



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	8 February 2024
Licensing Ref No:	23/07875/LIPV - Premises Licence Variation
Title of Report:	Shakespeare's Head Public House 29 Great Marlborough Street London W1F 7HZ
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	3 November 2023		
Applicant:	Spirit Pub Company (Services) Limited		
Premises:	Shakespeare's Head Public House		
Premises address:	29 Great Marlborough Street London W1F 7HZ	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises trade as a public house.		
Variation description:	<p>This is an application to remove all the existing conditions on the current premises licence (Annex 3, 10 to 16 inclusive) and replace with a new operating schedule of conditions.</p> <p>To also permit all currently permitted licensable activities (live music, anything similar to live/recorded music and sale of alcohol) to commence from 10:00 on Sundays. The terminal hour for these activities to remain unchanged.</p> <p>All other permitted hours and activities are to remain unchanged.</p>		
Premises licence history:	<p>The premises have had the benefit of a premises licence since August 2005.</p> <p>The current premises licence (23/0566/LIPDPS) can be viewed at Appendix 2 of this report.</p>		
Applicant submissions:	None		
Applicant amendments:	<p>Following consultation, the applicant has amended the start time for live music, anything similar to live/recorded music and sale of alcohol to commence on Sundays from 10:00 to 11:00.</p> <p>The hours as now applied for appear in section 1-B below</p>		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Ground and first floors	No change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30	11:00	23:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.				No change	

Anything of a similar description to live music, recorded music or performance of dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Ground and first floors	No change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30	11:00	23:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.				No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and Off		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Ground and first floors	No change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	<p>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).</p> <p>The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.</p>				<p>The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.</p> <p>The terminal hour for all licensable activities, and the closing time of the premises, is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.</p>	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:30	No change		Ground and first floors	No change
Tuesday	07:00	00:30				
Wednesday	07:00	00:30				
Thursday	07:00	00:30				
Friday	07:00	00:30				
Saturday	07:00	00:30				
Sunday	07:00	00:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				<p>The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.</p> <p>The terminal hour for all licensable activities, and the closing time of the</p>	

		premises, is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.
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1-C Layout alteration
No change of layout is proposed

1-D Conditions being removed
<p>10 (i) Alcohol may be sold or supplied:</p> <p>(a) On Monday to Saturday 10:00 to 23:00</p> <p>(b) On Sundays 12:00 to 22:30</p> <p>(c) 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).</p> <p>(ii) Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>(a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;</p> <p>(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;</p> <p>(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;</p> <p>d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;</p> <p>(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</p> <p>(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;</p> <p>(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;</p> <p>(h) the taking of alcohol from the premises by a person residing there;</p> <p>(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;</p> <p>(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.</p> <p>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.</p> <p>11. Children under 14 should be off the premises (first floor) by 9:30pm when taking a meal.</p> <p>12. When payment is made by credit card, the customer must be presented with an itemised bill showing the details of all alcoholic drinks purchased.</p>

13. The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.

14. Live Music shall be limited to two performers only.

15. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

16. 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

1-D Conditions being added

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.

2. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises **and will include the external area immediately outside the premises entrance.**

(wording in bold added following consultation with the Metropolitan Police Service)

3. All recordings shall be stored for a minimum period of 31 days with date and time stamping.

4. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

5. 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.

6. Un accompanied children under the age of 14 should be off the premises by 9:30pm, with the exception being those who are seated and taking a table meal.

7. The terminal hour for all licensable activities, and the closing time of the premises, is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.

8. Live Music shall be limited to two performers only.

9. The provision of door supervisors shall be risk assessed, a copy of which shall be kept on site and made available to the police on request.

10. Where door supervisors are employed the door supervisors will correctly display their SIA licence so as to be visible when on duty at the premises.

11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

12. A Challenge 21 or 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.

13. A record shall be kept detailing all refused sales of alcohol.

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

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

15. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

17. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

18. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

Adult entertainment:	Current position:	Proposed position:
	None	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Roxsana Haq
Received:	01 December 2023 (Withdrawn 26th January 2024)

I write in relation to the application submitted to vary a Premises Licence for the following premises:

23/07875/LIPV: Shakespeare’s Head Public House, 29 Great Marlborough Street, London W1F 7HZ

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 Licensing Objectives:

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

The application seeks the following variations:

To remove all of the existing conditions on the current premises licence (Annex 3 – Conditions 10 to 16 inclusive) and replace with a new operating schedule of conditions.

To permit all currently permitted licensable activities (live music, anything similar to live/recorded music and sale of alcohol) to commence from 10:00 on Sunday’s.

(The terminal hour for these activities will remain unchanged. All other permitted hours and activities are to remain unchanged).

The premises is located within the West End Cumulative Impact Zone and as such, a number of policy points must be considered namely CIP1, HRS1 and PB1.

The Licensing Authority note the proposed conditions are those which help bring the licence in line with the council’s model conditions and therefore aid the promotion of the licensing objectives. However, we would like clarification as to why the applicant seeks to increase the commencement hour for licensable activities at the venue on Sundays. What will the nature of the operation be like outside of the current granted core hours for Public Houses?

Furthermore, paragraph 2.4.5 states, The Licensing Authority’s policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority requests the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and PB1.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information if the application is to be determined by Licensing Sub-Committee Members.

Please accept this as a formal representation and I look forward to hearing from you soon so that this objection can be re-considered.

Following consultation, the applicant amended the start time for live music, anything similar to live/recorded music and sale of alcohol to commence on Sundays from 10:00 to 11:00. On that basis, the Licensing Authority withdrew their representation on 26 January 2024.

Responsible Authority:	Environmental Health
Representative:	Ayesha Bolton
Received:	01 December 2023

I wish to submit a representation against the variation of Premises Licence application for the above premises under the Licensing objectives of Prevention of Public Nuisance and Public Safety.

It is Environmental Health view that the granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.

2-B Other Persons			
Name:	[REDACTED]		
Address and/or Residents Association:	Soho Society		
Status:	Valid	In support or objection:	Objection
Received:	30 Nov 2023		

We object to this application to extend the hours of this public house to 10am on Sundays. The Committee will be aware the premises is situated within the West End Cumulative Impact Zone and the onus is on the applicant to demonstrate they will not increase cumulative impact and will promote the licensing objectives.

Increasing the number hours for the consumption of alcohol in the West End CIZ is highlighted in the recently published draft Cumulative Impact Assessment 2023, it confirms crime levels in Westminster has reached pre-COVID levels and since the last Cumulative Impact Assessment 2020 crimes have concentrated even further in the West End. The modelling shows a 50% increase in undesirable behaviours from any new **OR extended licence**.

The evidence is clear any addition in the number of hours, the number of people consuming alcohol, the number of licensed premises will fail to promote the licensing objectives and increase cumulative impact. It concludes with a new Licensing Authority Statement which makes it clear **granting further authorisations and variations in the West End Zone 1 would be inconsistent with the authority's duty under the Licensing Act 2003**. (Appendix 1 Cumulative Impact, Appendix 2 Crime and Disorder). Soho is at the heart of the West End's food, beverage and entertainment district with its **489** licensed premises, the demand and year on year increase in the number of new licensed premises and variations to extend shows no tendency to reduce, it is therefore unsurprising residents suffer for noise disturbance and anti-social behaviours.

Any extension in hours will increase public nuisance. (Appendix 3 Soho Society Sleep Survey) In summary, this application to increase the hours of a pub in the West End Cumulative Impact Zone cannot be justified, the applicant has to demonstrate they will not increase cumulative impact and will promote the licensing objectives, they have failed to do so and we respectfully

ask the Committee to refuse this application.

Appendix 1 : Cumulative Impact

Appendix 2 : Crime and Disorder

Appendix 3 : Soho Society Sleep Survey Results

Appendix 4 : The Application

Appendix 5 : The Soho Society

Appendix 1 : Cumulative Impact

This area has been identified by Westminster City Council as under stress because of the cumulative effect of the concentration of licensed premises has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the draft Cumulative Impact Assessment 2023 continues to show high levels of cumulative impact in the West End Zone 1 in 2022, it states,

'West End Zone 1 is the epicentre for issues associated with cumulative impact within the borough.' (p.50)

The proposed Licensing Authority Statement strengthens the previous 2020 CIA statement in acknowledging the increasing and detrimental impact of the large number of licensed premises in the West End, and concludes,

'It is the view of the Licensing Authority that the number of relevant authorisations in respect of premises in parts of the West End is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) Licensing Act 2003 to grant any further relevant authorisations or variations in respect of premises in that area. In accordance with section 5A(6) of the Licensing Act 2003 the Licensing authority will consult on its intention to publish this cumulative impact assessment prior to its final approval and publication.'

(p.80)(our emphasis)

In any application for an alcohol licence in the Cumulative Impact Zone the applicant is required to demonstrate that the application will not increase the Cumulative Impact. In the draft Cumulative Impact Assessment 2023 the modelling shows an overall factor of up to 1.5, which means that for every additional licence granted the number of undesirable behaviours expected in the area in a year would increase by up to a multiple of 1.5. This means **a 50% increase in undesirable behaviours from any one new or extended licence; similarly the figures suggest a 26% increase in reported theft for each additional licence issued for whatever type of venue: club, restaurant or café.** In relation to noise, it concludes,

'The number of licensed premises is a significant factor in the generation of noise complaints.'

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the SoLP 2021).

D23. **'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance.** It goes on, **'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area;** thus the number of people visiting the premises, the nature of licensable activities and **the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'** (our emphasis)

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

Appendix 2 : Crime and Disorder

The draft Cumulative Impact Assessment 2023 states by September 2022 crime in Westminster had reached pre-pandemic levels. It compared the proportion of crimes that occurred in 2022 against the period of the 2020 CIA (2017 - 2019) it indicates that **'crimes within Westminster has concentrated even further within West End Zone 1.'** (p.52).

It confirmed the majority of the hotspots for the four major crime types (overnight thefts, robbery, drug offences, violence against person) were closely concentrated in the West End, stating, **'This provides further evidence to the greater prevalence of criminal offences within this area, and given the temporal nature of this analysis, also suggests that criminal activity within this area is getting worse.'** (p.47)

Overall the West End Zone 1 accounts for:

- Just under 66% of all crime in Westminster
- 47% of violent crimes - approximately 59% at night (most prior to and after midnight)
- 44% (968) of all overnight robberies
- Over 65% of sexual offences.
- 52% of all night time alcohol related ASB
- 74% drug offences, small clusters include Soho - Old Compton Street
- 57% of all ASB call details included reference to public house/nightclub, night-time transport route, station, hotel or restaurant establishment.

It confirms the majority of crime takes place on Friday / Saturday and Saturday/Sunday between 6pm - 6am. Overnight crime is identified as being particularly prevalent in Old Compton Street, Greek Street and Frith Street.

The levels of crime, disorder and anti-social behaviour continue to be a huge problem in Soho - the crime figures are high and rising. The police crime reports for April/May 2023 shows current levels of alcohol related assaults, sexual assaults and robberies within the West End area are now higher than at pre-COVID levels. The peak times for crime being between 10pm - 2am.

In Soho the majority of robberies take place at night, with people being targeted as they leave venues.

Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho specifically to target them. We believe patrons leaving this café/restaurant at night will be at high risk of becoming victims of crime.

Appendix 3 : Soho Society Sleep Survey Results - 31 October 2022

The survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week
16% of respondents have their sleep disturbed 5 or 6 nights a week
19% of respondents have their sleep disturbed 3 or 4 nights a week
19% of respondents have their sleep disturbed once or twice a week
20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36, car horns 33 and deliveries at 25. Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues.

The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life
46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho
60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.
67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines
64% of respondents agreed that our ward councillors should make this their priority during the next four years
69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse
73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences
72% of respondents agreed that the council should install electronic noise monitoring in Soho
56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.
62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho
68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.

I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded.

Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.

Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.

There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.

I live in Marshall St and overlook it. Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in Broadwick St and 1 in Marshall St. There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And I have double glazing and am on [a high] floor.

Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.

I've lived in Soho for 60 years... Born and bred.. It's never been this noisy!

Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.

Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho

Appendix 4 : The Application Variation

To permit all currently permitted licensable activities, live music, recorded music / anything similar and the sale of alcohol to commence from 10am on Sundays.

To remove existing conditions on the current licence (Annex 3,10 to 16) and replace with a new operating schedule of conditions.

Current Licence: 23/05191/LIPDPS

Sale of Alcohol: Sunday: 12pm - 11.30pm

Appendix 5

The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

Further Submissions received 29th January 2024

We have maintained our objection to the proposed increase in licensable activities on Sundays not only because of it falling outside the core hours policy, but if granted we expect to see similar applications to be submitted for pubs owned by the company in Soho, it will also set a precedent for other public houses.

We raise a linked area of concern arising from the concerns expressed in our representation, relating to the removal of Condition 10 which states,

(i) Alcohol may be sold or supplied:

(a) On Monday to Saturday 10:00 to 23:00

(b) On Sundays 12:00 to 22:30

(ii) Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

The removal of this condition will facilitate an increase in the number of people permitted to consume alcohol without the consumption of a table meal, resulting in an increase in the number of drinkers until midnight and its likely negative impact on the West End Cumulative Impact Zone and Licensing Objectives.

We ask the applicant to confirm the areas currently set aside for food service plus its capacity in respect of this condition.

3. Policy & Guidance

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

Policy CIP1 applies	<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">1. Vary the hours within Core Hours under Policy HRS1, and/or2. Vary the licence to reduce the overall capacity of the premises. <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>
Policy HRS1 applies	<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">1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect

	<p>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.</p> <ol style="list-style-type: none"> 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.
<p>Policy PB1(B) applies</p>	<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"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or late night

	<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 Public House or Bar in Clause D.</p> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</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 Licence
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:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: kjackaman@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	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2023
4	Cumulative Impact Assessment	04 December 2023
5	Licensing Authority Representation	01 December 2023 (Withdrawn 26 January 2024)
6	Environmental Health Representation	01 December 2023
7	Interested Party Representation	30 November 2023



Schedule 12
Part A

WARD: West End
UPRN: 100022757601

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

Premises licence

Regulation 33, 34

Premises licence number:	23/05191/LIPDPS
Original Reference:	05/06687/LIPCV

Part 1 – Premises details

Postal address of premises:
Shakespeare's Head Public House 29 Great Marlborough Street London W1F 7HZ
Telephone Number: 020 7734 2911

Where the licence is time limited, the dates:
Not applicable

Licensable activities authorised by the licence:
Performance of Live Music Playing of Recorded Music Anything of a similar description to Live Music or Recorded Music 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 Live Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music or Recorded Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
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 00:00
Sunday: 12:00 to 23:30

For times authorised for New Year see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:30
Sunday: 07:00 to 00:00

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:**

Spirit Pub Company (Services) Limited
Westgate Brewery
Bury St Edmunds
Suffolk
IP33 1QT
Business Phone Number : 01283 498 400

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

05266811

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

Name: Danylo Tetsuo Pereira Iamaguchi

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/02887
Licensing Authority: London Borough of Wandsworth

Date: 22nd August 2023

This licence has been authorised by Angela Rowe on behalf of the Director - Public Protection and Licensing.

Annex 1 – 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.
- (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.
- (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.
- (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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

9. 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

None

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

- 10 (i) Alcohol may be sold or supplied:
- (a) On Monday to Saturday 10:00 to 23:00
 - (b) On Sundays 12:00 to 22:30
 - (c) 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).

(ii) Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) 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.

11. Children under 14 should be off the premises (first floor) by 9:30pm when taking a meal.
12. When payment is made by credit card, the customer must be presented with an itemised bill showing the details of all alcoholic drinks purchased.
13. The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.
14. Live Music shall be limited to two performers only.
15. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
16. 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.

Annex 4 – Plans

F11		F12	
DESCRIPTIONS		DESCRIPTIONS	
④	area to be covered by non-structural fireproof cladding (S100)	④	high rise or major structure (over 18m) or 10 storeys or more
⑤	area covered by hard surface (S100)	④	other pool
⑥	area covered by mobile structure (S100)	⑤	area covered by other mobile structure (S100)
⑦	area covered by other mobile structure (S100)	⑥	area covered by other mobile structure (S100)
⑧	area covered by other mobile structure (S100)	⑦	area covered by other mobile structure (S100)
⑨	area covered by other mobile structure (S100)	⑧	area covered by other mobile structure (S100)
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GROUND FLOOR

FIRST FLOOR

SECOND FLOOR

THIRD FLOOR

OS map 1:1250

CREATIVE GROUP
 100-1100 100th Street, Suite 1000, Richmond, BC V6V 1K7
 Tel: 604-273-1100 Fax: 604-273-1101
 Email: info@creativegroup.com
 Website: www.creativegroup.com



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

Schedule 12
Part B

WARD: West End
UPRN: 100022757601

Premises licence
summary

Regulation 33, 34

Premises licence number:

23/05191/LIPDPS

Part 1 – Premises details

Postal address of premises:

Shakespeare's Head Public House
29 Great Marlborough Street
London
W1F 7HZ

Telephone Number: 020 7734 2911

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or Recorded Music
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 Live Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

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 00:00
Sunday: 12:00 to 23:30

For times authorised for New Year see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:30
Sunday: 07:00 to 00:00

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:

Spirit Pub Company (Services) Limited
Westgate Brewery
Bury St Edmunds
Suffolk
IP33 1QT

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

05266811

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

Name: Danylo Tetsuo Pereira lamaguchi

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

Restricted

Date: 22nd August 2023

This licence has been authorised by Angela Rowe on behalf of the Director - Public Protection and Licensing.

Applicant Supporting Documents

Appendix 2

None

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06687/LIPCV	Conversion	28.09.2005	Granted under delegated authority
05/12427/LIPDPS	Variation of DPS	13.12.2005	Granted under delegated authority
06/01975/LIPDPS	Variation of DPS	23.03.2006	Granted under delegated authority
06/11671/LIPV	Variation – change of layout	18.12.2006	Granted under delegated authority
06/11995/LIPDPS	Variation of DPS	18.12.2006	Granted under delegated authority
07/10566/LIPDPS	Variation of DPS	02.11.2007	Granted under delegated authority
11/09248/LIPV	Variation – change of layout	14.10.2011	Granted under delegated authority
12/00901/LIPVM	Minor variation – Vary the opening time to 07:00	24.02.2012	Granted under delegated authority
15/05637/LIPDPS	Variation of DPS	24.07.2015	Granted under delegated authority
17/09645/LIPDPS	Variation of DPS	14.03.2018	Granted under delegated authority
18/12477/LIPVM	Minor variation – Additional of model CCTV condition	07.11.2018	Granted under delegated authority
23/03255/LIPDPS	Variation of DPS	02.06.2023	Granted under delegated authority

23/05191/LIPDPS	Variation of DPS	22.08.2023	Granted under delegated authority
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There is no appeal history

Temporary Event Notices in the last 12 months

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/00792/LITENP	12.02.2023 to 13.02.2023	Sale of Alcohol 22:00 to 04:00	Event permitted
23/07556/LITENP	23.11.2023 to 26.11.2023	Sale of Alcohol 23:00 to 00:15	Event permitted
23/08273/LITENP	30.11.2023 to 03.12.2023	Sale of Alcohol 23:00 to 01:15	Event permitted
23/08278/LITENP	07.12.2023 to 10.12.2023	Sale of Alcohol 23:00 to 01:15	Event permitted
23/08279/LITENP	14.12.2023 to 17.12.2023	Sale of Alcohol 23:00 to 01:15	Event permitted
23/09144/LITENP	21.12.2023 to 24.12.2023	Sale of Alcohol 23:00 to 00:15	Event permitted
23/09142/LITENP	28.12.2023 to 28.12.2023	Sale of Alcohol 23:00 to 00:15	Event permitted

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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions: On Current Licence -

Mandatory:

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 which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

9. 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

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
11. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises **and will include the external area immediately outside the premises entrance.**
(wording in bold added following consultation with the Metropolitan Police Service)
12. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
13. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
14. 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.
15. Un accompanied children under the age of 14 should be off the premises by 9:30pm, with the exception being those who are seated and taking a table meal.
16. The terminal hour for all licensable activities, and the closing time of the premises, is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.
17. Live Music shall be limited to two performers only.
18. The provision of door supervisors shall be risk assessed, a copy of which shall be kept on site and made available to the police on request.
19. Where door supervisors are employed the door supervisors will correctly display their SIA licence so as to be visible when on duty at the premises.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
21. A Challenge 21 or 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.
22. A record shall be kept detailing all refused sales of alcohol.
23. 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
 - (h) any visit by a relevant authority or emergency service.
24. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

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

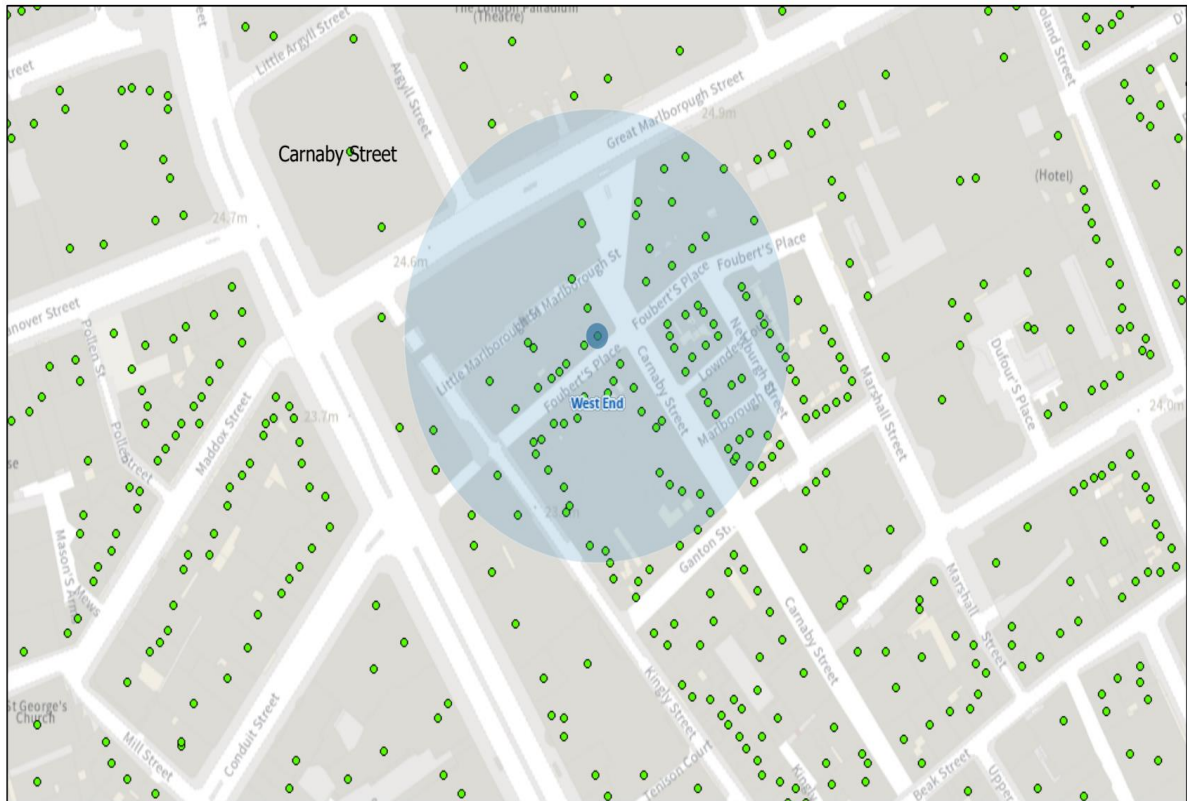
The following conditions are to be removed:

- 10 (i) Alcohol may be sold or supplied:
- (a) On Monday to Saturday 10:00 to 23:00
 - (b) On Sundays 12:00 to 22:30
 - (c) 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).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- 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) 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.

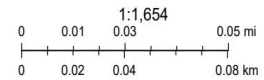
11. Children under 14 should be off the premises (first floor) by 9:30pm when taking a meal.
12. When payment is made by credit card, the customer must be presented with an itemised bill showing the details of all alcoholic drinks purchased.
13. The terminal hour for all licensable activities is extended by one hour for statutory bank holiday weekend periods (not including bank holiday Mondays) and for Thursday before Good Friday and for Christmas Eve.
14. Live Music shall be limited to two performers only.
15. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
16. 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.

Shakespeare's Head, 29 Great Marlborough Street



26/01/2024, 14:11:45

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 38

Licensed premises within 75m of 29 Great Marlborough Street, London, W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
13/00326/LIPST	Foubert's Place/Kingly Street	14 - 16 Foubert's Place London W1F 7PH	Restaurant	Friday to Saturday; 10:00 - 00:30 Sunday to Thursday; 10:00 - 00:00
23/01736/LIPDPS	Dishoom	14 - 16 Foubert's Place London W1F 7PH	Restaurant	Sunday; 10:00 - 00:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30

23/06872/LIPT	KuaAina	26 Foubert's Place London W1F 7PR	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
17/10271/LIPV	Liberty	25 Great Marlborough Street London W1F 7HH	Shop (very large)	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 23:00
15/08447/LIPDPS	The Clachan Public House	34 Kingly Street London W1B 5QH	Public house or pub restaurant	Sunday; 07:00 - 22:30 Sunday; 07:00 - 00:00 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
19/03354/LIPT	Antidote	12A Newburgh Street London W1F 7RR	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/00679/LIPCH	Leon	Ground Floor 35 - 36 Great Marlborough Street London W1F 7JB	Public house or pub restaurant	Monday to Sunday; 08:00 - 00:00
23/04741/LIPT	Patty & Bun	Ground Floor 26 Kingly Street London W1B 5QD	Restaurant	Monday to Sunday; 11:00 - 00:00
23/02126/LIPDPS	O Neills	37-38 Great Marlborough Street London W1F 7JF	Public house or pub restaurant	Monday; 07:00 - 23:30 Tuesday; 07:00 - 23:30 Wednesday; 07:00 - 23:30 Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 07:00 - 00:00 Sunday; 07:00

				- 22:50 Sundays before Bank Holidays; 07:00 - 00:00
12/03140/LIPVM	Cowshed Shop Soho	31 Foubert's Place London W1F 7QF	Hairdresser or beauty salon	Sunday; 11:00 - 17:00 Monday to Saturday; 10:00 - 22:00
18/10231/LIPT	Flatplanet	Ground Floor 37 - 39 Great Marlborough Street London W1F 7JB	Cafe	Monday to Sunday; 08:00 - 23:00
22/09738/LIPDPS	Not Recorded	30 - 32 Foubert's Place London W1F 7PS	Restaurant	Monday; 08:00 - 00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:30 Saturday; 08:00 - 00:30 Sunday; 09:00 - 23:00
21/03365/LIPDPS	Kolamba	21 Kingly Street London W1B 5QA	Restaurant	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 10:00 - 00:30
22/06824/LIPDPS	Wagamama	42 Great Marlborough Street London	Restaurant	Sunday; 08:00 - 22:30 Monday to Saturday; 08:00 - 23:30
22/06884/LIPDPS	The White Horse	16 Newburgh Street London W1F 7RY	Public house or pub restaurant	Sunday; 07:00 - 22:50 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00

				Sundays before Bank Holidays; 07:00 - 00:00
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