



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	29 February 2024
Licensing Ref No:	23/09171/LIPV - Premises Licence Variation
Title of Report:	Jeru 11 Berkeley Street London W1J 8DS
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:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	18 December 2023		
Applicant:	11 Berkeley Street Ltd		
Premises:	Jeru		
Premises address:	11 Berkeley Street London W1J 8DS	Ward:	West End
		Cumulative Impact Area:	None
		Special Consideration Zone:	Mayfair
Premises description:	The premises operates as a restaurant with ancillary bars and bakery/patisserie.		
Variation description:	<p>This variation seeks the following:</p> <ul style="list-style-type: none"> To extend the terminal hour for licensable activities to midnight Sunday to Wednesday and to 01.00 on Thursday. To vary condition 50 and 51 as shown in section 1-D. 		
Premises licence history:	<p>The premises has had the benefit of premises licence since 2016 which is still in place (22/07913/LIPRW).</p> <p>A new premises licence was granted in 2021 however, it was surrendered in November 2023 (23/04503/LIPDPS).</p> <p>A new premises licence was granted in September 2023 (23/03922/LIPN) and is proposed to be varied as part of this application.</p> <p>A copy of the full premises and Temporary Event Notice history can be found at Appendix 3.</p>		
Applicant submissions:	There are no submissions from the applicant.		
Applicant amendments:	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	00:00	Basement, Ground floor & First floor	No change
Tuesday	23:00	23:30	23:00	00:00		
Wednesday	23:00	23:30	23:00	00:00		
Thursday	23:00	23:30	23:00	01:00		
Friday	23:00	01:00	23:00	01:00		
Saturday	23:00	01:00	23:00	01:00		
Sunday	N/A	N/A	N/A	N/A		
Seasonal variations: Non-standard timings:	Current: Sundays before bank holidays to be 22:30 to midnight.				Proposed: No change	

Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A	N/A	N/A	N/A	Basement, Ground floor & First floor	No change
Tuesday	N/A	N/A	N/A	N/A		
Wednesday	N/A	N/A	N/A	N/A		
Thursday	N/A	N/A	23:00	01:00		
Friday	23:00	01:00	23:00	01:00		
Saturday	23:00	01:00	23:00	01:00		
Sunday	N/A	N/A	N/A	N/A		
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	00:00	Basement, Ground floor & First floor	No change
Tuesday	23:00	23:30	23:00	00:00		
Wednesday	23:00	23:30	23:00	00:00		
Thursday	23:00	23:30	23:00	01:00		
Friday	23:00	01:00	23:00	01:00		
Saturday	23:00	01:00	23:00	01:00		
Sunday	N/A	N/A	23:00	00:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before bank holidays to be 23:00 to midnight.			No change	

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	00:00	Basement, Ground floor & First floor	No change
Tuesday	10:00	23:30	10:00	00:00		
Wednesday	10:00	23:30	10:00	00:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	01:00	10:00	01:00		
Saturday	10:00	01:00	10:00	01:00		
Sunday	12:00	22:30	12:00	00:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before bank holidays to be 12:00 to midnight.			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	23:30	07:00	00:00	Basement, Ground floor & First floor	No change
Tuesday	07:00	23:30	07:00	00:00		
Wednesday	07:00	23:30	07:00	00:00		
Thursday	07:00	23:30	07:00	01:00		
Friday	07:00	01:00	07:00	01:00		
Saturday	07:00	01:00	07:00	01:00		
Sunday	07:00	22:30	07:00	00:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

1-C Layout alteration
There are no proposed changes to the layout.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
50. The number of persons permitted in the premises (excluding staff) on Monday-Thursday, Friday-Saturday until midnight and Sunday shall not exceed: Ground Floor: 90 persons Basement: 90 persons First Floor: 150 persons	50. The number of persons permitted in the premises (excluding staff) on Monday-Wednesday, Thursday-Saturday until midnight and Sunday shall not exceed: Ground Floor: 90 persons Basement: 90 persons First Floor: 150 persons
51. The number of persons permitted in the premises (excluding staff) on Friday-Saturday from midnight until 1am shall not exceed 180 persons.	51. The number of persons permitted in the premises (excluding staff) on Thursday-Saturday from midnight until 1am shall not exceed 180 persons.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	03 January 2024
<p>I refer to the variation application for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking the following variation</p> <ol style="list-style-type: none"> 1. Performance of live music indoors Thursday to Saturday 23:00 – 01:00 hours 2. Playing of recorded music indoors at the following times Monday – Wednesday 23:00 – 00:00 hours Thursday to Saturday 23:00 – 01:00 hours Sundays before bank holidays: 22:30 – 00:00 hours 3. Provision of late-night refreshment at the following times Sunday – Wednesday 23:00 – 00:00 hours Thursday to Saturday 23:00 – 01:00 hours Sundays before bank holidays: 23:00 – 00:00 hours 4. Supply of alcohol for consumption on & off the premises at the following times Monday – Wednesday 10:00 – 00:00 hours Thursday to Saturday 10:00 – 01:00 hours Sunday 12:00 – 00:00 hours 	

Sundays before bank holidays: 12:00 – 00:00 hours

5. Amend condition 50 which currently read

The number of persons permitted in the premises (excluding staff) on Monday-Thursday, Friday-Saturday until midnight and Sunday shall not exceed:

Ground Floor: 90 persons

Basement: 90 persons

First Floor: 150 persons

To read

The number of persons permitted in the premises (excluding staff) on Monday-Wednesday,

Thursday-Saturday until midnight and Sunday shall not exceed:

Ground Floor: 90 persons

Basement: 90 persons

First Floor: 150 persons

6. Amend condition 52 which currently reads

The number of persons permitted in the premises (excluding staff) on Friday-Saturday from midnight until 1am shall not exceed 180 persons

To read

The number of persons permitted in the premises (excluding staff) on Thursday-Saturday from midnight

Following consideration of the application and how it may affect the Licensing Objectives meeting the requirements of the Council's Statement of Licensing Policy I wish to make following representations:

The application was not accompanied by an appropriate risk assessment to demonstrate that the amendments sought would not lead to increased risk of public nuisance and compromise public safety in the area.

On this occasion, applicant has a responsibility to demonstrate how the proposed amendments would not make the premises a destination premises especially on Thursdays (applicant intends to operate after midnight) when most premises in the vicinity limited by the council's core hours are closed.

The hours sought are outside the council's core hours, which for ease of reference are as below

- Monday to Thursday: 9am to 11.30pm.
- Friday and Saturday: 9am to Midnight.
- Sunday: 9am to 10.30pm.
- Sundays immediately prior to a bank holiday: 9am to Midnight.

Core hours are an essential element to ensure businesses can operate for a reasonable period whilst protecting the impact on the licensing objectives

Given that the hours sought are beyond core hours, the applicant is required to demonstrate how customers will disperse from the premises and the area within their operating schedule. This has not been done and it raises a risk of public nuisance and/or public safety.

For the above reasons, I make a representation on ground of public nuisance and public safety

risk to the application.

Please contact me if you wish to discuss the above further.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or objection:	Objection
Received:	12 January 2024		
RSMSJ as the recognised Amenity Society for the area wishes to support the objections made by local residents. The premises are situated in the SCZ and we do not believe that the applicant has adequately shown that they have taken steps to indicate how an increase in public nuisance will be avoided.			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or objection:	Objection
Received:	10 January 2024		
<p>[REDACTED] strongly objects to the new licence application '23/09171/LIPV' (11 Berkeley Street London W1J 8DS) on grounds of 'prevention of public nuisance' and 'prevention of crime and disorder'. [REDACTED] and has a very close proximity to these premises, which are located at 11 Berkeley street.</p> <p>The application is the latest in a series of applications which individually do not move the dial that much but taken together constitutes significant extensions to hours, activities and capacities.</p> <p>We strongly object to extension of the hours in this new application. The request is of great concern to our residents who have been plagued over the years by a huge increase in noise, nuisance, anti-social behaviour and other problems, caused by the number of late night licensed premises within a small area. Berkeley Street and its environs are under stress as a result of the number of licensed premises, including a significant number of new premises licences over the years. This has led to Berkeley Street being identified by a detailed study in 2016 as an area with all the characteristics of a 'cumulative impact area', and, more recently, as an area of concern under the City Council's recent 'cumulative impact assessment'. As a result of the latter, the area has been designated as a 'Special Consideration Zone' ("SCZ").</p> <p>[REDACTED] have been relatively successful in recent years at keeping licence hours in Berkeley Street within reasonable bounds – this will go against that and the extension of hours proposed would act as an unfortunate precedent for the area.</p> <p>Further, it is not clear how the application to extend the hours Mon to Thu, complies with the Special Consideration Zone policy for Berkeley Street. This states that:</p> <p>The local issues that need to be considered by applicants are: • General crime. • Noise nuisance (noise). • Incidents relating to ambulance call outs at night to the locations of licensed</p>			

premises for intoxication, injury related to intoxication and/or assault.

The policy states that 'The Licensing Authority has created this policy to alert future licensing applicants to the importance of taking such significant local issues fully into account in their operating schedules, by particularising the steps that they are proposing to take to promote the licensing objectives in light of those issues in addition to all other matters. This policy will apply to areas of the city that were, until recently a Cumulative Impact Zone, or show significant level of incident rates that are above the borough average but are not yet linked to cumulative impact. This policy aims to prevent areas that have a high concentration of licensed premises and significant levels of incidents from reverting to or becoming a Cumulative Impact Zone.'

There is an absence of any indication that the applicant has considered these points.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or objection:	Objection
Received:	10 January 2024		

[REDACTED]

I strongly object based grounds of this will further increase 'public nuisance' and exacerbate the feeling of insecurity through increased 'crime and disorder'.

Public Nuisance

It has been sad to see Berkeley Street continue to be overly commercialized. It has become a less friendly and welcoming residential location.

This slow slide is felt acutely in the evenings, as cars begin to clog the street for parking and their drivers loiter for hours, often crowded into doorways [REDACTED], waiting the return of their clients. Cigarette butts and used coffee cups are reminders of their presence in the morning.

The roar of the supercars that prowl the street is the most disconcerting. [REDACTED] [REDACTED] has become unusable for sleep. Horns, with blasts sometimes lasting over a minute, by inconvenienced drivers stopped by those picking up or waiting for nightclub departees, keeps us from any type of slumber.

The pedicabs multiply with their noise with the very loud music to attract the drunken customers exiting nightclubs.

Crime and disorder

As the commercialization increases, so does the feeling of insecurity. Especially to those who feel vulnerable. There are often large groups of young men, and while mostly safe, often make unwarranted comments.

The commercialization attracts those who are less fortunate and seek to solicit handouts. While I cannot be sure, I have noticed these groups to be organized and working with each other. I have seen them all together [REDACTED] as if they are organizing before they disburse to their specific location [REDACTED]. At times, their aggressive behavior is frightening. I have seen fist fights between those fighting over begging 'turf'.

Conclusion

Berkely St is becoming more commercialized and with it a loss of neighborhood as safety and public nuisance issues are driving residents away from the area. Just spend any night after 10pm, especially in the summer, and you will understand.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p>Policy SCZ1 applies</p>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zones are:</p> <ul style="list-style-type: none"> • West End Buffer • Queensway/Bayswater • Edgware Road • East Covent Garden • Mayfair • Victoria
<p>Policy HRS1 applies</p>	<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 of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including

	<p>arrangements for people to be collected from the premises to travel 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>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> 1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005. 2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am 3. Hotels: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. <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>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone 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 CH1.2. The hours for licensable activities being within the council's Core Hours Policy HRS1.3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone 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 CH1.2. The hours for licensable activities are within the council's Core Hours Policy HRS1.3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none">1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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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	Applicant supporting documents
Appendix 2	Existing premises licence 23/03922/LIPN
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: jdonovan@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	Environmental Health Service representation	03 January 2024
6	Interested party representation (1)	12 January 2024
7	Interested party representation (2)	12 January 2024
8	Interested party representation (3)	10 January 2024

Applicant Supporting Documents

Appendix 1

There are no supporting documents from the applicant.



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

Schedule 12
Part A

WARD: West End
UPRN: 100023473522

Premises licence

Regulation 33, 34

Premises licence
number:

23/03922/LIPN

Original Reference:

23/03922/LIPN

Part 1 – Premises details

Postal address of premises:

Jeru
11 Berkeley Street
London
W1J 8DS

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Friday to Saturday: 23:00 to 01:00

Playing of Recorded Music

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 01:00

Seasonal Details: Hours on Sundays before bank holidays to be 22:30 to midnight

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 01:00

Seasonal Details: Sundays before bank holidays 23:00 to midnight

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 22:30

Seasonal Details: Sundays before bank holidays 12:00 to midnight

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30
Friday to Saturday: 07:00 to 01:00
Sunday: 07:00 to 22:30

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:**

11 Berkeley Street Ltd
11 Berkeley Street
London
W1J 8DS

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

12430535

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

Name: Mr Roy Ner

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: 23-330721-1
Licensing Authority: The Royal Borough Of Kensington And Chelsea

Date: 8 November 2023

This licence has been authorised by Mary Pring 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.

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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. Except for the ground floor holding bar hatched area (the bakery/patisserie) the premises shall operate as a restaurant:
 - i) In which customers are shown to their table
 - ii) Where the supply of alcohol is by waiter or waitress service only
 - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
 - iv) Which do not provide any takeaway service of food or drink for immediate consumption
 - v) Which do not provide any takeaway service of food or drink after 23:00
 - vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition, customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

11. Notwithstanding the above condition, alcohol may be sold to and consumed by up to a maximum of 25 persons in the holding bar areas hatched red on the plan, prior to and after their meal until 23:30 hours when the areas will become a holding area.
12. The supply of alcohol for consumption on the premises within the holding areas shall only be to persons seated.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. There shall be no sales of hot food or hot drink for consumption 'Off' the premises after 23:00 hours.
15. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only and shall not be consumed on the premises.
16. There shall be no supply of alcohol for consumption 'Off' the premises after 23:00 hours.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

19. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS hologram.
20. The smoking area for patrons shall be restricted to the private terrace shown on the plan. The capacity of the smoking area is limited to 10 persons.
21. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to the designated smoking area as defined on the plan.
22. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level shall not be permitted to take drinks or glass containers with them.
23. There shall be no smoking on the street immediately outside the premises.
24. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
25. There shall be no admittance or re-admittance to the premises after 23:30 hours.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
27. After 21:00 hours each day there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
28. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crime reported to the venue (b) all ejections of patrons (c) any complaints received regarding crime and disorder (d) any incidents of disorder (e) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service
29. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
30. External doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
31. Loudspeakers shall not be located in the entrance lobby or outside the premises building, including any external terraces.
32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
33. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

34. The approved arrangement 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
39. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
42. No collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
43. With the exception of fresh produce, deliveries to the premises shall only take place between the hours of 07:30 hours and 12:00 hours (midday) Monday to Saturday and between 09:00 hours and 12:00 hours Sundays and Bank Holidays.
44. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
45. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
46. The Premises Licence Holder shall facilitate a Dispersal Policy which shall include the following provisions: (a) staff and door supervisors to control a slow stream of customers and guests leaving the premises. (b) staff and door supervisors to encourage guests to leave the area quickly and quietly. (c) staff to provide guests with details on transport options and directions for onward travel. (d) notices will be prominently displayed at exits requesting guests to respect the needs of local residents and to leave the area quietly, in a considerate manner, directing them towards Piccadilly. (e) staff and security will remain on duty at the premises until 30 minutes after closing time to assist with the safe dispersal of guests. (f) guests will be encouraged to remain inside the premises if waiting for taxis, Ubers or chauffeur cars.
47. A copy of the Premises Dispersal Policy shall be made readily available at the premises for inspection by a Police Officer and/or an authorised officer of the Council.

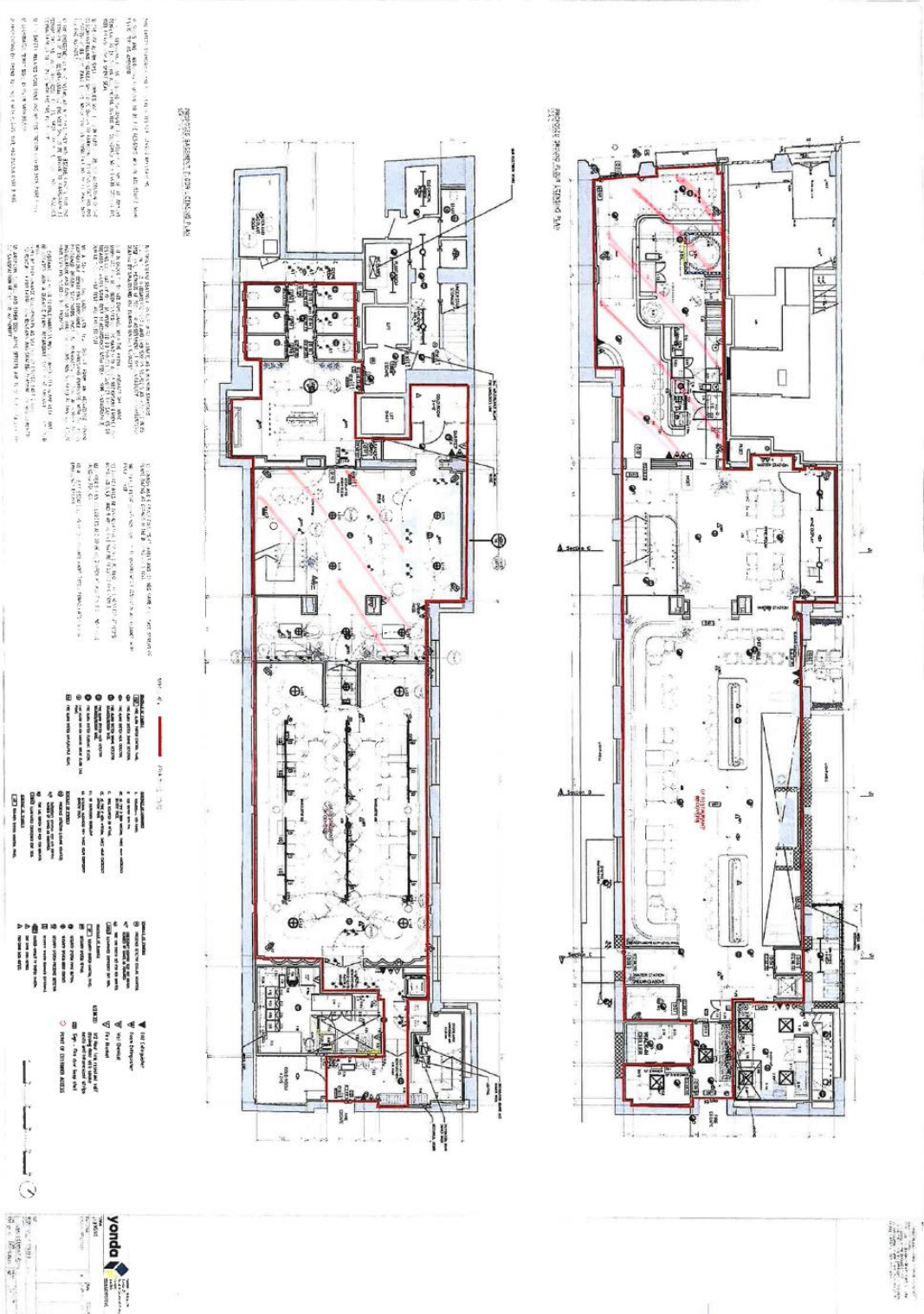
48. After 21:00 hours at least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business. At any time that the first floor is in use from 21:00 hours onwards, there shall be at least 1 additional SIA licensed door supervisor on duty at the premises.
49. Live music shall only be performed on the lower ground floor.
50. The number of persons permitted in the premises (excluding staff) on Monday-Thursday, Friday-Saturday until midnight and Sunday shall not exceed:

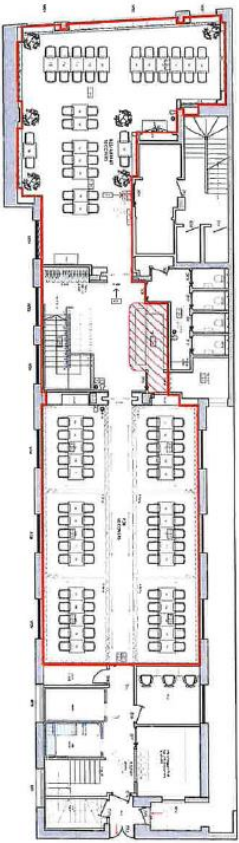
Ground Floor: 90 persons

Basement: 90 persons

First Floor: 150 persons
51. The number of persons permitted in the premises (excluding staff) on Friday-Saturday from midnight until 1am shall not exceed 180 persons.

Annex 4 – Plans





1 Proposed First Floor Licensing Plan
Scale: 1:100
Total First Floor Covers 100

KEY / FIRE DETECTION / PROTECTION

NOTES

1. All finishes are to conform to the required applicable country.
2. The Contractor must verify all fire specifications and report any discrepancies to the Architect before proceeding with any work.
3. All fire alarm and detection systems are to be installed in accordance with the applicable code of practice and approved by the relevant authority.
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KEY

DATE & ITEM

A 02/23/23 Revisions by Building

B 24/03/23 Standard for Construction

X Revision issued

H Information Only

L Local Authority Application

T Tender Issue

C Construction

A All Built Information

Job Details

Architect: ARIN
 11 Bouverie Street, London W1D 3DS
 Client: Proposed Licensing Plan
 Drawing Number: 02/23
 Date: 02/23/23

ARIN
 International
 07960929626

NOTES

This plan has not been surveyed.
 Do not scale from drawing.
 Contractor to check all site conditions.
 Fire safety symbols shown are indicative. Existing fire safety has not been surveyed.



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

Schedule 12
Part B

Premises licence
summary

WARD: West End
UPRN: 100023473522

Regulation 33, 34

Premises licence
number:

23/03922/LIPN

Part 1 – Premises details

Postal address of premises:

Jeru
11 Berkeley Street
London
W1J 8DS

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Friday to Saturday: 23:00 to 01:00

Playing of Recorded Music

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 01:00

Seasonal Details: Hours on Sundays before bank holidays to be 22:30 to midnight

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 01:00

Seasonal Details: Sundays before bank holidays 23:00 to midnight

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 22:30

Seasonal Details: Sundays before bank holidays 12:00 to midnight

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30
Friday to Saturday: 07:00 to 01:00
Sunday: 07:00 to 22:30

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:

11 Berkeley Street Ltd
11 Berkeley Street
London
W1j 8DS

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

12430535

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

Name: Mr Roy Ner

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

Restricted

Date: 8 November 2023

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

Premises licence 22/07913/LIPRW

Application	Details of Application	Date Determined	Decision
16/01829/LIPN	<p>New Premises Application</p> <p>Playing of Recorded Music Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 23:30 Sundays before Bank Holidays: 09:00 to 00:00</p> <p>Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Sundays before Bank Holidays: 23:00 to 00:00</p> <p>Sale by Retail of Alcohol Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30 Sundays before Bank Holidays: 10:00 to 00:00</p>	21.04.2016	Granted by Licensing Sub-Committee
21/06277/LIPT	Application to transfer premises licence from Berkeley Eats Ltd to 11 Berkeley Street Limited	22.07.2021	Granted Under Delegated Authority
21/11127/LIPVM	Minor variation: To vary the layout of the premises	26.10.2021	Granted Under Delegated Authority
21/11855/LIPDPS	Application to vary Designated Premises Supervisor	15.11.2021	Granted Under Delegated Authority
21/13083/LIPT	Application to transfer premises licence from 11	30.11.2021	Granted Under Delegated Authority

	Berkeley Street Limited to 88 Hudson Ltd		
22/01659/LIPVM	Minor variation: To Permit an opening hour of 07:00 Monday to Saturday for service of breakfast	08.03.2022	Granted Under Delegated Authority
22/07913/LIPRW	Removal of a works condition	19.08.2022	Granted Under Delegated Authority

Premises licence 23/04503/LIPDPS

Application	Details of Application	Date Determined	Decision
21/08226/LIPN	<p>New Premises Application</p> <p>Playing of recorded music Monday – Thursday 09:00 - 23:30 Friday - Saturday 09:00 to 01:00</p> <p>Late night refreshment Monday - Thursday 23:00 - 23:30 Friday - Saturday 23:00 to 01:00</p> <p>Sale by retail of alcohol Monday - Thursday 10:00 - 23:30 Friday – Saturday 10:00 to 01:00 Sunday 12:00 – 22:30</p>	03.02.2022	Granted Under Delegated Authority
22/07331/LIPVM	Permit opening hour of 07:00 Monday to Saturday for service of breakfast.	14.08.2022	Granted Under Delegated Authority
22/07347/LIPDPS	Application to vary Designated Premises Supervisor	16.08.2022	Granted Under Delegated Authority
23/00536/LIPT	Application to transfer premises licence from 88 Hudson Limited to 11 Berkeley Street Limited	20.02.2023	Granted Under Delegated Authority
23/02945/LIPDPS	Application to vary Designated Premises Supervisor	19.05.2023	Granted Under Delegated Authority

23/04503/LIPDPS	Application to vary Designated Premises Supervisor	01.06.2023	Granted Under Delegated Authority
23/04503/LIPDPS	Application to vary Designated Premises Supervisor	20.07.2023	Granted Under Delegated Authority <i>Licence surrendered November 2023</i>

Premises licence 23/03922/LIPN

Application	Details of Application	Date Determined	Decision
23/03922/LIPN	<p>New premises licence</p> <p>Live Music Friday-Saturday: 11pm-1am</p> <p>Recorded Music Monday-Thursday: 11pm-11:30pm Friday-Saturday: 11pm-1am Sundays before bank holidays: 10:30pm-midnight</p> <p>Late Night Refreshment Monday-Thursday: 11pm-11:30pm Friday-Saturday: 11pm-1am Sundays before bank holidays: 11pm-midnight.</p> <p>Sale by Retail of Alcohol Monday-Thursday: 10am-11:30pm Friday-Saturday: 10am-1am Sunday: Noon-10:30pm Sundays before bank holidays: Noon-midnight.</p>	07.09.2023	Granted by Licensing Sub-Committee

Application	Details of Application	Date Determined	Decision
23/00735/LITENP	Application to operate 11.2.23 01:00 to 02:30	08.02.2023	Event allowed to proceed
23/00736/LITENP	Application to operate 05.3.23 01:00 to 02:30	08.02.2023	Event allowed to proceed
23/00870/LITENP	Application to operate 18.2.23 01:00 to 02:30	15.02.2023	Event allowed to proceed
23/05153/LITENP	Application to operate 10.10.23 23:30 to 03:00	09.08.2023	Event allowed to proceed
23/08144/LITENP	Application to operate 22.11.23 23:30 to 03:00	16.11.2023	Event allowed to proceed
23/08435/LITENP	Application to operate 06.12.23 23:30 to 01:00	24.11.2023	Event allowed to proceed
23/08545/LITENP	Application to operate 07.12.23 23:30 to 01:00	29.11.2023	Event allowed to proceed
23/08663/LITENP	Application to operate 31.12.23 22:30 to 03:00	01.12.2023	Event allowed to proceed

There is no appeal history

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.

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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. Except for the ground floor holding bar hatched area (the bakery/patisserie) the premises shall operate as a restaurant:
 - i) In which customers are shown to their table
 - ii) Where the supply of alcohol is by waiter or waitress service only
 - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
 - iv) Which do not provide any takeaway service of food or drink for immediate consumption
 - v) Which do not provide any takeaway service of food or drink after 23:00
 - vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition, customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

11. Notwithstanding the above condition, alcohol may be sold to and consumed by up to a maximum of 25 persons in the holding bar areas hatched red on the plan, prior to and after their meal until 23:30 hours when the areas will become a holding area.
12. The supply of alcohol for consumption on the premises within the holding areas shall only be to persons seated.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. There shall be no sales of hot food or hot drink for consumption 'Off' the premises after 23:00 hours.
15. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only and shall not be consumed on the premises.
16. There shall be no supply of alcohol for consumption 'Off' the premises after 23:00 hours.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.

18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
19. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS hologram.
20. The smoking area for patrons shall be restricted to the private terrace shown on the plan. The capacity of the smoking area is limited to 10 persons.
21. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to the designated smoking area as defined on the plan.
22. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level shall not be permitted to take drinks or glass containers with them.
23. There shall be no smoking on the street immediately outside the premises.
24. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
25. There shall be no admittance or re-admittance to the premises after 23:30 hours.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
27. After 21:00 hours each day there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
28. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all crime reported to the venue (b) all ejections of patrons (c) any complaints received regarding crime and disorder (d) any incidents of disorder (e) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service
29. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
30. External doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
31. Loudspeakers shall not be located in the entrance lobby or outside the premises building, including any external terraces.
32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Service. No

additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

33. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
34. The approved arrangement 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
39. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
42. No collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
43. With the exception of fresh produce, deliveries to the premises shall only take place between the hours of 07:30 hours and 12:00 hours (midday) Monday to Saturday and between 09:00 hours and 12:00 hours Sundays and Bank Holidays.
44. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
45. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
46. The Premises Licence Holder shall facilitate a Dispersal Policy which shall include the following provisions: (a) staff and door supervisors to control a slow stream of customers and guests leaving the premises. (b) staff and door supervisors to encourage guests to leave the area quickly and quietly. (c) staff to provide guests with details on transport options and directions for onward travel. (d) notices will be prominently displayed at exits requesting guests to respect the needs of local residents and to leave the area quietly, in a considerate manner, directing them towards Piccadilly. (e) staff and security will remain on duty at the premises until 30 minutes after closing time to assist with the safe dispersal of guests. (f) guests will be encouraged to remain inside the premises if waiting for taxis, Ubers or chauffeur cars.

47. A copy of the Premises Dispersal Policy shall be made readily available at the premises for inspection by a Police Officer and/or an authorised officer of the Council.
48. After 21:00 hours at least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business. At any time that the first floor is in use from 21:00 hours onwards, there shall be at least 1 additional SIA licensed door supervisor on duty at the premises.
49. Live music shall only be performed on the lower ground floor.
50. The number of persons permitted in the premises (excluding staff) on Monday-Thursday, Friday-Saturday until midnight and Sunday shall not exceed:
Ground Floor: 90 persons
Basement: 90 persons
First Floor: 150 persons

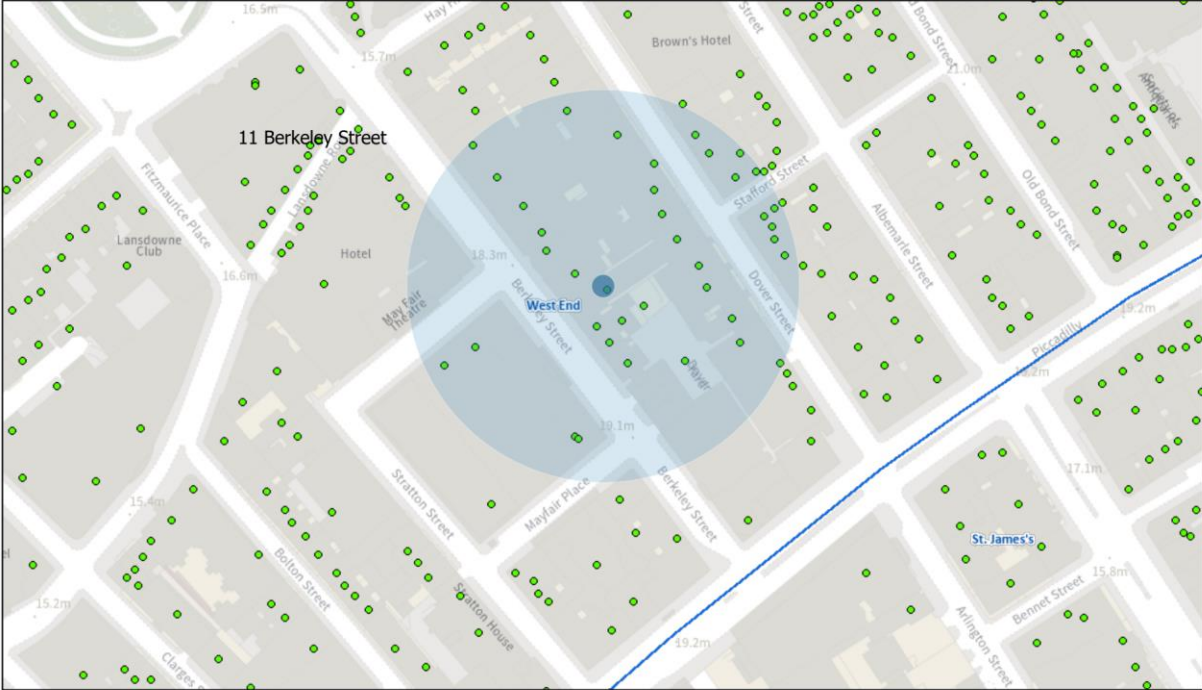
Condition 50 is proposed to be varied by the applicant as follows:

50. The number of persons permitted in the premises (excluding staff) on Monday-Wednesday, Thursday-Saturday until midnight and Sunday shall not exceed:
Ground Floor: 90 persons
Basement: 90 persons
First Floor: 150 persons
51. The number of persons permitted in the premises (excluding staff) on Friday-Saturday from midnight until 1am shall not exceed 180 persons.

Condition 51 is proposed to be varied by the applicant as follows:

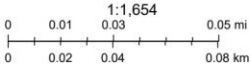
51. The number of persons permitted in the premises (excluding staff) on Thursday-Saturday from midnight until 1am shall not exceed 180 persons.

11 Berkeley Street, London, W1J 8DS



15/02/2024, 13:04:07

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count: 49

Licensed premises within 75 metres of 11 Berkeley Street, London, W1J 8DS

Licence Number	Trading Name	Address	Premises Type	Time Period
22/07913/LIPRW	Shadow Licence	11 Berkeley Street London W1J 8DS	Premises Licence - Shadow Licence	Sunday; 09:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 01:00 Sundays before Bank Holidays; 09:00 - 00:00
21/06202/LIPN	Not Recorded	Ground Floor 11 Berkeley Street London W1J 8DS	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
23/03922/LIPN	Jeru	11 Berkeley Street London W1J 8DS	Restaurant	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 01:00
23/06333/LIPVM	SHOT London	10A Berkeley Street London W1J 8DR	Cafe	Monday; 08:00 - 00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 00:00

23/05190/LIPVM	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Club or institution	Monday; 00:00 - 00:00 Tuesday; 00:00 - 00:00 Wednesday; 00:00 - 00:00 Thursday; 00:00 - 00:00 Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00
23/06618/LIPDPS	Il Borro	Ground Floor 15 Berkeley Street London W1J 8DY	Restaurant	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Sunday; 12:00 - 00:00
23/03277/LIPDPS	Luxe	15 - 16 Berkeley Street London W1J 8DY	Restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
16/00681/LIPV	Novikov	50A Berkeley Street London W1J 8HA	Office	Monday to Sunday; 07:00 - 02:00
23/01569/LIPDPS	Sainsburys Local	38 Stratton Street London W1J 8LT	Food store	Monday to Sunday; 07:30 - 05:00
23/00933/LIPDPS	Bagatelle	Basement And Ground Floor Dover House 34 Dover Street London W1S 4NG	Restaurant	Monday; 09:00 - 01:00 Tuesday; 09:00 - 01:00 Wednesday; 09:00 - 01:00 Thursday; 09:00 - 01:00

				Friday; 09:00 - 01:00 Saturday; 09:00 - 01:00 Sunday; 09:00 - 00:30
23/04834/LIPDPS	Park Chinois	Basement And Ground Floor 17 Berkeley Street London W1J 8EA	Restaurant	Sunday; 10:00 - 00:00 Monday to Saturday; 08:00 - 02:00