving the premises will be kept to a minimum.
- 6.6 Towards closing time, the following measures may be taken to ensure a gradual and quiet closure of the Premises:
 - 6.6.1 Raised lighting levels where appropriate.
 - 6.6.2 Politely reminding customers the Premises is about to close.
 - 6.6.3 Asking customers if they require a taxi and advising customers to wait inside the premises.
- 6.7 Members of staff will be trained to comply with the conditions of the Premises Licence to ensure patrons are managed professionally and leave quickly and quietly.
- 6.8 Staff will be made aware of local transport links (see paragraph 7) and be able to inform patrons where required.

7. TRANSPORT

7.1 The premises are well serviced both by public transport and private hire taxis, as set out below.All front of house staff will be familiar with these transport links so they can advise patrons where required.



7.2 TUBE AND NIGHT TUBE

- 7.2.1 The premises is well situated near the following easily accessible tube stations: -
 - (a) Hyde Park Corner Station: 0.4 mile / 9 minute walk / Piccadilly Line
 - (b) Green Park Station: 0.4 mile/ 10 minute walk / Piccadilly; Jubilee; Victoria
 - (c) Bond Street Station: 0.5 mile / 13 minute walk / Central; Jubilee; Elizabeth
- 8.2.2 All of the above stations have the benefit of the extended night tube services, which run 24-hours on Friday and Saturday evenings.
- 7.2.3 Where necessary customers will be given directions to the station and, at night, will be reminded to respect the needs of local residents and businesses and leave the area quietly.

7.3 **TAXIS**

- 7.3.1 TFL licensed Taxi Ranks are positioned in the immediate vicinity, as follows:
 - (a) Stanhope Gate: 10 cab capacity; Monday to Sunday 24 hours
 - (b) Curzon Street: 2 cab capacity; Monday to Sunday 24 hours
 - (c) Park Lane (Curzon Street): 4 cab capacity; Monday to Sunday 19:00 to 07:00
- 7.3.2 Other app-based taxi services are available throughout the day and night in the surrounding area.
- 7.3.3 Customers wishing to leave the premises by private hire vehicle will be encouraged to make their booking in advance and wait inside the premises.



7.3.4 Customers will be encouraged to quickly and quietly disperse towards their waiting vehicle to minimise noise.

8. SMOKING

8.1 Patrons wishing to smoke will be directed to use the Club's Garden and managed accordingly to ensure they do not cause nuisance to residents or our neighbours.

9. GENERAL MANAGER'S ROLE

- 9.1 It is ultimately the responsibility of the General Manager and/or Designated Premises Supervisor to:
 - a) ensure that staff act effectively and responsibly to comply with this policy;
 - b) dissuade patrons from causing any disturbance or nuisance within the vicinity of the premises; and
 - c) prioritise and assist wherever possible in ensuring a quiet and orderly dispersal as possible.

Dear Neighbour,

I would like to thank you for taking the time to comment on our recent application for a change to our license. It is clearly a matter that has caused much discussion and I would like to take the opportunity to better explain the reason behind this application and the potential impact it will have on yourselves.

Firstly, and most importantly we have no intention of making any fundamental changes to the operation of the Club. We will continue to be run by our members and for our members in the same manner as it has been for the 100 years that we have been in Audley Square. Neither do we intend to significantly increase the number or scope of private events that we host, primarily as this would have a negative impact on our members, but also on yourselves as local residents.

What we do seek to do is bring in a higher calibre of events, in particular private dinners, and receptions. Currently we are limited in what we can provide to non-members, and we would like to be able to offer similar events to those that we currently host for members, to carefully selected external clients. As with all of our current activities, the number, type and impact of these events will be closely monitored by our committee to ensure that the atmosphere and reputation of the Club is not diminished.

Currently our Club Premises Certificate allows for unrestricted recorded or Live Music, Dancing or other entertainment. Even though we have had permission for 24 hr entertainment we choose to impose limitations ourselves in order not to affect Members staying with us at the Club. We currently do not allow any music after 1am and the garden is not used after 11pm, we have no intention of changing this rule.

Our current certificate allows sale of alcohol to Members and Guests at the Club and also unrestricted sale to residents staying at the Club. We are now seeking the option to provide alcohol to events hosted by non-members in addition to members. In keeping with most other private members clubs, we are asking for the option to continue this until 1am, in some cases there are licenses issued for much later. This will only be required on rare occasions, and we would carefully monitor the provision to make sure that there is no disruption to our members or neighbours.

You will be only too aware of the huge disruption that the Audley Square development has had on the local area and as the direct neighbours it has had the most impact on us. Our bedrooms on all sides are now overlooked by a building site causing some members to choose not to stay, the garden has a tower crane looming over it and has virtually stopped our members use of the terrace, documentary filming once a key revenue stream for us has all but stopped due to noise concerns. As you may know the University Women's Club has been a respected local institution for over 100 years and we take the stewardship of our wonderful property very seriously. Founded by the pioneers of Women's education we continue to provide a sanctuary for student and graduate women to this day. If we are to continue in these aims during such challenging times we need to adapt and we hope that these small changes will ensure that the Club remains a part of the Mayfair community for generations to come.

If you have any other questions regarding our application, I encourage you to get in touch so that we can discuss it further.

Kind regards Alex

Licensing Act 2003 History for Club Premises Certificate

Application	Details of Application	Date Determined	Decision
05/08186/LICC	Club Premises Certificate Conversion – Playing of Recorded Music: Unrestricted Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted Sale by Retail of Alcohol: Monday to Saturday - 11:00 to 23:00 Sale by Retail of Alcohol: Sunday - 12:00 to 15:00 and 19:00 to 22:30	29 September 2005	Granted Under Delegated Authority
06/07833/WCCMAC	Master Licence	29 September 2005	Granted Under Delegated Authority

There is no 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: $\frac{1}{2}$ 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+(DxV)

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
- 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

- 10. The supply of alcohol for consumption 'On' the premises shall be restricted to members of The University Women's Club and their bona fide guests and persons attending bona-fide pre-booked functions and events as managed by The University Women's Club. A list of persons attending a pre-booked function or event shall be available for inspection by the relevant authorities.
- 11. The supply of alcohol between 07.00 and 09.00 hours Monday to Sunday shall be ancillary to the provision of substantial food, except for residents and their bona fide guests.
- 12. Substantial food and 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.
- 13. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed,

Dining Room – 60 persons Library – 60 persons Drawing Room – 60 persons

- 14. There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
- 15. All sales of alcohol for consumption 'Off' the premises will be in sealed containers only and shall not be consumed on the premises.
- 16. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.
- 17. 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 preceding 31 day period.
- 18. 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 authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 19. 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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system

(g) any refusal of the sale of alcohol

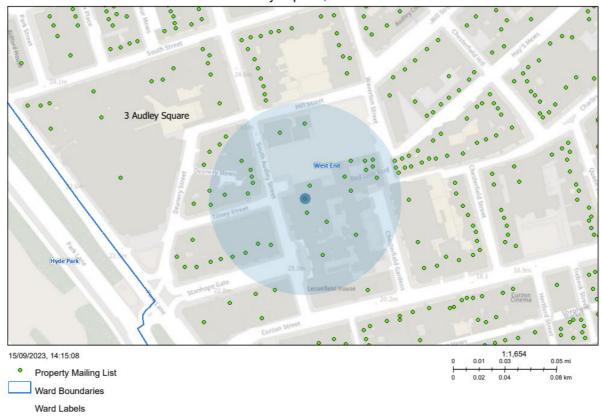
(h) any visit by a relevant authority or emergency service.

- 20. 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.
- 21. The external doors leading into the rear garden shall be maintained closed after 22.00 hours or when ever regulated entertainment is provided in the ground floor dining room, except for immediate access and egress or in an emergency.
- 22. The provision of licensable activity in the rear garden shall cease at 23.00 hours daily.
- 23. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- 24. 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.
- 25. 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.
- 26. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

Conditions proposed by the Environmental Health None

Residential Map and List of Premises in the Vicinity

Appendix 5



2 Audley Square, London

Resident Count = 155

Licensed premises within 75 metres of 2 Audley Square, London							
Licence Number	Trading Name	Address	Premises Type	Time Period			
06/07833/WCCMAC	The University Women's Club		Club or institution	Sunday; 12:00 - 15:30 Sunday; 19:00 - 23:00 Monday to Saturday; 11:00 - 23:30			
15/10074/LIPN	Ascott Mayfair London, Lower Ground Floor	49 Hill Street London W1J 5NB	Hotel, 3 star or under	Monday to Sunday; 12:00 - 01:30			
06/06648/WCCMAP	The Ascott Mayfair		Hotel, 3 star or under	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30			