



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

12 October 2023

23/04788/LIPN - New Premises Licence

162 Buckingham Palace Road
London
SW1W 9TR

Director of Public Protection and Licensing

Knightsbridge & Belgravia

City of Westminster Statement of Licensing Policy

None

Ms Emanuela Meloyan
Senior Licensing Officer

Telephone: 020 7641 6500
Email: emeloyan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 July 2023		
Applicant:	Tag Licences Ltd		
Premises:			
Premises address:	162 Buckingham Palace Road London SW1W 9TR	Ward:	Knightsbridge & Belgravia
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application the premises intend to operate as workspace, including private offices but with the benefit of licensable activities. The premises is a luxury serviced office building providing shared and private offices and workspaces.		
Premises licence history:	This is an application for a new premises licence and no licence history exists.		
Applicant submissions:	None		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Supply of alcohol				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	15:30	15:30	N/A	N/A
End:	N/A	N/A	N/A	20:00	20:00	N/A	N/A
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations/ Non-standard timings:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service (withdrawn 4 September 2023)
Representative:	Kudzaishe Mondhlani
Received:	16 August 2023
<p>I refer to the application for a Premises Licence.</p> <p>This representation is based on the operating schedule and plans submitted of lower ground floor, ground floor, first floor and second floor dated January 2023.</p> <p>The applicant is seeking the following.</p> <ol style="list-style-type: none">1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Thursday to Friday between 15:30 and 20.00 hours. <p>I wish to make the following representation.</p> <ol style="list-style-type: none">1. The supply of alcohol would have the likely effect of causing an increase in Public Nuisance in the area and may also impact on Public Safety. <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance in the area and may also impact on Public Safety.</p> <p>Additional EH conditions may be proposed to uphold the licensing objectives. Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p>During the consultation period the Environmental Health's representation was withdrawn following the applicant acceptance of their proposed conditions which appear at Appendix 4.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	26 July 2023
<p>The plan is does not show where there premises are in Buckingham Palace Road. [REDACTED] too many licensed premises already and we believe that adding more from 7 in the morning until 10 at night will fail to meet licensing objectives.</p>	

3. Policy & Guidance

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

Policy HRS1 applies

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

B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:

1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

	<p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly.</p> <p>15. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally of granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>16. C. For the purpose Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>17. 10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</p> <p>18. Monday to Thursday: 9am to 11.30pm.</p> <p>19. Friday and Saturday: 9am to Midnight.</p> <p>20. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p>
<p>Policy COMB1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant use 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 Zone policy SCZ1 if the premises are located within a designated zone. <p>B. Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant premises use 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.

	<p>4. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:</p> <ol style="list-style-type: none"> 1. Whether it will undermine the licensing objectives. 2. The current and proposed use of the premises. 3. When those uses will take place. 4. What the primary use of the premises is or the uses that will take place in different parts of that premises. 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises. 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours. <p>D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.</p>
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4. Equality Implications

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

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

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

5. Appendices

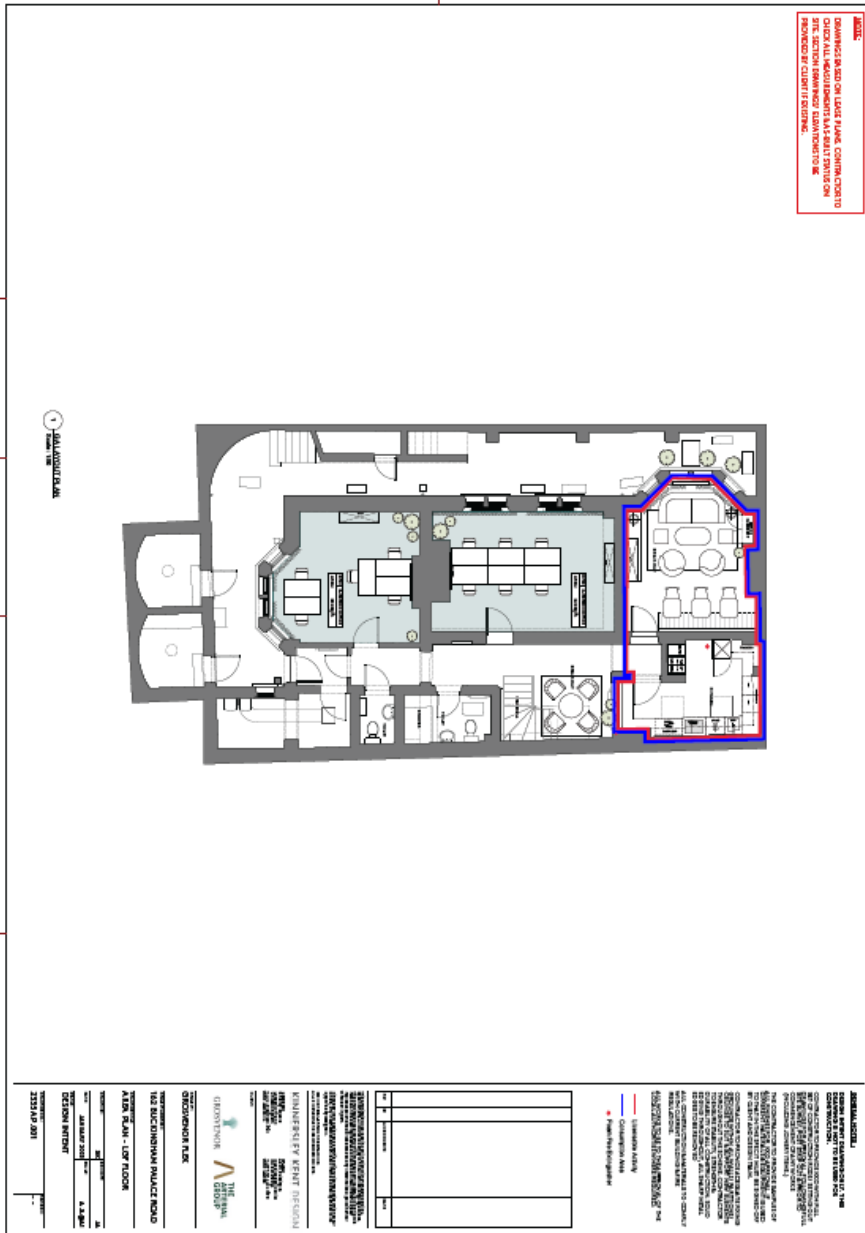
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Ms Emanuela Meloyan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: emeloyan@westminster.gov.uk

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

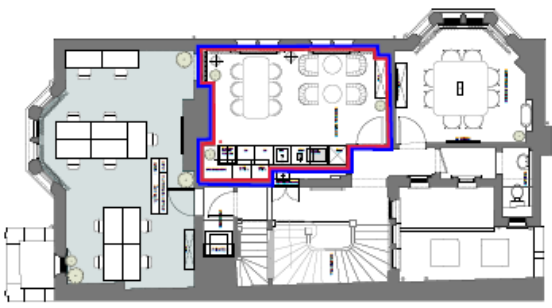
Background Documents – Local Government (Access to Information) Act 1972

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	December 2022
4	Environmental Health (withdrawn 4 September 2023)	16 August 2023
5	Interested Party representation (1)	26 July 2023



NOTES

1. FINISHES SHOWN ON LEASE PLANS CONTRIBUTE TO MEET ALL REQUIREMENTS AND BUILD OUTS ON PROVIDED EXISTING CONDITIONS.



3RD FLOOR PLAN

GENERAL NOTES

1. REFER TO ALL OTHER DRAWINGS FOR COMPLETE INFORMATION.

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES.

3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

5. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE PROJECT.

6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT AREAS AND SERVICES AT ALL TIMES.

7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING CONDITIONS.

9. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.

10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT AREAS AND SERVICES AT ALL TIMES.

LEGEND

--- Existing Conditions

--- New Construction

--- Removal of Existing

NO.	DESCRIPTION
1	MEETING ROOM
2	CONFERENCE ROOM
3	OFFICE SPACE
4	RECEPTION AREA
5	STAIRWELL
6	ELEVATOR
7	RESTROOM
8	STORAGE ROOM
9	MECHANICAL ROOM
10	UTILITY ROOM

OWNER'S REPRESENTATIVE

THE STRYKER COMPANY

10000 W. WYOMING AVENUE

DENVER, CO 80231

ARCHITECT

THE STRYKER COMPANY

10000 W. WYOMING AVENUE

DENVER, CO 80231

DATE

2024.04.20

SCALE

AS SHOWN

NOTES:
 DRAWINGS BASED ON LEASE PLANS. CONSULT CLIENT TO
 VERIFY ALL WORKS AND CONDITIONS. ALL WORKS TO BE
 PERFORMED IN ACCORDANCE WITH ALL APPLICABLE
 REGULATIONS AND CODES.
 APPROVED BY CLIENT'S REPRESENTATIVE:



2ND FLOOR PLAN

GENERAL NOTES:
 1. ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND CODES.
 2. CONSULT CLIENT TO VERIFY ALL WORKS AND CONDITIONS.
 3. ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND CODES.
 4. APPROVED BY CLIENT'S REPRESENTATIVE:

NO.	DESCRIPTION

REVISIONS:
 1. ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND CODES.
 2. CONSULT CLIENT TO VERIFY ALL WORKS AND CONDITIONS.
 3. ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND CODES.
 4. APPROVED BY CLIENT'S REPRESENTATIVE:

THE ARCHITECT
 ARCHITECTURE & INTERIOR DESIGN

1000 BROADWAY, SUITE 2000
 NEW YORK, NY 10018
 TEL: 212 512 1000
 WWW.AIA.COM

ARCHITECT: [Name]
 DESIGN INTENT: [Name]

2023.10.20

Applicant Supporting Documents

Appendix 2

None

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

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

Conditions consistent with the operating schedule

9. CCTV system requirements including retention of recordings and viewing on request:
- a. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - b. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - c. 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.

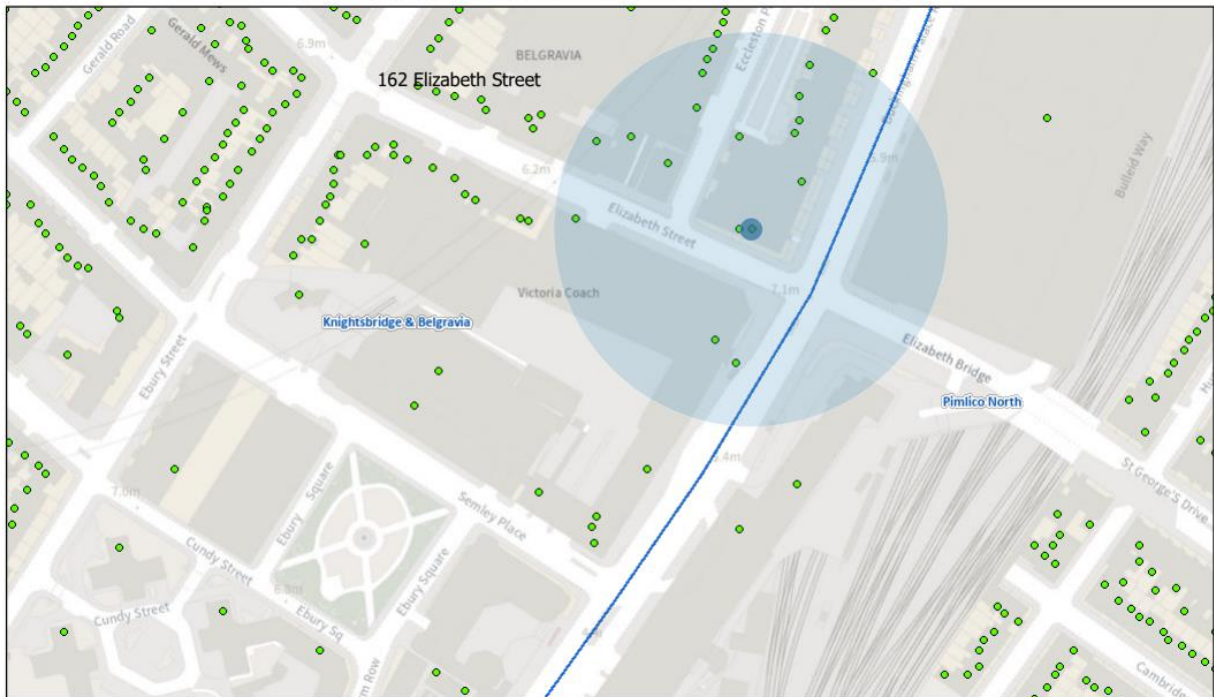
- d. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - e. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
 11. Members shall not enter or leave the premises except via the front reception desk area or the dedicated members' entrance on Ecclestone Place, unless in the event of an emergency.
 12. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to members, the licence holder shall ensure that all alcohol within the premises is secured in a locked store room or the locked serveries so as to prevent access to the alcohol by both members and staff.
 13. A record shall be kept detailing all refused provisions of alcohol. The record should include the date and time of the refusal and the name of the member of staff who refused the provision. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
 14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system, searching equipment or scanning equipment
 - g. any refusal of the provision of alcohol
 - h. any visit by a relevant authority or emergency service.
 15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 16. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke or make a phone call, shall not be permitted to take alcohol with them.
 17. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Conditions proposed by the Environmental Health service.

18. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
19. The supply of alcohol at the premises shall only be to clients, associates, members of staff, agents, and their bona fide guests.

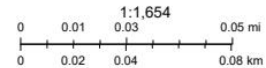
20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. Off sales shall be limited for consumption in the office building only.
22. There shall be no advertisement of the licensed facilities outside of the premises.

162 Buckingham Palace Road London SW1W 9TR



28/09/2023, 17:17:08

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 17

Licensed premises within 75m of OTP 162 Buckingham Palace Road, London, SW1W 9TR				
Licence Number	Trading Name	Address	Premises Type	Time Period
16/03659/LIPCHT	Sicily	2A Elizabeth Street SW1W 9RB	Restaurant	Monday to Thursday – 10:00 – 00:00; Friday to Saturday – 10:00 – 00:30; Sunday – 12:00 – 00:00
16/03975/LIPN	Starbucks	Gate 11 Victoria Coach Station 164-200 Buckingham Palace Road SW1W 9TJ	Cafe	Monday to Sunday – 00:00 – 00:00
07/10701/WCCMAP	Treats (Unit 4)	Gate 3 Victoria Coach Station 164-200 Buckingham Palace Road SW1W 9TJ	Shop	Monday to Sunday – 00:00 – 00:00
22/10952/LIPDPS	Travellers Tavern	Travellers Tavern	Public House	Monday to Thursday 07:00 – 23:30; Friday to Saturday 07:00 – 00:00; Sunday – 07:00 23:00