



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

9 November 2023

Licensing Ref No:

23/04676/LIPSL – Shadow Licence

Title of Report:

Shadow Licence  
Basement  
84 - 86 Wardour Street  
London  
W1F 0TG

Report of:

Director of Public Protection and Licensing

Wards involved:

West End

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott  
Senior Licensing Officer

Contact details

Telephone: 0207 641 6500  
Email: [kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	13 July 2023		
<b>Applicant:</b>	Legal And General Assurance (Pensions Management) Limited		
<b>Premises:</b>	Shadow Licence		
<b>Premises address:</b>	Basement 84 - 86 Wardour Street London W1F 0TG	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form, this is for a shadow licence under the same terms, conditions and plans as premises licence (21/02214/LIPT).		
<b>Premises licence history:</b>	The premises have held a premises licence since October 2005. A copy of the current premises licence (Licence number 21/02214/LIPT) appears at <b>Appendix 2</b> .		
<b>Applicant submissions:</b>	The applicant has provided a letter which was circulated to the interested party. This can be found at <b>Appendix 3</b> .		
<b>Applicant amendments:</b>	<p>On submission some timings weren't the same as the original licence due to administrative error, therefore Environmental Health made a representation. The applicant rectified these timings, so it was like for like with the original licence. The hours now applied for can be found at <b>1-B</b> of the report.</p> <p>During consultation the applicant agreed an amended model condition 97 with the Licensing Authority. This can be found at <b>Appendix 5</b>.</p>		

1-B Proposed licensable activities and hours							
<b>Performance of Dance:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	N/A
<b>End:</b>	01:00	02:00	02:00	03:00	04:00	04:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			From the start time on New Year's Eve to the terminal hour for New Year's Day				

<b>Live Music:</b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	N/A
<b>End:</b>	01:00	02:00	02:00	03:00	04:00	04:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			From the start time on New Year's Eve to the terminal hour for New Year's Day				

<b>Recorded Music:</b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations/ Non-standard timings:</b>		From the start time on New Year's Eve to the terminal hour for New Year's Day					

<b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance:</b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	N/A
<b>End:</b>	01:00	02:00	02:00	03:00	04:00	04:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		From the start time on New Year's Eve to the terminal hour for New Year's Day					

<b>Late Night Refreshment: <b>Basement</b></b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	01:30	02:30	02:30	03:30	04:30	04:30	N/A
<b>Seasonal variations/ Non-standard timings:</b>		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.					

<b>Late Night Refreshment: <b>Ground Floor</b></b>				<b>On or off sales or both:</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	N/A
<b>Seasonal variations/ Non-standard timings:</b>		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.					

<b>Retail Sale of Alcohol: <b>Basement</b></b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	02:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		From the start time on New Year's Eve to the terminal hour for New Year's Day					

<b>Retail Sale of Alcohol: <b>Ground Floor</b></b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	N/A
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		From the start time on New Year's Eve to the terminal hour for New Year's Day					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	12:00
<b>End:</b>	01:30	02:30	02:30	03:30	04:00	04:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>		From the start time on New Year's Eve to the terminal hour for New Year's Day					
<b>Adult Entertainment:</b>		None					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Sally Fabbricatore
<b>Received:</b>	17 August 2023 ( <b>Withdrawn 17 August 2023</b> )
<p>I refer to the application for a new Premises Licence for the above premises. The premises does currently benefit from a premises licence, 21/02214/LIPT. <b>The premises is situated in the West End Cumulative Impact Zone.</b></p> <p>This representation is based on the Operating Schedule and the submitted plans, for the basement and ground floor titled with address.</p> <p>The applicant is seeking to allow exactly the same permissions as permitted on the current premises licence, 21/02214/LIPT. However, an extra permission has been requested on a Sunday for 'Anything of a similar description to Live Music, Recorded Music or Performance of Dance' for 20:00-03:00 hours. This is not permitted on the existing licence. I wish to make the following representation in relation to this, as the additional hours on a Sunday may impact on public nuisance within the cumulative impact area.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me</p> <p><b>After applicant corrected the hours to reflect the same as current licence, Environmental Health withdrew their representation on 17 August 2023.</b></p>	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Roxsana Haq
<b>Received:</b>	17 August 2023 ( <b>Withdrawn 24<sup>th</sup> October 2023</b> )
<p>Dear Sirs</p> <p>I write in relation to the application submitted for a new shadow licence for: <b>Basement, 84 - 86 Wardour Street, London W1F 0TQ.</b></p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p>	

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

**Live Music**

Mondays: 09:00 to 01:00  
 Tuesday to Wednesday: 09:00 to 02:00  
 Thursdays: 09:00 to 03:00  
 Friday to Saturday: 09:00 to 04:00

**Recorded Music (basement)**

Monday to Sunday – Unrestricted.

**Performance of Dance (basement)**

Mondays: 09:00 to 01:00  
 Tuesday to Wednesday: 09:00 to 02:00  
 Thursdays: 09:00 to 03:00  
 Friday to Saturday: 09:00 to 04:00

**Anything of a similar description to that falling within (e), (f) or (g)**

Mondays: 09:00 to 01:00  
 Tuesday to Wednesday: 09:00 to 02:00  
 Thursdays: 09:00 to 03:00  
 Friday to Saturday: 09:00 to 04:00  
 Sundays: 20:00 to 03:00

**Monday to Saturday (Basement) Sunday: 20:00 to 03:00 (Basement, Ground and First Floors)**

**Late Night Refreshment**

Mondays: 23:00 to 01:30  
 Tuesday to Wednesday: 23:00 to 02:30  
 Thursdays: 23:00 to 03:30  
 Friday to Saturday: 23:00 to 04:00

**Monday to Saturday: 23:00 to 23:30 (Ground Floor) Monday to Saturday: Hours above relate to (Basement)**

**Sale by Retail of Alcohol On and Off Premises**

Mondays: 10:00 to 01:00  
 Tuesday to Wednesday: 10:00 to 02:00  
 Thursday to Saturday: 10:00 to 04:00  
 Sundays: 12:00 to 22:30

**Monday to Saturday: 10:00 to 23:00 (Ground Floor) Monday to Saturday hours above relate to the Basement**

**Non-standard Timings:**

The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

(and all other conditions on Annexe 1 attached to premises licence 21/02214/LIPT)

**Opening Hours to Public**

Mondays: 09:00 to 01:30

Tuesday to Wednesday: 09:00 to 02:30  
Thursdays: 09:00 to 03:30  
Friday to Saturday: 09:00 to 04:00  
Sundays: 12:00 to 23:00

The premises is located within the West End Cumulative Impact Zone and as such various policy points must be considered, namely CIP1, HRS1 and MD1.

The application is made by the freeholder of the premises for a 'shadow' licence of 21/02214/LIPT.

The Licensing Authority has reviewed the application against Licence number 21/02214/LIPT and the application has been made on the exact terms and conditions as the current issued licence.

The Licensing Authority encourages the applicant to consider Westminster's model condition 97 (amended) below

***"The shadow licence will not take effect when the current licence is in operation".***

Should the applicant accept the above condition it will allow the Licensing Authority to consider this application as a genuine application for a shadow licence.

The Licensing Authority looks forward to receiving submissions from the applicant and then access the application against any further policy considerations.

Please accept this as a formal representation.

**Following agreement of a further condition, the Licensing Authority withdrew their representation on 24 October 2023. The agreed condition appears at Appendix 5.**

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	6 August 2023
[REDACTED]	
<p>This proposed venture would be next door at 84-86 Wardour Street.</p> <p>Residents of the Soho Lofts complex have had a long history of problems with our neighbour at 100 Wardour Street. Blaring music and lots of people milling noisily in the street during early morning hours.</p> <p>What guarantees are there that this new venture demanding a liquor licence up to 0400 in the morning on Friday and Saturday as well as live music will in any way be regulated?</p> <p>In my opinion, there would need to be detailed tests and controlled limits to police the noise levels and I would strongly object to a liquor licence being granted past 0100 in the morning on any night. After all, people need to sleep.</p>	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>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.</li> <li>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</li> </ol>

	<p>home safely.</p> <p>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.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p><b>6. Pubs and bars, Fast Food and Music and Dance venues</b>  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.</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>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy MD1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>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.</li> <li>4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a music and dance premises or similar entertainment in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1, and/or,</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The operation of any delivery services for alcohol and/or latenight</li> </ol>



	<p>refreshment meeting the Council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>3. The application and operation of the venue continuing to meet the definition of a music and dance premises in Clause D.</p> <p>D. For the purposes of this policy a music and dance premises is defined as a premises whereby the primary purpose of the venue is to:</p> <ol style="list-style-type: none"> <li>1. Provide regulated entertainment in the form of music, either in the form of live performances or recorded, to customers.</li> <li>2. Provide regulated entertainment in the form of music, either as live performances or recorded, and provide facilities for the provision of dance.</li> <li>3. The sale by retail of alcohol may be provided as either a considerable element of the operation of the premises or ancillary to the provision of regulated entertainment. <ol style="list-style-type: none"> <li>a. Examples of venues that would fall within this policy are night clubs or bars that provide music and dancing.</li> <li>b. De-regulated entertainment (as set out in the glossary will not be subject to this policy).</li> </ol> </li> </ol>
--	---

#### 4. Equality Implications

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

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

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

#### 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Premises Licence 21/02214/LIPT
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Karyn Abbott Senior Licensing Officer
<b>Contact:</b>	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.**

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	August 2023
<b>4</b>	Environmental Health Service <b>(Withdrawn 17 August 2023)</b>	17 August 2023
<b>5</b>	Licensing Authority (Withdrawn 24 October 2023)	17 August 2023
<b>6</b>	Representation 1	6 August 2023





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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033570822

Premises licence

Regulation 33, 34

Premises licence number:

21/02214/LIPT

Original Reference:

05/10236/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Lo-Profile  
Basement  
84 - 88 Wardour Street  
London  
W1F 0TG

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Provision of facilities for making Music  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Tuesday to Wednesday: 09:00 to 02:00 (Basement)  
Friday to Saturday: 09:00 to 04:00 (Basement)  
Monday: 09:00 to 01:00 (Basement)  
Thursday: 09:00 to 03:00 (Basement)

**Provision of facilities for Dancing**

Tuesday to Wednesday: 09:00 to 02:00 (Basement)  
Friday to Saturday: 09:00 to 04:00 (Basement)  
Monday: 09:00 to 01:00 (Basement)  
Thursday: 09:00 to 03:00 (Basement)

**Provision of facilities for making Music**

Tuesday to Wednesday: 09:00 to 02:00 (Basement)  
Friday to Saturday: 09:00 to 04:00 (Basement)  
Monday: 09:00 to 01:00 (Basement)  
Thursday: 09:00 to 03:00 (Basement)

**Performance of Live Music**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Playing of Recorded Music**

Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Late Night Refreshment**

Monday to Saturday:	23:00 to 23:30 (Ground Floor)
Tuesday to Wednesday:	23:00 to 02:30 (Basement)
Friday to Saturday:	23:00 to 04:00 (Basement)
Monday:	23:00 to 01:30 (Basement)
Thursday:	23:00 to 03:30 (Basement)

**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:	10:00 to 23:00 (Ground Floor)
Tuesday to Wednesday:	10:00 to 02:00 (Basement)
Thursday to Saturday:	10:00 to 03:00 (Basement)
Monday:	10:00 to 01:00 (Basement)
Sunday:	12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1***The opening hours of the premises:**

Tuesday to Wednesday:	09:00 to 02:30
Friday to Saturday:	09:00 to 04:00
Monday:	09:00 to 01:30
Thursday:	09:00 to 03:30
Sunday:	12:00 to 23:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

ECC Holdco Limited  
CHG House  
31-40 West Parade  
Newcastle Upon Tyne  
NE4 7LB

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

12635528

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

**Name:** Mr Trevor Martin

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** LBWANDS/02479  
**Licensing Authority:** London Borough of Wandsworth

**Date:** 06 April 2021



**Signed:**

**This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(8)
  - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
8. (1) The responsible person shall take all reasonable steps to 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 in

a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
9. The responsible person shall ensure that no alcohol is dispensed 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).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
12. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

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.

13. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions relating to Regulated Entertainment**

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on Monday to 01:00 on the day following, and from 23:00 on each of the days Tuesday to Wednesday to 02:00 on the day following, from 23:00 on Thursday to 03:00 on the day following and from 23:00 on Friday and Saturday to 04:00 on the day following.
17. An attendant shall be stationed within the basement cloakroom during the whole time the basement is open to the public.
18. This use of the premises under this licence shall remain purely ancillary to the main/lawful use (class A3).
19. All refuse must be paid, properly presented and must not be left on the street for more than 2.5 hours.
20. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or upon any building, structure, works, street furniture, tree or any other property and shall not be distributed in the street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services.
21. The Licensee shall ensure that queuing by patrons outside the premises is conducted in a quiet and orderly manner and is monitored by at least 2 registered door supervisors at all times.
22. The Licensee shall ensure that the exit of patrons from the premises after the terminal hour is monitored by at least 4 registered door supervisors so that minimal noise and disturbance is caused to residents.
23. The Licensee shall use his best endeavours to ensure that customers do not congregate or cause a nuisance on the public highway outside the premises or in the vicinity of the premises.
24. Notices shall be displayed at all exits to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
25. The licensee shall issue loudspeaker requests 15 minutes before closing asking patrons to leave quietly.
26. At all material times during the hours when this licence is operative the licensee is to ensure that security/search wands are used by security staff to check customers

entering the premises (subject at all times to any reasonable explanation for such wands not being used in a particular case).

27. The number of persons accommodated (excluding staff) at the premises shall not exceed: Basement - 470.

#### **Conditions for Sale of Alcohol**

**Such parts of the basement and ground floor as are shown more particularly coloured and edged red on the deposited plan.**

28. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
29. In respect of the basement of the premises, intoxicating liquor may only be sold or supplied to:
- (a) Persons who have paid a minimum admission fee on Mondays to Wednesdays of £3.00 and on Thursday to Saturday a fee of £5.00 after 23:00 for the purpose of music, dancing and entertainment (not to be credited against consumables).
  - (b) Persons who have paid a minimum annual admission fee of £100. Payable in advance (not to be credited against consumables).
  - (c) Bona fide guests of the proprietor specially invited prior to admission with individual's details kept at the reception for inspection.
  - (d) Persons employed at the premises.
  - (e) Persons attending a private function at the premises with individual's details kept at the reception for inspection.
30. No striptease, no nudity and all persons on the premises to be decently attired.
31. No gaming on the premises.
32. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

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

#### **Permitted hours for the sale of alcohol**

33. For the Ground Floor (Monday to Sunday) and Basement (Sunday only):  
Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
- (c) On Good Friday, 12:00 to 22:30;
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

34. For the Basement (Monday to Saturday) only:

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 01:00 Monday, 02:00 Tuesday and Wednesday and 03:00 Thursday to Saturday on the morning following, except that -
  - (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, 02:00 or 03:00, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
  - (i) with the substitution of reference to 04:00 for references to 03:00 or one hour following the hour actually specified.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

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

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

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

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

36. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
  - (c) to take all other reasonable precautions for the safety of the children.

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

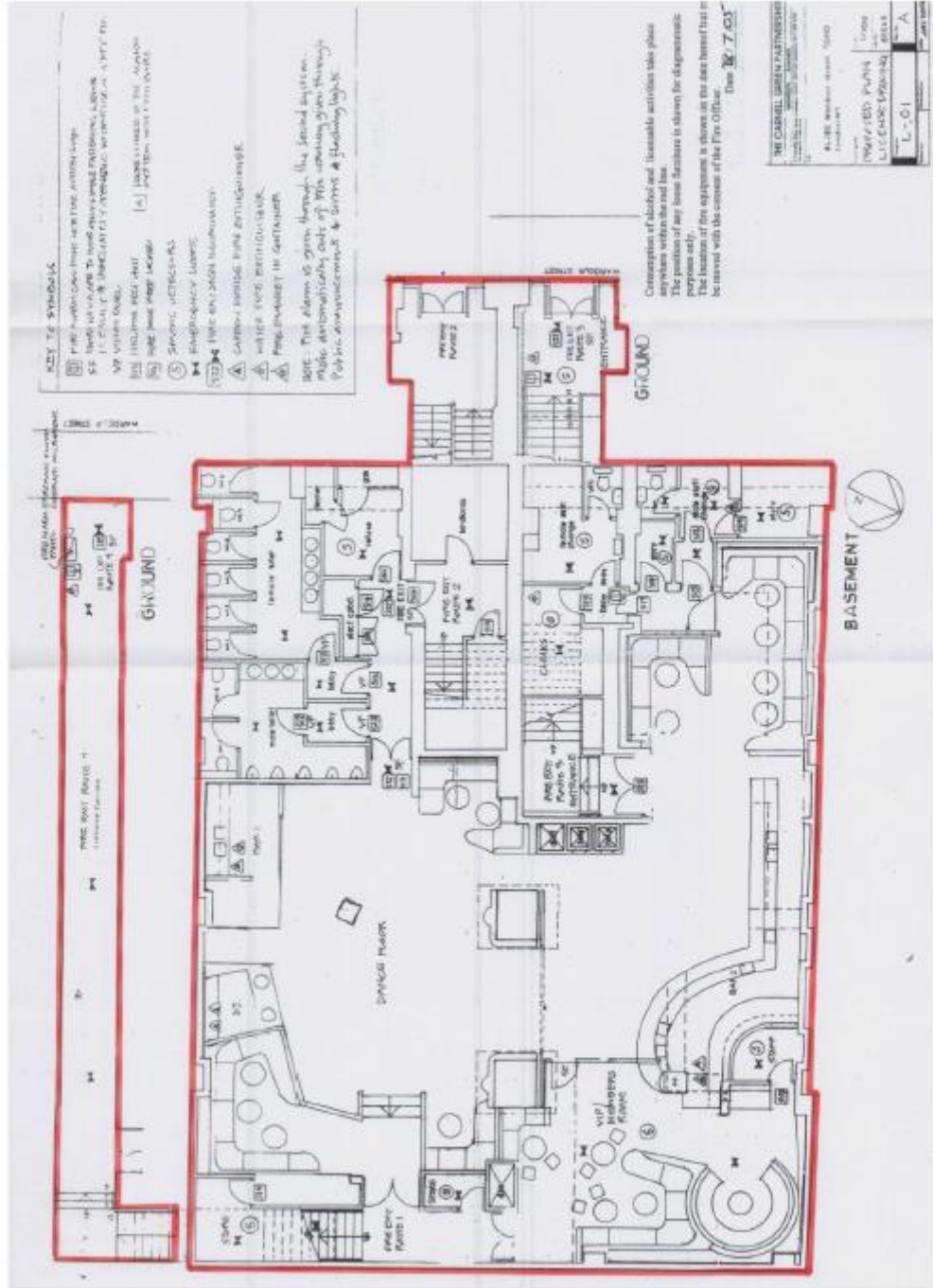
**Annex 2 - Conditions consistent with the operating Schedule**

38. The authorisations permitted by this premises licence will have no effect whilst the premises licence issued by the committee on 12th July 2013 (premises Licence Number 13/03376/LIPN) which covers the ground and first floor of the premises remains in force.

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

None

Annex 4 – Plans







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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 010033570822

Regulation 33, 34

Premises licence number:

21/02214/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

Lo-Profile  
Basement  
84 - 86 Wardour Street  
London  
W1F 0TG

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Provision of facilities for Dancing  
Provision of facilities for making Music  
Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for entertainment of a similar description to making music or dancing  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Provision of facilities for Dancing**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Provision of facilities for making Music**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Performance of Live Music**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Playing of Recorded Music**

Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Tuesday to Wednesday:	09:00 to 02:00 (Basement)
Friday to Saturday:	09:00 to 04:00 (Basement)
Monday:	09:00 to 01:00 (Basement)
Thursday:	09:00 to 03:00 (Basement)

**Late Night Refreshment**

Monday to Saturday:	23:00 to 23:30 (Ground Floor)
Tuesday to Wednesday:	23:00 to 02:30 (Basement)
Friday to Saturday:	23:00 to 04:00 (Basement)
Monday:	23:00 to 01:30 (Basement)
Thursday:	23:00 to 03:30 (Basement)

**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:	10:00 to 23:00 (Ground Floor)
Tuesday to Wednesday:	10:00 to 02:00 (Basement)
Thursday to Saturday:	10:00 to 03:00 (Basement)
Monday:	10:00 to 01:00 (Basement)
Sunday:	12:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1***The opening hours of the premises:**

Tuesday to Wednesday:	09:00 to 02:30
Friday to Saturday:	09:00 to 04:00
Monday:	09:00 to 01:30
Thursday:	09:00 to 03:30
Sunday:	12:00 to 23:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

ECC Holdco Limited  
CHG House  
31-40 West Parade  
Newcastle Upon Tyne  
NE4 7LB

Registered number of holder, for example company number, charity number (where applicable)  
12635528

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

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

Date: 06 April 2021

A handwritten signature in blue ink, appearing to read 'Roxsana Haq', with a long horizontal stroke extending to the right.

Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

**From:** [Alun Thomas](#)  
**Subject:** 84 - 86 Wardour Street, London  
**Date:** 12 September 2023 10:29:38

---

Dear [REDACTED]

I act for the applicant, who is the landlord of the building and have asked the licensing authority to pass on a copy of this note for your consideration.

The application is made for a "shadow" licence (i.e. something that's on the same terms as the existing licence). The reason for this is that the existing tenant is no longer in occupation of the premises and my client is merely seeking to protect the existing position. It's therefore likely that we won't ever have to use the licence.

[We would be more than happy to have a call or a meeting with you to understand your concerns if that might be of assistance.](#) I hope my explanation assists to some extent in the meantime.

Please feel free to contact me should it help to discuss.

With kind regards

Yours sincerely

**Alun Thomas**  
Thomas & Thomas Partners LLP  
38a Monmouth Street  
London WC2H 9EP

D: 020 7042 0412  
M: 07956 805464  
W: [www.tandtp.com](http://www.tandtp.com)

Thomas & Thomas Partners LLP is a limited liability partnership registered in England and Wales (number OC363873) and regulated and authorized by the Solicitors Regulation Authority (number 561362). Its registered office is at 38a Monmouth Street, London WC2H 9EP. As this email and the information it contains are confidential and may be privileged, please notify us immediately if you have received this email in error. You should not copy it, or disclose its contents to any other person. We do not notify changes to important business information, such as bank account details, by email. If you are in any doubt as to the authenticity of this email, please see our note on cyber crime: [here](#).

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/10236/LIPC	Conversion Licence	3 October 2005	Granted under Delegated Authority
06/00084/LIPDPS	Premises Licence – Vary DPS	7 January 2006	Granted under Delegated Authority
06/03839/LIPT	Transfer of Premises Licence Holder from Dickon Adam to London & Henley Restaurants Six Limited	23 May 2006	Granted under Delegated Authority
08/01418/LIPT	Transfer of Premises Licence Holder from London & Henley Restaurants Six Limited to Bar Profile Ltd	6 March 2008	Granted under Delegated Authority
09/01479/LIPDPS	Premises Licence – Vary DPS	30 March 2009	Granted under Delegated Authority
09/01986/LIPDPS	Premises Licence – Vary DPS	7 April 2009	Granted under Delegated Authority
10/08486/LIPDPS	Premises Licence – Vary DPS	14 December 2010	Granted under Delegated Authority
13/00337/LIPT	Transfer of Premises Licence Holder from Bar Profile Ltd to Legal And General Assurance (Pensions Management) Limited	21 February 2013	Granted under Delegated Authority
14/03817/LIPVM	Minor Variation – To add conditions	28 May 2014	Granted under Delegated Authority
21/02214/LIPT	Transfer of Premises Licence Holder from Legal And General Assurance (Pensions Management) Limited to ECC Holdco Limited	6 April 2021	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: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.



## **Conditions consistent with the operating schedule**

## **Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

### **Conditions relating to Regulated Entertainment**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on Monday to 01:00 on the day following, and from 23:00 on each of the days Tuesday to Wednesday to 02:00 on the day following, from 23:00 on Thursday to 03:00 on the day following and from 23:00 on Friday and Saturday to 04:00 on the day following.
13. An attendant shall be stationed within the basement cloakroom during the whole time the basement is open to the public.
14. This use of the premises under this licence shall remain purely ancillary to the main/lawful use (class A3).
15. All refuse must be paid, properly presented and must not be left on the street for more than 2.5 hours.
16. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway or upon any building, structure, works, street furniture, tree or any other property and shall not be distributed in the street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services.
17. The Licensee shall ensure that queuing by patrons outside the premises is conducted in a quiet and orderly manner and is monitored by at least 2 registered door supervisors at all times.
18. The Licensee shall ensure that the exit of patrons from the premises after the terminal hour is monitored by at least 4 registered door supervisors so that minimal noise and disturbance is caused to residents.
19. The Licensee shall use his best endeavours to ensure that customers do not congregate or cause a nuisance on the public highway outside the premises or in the vicinity of the premises.
20. Notices shall be displayed at all exits to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

21. The licensee shall issue loudspeaker requests 15 minutes before closing asking patrons to leave quietly.
22. At all material times during the hours when this licence is operative the licensee is to ensure that security/search wands are used by security staff to check customers entering the premises (subject at all times to any reasonable explanation for such wands not being used in a particular case).
23. The number of persons accommodated (excluding staff) at the premises shall not exceed: Basement - 470.

### **Conditions for Sale of Alcohol**

**Such parts of the basement and ground floor as are shown more particularly coloured and edged red on the deposited plan.**

24. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
25. In respect of the basement of the premises, intoxicating liquor may only be sold or supplied to:
  - (a) Persons who have paid a minimum admission fee on Mondays to Wednesdays of £3.00 and on Thursday to Saturday a fee of £5.00 after 23:00 for the purpose of music, dancing and entertainment (not to be credited against consumables).
  - (b) Persons who have paid a minimum annual admission fee of £100. Payable in advance (not to be credited against consumables).
  - (c) Bona fide guests of the proprietor specially invited prior to admission with individual's details kept at the reception for inspection.
  - (d) Persons employed at the premises.
  - (e) Persons attending a private function at the premises with individual's details kept at the reception for inspection.
26. No striptease, no nudity and all persons on the premises to be decently attired.
27. No gaming on the premises.
28. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

### **Conditions, which reproduce the effect of any restriction, imposed on the use of the premises by specified enactments**

#### **Permitted hours for the sale of alcohol**

29. For the Ground Floor (Monday to Sunday) and Basement (Sunday only):  
Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.  
In this condition, permitted hours means:
  - (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
  - (c) On Good Friday, 12:00 to 22:30;
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
  - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30;

(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

30. For the Basement (Monday to Saturday) only:

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 01:00 Monday, 02:00 Tuesday and Wednesday and 03:00 Thursday to Saturday on the morning following, except that –
  - (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, 02:00 or 03:00, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
  - (i) with the substitution of reference to 04:00 for references to 03:00 or one hour following the hour actually specified.

- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

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

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

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

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set

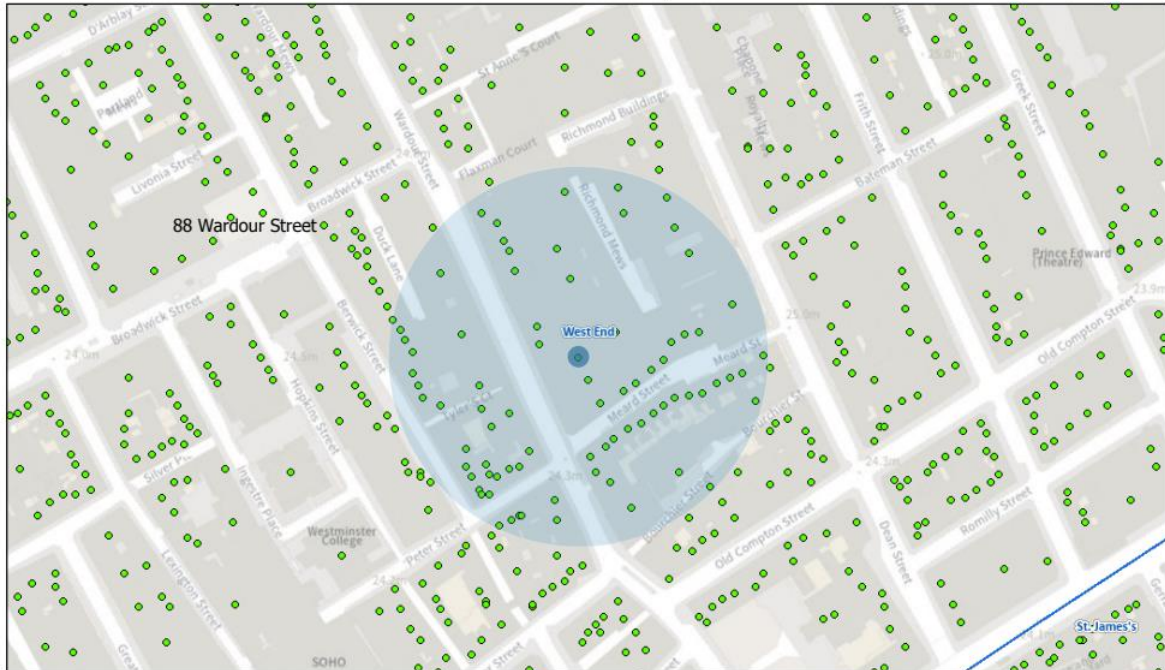
apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

32. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
  - (c) to take all other reasonable precautions for the safety of the children.
33. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
34. The authorisations permitted by this premises licence will have no effect whilst the premises licence issued by the committee on 12th July 2013 (premises Licence Number 13/03376/LIPN) which covers the ground and first floor of the premises remains in force.

**Conditions proposed by the Licensing Authority and agreed by applicant to form part of the operating schedule**

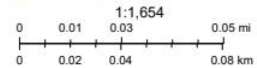
35. The shadow licence will not take effect when the current licence is in operation.

84 - 86 Wardour Street, London



27/10/2023, 09:45:20

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count = 171

<b>Licensed premises within 75 metres of 84-86 Wardour Street, London</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
21/14512/LIPN	Victor's	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Sunday; 10:00 - 01:30   Monday to Thursday; 10:00 - 01:30   Friday to Saturday; 10:00 - 02:30
21/02214/LIPT	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30   Thursday; 09:00 - 03:30   Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30   Tuesday to Wednesday; 09:00 - 02:30   Friday to Saturday; 09:00 - 04:00
22/08728/LIPDPS	Rudys Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 00:00

21/13851/LIPDPS	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:30   Tuesday; 08:00 - 23:30   Wednesday; 08:00 - 23:30   Thursday; 08:00 - 23:30   Friday; 08:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
23/06202/LIPRW	Ground To Fourth Floor	8 - 14 Meard Street London W1F 0EQ	Office	Premises Closed to Public
22/05076/LIPRW	Pitch	12 Meard Street London W1F 0EQ	Leisure (other)	Monday; 11:00 - 21:00   Tuesday; 10:00 - 21:00   Saturday; 10:00 - 23:00   Sunday; 10:00 - 18:00   Wednesday to Friday; 11:00 - 23:00
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00   Monday to Saturday; 07:30 - 23:30
21/10111/LIPV	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
22/10545/LIPCH	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/09410/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 00:00   Monday to Thursday; 10:00 - 00:30   Friday to Saturday; 10:00 - 01:30
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Sunday; 12:00 - 23:00   Monday to Wednesday; 09:00 - 02:30   Thursday to Saturday; 09:00 - 03:30
22/09072/LIPDPS	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Thursday; 07:00 - 23:30   Friday; 07:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30   Monday to Wednesday; 07:00 - 23:00
23/04459/LIPVM	Fat Hippo	Basement And	Cafe	Monday; 11:30 -

		Ground Floor 68-70 Wardour Street London W1F 0TB		22:00   Tuesday; 11:30 - 22:00   Wednesday; 11:30 - 22:00   Thursday; 11:30 - 23:00   Friday; 11:30 - 23:00   Saturday; 11:30 - 23:00   Sunday; 11:30 - 22:00   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
21/13297/LIPDPS	Moo	99 Wardour Street London W1F 0UF	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
20/03127/LIPN	Not Recorded	Royalty House 72-74 Dean Street London W1D 3SG	Office	Sunday; 08:00 - 00:00   Monday to Saturday; 07:00 - 01:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30   Friday to Saturday; 23:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 03:30
17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
22/11030/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 00:00
23/03795/LIPCH	Soho Hotel	Soho Hotel 4 Richmond Mews London W1D 3DH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
22/02670/LIPDPS	The Breakfast Club	11 Berwick Street London W1F 0PL	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
22/06200/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 -



				00:30
22/01465/LIPT	Busaba Eathai	108-110 Wardour Street London W1F 0JL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/10218/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Club or institution	Monday to Sunday; 07:00 - 01:00