



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	29 February 2024
Licensing Ref No:	23/09083/LIPV – Premises Licence Variation
Title of Report:	Mr Foggs Apothecary Basement 34 Brook Street Mayfair London W1K 5DN
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:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	13 December 2023		
<b>Applicant:</b>	Brook Street Bar Limited		
<b>Premises:</b>	Mr Foggs Apothecary		
<b>Premises address:</b>	Basement 34 Brook Street Mayfair London W1K 5DN	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises operates as a themed bar / public house.		
<b>Variation description:</b>	This application proposes to vary the wording of conditions 37, 42 and 43 details of which can be seen in section 1D of the report.		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2022. The current premises licence (24/00115/LIPDPS) and licence history can be viewed at <b>Appendix 3</b> .		
<b>Applicant submissions:</b>	The applicant submissions can be seen at <b>Appendix 2</b> and include the following documents: Statement of Charlie Gilkes Premises Presentation Document Dispersal Policy Outdoor Management Policy TEN Schedule Risk Assessment Previous LSC Decision Letters of Support		
<b>Applicant amendments:</b>	None.		

1-B Current and proposed licensable activities, areas and hours						
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	07:00	01:30	No change		Basement as shown in plans appended to licence.	No change
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>	12:00	23:30				
<b>Sunday</b>						
<b>Seasonal Variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>
		From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.				No change

Indoor Sporting Event							
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday	07:00	01:30	No change		Basement as shown in plans appended to licence.	No change	
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Sunday	12:00	23:30					
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>	
		From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.				No change	

Performance of live music							
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday	07:00	01:30	No change		Basement as shown in plans appended to licence.	No change	
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Sunday	12:00	23:30					
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>	
		From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.				No change	

Playing of Recorded music							
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday	07:00	01:30	No change		Basement as shown in plans appended to licence.	No change	
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Sunday	12:00	23:30					
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>	
		From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.				No change	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:30	No change		Basement as shown in plans appended to licence.	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	23:00	23:00				
Seasonal variations/ Non-standard timings:			Current:			Proposed:
			From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.			No change

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:30	No change		Basement as shown in plans appended to licence.	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:			Current:			Proposed:
			From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.			No change

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	02:00	No change		Basement as shown in plans appended to licence.	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:			Current:			Proposed:
			From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.			No change

<b>1-C</b>	<b>Layout alteration</b>
N/A	

<b>1-D</b>	<b>Conditions being varied, added or removed.</b>
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<b>Condition</b>	<b>Proposed variation</b>						
<p><b>37.</b> There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).</p>	<p><b>Condition 37.</b> There shall be no admittance or re-admittance to the premises after 01.00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).</p>						
<p><b>42.</b> SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.</p>	<p><b>Condition 42.</b> SIA licensed door supervisor(s), (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 (when required) at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.</p>						
<p><b>43.</b> Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers</p>	<p><b>Condition 43.</b> Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes on Fridays and Saturdays after the premises close, to supervise and prevent potential nuisance from customers.</p>						
<table border="1"> <thead> <tr> <th><b>Adult entertainment:</b></th> <th><b>Current position:</b></th> <th><b>Proposed position:</b></th> </tr> </thead> <tbody> <tr> <td></td> <td>None</td> <td>None.</td> </tr> </tbody> </table>		<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>		None	None.
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>					
	None	None.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	28 December 2023
<p>Mr Foggs Apothecary, Basement, 34 Brook Street, Mayfair, London, W1K 5DN</p> <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 amendments.</p> <p>1. To amend C37 which reads There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call)</p> <p>To</p> <p>There shall be no admittance or re-admittance to the premises after 01.00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).</p> <p>2. To amend C42 which reads SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.</p> <p>To</p> <p>SIA licensed door supervisor(s), (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 (when required) at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request</p> <p>3. To amend C43 which reads Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers</p> <p>To</p> <p>Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes on Fridays and Saturdays after the premises close, To supervise and prevent potential nuisance from customers</p>	

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the 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 when most premises in the vicinity limited by the council's core hours are closed.

A last entry time of 01:00 hours for a premises whose terminal hour is 01:30 hours serves no purpose to uphold the licencing objectives.

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			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	10 Jan 2024		
<p>My concerns are that this will increase the unsocial behaviour as it will only attract those who are already intoxicated and looking to go for more drinks only.</p> <p>There is also the matter of the security there. They agreed to having two security guards to patrol and control their clients behaviour. This is no longer in place.</p> <p>There is slot he added burden of those leaving their premises and getting Taxi's.</p> <p>This adds to the unsocial behaviour.</p> <p>This in turn will also attract the Pedalo bikes as they hang around places which they know close late to get customers. These bikes also have music blaring out.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	10 Jan 2024		
<p>I wish to object to this variation application for Mr. Fogg's Apothecary's licence asking to replace condition 37 in order to extend the permitted admittance and re-admittance hours from midnight to 01:00.</p>			

This is the 3rd time we have addressed this same issue. Whatever Mr. Fogg's current stated working practices are, the premises holds 270 people in total. This is not a small number in an area with a number of long-time residents and a growing number of flats.

The corner that Mr. Fogg's occupies is in a very tight space with bedrooms to the right of the entry point up South Molton Lane (and an additional 31 being built), bedrooms to the left of the entry point down Avery Row and bedrooms just across from the entry point along Brook Street. Brook Street itself is now a two-way street with narrow lanes and very little parking, soon to be reduced by the South Molton Triangle project, which jams up regularly when anyone parks at the kerbside and which in turn will force more people and vehicles under residents' homes.

In addition, the entry/exit routes for the nearest tube/bus for this premises are via South Molton Lane or South Molton Street. The Lane is about to be blocked off and South Molton Street is a pedestrian precinct which currently has 26 flats to become 59 by next year. Most of the new flats will back onto South Molton Lane as well.

Nearly all of the flats closest to the bar are occupied by long-time residents. With the best will in the world, having vehicles, parked or waiting, and people, walking or congregating, on these streets in the middle of the night causes disturbance. The later the licence, the worse it gets. Whichever way people exit, they and/or their vehicles will be under bedroom windows in narrow streets where sounds are amplified during the night when ambient noise levels drop.

The later the hour that additional people can enter these premises, the more opportunity for people to move on from premises that close earlier to continue drinking in Mr. Fogg's which is likely to increase late night disturbance. This application is rather ironic as, in their original application for a 2am closing hour, Mr. Fogg's used the argument that it would allow customers to remain in the same venue to finish their night as opposed to moving on to other nearby premises, but they consider that it would now be all right for people to come along from other nearby premises to continue their night in Fogg's.

Further, I thought that the decision to add the additional SIA requirements in the original application was what enabled the Committee to grant the very late hours which they did for these premises, so I'm afraid that I do not understand why these safeguards should now be removed.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	9 Jan 2024		

On behalf of RSMSJ I would like to object to the changes sought on grounds of prevention of public nuisance. There are three changes sought all of which weaken the conditions imposed when the licence was granted for hours beyond core hours a year or so ago. Condition 42 is weakened by the addition of "when required" and condition 43 by only being applicable on Friday and Saturday nights. Neither of these variations is desirable from the public nuisance perspective but the seeking of a later hour for last admissions is even more undesirable.

One of the arguments used by the applicant to justify the originally granted extended hours was that their customers thereby would not go walking the streets looking for somewhere to continue drinking. If that argument was valid then it is a bit disappointing that they now wish to operate in such a way that customers from other premises will walk the streets to come to these premises attracted by the later admission time.



### 3. Policy & Guidance

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

#### Hours Policy HRS1 applies

- A.** Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B.** Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
  - 1.** The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
  - 2.** If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
  - 3.** Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
  - 4.** The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
  - 5.** The proposed hours when any music, including incidental music, will be played.
  - 6.** The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
  - 7.** The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
  - 8.** Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
  - 9.** The capacity of the premises.
  - 10.** The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
  - 11.** The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
  - 12.** Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
  - 13.** The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
  - 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

	<p>applications.</p> <p><b>C.</b> 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> <p><b>6. Pubs and bars, Fast Food and Music and Dance venues</b>  Monday to Thursday: 10am to 11.30pm.  Friday and Saturday: 10am to Midnight.  Sunday: Middy to 10.30pm.  Sundays immediately prior to a bank holiday: Middy to Midnight.</p> <p><b>D.</b> 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><b>E.</b> For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment, then the starting time for that licensable activity will be 11pm.</p>
<p><b>Public Houses and Bars Policy PB1 applies:</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol>

#### 4. Equality Implications

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

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

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

## 5. Appendices

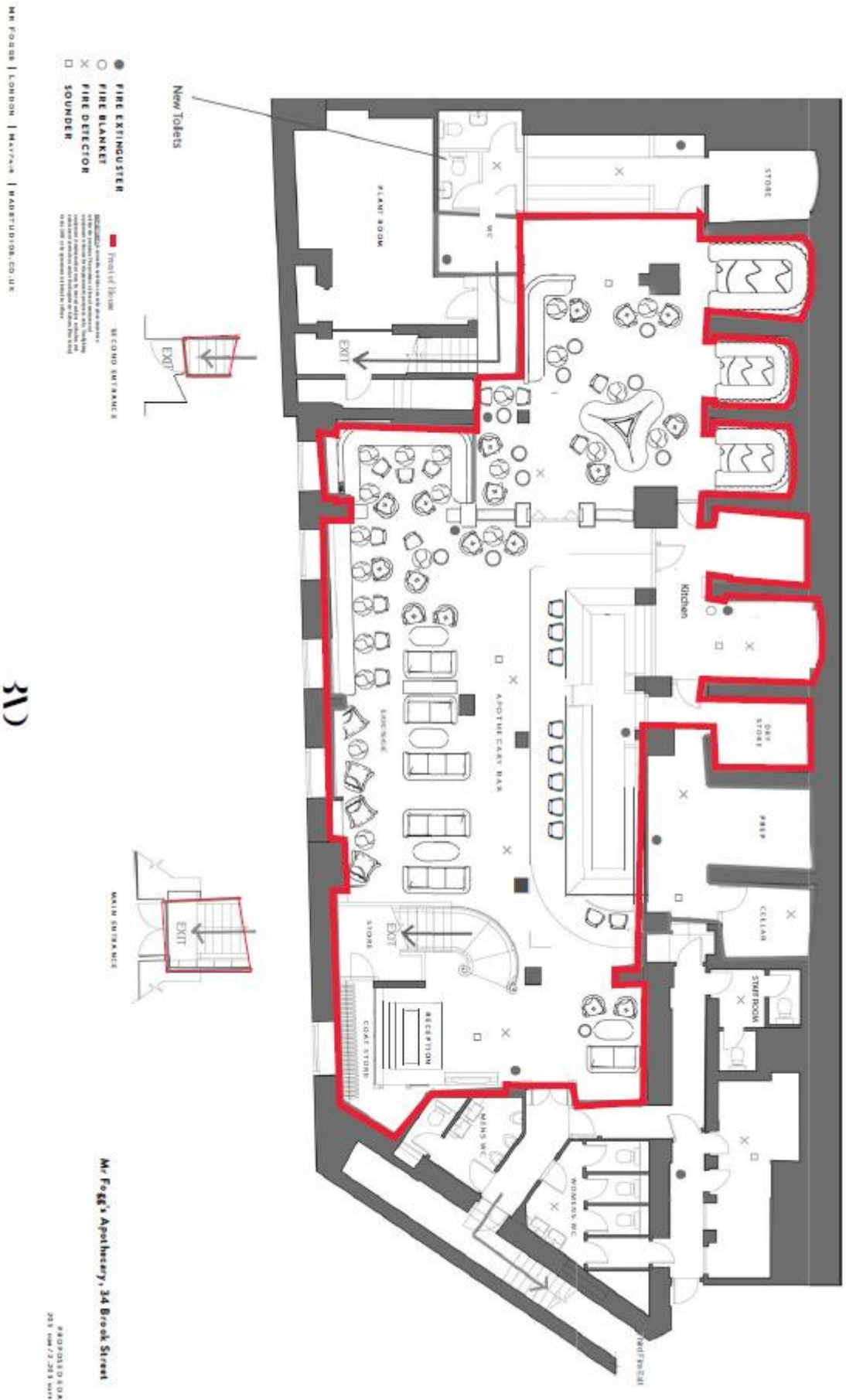
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Roxsana Haq
<b>Contact:</b>	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	07 January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2023
<b>4</b>	Cumulative Impact Assessment	04 December 2023
<b>5</b>	Environmental Health Representation	28 December 2023
<b>6</b>	Interested Party 1	10 January 2024
<b>7</b>	Interested Party 2	10 January 2024
<b>8</b>	Interested Party 3	09 January 2024



**Mr Fogg's Apothecary**

**Application for a Variation of a Premises Licence**

**(RE: SIA Security subject to Risk Assessment,  
and Last entry time. No increase in hours or  
Licensable Activities)**

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**APPLICANT'S SUPPORTING BUNDLE**

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## **Mr Fogg's Apothecary**

### **Application for a Variation of a Premises Licence**

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## **INTRODUCTORY STATEMENT OF MR CHARLIE GILKES**

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### **INTRODUCTION**

I am Charlie Gilkes, Co-Founder of Inception Group. My business partner (Duncan Stirling) and I started this business 15 years ago on a self-funded budget of £20,000; opening London's first "speakeasy" themed premises. We have now grown the business to 15 sites, employing over 500 staff. We nearly lost it all during Covid and have been navigating the very difficult trading conditions that persisted since the lockdown, with unprecedented inflation and a cost-of-living crisis that affects our customers, staff and us alike. The working from home trend has meant many Mondays and Fridays are especially quiet, and the sector has been impacted further by train strikes.

### **GROUP OPERATIONS IN WESTMINSTER**

We currently operate the following Premises in Westminster:

- Mr Fogg's Apothecary  
Basement, 34 Brook St, London W1K 5DH
- Mr Fogg's Residence  
15 Bruton Ln, London W1J 6JD
- Mr Fogg's Secret Garden  
15a Bruton Ln, London W1J 6JD
- Mr Fogg's House of Botanicals  
48 Newman St, London W1T 1QQ
- Mr Fogg's Hat Tavern & Gin Club

22a Great Chapel St, London W1F 8FR

- Mr Foggs's Tavern & Gin Parlour  
58 St Martin's Ln, London WC2N 4EA
- Mr Fogg's Society of Exploration  
1A Bedford St, London WC2E 9HH
- Cahoots Ticket Hall & Signal Station  
13 Kingly Ct, Carnaby, London W1B 5PW
- Cahoots Underground  
Basement, 13 Kingly Ct, Carnaby, London W1B 5PW
- Bunga Bunga  
167 Drury Ln, London WC2B 5PG

I am both pleased and proud to say that all of the above operate trouble free!

### **AWARDS AND OUTREACH**

We have won the HOLBA Best Bar None Award.

We were recently Overall Winner (out of just short of 1000 licensees) of the City of London's Safety Thirst scheme.

We support the Westminster Night Stars initiative, and the Women's Night Safety Charter.

We also work with a number of charities:

- Streetsmart - raised +£17k,
- Turkey Red Cross Appeal - raised £10k,
- Pride Charities - raised £6k,
- War Child (Solovey Vodka initiative to aid children in Ukraine) – Ongoing through sales of a specialist cocktail,

### **THE PREMISES**

When we came to this premises, it had fallen on less successful times. In spite of the significant downturn in the UK economy, we invested £1m with the intention of making it a true jewel of Mayfair. In doing so, we created 30 jobs, with most of our workforce living

locally. This was in line with our support of the Westminster City Council job recruitment scheme, and all of our staff benefit from our commitment to pay London living wage as a minimum.

## **HOW WE OPERATE**

### Safety

We work closely with Stakeholder Groups (UK Hospitality, British Institute of Innkeeping (BII), BIDs- HOLBA, NEW WEST END COMPANY, FITZROVIA, SOHO BUSINESS ALLIANCE, Safer Business Network.) and have assisted in the steering group to set up the West Fitzrovia BID.

Our venue managers regularly attend local Pub Watches, quarterly MET Police Briefings and local Ward Panels to discuss policing challenges, crime activities and obtain updated training. Through our work with local initiatives, we are able to circulate individuals of concern, or general security concerns through an app provided by Safer Business Network. We also participate in Weekly Operational calls hosted by the BIDs which have key stakeholders such as; Metropolitan Police, Westminster City Council, Safer Business Network in attendance.

Our Front of House team members attend Welfare And Vulnerability Engagement (**WAVE**) **training** which includes the ‘**Ask for Angela**’ safety initiative, aimed to give staff in the hospitality sector the skills to help identify vulnerable people and make appropriate interventions. We also work with our local CTPO (Counter Terrorism Protect Officer) who delivers ACT (Actions Counter Terrorism) and SCAN ( See, Check and Notify) training to our team aimed at raising awareness and capability to mitigate the terrorist threat.

Our Group Compliance Manager is a member of the Institute of Licensing and also attends the National Pub Watch Conference, that aims to make the night-time economy a safer place for all to enjoy. We are also a signatory of the Mayor’s Women’s Night Safety Charter.

We’ve recently been selected to participate in the Westminster After Dark Stakeholder Assembly. The Assembly provided a space where residents, businesses, and stakeholders came together to share their perspectives, ideas, and concerns. This was designed to help shape the nighttime strategy, create policy to support and advance the West End from 6pm to 6am, and to ensure Westminster is an inclusive, safe and dynamic city.



## **PROMOTION OF THE LICENSING OBJECTIVES**

### **Prevention of Crime & Disorder:**

#### **Staff training:**

- Our company Induction is conducted upon commencement of employment for all new team members and includes Licensing Law, Alcohol Awareness / Sensible drinking, Violence in the Workplace (to recognise aggressive or suspicious behaviour) & Company Drugs Policy,
- A record is kept of all training on a dedicated online training portal,
- Our DPS is the designated person in charge of company policy, creating a direct link between policy and practice.

#### **Incident & Accidents:**

- All accidents and incidents are recorded in the Alert65 platform,
- A full Incident Report or Accident Report would be completed by the Manager on Duty,
- All Management are given full training on Accident Reporting,
- Employees must report ALL incidents. Where necessary, these will be followed by an investigation to determine the cause so as to remedy any faults and prevent reoccurrence,
- We provide free use of phone & support for both victim & witnesses,
- We have a Complaints procedure in place.

#### **Crime Prevention:**

- CCTV equipment is in operation covering the main areas within the building including Entry / Exit routes / Fire Escapes. The monitor & recorder is stored in a secure area & out of sight from the public,
- We have restricted access to the system by staff & only Management are allowed to access the system. A daily check is made of the system & a maintenance record for the system is kept online,

- We engage in regular dialogue with local businesses and local community updates ie, Skyline, Safer Westend Partnership. This enables us to be aware of any concerns there may be in the local area.

### **Public Safety:**

- Company Induction is conducted by the site manager to team members upon commencement of employment- covering essential Health & Safety (Food Hygiene, Violence in the Workplace, Fire, First Aid, Manual Handling, Risk Assessments and Company Drug Policy.) We also cover Disciplinary & Grievance Procedures,
- Staff instructed in promoting sensible drinking & Alcohol awareness at the Induction,
- All staff trained in the use of equipment accordingly & training records are kept online,
- Our Health & Safety Officer conducts safety inspections of all areas in accordance with a timetable agreed by Management. Remedial actions as a result of the inspections to correct potentially harmful situations will be carried out when it is reasonably practicable to do so.

### **The Prevention of Public Nuisance**

- Minimise and control noise from customers arriving, outside the premises and departing from it,
- Verbal advice to patrons to encourage them to limit noise as they wait outside and as they leave the premises.
- When it comes to Dispersal – we have a staggered approach, with customers being directed to their homes or nearest public transport away from the Cumulative Impact Zone. The majority of our clients are based locally and walk home, or walk up to Bond Street Tube Station to make their way home.

### **Protecting Children From Harm**

- Induction training incorporates the serving & supervision of person under 18
- Children are not permitted in the bar area,
- Age verification policy implemented in each venue.

## **WHY THIS APPLICATION:**

### **Security**

Our Premises Licence currently states the following:

*“42. SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.”*

*“43. Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers.”*

As you can see in the Decision Notice from our initial application hearing, I have always supported the use of SIA Door Staff at this premises:

*“...Furthermore, although they have not requested a condition requiring door staff at the premises, they would be happy to commit to having door staff at the premises between the hours of 18:00 until close on Thursday Fridays and Saturdays.”*

As required by Condition 42, we have produced a detailed risk assessment as can be seen in the attached bundle. As you will see, our Risk Assessment, based on our customer profile and seasonal variation of attendance numbers, at times identifies a risk-based requirement for and SIA presence, but also at other times, no such requirement.

Our struggle with the conditions falls squarely on Condition 43, as this appears to require us to have a minimum of 2 SIA Door Staff on from 23:00 (this is in effect far earlier as we cannot hire SIA Door Supervisors for less than 5 hours at a time), 7 days a week. This has placed a significant financial burden on the business in some of the hardest times our economy has faced in living memory. Given our commitment to provide security on Thursday, Friday and Saturday, and to assess security provision generally, I and the Fogg’s team would be most grateful if the Committee would please reconsider this requirement.

## **Last Entry Time**

When we were applying for this Licence, we had no trading history at the Premises. In order to address the concerns that local residents had, regarding noise from customers arriving at Fogg's Apothecary in the later hours, I was happy to agree with the EHO, to a "last entry" time of midnight 7 days a week.

Now that we have been trading for over a year and a half, we have been able to identify our customers' patterns of arrival and departure. As I note above, the vast majority of our customers either live locally (and so walk home) or travel by public transport and walk the rest of the way from Bond Street Tube Station. Further, they don't need to queue on the street, given our sizable reception area. As a result, the impact of customers arriving at the Premises is limited.

What we have also noted, is that post-midnight we end up turning away 20 to 30 potential customers, some of whom already have friends inside. They don't understand why we are appearing open online yet can't be admitted which causes confusion and a more protracted conversation on the street. That may not sound like a lot of people, but in these times, we would love to be able to make any potential customer into a friend (and hopefully a repeat customer), rather than have them go elsewhere (most often into Soho and the West End) and have their needs met by another venue.

Charlie Gilkes

20 February 2024

# Mr Fogg's Apothecary



Mr Fogg's Apothecary  
34 Brook Street

Presentation to Westminster City Council Licensing  
Sub-Committee

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## The Apothecary Theme

Mr Fogg's Apothecary is the Inception Group's sixth London venue within the award-winning "Mr Fogg's Collection". Each venue seeks to re-create the atmosphere of an abode or place of relaxation where Phileas Fogg Esq would have felt at home (were he not a figment of Jules Verne's imagination). The theme is plush, languid Victoriana. This inspires everything, from the doorman's greeting to guests to the staff and security officers' classical design uniforms, from its decor to the ingredients selected for our compounded libations.

The word 'apothecary' is derived from 'apotheca', meaning a place where wine, spices and herbs were stored. During the thirteenth century it came into use in this country to describe a person who kept a stock of these commodities, which he sold from his shop or street stall.

Apothecary is a mostly archaic term for a medical professional; who formulates and dispenses medicine to physicians, surgeons and patients. The modern chemist has taken over this role.

Victorian druggists ran their profitable businesses from a street shopfront, and like seventeenth-century apothecaries, were involved in the on-site manufacture of their own medicines. They also took on an advisory role for those members of the lower and middle classes who could not afford the expensive care of a physician, but who were literate in the kinds of drugs needed to treat minor ailments. The druggists were entrepreneurial as well as medical, businessmen as well as trained practitioners. They successfully saw and filled a gap in the market left by the transition of the surgeon-apothecary to general practitioner; namely, an opportunity to sell drugs cheaply and undercut the prices charged by this new rank-and-file physician. Broadly, they functioned as a medical "first-port-of-call" for many different social classes.

Mr Fogg's Apothecary showcases the vast array of potions and elixirs that Mr Phileas James Fogg collected whilst on his epic 80 day voyage around the world. Made from plants, powders, saps and antivenoms from all ends of the earth, these are tonics and remedies Fogg swears by for every ailment imaginable and he couldn't be more excited to share these with trusted friends and explorers.

## This Application

This application is made to:

- Replace the current requirement to have a minimum of 2 SIA Door Supervisors deployed at Mr Fogg's Apothecary 7 days a week from 23:00 hours until 30 minutes after close, with a requirement to deploy SIA Door Supervisors in line with our Risk Assessment, and
- Extend the "Last Entry" time from Midnight, to 1:30 daily.

In order to ensure the Promotion of the Licensing Objectives, we have developed a risk-assessed method of patron control, that has been successfully tested under Temporary Event Notice trading days.



## Biography of Charlie Gilkes and Duncan Stirling



Charlie Gilkes and Duncan Stirling founded Inception Group in 2009 opening London's first speakeasy bar.

Since then they have led a highly regarded and innovative self-funded business with 15 London based sites employing 500 staff. They have been widely profiled in the trade and consumer press and recognised with multiple awards winning 'Best Hospitality Operator' at the London Lifestyle Awards for 3 years in a row, the Sunday Times Fasttrack Award for one of the country's Top 100 fastest growing businesses and a hallowed 'Catey' Award for the most innovative marketing campaign of 2019.

During their 15 years in operation, none of their licences have been reviewed and they have been commended in Kensington and Chelsea Council's 'Best Bar None' Awards for best licensees and came first in the City of London Council's 2019 'Safety Thirst Awards'.

As well as running their business, Charlie has sat on the Philanthropy Board for the Royal Albert Hall for the past 8 years, helping to fundraise for this iconic building and he also supports Maggie's Cancer Care Centres. He has also raised well over £1.5m for charity through organising the biennial Boodles Boxing Ball for a range of charities. Duncan is heavily involved with the charity Dyslexia Action organising events, talks and other fundraising events.

Images of Mr Fogg's Apothecary









Pictures of Mr Fogg's Properties Before Mr Fogg's Has Taken Residency









Examples of Mr Fogg's Other Premises

MR FOGG'S TAVERN IN COVENT GARDEN





MR FOGG'S RESIDENCE IN MAYFAIR:



# Mr Fogg's Staff





# Events/Talks

Mr Fogg's runs a series of workshops and talks. They have been running for a number of years and seen the likes of Sir Ranulph Fiennes, Bear Grylls, The Tempest Two, Bill Colegrave, Robert Swan OBE, Simon Reeve, The Turner Twins and many more give talks.



# Sample Menus



presents

A WORLDLY LIST OF  
**MEDICINAL  
LIBATIONS**

---

#### FOREWORD

*These libations are served exclusively at Mr Fogg's Apothecary.  
The most sublime and exotic ingredients from around the world are compounded with  
homemade tinctures, infusions and cordials for your pleasure and delight!*

*Neither Phileas J. Fogg, Esq. nor his esteemed associates hold  
any formal education or certification regarding the prescription  
of medicine or administration of medical advice.*

*Any advice enclosed should be treated with healthy scepticism!*

# P.J.FOGG & CO

---

GLOBAL MEDICINES



*Sort-after & highly celebrated*  
**COUGH CURE & LUNG BALSAM**  
*from the RAINFOREST ROOTS of the*  
**SOUTH AMERICA TROPICS**

---

**EXTRACTS FOR EXPLORERS**  
*SELECTED FROM THE*  
**SIBERIAN TUNDRA**  
*Inoculation for any vacation!*

---

**BOUNCE BACK WITH MAGIC SAP!**  
*A naturally rubbery liquid of the*  
**CONGOLESE ZAIRE BASIN**  
**STRENGTHEN'S WEAK BACKS**

---

**LONDON'S WIDEST SELECTION OF**  
**WORLDLY CURE-ALLS**

# APOTHECARY

---

*for your* PARTICULARS



**HIGHLY MAGNETISED**  
**INSTANTANEOUS PAIN DEPLETION**  
*previously unique to the*  
**NORTH & SOUTH POLAR REGIONS**

---

**THE LATEST IN MEDICAL SCIENCE**  
**STOMACH SOOTHING**  
*Dingo Do Do sourced in*  
**NEW SOUTH WALES**

---

**THE DEPENDABLE DRUGGIST'S**  
**TRAVELLER'S BALM**  
*for all atmospheric ailments - found in the*  
**HEIGHTS OF THE HIMALAYAS**

---

**PLUS OTHER NEWLY IMPORTED**  
**FANTASTICAL FOREIGN FIXES**



# Sample Menus



THE TAVERN KITCHEN IS OPEN  
EVERY DAY UNTIL 9.31PM

## TOP TUCK SMALL BITES

### BLUE CHEESE & BEER CROQUETTES

Blue cheese, mozzarella and light blonde beer, coated in a rustic oat-flecked crumb, served with paprika mayonnaise £8.5

**V** 829kcal

### ASPARAGUS TEMPURA

Served with vegan herb mayonnaise £8

**V** 424kcal

### CRISPY FRIED SQUID

Served with sweet chilli sauce and mayonnaise £9

439kcal

### KING PRAWN TEMPURA

Served with spicy mayonnaise £9.5

454kcal

### PIGS IN BLANKETS

Served with honey & mustard sauce £8.5

415kcal

### BUFFALO CHICKEN WINGS

Served with hot sauce or barbecue sauce £9

746kcal

### CHUNKY CHIPS & DIPS

Served with mayonnaise and tomato sauce £6.5

**V** 537kcal

### LOADED CHIPS

Chunky chips with cheddar cheese and crispy bacon, served with sour cream sauce and barbecue sauce £9

6,015kcal

gies and intolerances you might have.  
n each dish is available upon request.

## GROUND ROUNDS TAVERN BURGERS

### CLASSIC BACON CHEESEBURGER

Beef burger with cheddar cheese, crispy bacon, lettuce and tomato, served with chunky chips £16

1,911kcal

### CHICKEN, CHEESE & BACON BURGER

Deep fried or grilled chicken breast with cheddar cheese, crispy bacon, lettuce and tomato, served with chunky chips £16

1,629kcal

### MOVING MOUNTAINS VEGAN BURGER

Award-winning plant-based Moving Mountains burger, lettuce and tomato, served with chunky chips £16

**V** 1,387kcal

Add vegan cheese +£2 20kcal

## PLANKS ALOT SHARING BOARDS

### MEZE BOARD

Grilled mixed vegetables, olives, artichoke hearts, houmous and feta-stuffed peppers, served with toasted flatbreads £22

**V** 1,204kcal

### CHEESE BOARD

Camembert, Danish blue, smoked cheddar and Gruyere, served with biscuits, red onion chutney and grapes £22

**V** 2,930kcal

### CHARCUTERIE BOARD

Prosciutto di Parma, chorizo, Milano salami and honey roast ham, served with cornichons, feta-stuffed peppers and toasted flatbreads £22

1,144kcal

## PITSTOP PICNIC £42

PICK ONE SHARING BOARD AND  
TWO SIGNATURE COCKTAILS TO ENJOY TOGETHER

## NIBBLES

MIXED OLIVES £5 187kcal  
ROSEMARY MIXED NUTS £5 48kcal  
SMOKED ALMONDS £5 430kcal  
CHILLI CORN £5 298kcal  
WASABI PEAS £5 358kcal

All **V**

## BIT OF PUDD

### SLICE OF CAKE £7.5

Served with a scoop of vanilla ice cream.  
Ask your waiter for today's selection.

**V** 611 options available

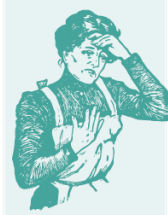
All items include VAT. All items are subject to availability. A discretionary 10% service charge will be added to your bill. Adults need around 2,000 kcal a day. Any kcal value stated refers to the total kcal amount in the whole portion.

MEDICINAL LIBATIONS



MELANCHOLY

It is the curious nature of the world encountered that even those of the most well-fortified of resolve may yet find themselves in periods of dour mood and emotional malady. There is nothing so rejuvenating to the affliction of ill humour than a well-administered slug of rejuvenating tonic in fine settings and good company. Imbibe of fine spirit, and be imbued with good cheer.



**QUACK'S COMPOUND** £16  
 REJUVENATING / REFRESHING / FLORAL  
 LEMON VERBENA: a reliable rejuvenator for those troubled by overbearing mental strain  
*Bombay Bramble gin, Essentiae lemon verbena liqueur, fresh lime juice, bergamot syrup and cardamom bitters, topped up with Franklin & Sons rose lemonade*

**SALVE TO SOOTHE** £17  
 INVIGORATING / SMOOTH / HERBAL  
 DANDELION & BURDOCK: an invigorating tonic against craftsman's ailments, particularly those causing regrettable afflictions of the skin  
*Volcán de Mi Tierra Añejo Cristalino tequila, Ardley 10yr Scotch whisky, Hendrick's absinthe, Galliano L'Autentico herbal liqueur, chilli-infused agave syrup and dandelion & burdock bitters*

**HERBALIST ON BROOK STREET** £15  
 CURATIVE / AROMATIC / SOUR  
 BASIL: a herb imbued with natural oils that are guaranteed to ease the inflammations of the body inflamed by the miasmas of industrial London  
*Secret Garden Apothecary Rose gin, Lillet Blanc wine-based aperitif, basil remedy shrub, fresh lime juice, rose water and egg white*

**CHOKE AND SMOKE** £15.5  
 STIMULATING / VELVETY / COMPLEX  
 ARTICHOKE: a vigorous cure-all that enlivens the spirit and encourages fortitude of bone, body and constitution  
*Woodford Reserve Bourbon whiskey, Cynar artichoke liqueur, chocolate brownie-infused Martini Riserva Speciale Rubino vermouth, Mancino Chinato vermouth and Angostura bitters, topped with a coffee mist*

**COUNT YOUR BLESSINGS** £15  
 CALMING / DELICATE / SWEET  
 CHAMOMILE: a daily curative for those encumbered by the spectre of the black dog  
*Bacardi Carta Blanca rum, Martini Riserva Speciale Ambrato vermouth, Chartreuse Yellow herbal liqueur, fresh lemon juice, chamomile tea syrup, egg white and Angostura bitters*

Please make staff aware of any allergies and intolerances you might have. A full list of all allergens contained in each cocktail is available upon request.

SIGNATURE COCKTAILS



INDIGESTION

An excitable attitude to consumptive habits is the keystone of a character engorged by fine disposition, moral aptitude and keen judgement of life's blessings. Any affliction to the industries of ingestion are best remedied keenly with concoctions of medicinal flora.



**DRAM STOKER** £16  
 DIGESTIVE / POWERFUL / INDULGENT  
 ROSEMARY: an encourager a sanguine disposition through the revitalisation of marrow and spleen  
*Dewar's 12yr Scotch whisky, Lucano Anniversario amaro, clementine purée, maple syrup, orange & mandarin bitters and fresh rosemary*

**FRENCHMAN'S CONSTITUTION** £35  
 REMEDIAL / SMOOTH / EARTHY  
 ROOT BITTERS: a calmer of all matters relating to an enlivened digestive tract, whether incurred through richness of palate or discomfort in opposition  
*Hennessy X.O. cognac, Woodford Reserve Rye whiskey, Carpano Antica Formula vermouth, Grand Marnier orange liqueur and Mr Fogg's Apothecary bitters*

**BITTER SPILL** £17.5  
 RESTORATIVE / REFRESHING / AROMATIC  
 GENTIAN: an acetic tincture best imbued to encourage voracious appetites in those shy of hearty consumption  
*Eucalyptus leaf-infused The Botanist gin, Suze gentian liqueur, Nardini Acqua di Cedro lemon liqueur and white Penja pepper cordial, topped up with Moët & Chandon Impérial Blanc N.V. Champagne*

**FIELDS OF PONTEFRAC** £15  
 RELIEVING / VIBRANT / HERBAL  
 LIQUORICE: an invigorating dropwater administered since time immemorial for the betterment of digestive ailments  
*Mount Gay Black Barrel Double Cask Blend rum, Jägermeister Manifest liqueur, GIMBER ginger concentrate, fresh lime juice, Mr Fogg's Apothecary molasses and liquorice bitters, topped up with Franklin & Sons brewed ginger beer*

**NO DELICACY SUCH AS CELERY** £15.5  
 DETOXIFYING / REFRESHING / DELICATE  
 CELERY: a fine source of digestive roughage that ensures clockwork timeliness and an efficient delivery  
*Tallamore D.E.W. XO Caribbean Rum Cask Finish whiskey and Roots cinnamon liqueur, topped up with homemade celery & green apple soda*

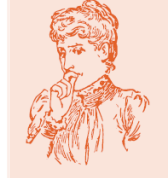
All items include VAT. All items are subject to availability. A discretionary 10% service charge will be added to your bill.

MEDICINAL LIBATIONS



DEHYDRATION

There are few states more irritable to the human condition than that of unsatisfactory lubrication. A paucity of liquid throughout the truncus and membra is an inevitable precursor to fogging of the brain, slipperiness of memory and diminishment in propriety. A balancing potation is highly recommended in all cases of affliction, and benefits from a cumulative effect when administered in quick succession.



**EYES WIDE OPEN** £16  
 REGENERATIVE / LIGHT / BITTERSWEET  
 HONEY WATER: a powerful hydrating agent capable of engendering alertness of mind and body from dawn till dusk  
*Beeswax-infused Patrón Reposado tequila, Nixta corn liqueur, honey water, smoked sea salt and Psychaud's Bitters, topped with a lemon mist*

**HEART OF A REGENT** £17.5  
 REHYDRATING / LUSCIOUS / CITRUSY  
 BERGAMOT: a supporter of a powerful heart, clear of arterial incumbency, inclined towards longevity  
*Belvedere Organic Infusions Lemon & Basil vodka, Italicus bergamot liqueur and lime & mint sorbet, topped up with Moët & Chandon Impérial Blanc N.V. Champagne*

**DOCTOR'S LIVELY FIZZ TONIC** £15  
 REBALANCING / RICH / FRUITY  
 KOMBUCHA: a lively fermentable that rebalances a rich tapestry of bodily functions and settles notions of unpleasantness in the palette  
*Aperol aperitif, Essentiae lemon verbena liqueur, fresh lime juice and raspberry syrup, topped with a rhubarb & white peach Kombucha & passion fruit foam*

**SHORT SHARP PRICK** £16  
 REGULATING / INDULGENT / TROPICAL  
 PRICKLY PEAR: a reliable quencher that also promotes regularity in the healthy functioning of the pancreas  
*Volcán de Mi Tierra Blanco tequila, Ancho Reyes Verde chilli liqueur, prickly pear purée, fresh lime juice and agave syrup, topped up with Franklin & Sons pink grapefruit soda*

**BONE-SETTER** £15.5  
 REVITALISING / SILKY / HERBAL  
 RICE MILK: an imbuer of ensured vitality and lively disposition  
*Hennessy V.S. cognac, matcha & rice milk, fresh lime juice, coconut water and pandan leaf syrup*

Please make staff aware of any allergies and intolerances you might have. A full list of all allergens contained in each cocktail is available upon request.

SIGNATURE COCKTAILS



LETHARGY

Millenia of apothecarial pursuits have garnered current practitioners with bountiful knowledge of curatives for lassitude and enervation. Be it by a combination of forgotten roots and herbs, or through the restorative properties of an exotic bean or spice, a potation can be produced to remedy any exigent occurrence of somnolence or weariness.



**TIXYLIX** £15  
 CURATIVE / DELICATE / CITRUSY  
 SAGE: an age-old improver of attentiveness, mood and memory  
*Sage-infused Bombay Sapphire gin, Calabro fennel liqueur, fresh lemon juice and cough-syrup bursting bubbles*

**MOTHER'S HELPER** £15.5  
 ENERGISING / CREAMY / NUTTY  
 COFFEE: a potent diminisher of tiredness through the blocking of adenosine receptors, preventing the chemical from exerting its soporific effects  
*Belvedere vodka, Tia Maria coffee liqueur, Frangelico hazelnut liqueur, Disaronno liqueur, espresso and orgeat syrup, topped with a vanilla & cream cheese foam*

**SOAKED IN ETHER** £16  
 BOOSTING / POWERFUL / FRUITY  
 GINSENG: an invigorating remedy for the twin maladies of fatigue and insomnia  
*Eminente Reserva 7yr rum, Evangelista Ratafia cherry liqueur, pomegranate juice, pineapple juice, fresh lime juice and ginseng syrup*

**HAVING A BLAST** £17.5  
 ANTIOXIDANT / RICH / BITTERSWEET  
 OAK BARK: a deterrent against the rise of vascular improprieties, reducing the appearance and discomfort of inflammation in the veins  
*Angel's Envy whiskey, Martini Riserva Speciale Bitter aperitif, Montenegro amaro, Martini Riserva Speciale Rubino vermouth and oak bark tea*

**HIGH ON MY OWN SUPPLY** £16  
 INVIGORATING / FORTIFYING / ELEGANT  
 MIXED SPICES: a potent blend of spices carefully selected to deliver a living dose of vim and vigour  
*Glenmorangie Original 10yr Scotch whisky, Essentiae peach tree leaf liqueur, fresh lemon juice, spiced Earl Grey tea, apricot jam and honey water*

All items include VAT. All items are subject to availability. A discretionary 10% service charge will be added to your bill.

# CHAMPAGNE & SPARKLING WINE

For current vintages and further information on our Champagnes, please speak to a member of the household staff

125ml Glass / 750ml Bottle

<b>Moët &amp; Chandon</b>		<b>Veuve Clicquot</b>	
<b>Impérial Blanc NV.</b>	£16.5   £95	<b>Yellow Label NV.</b>	£19   £110
<b>Moët &amp; Chandon</b>		<b>Veuve Clicquot Rosé NV.</b>	£150
<b>Impérial Rosé NV.</b>	£19   £110	<b>Veuve Clicquot Vintage Blanc</b>	£145
<b>Moët &amp; Chandon</b>		<b>Veuve Clicquot Vintage Rosé</b>	£175
<b>Grand Vintage Blanc</b>	£135	<b>Veuve Clicquot La Grande Dame</b>	
<b>Moët &amp; Chandon</b>		<b>Vintage Blanc</b>	£295
<b>Grand Vintage Rosé</b>	£165		
		<b>Ruinart</b>	
<b>Moët &amp; Chandon</b>		<b>Blanc de Blancs NV.</b>	£28   £165
<b>Impérial Blanc NV.</b>	1,500ml Magnum £195	<b>Ruinart Rosé NV.</b>	£29.5   £175
<b>Moët &amp; Chandon</b>		<b>Dom Ruinart</b>	
<b>Impérial Rosé NV.</b>	1,500ml Magnum £250	<b>Vintage Blanc de Blancs</b>	£290
<b>Moët &amp; Chandon</b>			
<b>Impérial Blanc NV.</b>	3,000ml Jiroboom £550		
<b>Moët &amp; Chandon</b>			
<b>Impérial Rosé NV.</b>	3,000ml Jiroboom £750		



## KRUG

*Now Is An Ordinary Moment in Time*

**Krug Grande Cuvée**

125ml Glass £43

375ml Half Bottle £130

750ml Bottle £255

1,500ml Magnum £650

**Krug Vintage**

750ml Bottle £410

**Krug Rosé**

750ml Bottle £550

## DOM PÉRIGNON

**Dom Pérignon Blanc**

125ml Glass £49.5

750ml Bottle £295

1,500ml Magnum £695

**Dom Pérignon Rosé**

750ml Bottle £550

1,500ml Magnum £1,300

**Dom Pérignon Blanc P2**

750ml Bottle £600

# WINE

BY THE GLASS

175ml Glass / 750ml Bottle / 1,500ml Magnum

## WHITE

**Domaine Roux Père et Fils, Les Côtilles, Chardonnay,** Burgundy, France £9.8 | £40 | -  
*Aromas suggest broom, white rose, acacia, honeysuckle, fern, verbena, lemongrass and citrus fruit.*

**Spier, Sauvignon Blanc,** Stellenbosch, South Africa £10.2 | £42 | -  
*Aromas of full tropical fruit, yellow pepper, and herbal grassiness. The palate shows green pineapple and a good balance of fruit and acidity. Zippy on the finish.*

**Terrazas, Reserva, Torrontés,** Cafayate, Argentina £14 | £58 | -  
*A superbly balanced, aromatic and floral white wine, with a refreshing acidity punctuated by tropical and stone-fruit characteristics.*

**Cape Mentelle, Sauvignon Blanc-Semillon,** Margaret River, Australia £15 | £62 | -  
*Brilliant light hay, with green edges. Fresh green lime, lemon sorbet and crisp cucumber aromas, with hints of freshly-cut lemongrass, pink peppercorn and wisteria blossom.*

**Cloudy Bay, Sauvignon Blanc,** Marlborough, New Zealand £18 | £75 | -  
*A wine full of fresh herbal aromas and layers of ripe guava and tropical fruit.*

## RED

**Domaine Roux Père et Fils, Les Côtilles, Pinot Noir,** Burgundy, France £9.8 | £40 | -  
*Red ruby colour, fresh on the nose with notes of red and black fruits.*

**Tilia, Malbec,** Mendoza, Argentina £10.2 | £42 | -  
*Plum, blackberry and dark chocolate flavours with a hint of pepper and spice are all evident on the nose and palate.*

**Alain Jaume, Haut de Brun,** Côtes du Rhône, France £11.5 | £48 | -  
*A beautiful purple-tinged garnet. Aromas range from fresh red berry to assorted spice.*

**Terrazas, Reserva, Malbec,** Mendoza, Argentina £14 | £58 | -  
*Brimming with red fruit, cherry, sour cherry, dried plum and raisin, and permeated by delicate floral scents and touches of toasted vanilla and caramel.*

**Cloudy Bay, Pinot Noir,** Marlborough, New Zealand £20 | £84 | -  
*Opulent aromas of dark plum and cardamom spice are enhanced by the earthy scent of liquorice and a hint of smoked oak.*

## ROSÉ

**Maison Mirabeau, Classic,** Côtes de Provence, France £10.2 | £42 | -  
*An elegant pale pink colour. The nose is delicate yet expressive, encompassing red berry, white peach and floral aromas such as rose and jasmine.*

**Château d'Esclans, Whispering Angel,** Côtes de Provence, France £14 | £58 | £120  
*Enticingly pale in colour. Fresh notes of apple, pink grapefruit, peach and cream, and a long, smooth finish.*

## DESSERT

100ml Glass / 500ml Bottle

**Royal Tokaji, Late Harvest Tokaj,** Hungary £12 | £55



## BY THE BOTTLE

750ml Bottle

For current vintages and further information on our fine wines, please speak to a member of the household staff

## WHITE

FRANCE

**Domaine Fouassier, Les Chasseignes, Sancerre** Loire, France £55

ITALY

**Alois Lageder, Porer, Pinot Grigio** Alto Adige, Italy £70

**Alois Lageder, Löwengang, Chardonnay** Alto Adige, Italy £140

**Gaja, Rossj-Bass, Langhe-Chardonnay,** Piedmont, Italy £190

THE ANTIPODES

**Prophet's Rock, Pinot Gris** Central Otago, New Zealand £79

## RED

FRANCE

**Moulin de La Lagune, Haut-Médoc** Bordeaux, France £90

**Château Pétrus, Pomerol** Bordeaux, France £3,600

ITALY

**Villa Belvedere, Amarone della Valpolicella** Veneto, Italy £75

**Gaja, Costa Russi, Langhe Piedmont,** Italy 1,500ml Magnum £980

**Ornellaia, Bolgheri Superiore** Tuscany, Italy 1,500ml Magnum £1,020

SPAIN

**Phincas, Rioja Alavesa** Rioja, Spain £80

ARGENTINA

**Terrazas, Cabernet Sauvignon** Mendoza, Argentina £65

**Terrazas, Grand Malbec** Mendoza, Argentina £95

## ROSÉ

FRANCE

**Château d'Esclans, Rock Angel** Côtes de Provence, France £75



The Fare









# Press

# PRESS

## The Telegraph



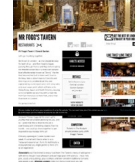
ers and Stirling specialise in  
iting weird and wonderful  
concept bars."

## BuzzFeed



grown-up cocktail  
as a sense of fun."

## THE NUDGE



funhouse overflowing with  
objects from Phileas Fogg's  
travels."

## London Evening Standard



ers will be able to drink on the  
the first time since the alcohol  
r an underground venue once  
an air raid shelter was turned  
o a Forties-themed bar."

## MONEYWEEK



there are more bars trying  
y that style, but back then  
ere the first in London." –  
Charlie

## GQ



## BBC



complacency are over. Just being  
a bar and serve any old drink and  
do well is increasingly hard now,  
offer something more." – Charlie

## TimeOut London



/ seven courses of Italian  
ss in a 'hedonistic underworld'  
r the minds behind Cahoots."

## MailOnline

Conquer the map one drink at a time! Top London cocktail  
bar frequented by Sir David Attenborough reveals how to  
make tipples inspired by intrepid travels



Photo: [unreadable]

## METRO



, an all-singing, all-dancing  
ar, brings its Mediterranean  
mischief to SW11."

## MAYFAIR TIMES



While the Fogg's brand is very British. I  
think the sense of travel and the global  
ature of Phileas Fogg opens up a lot of  
possibilities."

## VANITY FAIR



"It's difficult to resist its conversation-starting  
blend of "illicit" cocktails, live swing and post-  
war London spirit, but now there's even more  
reason to linger."



# Awards

## RECENT AWARD WINS



Best Digital Campaign 2020  
(Cahoots)



Bar Group of the Year 2019  
(Inception Group)



Best Marketing Campaign 2019  
(Mr Fogg's)



Best Social Media Presence of the  
Year 2020  
(Inception Group)



Best Pub Concept 2019  
(Mr Fogg's)



Best New Pub/Bar Site 2020  
(Cahoots Ticket Hall & Control Room)



Best Pub of the Year 2019  
(Mr Fogg's Tavern)



Best Use of Video 2020  
(Cahoots)



Best Late Night Operator 2020  
(Inception Group)



## **Dispersal Policy**

This Dispersal Policy has been implemented to assist in the promotion of the four licensing objectives, in particular crime and disorder, public nuisance and public safety. This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours.

1. Management are aware of the potential for neighborhood noise and disturbance at the time that customers leave at closing time.  
Management have agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbors. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

### Winding-down Period

2. Management have put into place an effective “wind-down” procedure in order to facilitate prompt closure of the premises and orderly dispersal pattern by customers.
3. At closing additional staff are directed to work in the customer areas near the front.
4. Given the style of the business there is a gradual departure of customers and the premises are frequently not at capacity at closing time.
5. Internal lighting levels will be increased during the last 30 minutes of trading.
6. The winding down period outlined above ensures that customers disperse gradually prior to cessation of trade.
7. We are proud of our building and the area we work in. We will endeavour to keep the area clean and attractive for our patrons and our

neighbours. This means dealing with debris outside our frontage that may have nothing to do with us but in the interests of maintaining good standards in the area we will still clear it up.

### **Door Supervisors**

1. When applicable, SIA door supervisors shall be maintained until the premises are closed and shall be in position early enough in the evening to ensure that procedures for promoting public safety and preventing public nuisance are effective.
2. Mr Fogg's Apothecary Butlers are to assist in the dispersal of customers.
3. Mr Fogg's Butlers are trained to know:-
  - (a) where the nearest mode of public transport is
  - (b) details of taxis and a number is available at the reception
  - (c) general local knowledge so that if customers decide to move on the door staff can help them with directions.
4. Mr Fogg's Butlers are assigned key roles and these are split between supervising the dispersal and general control of the vicinity.
5. They are easily identifiable in striking uniforms and before each night there will be a team briefing to allocate the roles.
6. There is an end of night team meeting to discuss any ways that the premises may improve the dispersal of patrons and any actions points are added into each supervisors job cards.
7. They will be trained to direct customers on departure to transport links via Brook Street and not up South Molton Lane.

### **Notices**

8. Notices shall be displayed at customer exits and in prominent positions requesting that patrons respect the needs of local residents and leave the premises and area quietly.
9. All employees are given appropriate instructions and training to encourage customers to leave the premises and the area quietly.

### **Incident Reports**

10. All incidents of crime or disorder or nuisance are to be reported by the designated premises supervisor or responsible member of staff.
11. The licence holder shall ensure that the details of all complaints are recorded in an occurrence book.

12. When required, Mr Fogg's staff shall be in place at the exits to wish customers farewell and ask them to leave quietly and shall answer any questions regarding transport availability.
13. Mr Fogg's do not tolerate departing customers congregating outside of the premises.
14. Mr Fogg's Butlers should at all times be aware of activity outside of the premises and endeavour by their presence to minimise bad behaviour. They should be aware of potential areas of difficulty (nearby residences) and provide a presence in those places to minimise potential problems.
15. Whilst carrying out their legitimate duties outside of the premises all staff are trained not to behave in a manner likely to disturb the neighbourhood, conversation and laughter must be quiet and any communication is usually digital through an earpiece.



## **OUTDOOR MANAGEMENT AND SMOKING POLICY**

This smoking policy has been created to assist in promoting the four licensing objectives. This smoking policy can be changed from time to time following best practice improvements and any recommendations that are approved by Mr Fogg's Apothecary. All members of staff must make sure that they are familiar with the terms of this policy.

1. Smoking is not permitted within any part of Mr Fogg's Apothecary.
2. Customers who are from within the premises and wish to smoke should be directed to the agreed designated smoking area. This area is to be known as the designated smoking area for the premises.
3. The door attendant(s)/door supervisor(s) or daytime staff on duty shall be in charge of monitoring the designated smoking area and any external area in general.
4. After 11pm, if the designated area is full, a member of staff should ask the customer to wait within the premises until a space becomes available.
5. The smoking area should be cleaned regularly, and ashtrays emptied.
6. Customers should be reminded to respect our neighbours and to keep conversations to a minimum.
7. The door attendant(s)/door supervisor(s) on duty shall keep a log of any person causing any disturbance or nuisance whether or not that person is a customer.
8. The door attendant(s)/door supervisor(s) on duty shall assist in trying to keep any noise disturbances/incidents from the designated smoking area as well as in the immediate vicinity of the premises to a minimum.

**SCHEDULE OF TEMPORARY EVENT NOTICES FOR MR FOGG'S APOTHECARY**

no. of TEN	Extension (Time)	Trading Day							Notes
		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
1	03:00				6th April	7th April	8th April	9th April	
2	03:00							28th May	
3	03:00		10th Oct						
4	03:00					27-Oct	28-Oct		Last Entry at 2am, Venue closes at 3am
5	03:00					03-Nov	04-Nov		Last Entry at 2am, Venue closes at 3am
6	03:00					10-Nov	11-Nov		Last Entry at 2am, Venue closes at 3am
7	03:00					17-Nov	18-Nov		Last Entry at 2am, Venue closes at 3am
8	03:00					24-Nov	25-Nov		Last Entry at 2am, Venue closes at 3am
9	03:00					01-Dec	02-Dec		Last Entry at 2am, Venue closes at 3am
10	03:00			06-Dec	07-Dec	08-Dec	09-Dec		Last Entry at 2am, Venue closes at 3am
11	03:00			13-Dec	14-Dec	15-Dec	16-Dec		Last Entry at 2am, Venue closes at 3am

# LICENSING ACT 2003

## PREMISES LICENCE: LOCAL RISK ASSESSMENT

### INTRODUCTION

This document should be completed as part of the Risk Assessment process for the premises, including the management of outdoor space. Whilst this is guidance Environmental Health, Licensing and Trading Standards officers will be seeking the full cooperation from managers, licence premises holder, the relevant Designated Premises Supervisor (DPS) and staff. Please note this document is written with due consideration of the 4 licensing objectives as set out in the Licensing Act 2003. The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm

Whether or not any risk assessment of the premises shows the need to include measures in the Operating Schedule depends on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved.

Appropriate conditions for the licence or certificate will also depend on local knowledge of the premises.

Mr Fogg's Apothecary is prepared to cooperate with the authorities to achieve the Licensing Objectives without the need for specific conditions. This should ensure that any condition attached is proportionate and reasonable in line with Council Policy.

Any individual preparing an Operating Schedule is at liberty to volunteer any measure, such as in the following Local Risk Assessment, as a step Mr Fogg's Apothecary intends to take to promote the Licensing Objectives. Good Operating Schedules should pre-empt the need for any non-mandatory conditions to be applied. When incorporated into the licence or certificate as a condition, they become enforceable under the law and a breach of such a condition could give rise to prosecution.

## Licensing Act 2003

### Pro Forma Risk Assessment

Date: 27th Oct 2023
Business name: Mr Fogg's Apothecary

Business address: 34 Brook Street. London

Postcode: W1K 5DH

### Premises Description:

Mr. Fogg's Apothecary occupies the basement level of an end-of terrace building on the junctions of Brook St, South Molten St, and South Molten Lane. The building is of 4 upper floors in height above ground and is understood to be under multi-occupancy.

Access to the premises is off S Molten Lane via the open plan stairs that lead down to the main bar. This is for general bar use. A separating door leads into a smaller customer space (The Elixir Room) that can be used for private functions as well as general use. There is an alternative protected stair up to a final exit at ground level (onto S Molten Lane) from this space, that also acts as the entrance when it is used for private functions. The nearest tube station is 3 mins walk, Bond Street. The Site is located within the very heart of the West End and Central Activities Zone (CAZ).

The area is mainly high-end retail units that are closed in the evening. However, there are other licensed premises in the vicinity, for example, The Running Horse and The Iron Duke pubs and the Lucky Club, Mayfair. All within a couple of hundred yards of the premises. The area was generally quiet although there were pedestrians making their way to and from the other night-time premises and traffic running along Brook Street.

Since opening 2022, there has been no incident and no complaint from residence in the area. It operates under straight management control in accordance with an Outdoor Management / Smokers and Dispersal Policy. There are also sufficient measures 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. The style of operation is not one that will lead to noise or nuisance and that the conditions in place and suggested by the EHO are sufficient to ensure the premises are operated in a manner that fully promotes the licensing objectives.

### Document content:

1. This document has four sections which correspond with the four licensing objectives. In each section you will find information on potential control measures (each with an individual code) which helps to meet the four licensing objectives.

## Crime and Disorder

### CCTV

Does the premise have CCTV?

YES  NO  N/A

If YES:

Was the siting and standard agreed with WCC Police?

YES  NO



Have you agreed a policy on the retention and security of the footage with WCC Police? YES  NO  N/A

If NO:

Have you consulted WCC Police about whether CCTV should be installed? YES  NO  N/A

(NB unless WCC Police have agreed CCTV is not required, a representation is likely)

Suggested measures	Code	✓
A Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.	CD01	✓
The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence (licensed areas), including corridors and stairways (excluding WCs and changing rooms).	CD02	✓
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	CD03	✓
The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.	CD04	✓
The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with Police and the Licensing Authority	CD05	✓
The CCTV system will be of a resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates in any light condition.	CD06	✓
The CCTV system will contain the correct time and date stamp information.	CD07	✓
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage.	CD08	✓
The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when. This record must be made available to Police/Licensing on request.	CD09	✓
A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority with the absolute minimum of delay.	CD10	✓
The CCTV system will be capable of securing relevant pictures for review or export at a later date.	CD11	✓

The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	CD12	<input checked="" type="checkbox"/>
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	CD13	<input checked="" type="checkbox"/>
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	CD14	<input checked="" type="checkbox"/>

### Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the DPS contactable in emergency?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	<input checked="" type="checkbox"/>
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	CD15	<input checked="" type="checkbox"/>
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	CD16	<input checked="" type="checkbox"/>
There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.	CD17	<input checked="" type="checkbox"/>

### Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, state the number of staff ____2 Door Supervisors _____	
Days (and times) employed <u>23:00 until 30mins after closed</u> _____	
Has this been agreed with WCC Police?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
<ul style="list-style-type: none"> <li>Vetting customers entering the premises?</li> </ul>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> <li>Is there a prominently displayed written search policy on the premises?</li> </ul>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

• Controlling customers entering, within or leaving the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Safeguarding the public within and immediately outside the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Notifying WCC Police at the earliest opportunity of any problems or incidents?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have an Incident Report Register?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
Persons entering or re-entering the premises may be searched at random by an SIA trained member of staff and monitored by the premises CCTV system.	CD18	<input checked="" type="checkbox"/>
At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.	CD19	<input type="checkbox"/>
All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall be in Mr Fogg's style distinctive uniform	CD20	<input checked="" type="checkbox"/>
A minimum of (____) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.	CD21	<input type="checkbox"/>
A minimum of (____) SIA licensed door supervisors shall be on duty at the premises between the hours of _____ and _____.	CD22	<input type="checkbox"/>
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	CD23	<input checked="" type="checkbox"/>
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	CD24	<input checked="" type="checkbox"/>
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry and made available to an authorised officer from the Licensing Authority or Police on request.	CD25	<input checked="" type="checkbox"/>
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	CD26	<input checked="" type="checkbox"/>

All external fire exit doors shall be fitted with sensor alarms and visible or audible indicators to alert staff when the doors have been opened.	CD27	✓
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	CD28	✓
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	CD29	✓
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer from the Licensing Authority or Police.	CD30	✓

### Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WCC Police?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• informing the police of any search and seizure	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	CD31	✓
The PLH/DPS will inform WCC Police as soon as possible of any search resulting in a seizure of drugs or offensive weapons.	CD32	✓
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with WCC Police.	CD33	✓
Notices will be prominently displayed at the entrances of the premises which state: <ul style="list-style-type: none"> <li>Random searches will be conducted as a condition of entry to premises;</li> </ul>	CD34	✓

<ul style="list-style-type: none"> <li>• Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register.</li> <li>• Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs.</li> <li>• entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances</li> </ul>		
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## Communication

Do you subscribe to a form of communication link (radio/text/pager system)? The system shall be recognised by WCC Police.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WCC Police?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
There will be a communication link via radio to other venues in the town centre. This will be the system recognised by WCC Police.	CD35	
A radio communication link will be kept in working order at all times when licensable activities are taking place.	CD36	
The radio communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	CD37	<input checked="" type="checkbox"/>
Any police instructions or directions given via the radio link will be complied with whenever given.	CD38	
All incidents of crime or disorder will be reported via the radio link to an agreed police contact point.	CD39	
As soon as possible, and in any event within one month from the initial grant of the licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme, if such a scheme exists.	CD40	<input checked="" type="checkbox"/>

## Responsible Sale of Alcohol (cont.)

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed on the steps required to prevent under age sales of alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<u>Alcohol Designated Public Places Orders</u>	
If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of <b>21/25 (delete as appropriate)</b> who attempts to purchase alcohol at the premises.	CD41	✓
The PLH/DPS staff will ask for photographic identification in the form of either a passport, EU photographic driving licence or PASS accredited identification, from any person appearing to be under the age of <b>21/25 (delete as appropriate)</b> who attempts to purchase alcohol at the premises.	CD42	✓
A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of a Responsible Authority (Licensing Act 2003).	CD43	✓
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of using tamper proof receptacles. Receptacles will be secured and not accessible to the customers.	CD44	✓
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	CD45	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	CD46	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by Police (e.g. football match days or at certain times i.e. after 23:00 hours).	CD47	
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	CD48	

### **Responsible Sale of Alcohol (cont.)**

<u>Membership of a Recognised Body</u> Do you belong to a Licensees Association/Body	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
---	--

If **YES**, please state which body \_\_\_\_\_ Institue of Licensing Member

Exclusion from Premises

Do you operate a system of excluding customers known to cause problems? YES  NO  N/A

If **YES**:

- is this your own system or YES  NO  N/A
- a system run by a local licensees body such as Pubwatch/Townwatch YES  NO  N/A

Dispersal Policy

Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour) If **YES**: YES  NO  N/A

- Was this agreed with WCC Police? YES  NO  N/A
- Are all bar and door staff trained on the policy? YES  NO  N/A

Suggested measures	Code	<input checked="" type="checkbox"/>
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.	CD49	<input checked="" type="checkbox"/>
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with the Police. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.	CD50	<input checked="" type="checkbox"/>

**Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing**

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation? YES  NO  N/A

Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.

Suggested measures	Code	<input checked="" type="checkbox"/>
All adult entertainers will be aged no less than 18 years.	CD51	<input type="checkbox"/>
Adult entertainment price lists will be clearly displayed at each table and at each entrance to the premises.	CD52	<input type="checkbox"/>
Adult entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	CD53	<input type="checkbox"/>
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	CD54	<input type="checkbox"/>

Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	CD55	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	CD56	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	CD57	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	CD58	
Sex toys must not be used and penetration of the genital area must not take place.	CD59	
Customers will not be permitted to throw money at the entertainers.	CD60	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	CD61	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times when the areas are in use. Direct supervision does not include remote supervision by CCTV.	CD62	

## Public Safety

### Management Arrangements

Suggested measures	Code	✓
The number of persons permitted in the premises at any one time (excluding staff) shall not exceed ( <b>270</b> ) persons.	PS01	✓
Before opening to the public, checks will be undertaken to ensure all accesses to the premises are clear for emergency vehicles. Hourly checks will be undertaken when the premises are open.	PS02	✓
Written records of all accidents and safety incidents involving members of the public and/or staff will be kept. These will be made available at the request of an authorised officer.	PS03	✓
During opening hours the cellar door must be kept locked or supervised to prevent unauthorised access by the public.	PS04	✓
A suitably trained and competent person must ensure <b>daily/weekly/monthly</b> safety checks of the premises, decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	PS05	✓
Empty bottles and glasses will be collected at least hourly	PS06	✓



Electrical installations will be inspected on a periodic basis (at least every 5 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	PS07	✓
<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices will be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	PS08	✓

### General Housekeeping

Do you have written procedures for the inspection of:		
• Furnishings and fabrics	YES ✓	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Suspended decorations/lights/amplification systems	YES ✓	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Guarding to stairs/balconies/landings/ramps	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A ✓
• Condition of floor surfaces	YES ✓	NO <input type="checkbox"/> N/A ✓
• Provision of safety glazing	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A ✓
• Guardings to fires or open flames	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A ✓

Suggested measures	Code	✓
<b>Daily</b> safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	PS09	✓
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it. (N.B. for windows and doors etc).	PS10	
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner. All staff will be made aware of the policy.	PS11	✓

### Refreshments

Do you prepare hot food / drinks in proximity to the public?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES: Has the risk of scalding or burns been assessed?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	PS12	✓

### First Aid

Do you have staff trained in First Aid?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state numbers ___The whole management team _____	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A suitably trained First Aider or appointed person to deal with first aid issues will be provided at all times when the premises are open.	PS13	✓
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	PS14	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	PS15	✓
First Aid equipment and materials adequate for the number of persons on the premises will be available on the premises at all times. All staff will be made aware of first aid location.	PS16	✓
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	PS17	✓
A dedicated first aid room will be available for use at all times the premises is open for licensable activities.	PS18	

### Special Effects

Do you use special effects on/at the premises, e.g. strobes, lasers, smoke machines or fireworks?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If yes, please give details :	

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be trained on the policy.	PS19	
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	PS20	

### **Sporting Events**

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that;		
(i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated sporting event;	PS21	
(ii) No sales of alcohol in glass bottles or glass containers are made in the period four hours before the commencement of the designated sporting event;	PS22	
(iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event;	PS23	
(iv) On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event;	PS24	
(v) All members of staff working at the premises are informed of this condition prior to taking up employment;	PS25	

## Prevention of Public Nuisance

### Noise and Vibration

#### Noise and vibration

Identify the potential sources of noise and vibration which apply/could apply to the premises:

- Amplified music
- Unamplified music ✓
- Singing and speech ✓
- Waste disposal, including bottle bins ✓
- Plant and machinery, including extraction systems e.g. cooking extraction
- Food preparation ✓
- Cleaning ✓

Identify where sources of noise may occur outside the premises:

- Beer garden
- Play area
- Car park
- Temporary structure
- Plant and equipment
- Smoking area ✓
- Sitting out area

Identify which measures are in place/proposed:

- Soundproofing
- Air conditioning to allow windows to be kept closed ✓
- Sound limiters
- Use of lobby doors
- Cooling down period with reduced music volume ✓
- Fixed and appropriate times for collection of waste
- Restricted use of outdoor areas ✓
- No external loudspeakers ✓

Are the premises located near (<100m) noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES ✓ NO

Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.

Suggested measures	Code	✓
Licensable activities will be conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.	PPN01	✓

Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	PPN02	✓
There will be no external loudspeakers.	PPN03	✓
All windows and external doors shall be kept closed after ( <b>_23:00_</b> ) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.	PPN04	✓
A sound limiting device located in a separate and lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.	PPN05	
A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.	PPN06	✓
Bottles will not be placed in any external receptacle after 23.00 hours and before 07.00 hours to minimise noise disturbance to neighbouring properties.	PPN07	
No deliveries to the premises shall be arranged between 23:00 hours and 07:00 hours.	PPN08	✓
All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.	PPN09	✓
Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level.	PPN10	
The PLH/DPS will ensure patrons outdoors ie smokers, external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. P	PPN11	✓
The activities of persons using the external areas will be monitored after ( <b>_00:00_</b> ) hours and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.	PPN12	✓
There shall be no admittance or re-admittance to the premises after ( <b>_00:00_</b> ).	PPN13	✓
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to ( <b>___</b> ) persons at any one time.	PPN14	
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks with them.	PPN15	✓

The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises e.g. for the last hour of opening.	PPN16	✓
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**Litter**

Does the premise sell takeaway food, drinks or other produce/packaging which may generate litter/waste? YES  NO  N/A

If YES, please identify the steps taken to prevent nuisance caused by litter:

.....

.....

- Provision of litter bins in vicinity of premises
- Display of notices to customers near exits
- Warnings/advice on packaging
- Instructions to staff to periodically clear litter from the street around the premises
- Other (please specify) .....

Suggested measures	Code	✓
The PLH/DPS will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.	PPN17	
The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected in accordance with the business's refuse storage arrangements.	PPN18	
No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.	PPN19	

**Transport/Pedestrian Movement**

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises: YES  NO  N/A

If YES:

What steps do you take to ensure that the procedure(s) works?  
See Outdoor Management and Dispersal policy

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.	PPN20	✓
(___) SIA Registered door staff will be employed and used to manage queues and ensure queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	PPN21	
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	PPN22	✓
A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.	PPN23	✓
There shall be no admittance or re-admittance to the premises after ( <b>_00:00_</b> ) hours.	PPN13	✓
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to ( <b>_15_</b> ) persons at any one time.	PPN14	✓
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks with them.	PPN15	✓

## **Protection of Children from Harm**

### **Entertainment of an Adult Nature**

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If so, do you only provide adult entertainment at certain times/days of the week?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is your premises located near to premises which are children orientated?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

<b>Suggested measures</b>	<b>Code</b>	<b>✓</b>
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	PCH01	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	PCH02	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age identification checks (including staff)	PCH03	

The PLH/DPS will not externally display photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	PCH04	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	PCH04	
Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature.	PCH05	

### Under Age Sales of Alcohol

Do the premises sell or supply alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	<input checked="" type="checkbox"/>
People under 18 years of age will not be admitted unaccompanied or without supervision of adult	PCH06	<input checked="" type="checkbox"/>

### Gambling

Is there a strong element of gambling on the premises?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	<input checked="" type="checkbox"/>
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	PCH07	
<b>or</b>		
There will be a physical screen of the relevant entertainment from the view of those under 18 years who are in a separate area of the premises.	PCH08	

### Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication	

Suggested measures	Code	<input checked="" type="checkbox"/>
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	PCH09	



All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	PCH10	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are safe for the children involved in the performance.	PCH11	

### Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises).	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	PCH12	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	PCH13	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	PCH14	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	PCH15	

### Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES state measures used:	
Are your premises located near any adult orientated premises e.g. an adult retail sex shop or a betting shop?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	PCH17	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	PCH18	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by County Council, Department of Social Services.	PCH19	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	PCH20	

**Conclusion:**

The premises is located in a largely day-time retail area with some residential premises in the area above shops. Due to the style of operation there are few 'walk-up' customers and no queueing. With the majority of customers being pre-booked, and the remaining required to give their details prior to entry, customers are aware that their identity is known to the premises and that their images are captured on CCTV. This is a significant deterrent to anyone who may consider causing any issues at, or near, the premises.

Unlike some late-night bars and clubs, Mr. Fogg's Apothecary operates in a very low-key manner; Almost 80% of guests are through bookings compared with very little walk-in trade, there were not crowds of people loitering outside, the behaviour that often generates noise and nuisance. Customers were admitted quickly and left quietly over an extended period of time. There is no noisy or drunken behaviour outside by customers nor noise nuisance caused by smokers.

The premises has comprehensive and up-to-date policies that meet or exceed the licence requirements and generally operates in a manner that takes advantage of up- to-date technology and enables senior managers to constantly monitor performance, ensuring licence conditions are adhered to and the premises does not impact negatively on the vicinity and to and provide information to relevant authorities if required.

The premises had no impact on the area. There is no noise audible from the premises, customers or vehicles and no nuisance or anti-social behaviour from those arriving or leaving.

In consideration of all the control measures, it is therefore identified as acceptable to reduce the need as per condition 42 that 'SIA badge holder shall be on duty from 18:00 at the premises whilst it is open for business'; instead having competent and trained Door host / Duty Managers to control and monitor the venue. As per the Health and Safety Executive guidelines Competence can be described as "the combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely".

On quieter days, Sunday through to Wednesdays, Management team will control and monitor the venue. If there is no senior manager on site on those days or an event is held, One SIA badge supervisor will be present.

On peak trading days, increased footfall during festive season, Thursday through to Saturday and when trading with Temporary Event Notice, one SIA badge supervisor should be present

from 18:00 until closing. There will also be a number of Competent Persons on site that will be able to assist any necessary particulars alongside the security should it become necessary.

**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 2**  
**("The Committee")**

Wednesday 23<sup>rd</sup> June 2022

Membership: Councillor Angela Piddock (Chairman) and Councillor Tim Mitchell.

Officer Support      Legal Advisor:      Steve Burnett  
Policy Officer:      Kerry Simpkin  
Committee Officer: Sarah Craddock  
Presenting Officer: Karyn Abbott

Others present: Sarah Le Fevre, (Counsel) on behalf of Brook Street Bar Limited (Applicant).

For Brook Street Bar Limited:  
Charlie Gilkes – Director  
Duncan Stirling – Director  
Ellie Kwong – Operations  
Richard Vivian – Noise Consultant  
Adrian Studd - Consultant

Maxwell Koduah – Environmental Health Officer (EHO)  
[REDACTED] – Resident (Opposed)  
[REDACTED] – Resident (Opposed)  
Richard Brown (Solicitor, Westminster's Citizens Advice)  
representing [REDACTED]

**Application for a New Premises Licence in respect of**  
**Mr Fogg's Apothecary, Basement, 34 Brook Street, Mayfair, London W1K 5DN**

**Ref No: 22/02758/LIPN**

**FULL DECISION**

**Premises**

Mr Fogg's Apothecary,  
34 Brook Street,  
Mayfair,  
London  
W1K 5DN

**Applicant**

Brook Street Bar Limited

## **Ward**

West End

## **Cumulative Impact**

N/A

## **Special Consideration Zone**

N/A

## **Activities and Hours applied for**

### **Regulated Entertainment indoors (Films, Indoor sporting events, Live and recorded music.)**

Mondays to Saturdays 07.00 to 01.30  
Sundays 12.00 to 23.30

### **Late night refreshments (Both)**

Mondays to Saturdays 23.00 to 01.30  
Sundays 23.00 to 23.30

### **Sale by retail of alcohol [on and off sales]**

Mondays to Saturdays 07.00 to 01.30  
Sundays 12.00 to 23.30

### **Opening Hours**

Mondays to Saturdays 07.00 to 02.00  
Sundays 12.00 to 00.00

All licensable activities and opening hours from the start of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

## **Summary of Application**

This is an application for a New Premises Licence under the Licensing Act 2003 ("The Act"). The Premises intends to operate the premises as part of the Mr Fogg's brand of themed licensed establishments.

## **Representations Received**

- Maxwell Koduah - Environmental Health Service
- 2 Local Resident (opposing)
- 3 Local Residents (supporting)

## **Summary of Representations**

- THE EHO states that as presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
- Three supporting resident's representations states the operation is a benefit to the area, and unlikely to cause a nuisance to the area. It's well lit operation and door staff will deter crime and disorder and the operators are experience and respected.
- The two objecting resident's concerns are that the Premises will cause public nuisance as a result of the longer hours requested. The premises licence should be restricted to Westminster's Core Hours. There will be disturbance to residents living in the area from taxis and car use and customers dispersing at closing times.

## **Policy Position**

### **HRS1**

- Under Policy HRS1, applications within the core hours set out in the policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy and applications for hours outside the core hours set out in the policy will be considered on their merits, subject to other relevant policies, and with particular regard to the matters identified in Policy HRS1.

### **PB1**

- Applications outside the West End Cumulative Zone will generally be granted subject to:

The application meeting the requirements of policies CD1, PS1, PN1 and CH1.

The hours for licensable activities being within the council's Core Hours Policy HRS1.

The application and operation of the venue meet the definition of a Public House or Bar in Clause D.

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

## **SUBMISSIONS AND REASONS**

1. The Presenting Officer, Ms Karyn Abbott introduced the application and advised that the application was for a new Premises Licence for a themed bar.
2. Sarah Le Fevre, Counsel appearing on behalf of the Applicant, addressed the Committee and directed them initially to page 18 of the committee papers which detailed the Applicant's biography, identified awards they had received and confirmed the Applicant's commitment to trading in London. They have provided jobs and apprentice schemes to encourage employment.
3. Counsel added that the Applicants have the written support of residents, businesses, and landlords and that they had operated a number of their Premises Licences without issues.
4. The Committee was further informed that there were two expert reports in the committee papers which came to the common conclusion that should the application be granted, there was no risks of a negative effect on the licencing objectives.
5. Counsel confirmed that there is an existing premises licence, but this application is to extend the trading hours beyond the existing core hours. Should this application be granted then the existing Premises Licence will be surrendered.
6. The Committee were advised of key points in support of the application. In summary these were the quality of the operation, a capacity figure of 270 substantially seated customers, 70% of customers having pre booked, a last entry time of midnight, the licensed area being located in the basement which minimised noise escape, good public transport away from the premises, the restriction of off sales to 23:00 hours and engagement with local residents.
7. In response to questions from the Committee the Applicant confirmed that food would always be available at the premises, and this was a proposed condition on the licence. They also accepted capacity of 270 but stated that this capacity would very rarely be deployed at the premises.
8. The Applicants stated to the Committee that members of the public would not be admitted on the premises between the hours of 07:00 and 09:00. There is also a 'no admittance condition' agreed, which they would not want to apply to smokers or people using their phones as they wanted some flexibility. Notwithstanding this, the total amount of patrons making calls and smoking in the outside areas has been limited to 10 people.
9. Mr Gilkes on behalf of the Applicant, emphasised to the Committee that he would be happy to set up a WhatsApp group to regularly liaise with residents. Furthermore, although they have not requested a condition requiring door staff at the premises, they would be happy to commit to having door staff at

the premises between the hours of 18:00 until close on Thursday Fridays and Saturdays.

10. Ellie Kwong, on behalf of the Applicant advised the Committee that dispersal was by way of a staggered approach. The lights inside the premises would be switched on and the music volume decreased to give customers time to call taxis and prepare to leave. Customers would be expected to wait inside the premises for taxis to prevent loitering outside.
11. The EHO addressed the Committee and stated that the new conditions on the proposed process premises licence was much improved. The Applicant have an existing dispersal and outside smoking policy, and this would mitigate public nuisance.
12. The Committee were advised by the EHO that the Applicant have applied for hours access of Core Hours and he would expect the dispersal policy to be updated to take this into account. Mr Koduah confirmed that he had visited the premises and he is confident that the premises is acoustically sound and will not cause noise escape. He concluded that by having a last admission condition and systems to manage the conduct of patrons when they leave, he is confident that the Applicant can mitigate any potential public nuisance.
13. ██████████ directed the Committee to Mr Brown's submissions starting at page 5 of the additional committee papers. She confirmed to the Committee that she lived on Brook Street 46 years.
14. ██████████ confirmed that she has no reason to believe Mr Fogg would not be well managed. However, it was her concerns that the later hours would cause nuisance to residents living in the area. She specifically highlighted to the Committee that people talking on phones or cab drivers waiting in the area, would be heard above the quiet ambient noise levels after midnight.
15. ██████████ also made reference to the experts reports which relates to tests and observations made at an earlier time than the closing times which have been applied for. It is also her view that the effect of a well-managed operation being located in a predominantly residential area, is to attract muggers, drug dealers and rough sleepers.
16. ██████████ made complaint to the Committee that patrons would use residents' gardens as toilets and that she was also concerned about the collection of rubbish at 04.00 hours.
17. In response to questions from the Committee, ██████████ stated that she had not discussed refuse collection with the Applicant, she is also aware that Claridges Hotel, which is located in the area, does not have many events which end after midnight. However, Claridges are good operators and continually work with residents in the vicinity. She advised that there are not many licensed premises with a terminal hour beyond 02:00 in the immediate area but there are a number of residents, who would be disturbed.



18. ██████ then addressed the Committee and confirmed that his concerns on behalf of the residents, related to the excessive hours, conditions, off sales, and activities.
19. ██████ submitted that in the main, conditions have been resolved and agreed with the Environmental Health Officer. However, he would like to prevent smokers from taking drinks into the outside area and the last entry condition to include smokers and patrons making telephone calls. He would also like to see a condition restricting the times for waste disposal and deliveries and preventing off sales at the premises after 2300 hours.
20. ██████ was also concerned that the application included permission for films, live music, indoor sports and questioned whether this was really needed.
21. The Committee were finally directed by ██████ to paragraph 14.42 of the Revised Guidance issued under section 182 of the Licensing Act 2003.
22. In summary ██████, reiterated her concerns about resident's sleep being disturbed. The EHO, explained that a condition relating to waste collection have been agreed and that initially the Applicant required 15 smokers to be allowed in the outside area, but they now agreed to reducing this to 10. He also confirmed to the Committee that a restriction in relation to on and off sales was already agreed as a condition on the proposed premises licence.
23. Counsel for the Applicant, confirmed to the Committee that 10 people using the outside area is acceptable. She agreed that patrons using residents' gardens as a toilet is unpleasant, but the Applicant has installed three additional toilets to the premises.

### **Decision**

24. The Committee has determined an application for a grant of a **NEW** Premises Licence under the Licensing Act 2003. The Committee realises that it has a duty to consider each application on its individual merits. There is no policy presumption to refuse the application that is not within the Cumulative Impact Area provided the licensing objectives are not undermined.
25. The Committee was satisfied that, in accordance with the Licensing Act 2003, Home Office Guidance, Westminster's Licensing Policy and on the evidence before it, it was appropriate and proportionate, in all the circumstances, to **GRANT** the application.
26. The Committee, in its determination of the matter, concluded that the conditions it imposed on the licence were appropriate and proportionate and would promote the licencing objectives.
27. Having carefully considered the committee papers, additional papers and the submissions made by all of the parties, both orally and in writing, **the**

**Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission for:

- a. **Live and recorded music (Indoors)** on Sundays 12:00 to 23.30 and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- b. **Films (indoors)** Sundays 12:00 to 23.30  
Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- c. **Indoor Sporting events (Indoors)** on Sundays 12:00 to 23.30  
and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- d. **Late Night Refreshment (Both)** on Sundays 23:00 to 23.30  
and Monday to Saturday 23.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- e. **Sale of Alcohol for consumption (on/off) the premises** from  
Sundays 12:00 to 23.30 and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

2. To grant permission for the premises to open to the public on Sundays 12:00 to 00.00 and Monday to Saturday 07.00 to 02.00

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

3. The new premises licence will be subject to any relevant mandatory conditions.

4. The premises licence is subject to the following agreed conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

**Agreed conditions attached after a hearing by the licensing authority:**

9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

10. The maximum number of persons, excluding staff, to be present in the licensed premises shall not exceed 270 persons.

11. All licensable activities taking place between 07:00 and 09:00 hours at the premises shall be private events or to customers who have pre-booked. Such events shall be restricted to Champagne and/or Wine, and substantial food and non-intoxicating beverages shall be available.

12. The premises licence holder shall ensure that the premises operates in accordance with an Outdoor Management/Smokers and Dispersal Policy.

13. During the hours of operation, 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.

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

15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.

16. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

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

18. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

19. 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.

20. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

21. 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 preceding 31 day period.

22. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

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, which will record the following:

- a) All crimes reported to the venue;
- b) All ejections of patrons;
- c) Any complaints received concerning crime and disorder;
- d) Any incidents of disorder;
- e) All seizures of drugs or offensive weapons;
- f) Any refusal of sale of alcohol.

24. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.

25. A challenge 21 proof of age scheme shall be operated at the premise 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.

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 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.

28. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

32. No licensable activities shall take place at the premises until premises licence 22/01012/LIPVM has been surrendered and is incapable of resurrection.

33. All windows and 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

34. There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).

35. There shall be no sales of alcohol for consumption off the premises after 23.00 hours

36. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.

37. After 23:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.

38. Patrons permitted to temporarily leave and then re-enter the premises (e.g. to smoke, make a phone call) shall not be permitted to take glass containers or consume drinks in the outside area after 00.00.

39. SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.

40. Notwithstanding the SIA condition above (no 39), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers.

**This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.**

**The Licensing Sub-Committee  
23 June 2022**

Re: application 23/09083/LIPV - MR FOGGS APOTHECARY, BASEMENT, 34 BROOK STREET

Date: 19th Feb 2024

Dear Licensing Sub-Committee,

I am writing in support of the application for Mr Foggs Apothecary.

I am a resident at [REDACTED]. Mayfair. [REDACTED] and I also have a business premises in Mayfair. Having frequented the Mr Foggs Collection of bars. Unlike other establishments which attract a loud and aggressive crowd and impose considerable noise pollution especially over the weekends; Mr Fogg's visitors have always been well mannered in their noise levels.

I have observed first hand that Mr Fogg's has a comprehensive and robust admissions policy whereby any person showing any sign of intoxication will not be permitted entry. Similarly I have also observed the knowledgeable management teams at Mr Fogg's Apothecary which is impeccably handling the quiet disbursement of their guests at closing time.

The Mr Fogg's team are experienced and respectful operators and I feel sure they will be able to positively improve safety for residents and neighbouring businesses.

I would like to offer my full support for their application and I hope Westminster council will approve the extended entry time to 01:00 hours.

Please do not hesitate to contact me if you need any further information.

Yours sincerely,

[REDACTED]

From: [REDACTED]  
Date: Fri, 16 Feb 2024, 16:43  
Subject: Application for Mr Fogg's Apothecary on Brook Street  
To: Ellie Kwong [REDACTED] >

To Whom It May Concern,

I am writing in support of the application for Mr Fogg's Apothecary on Brook Street.

I'm a resident at [REDACTED] in Soho just near Regent Street and a short walk from Brook Street. This part of Mayfair, like Soho, has been my home for nearly a decade.

I never cease to be impressed by the group of Mr Fogg's bars, which consistently make an effort to communicate with their neighbours (Mr Fogg's Gin Bar and Mr Fogg's Pawnbrokers are also close to where I live), create eclectic and thoughtful environments for their clientele, who range from people who work in the arts to those in finance.

Unlike other establishments which attract a loud crowd, Mr Fogg's visitors have always been more subdued clients. I find that this establishment is respectful to both the local residents and the neighbouring area and it is a great shame that they do not allow entry after midnight. I, like other residents, who visit the theatre and cinemas nearby regularly for our pleasure, and to support our local community as well, would love to be able to visit Mr Fogg's Apothecary after dinner - a place where there is specifically not loud music and more of a convivial space where you can enjoy conversation. It is also not a club like Cirque Le Soir, which is down the street from where I live. It is a cosy and excellent addition to the environment, and not just another club attracting noise pollution. It would be very appreciated if they could extend the entry time by just one hour.

Please do not hesitate to contact me if you need any further information.

Yours sincerely,

[REDACTED]

[REDACTED]  
London  
[REDACTED]

RE: 23/09083/LIPV - MR FOGGS APOTHECARY, BASEMENT, 34 BROOK STREET

Date 19th Feb 2024

To whom it may concern,

My name is [REDACTED] and I am writing an email to express support for Mr Fogg's and their recent premises license application for their bar at 34 Brook Street.

My family and I have been based at [REDACTED] for 20 years and having frequented various venues in the Mr Fogg's Collection, I feel it's very important that they are granted the extended entry hour to at least 1 am at their site on Brook Street.

I find it extremely frustrating, as a customer, that Mr Fogg's Brook Street can be open until 01:30 am however if I turn up to their premises at say 12:05 am they cannot admit me into their bar due to a seemingly nonsensical and draconian license condition.

I regularly dine out in Mayfair and it is not unusual for a restaurant meal to finish at gone midnight which means that (as things currently stand) it is not possible for me to go onto my favourite bar (Mr Fogg's Brook Street) for a nightcap.

Unlike some other establishments (including some 'members' clubs) which can attract a loud and boisterous crowd that can result in noise and nuisance to the area; Mr Fogg's customers have always been well mannered and considerate. Whilst Mr Fogg's is not a members club per se I have nevertheless observed that they have a comprehensive and robust admissions policy whereby any person showing signs of intoxication will not be permitted entry. Similarly I have also observed the knowledgeable and competent management teams at Mr Fogg's Apothecary excellently handling the quiet disbursement of their guests at closing time.

I expect all licensed premises in Mayfair to be able to prevent noise and nuisance and crime and disorder and I have no doubt that the Mr Fogg's team at Brook Street will continue to uphold their excellent record if their last entry time is extended.

The Mr Fogg's team are experienced and respectful operators and I feel sure they will be able to positively improve safety for residents in the area.

I would like to offer my full support for their licensing application and I hope Westminster council will approve this application.

Please do not hesitate to contact me if you need any further information.

MFA-076



Yours sincerely,

A solid black rectangular box used to redact a signature.



To whom it may concern,

This is a letter of support for Mr Fogg's.

My name is [REDACTED]. I have resided at my address many years and have seen a few changes of operations at [REDACTED].

Since 2018 when Mr Fogg's House of Botanicals moved into the property, there have been no issues or concerns. I've not encountered any nuisance from the operation nor from their clientele. Unlike other establishments which attract a loud and aggressive crowd and impose considerable noise pollution especially over the weekends; Mr Fogg's visitors have always been well mannered in their noise levels. I can concur that the establishment is respectful to both the local residents and the neighbouring area.

They have a good management team who is committed to ensuring safety to the area as well as not to cause any disturbance or inconvenience, I myself have never needed to escalate a complaint and to my best recollection neither have my neighbours. On occasion you can witness the management teams conversing with local residents, addressing any feedback and concerns to help mitigate any negativity. They've always been helpful, positive and polite during interactions.

I can conclude that Mr Fogg's is a very positive addition to the area and I offer both my recognition and support for all of their future endeavours and means for expansion and development.

Please do not hesitate to contact me if you need any further information.

Yours faithfully,

[REDACTED]



20 April 2022

## Letter of Support for Inception Group

Inception Group is very much embedded in the West End & Mayfair community and supports key organisations that aim to enhance the economic prosperity of the area.

New West End Company is the Business Improvement District (BID) for London's West End, representing over 600 retail, hospitality, entertainment and property businesses in and around Oxford Street, Bond Street, Regent Street and Mayfair.

Inception Group work with ourselves and neighbouring Business Improvement District and they have made significant contribution through being Part of the Recruit London Initiative, offering employment opportunities to many Westminster residents across their operations, boosting candidate's confidence and enhancing their job prospects.

Inception Group takes its Corporate & Social Responsibility very seriously and we support their expansion of operations in other part of the City of Westminster.

Yours sincerely

**Jace Tyrrell**  
**CHIEF EXECUTIVE**

3rd Floor, Heddon House,  
149-151 Regent Street, London W1B 4JD  
**Tel:** +44 (0)20 7462 0680 **Web:** newwestend.com

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[REDACTED]  
To: "INCEPTION [REDACTED] [REDACTED]" >

9 May 2022 at 13:07

Name: [REDACTED]  
Address: [REDACTED], London [REDACTED]  
Date: 8th May 2022

To whom it may concern,

This is an email of support for Mr Fogg's.

My name is [REDACTED] I am a resident who has resided in Mayfair for over 12 years. Having frequented the Mr Fogg's Collection and being made aware of their expansion plan, I would be happy to support their application to extend trading hours.

The operation is respectful of the residents and neighbouring area, I've not encountered any nuisance from the operation nor from their clientele. They have a good management team who is committed to ensure safety to the patrons and local area.

I offer both my recognition and support for all of their future endeavours.

I always had good experiences when visiting venues.

Yours sincerely,

[REDACTED]

6<sup>th</sup> April 2022

**Re: License application - Submission in support of Mr Fogg's Brook Street venue in Central London, Mayfair**

Heart of London Business Alliance serves as the voice for 600 businesses and 100 property owners in the Piccadilly & St James's, Leicester Square & St Martins Lane areas. Our purpose is to support the commercial wellbeing of the businesses we represent, and to ensure our area remains integral to London's West End offer as a place for people to visit, live, trade and work.

We represent the most mature night-time economy area in London where over 400 million visits are made to the West End every year, with some of the world's best entertainment, culture, and hospitality, generating over £10billion in sales.

We strive for the West End to have the most varied and high-quality evening and night-time economy (ENTE) for visitors, workers, and residents.

We continue to promote a responsible night-time economy. Crime and anti-social behaviour (ASB) associated with the ENTE has been something we take seriously, and our frontline street services work closely with the Metropolitan Police and Westminster Council to ensure we create a safe environment for all to enjoy. In fact, strong partnership work and industry standards have made huge progress in this regard.

Based on their St Martins Lane venue which we know well we are satisfied to support their Licence application. Mr Fogg's who we have only known to operate considerately, respecting its neighbours. As far as we're aware there have been no complaints and have only known Mr Fogg's to be an experienced and responsible operator.

We have advised Mr Fogg's that should they be able to demonstrate sufficient operational due diligence and responsible venue management we would be able to support this licencing application in full.

- Support the Westminster Night Stars initiative
- All staff to undertake WAVE and Ask for Angela training.
- Participant on the Best Bar None Business accreditation scheme.
- Participate in our Pubwatch meetings.
- Employ SIA certified door staff.

Mr Fogg's has discussed in much detail about their plans to support the list above and we are satisfied to provide this reference as part of their licence application that they are committed to ensuring sufficient operational due diligence. They have also demonstrated based on their St Martins Lane venue sufficient operational due diligence and responsible management so we would be happy to support this application.

We are grateful for the opportunity to be able to submit this submission in support of Mr Fogg's License application and are happy to provide any further assistance if required.

Yours sincerely

██████████ – Director of Company Operations  
**Heart of London Business Alliance**

Date: 8th April 2022

Re: Support for licence application- Mr Fogg's 22/02758/LIPN

I am writing to express support for Mr Fogg's and their licence application at 34 Brook Street.

I am a resident as well as a business owner in close proximity to the aforementioned premises. Having frequented many of the other Mr Fogg's venues over the years I was delighted to be made aware of their intention to open a new site close to my home.

I believe Mr Fogg's will be a wonderful and positive addition to the area. Mr Fogg's customers have always been well mannered and their style of trading will not adversely impact the area but instead will be an excellent addition.

I have observed that they have an extensive and robust admissions policy whereby any person showing signs of intoxication will not be permitted entry. Similarly I have also observed the knowledgeable management teams at Mr Fogg's impeccably handling the quiet disbursement of their guests at closing time late in the morning after 3am.

Furthermore, with Mr Fogg's occupying the premises in a usually dark and quiet street on South Molton Lane, I believe with the operation trading until late in the morning will help to act as a deterrent for any potential illicit or unsavoury behaviour that might otherwise happen down the area.

Mr Fogg's is an award winning brand famed for the high quality of its innovative drinks, food, and immaculate service standards and I am certain they will be able to unquestionably improve safety for residents and neighbouring businesses not to mention making the area more welcoming.

I can conclude that Mr Fogg's is a very positive addition to the area and I offer both my recognition and support for all of their future endeavours and means for expansion and development.

Please do not hesitate to contact me if you need any further information.

Yours sincerely,





## GROSVENOR

To Whom it May Concern,

We would like to write a letter in support of the recent premises license application made by our tenant Mr Fogg's at 34 Brook Street.

We are delighted to welcome Mr Fogg's to the Grosvenor estate and prior to their appointment as tenants we undertook the necessary due diligence on their operations and we were extremely impressed by their professionalism and attention to detail with regards to the management of their other premises within Westminster.

There are already four Mr Fogg's venues operating in Westminster and all of these locations are a mix of commercial and residential areas so we have no doubt that the team behind Mr Fogg's understands the importance of running an establishment in a sensitive and considerate manner.

We understand that their existing Mr Fogg's on Bruton Lane has been trading very successfully and without any incidents since they opened their doors in 2013.

As a significant landlord within Mayfair, where we have a multitude of residential and commercial property, we do not have any concerns that the recent Mr Fogg's license application, requesting extended trading hours, would result in any noise and nuisance or crime and disorder within the area.

We are happy to provide this reference as part of their application that sufficient operational due diligence has been considered. We are aware that Mr Fogg's Collection supports and participates in the following:

- Support the Westminster Night Stars initiative
- Venue management team undertake WAVE and Ask for Angela training.
- Participant in the Best Bar None Business accreditation scheme.
- Participate in our Pubwatch meetings.
- Employ SIA certified door staff.

We are grateful for the opportunity to submit this letter in support of Mr Fogg's and are happy to provide any further assistance if required.

We hope that the council are minded to grant this application.

Your faithfully,

**Piers Townley**  
Mayfair Director  
Grosvenor Property UK



Schedule 12  
Part A

WARD: West End  
UPRN: 010033590754

**City of  
Westminster**

Regulation 33, 34

64 Victoria Street, London, SW1E 6QP

**Premises licence**

**Premises licence number:**

**24/00115/LIPDPS**

**Original Reference:**

22/02758/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Mr Foggs Apothecary  
Basement  
34 Brook Street  
Mayfair  
London  
W1K 5DN

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

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Indoor Sporting Event  
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:**

**Exhibition of a Film**

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

**Indoor Sporting Event**

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

**Performance of Live Music**

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

**Playing of Recorded Music**

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

**Late Night Refreshment**



Monday to Saturday:	23:00 to 01:30
Sunday:	23:00 to 23:30
<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	07:00 to 01:30
Sunday:	12:00 to 23:30
<b>Seasonal Details for all of the above:</b>	
From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.	

<b>The opening hours of the premises:</b>	
Monday to Saturday:	07:00 to 02:00
Sunday:	12:00 to 00:00

<b>Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:</b>	
Alcohol is supplied for consumption both on and off the Premises.	

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b>
Brook Street Bar Limited 10 Queen Street Place London United Kingdom EC4R 1AG

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
12154897

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
<b>Name:</b> Quentin Louviot
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>
<b>Licence Number:</b> 861168
<b>Licensing Authority:</b> London Borough of Southwark

**Date:** 23 January 2024



**Signed:**

**This licence has been authorised by Miss Roxsana Haq on behalf of the Director - Environment, Climate & Public Protection (ECPP)**

## 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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. 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**

11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. The maximum number of persons, excluding staff, to be present in the licensed premises shall not exceed 270 persons.
13. All licensable activities taking place between 07:00 and 09:00 hours at the premises shall be private events or to customers who have pre-booked. Such events shall be restricted to Champagne and/or Wine, and substantial food and non-intoxicating beverages shall be available.
14. The premises licence holder shall ensure that the premises operates in accordance with an Outdoor Management/Smokers and Dispersal Policy.
15. During the hours of operation, 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.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
21. 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.
22. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
23. 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 preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

25. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - a) All crimes reported to the venue;
  - b) All ejections of patrons;
  - c) Any complaints received concerning crime and disorder;
  - d) Any incidents of disorder;
  - e) All seizures of drugs or offensive weapons;
  - f) Any refusal of sale of alcohol.
26. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
27. A challenge 21 proof of age scheme shall be operated at the premise 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.
28. 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.
29. 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.
30. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
31. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
32. The edges of the treads of steps and stairways shall be maintained so as to be
33. conspicuous.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
35. No licensable activities shall take place at the premises until premises licence 22/01012/LIPVM has been surrendered and is incapable of resurrection.
36. All windows and 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
37. There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
38. There shall be no sales of alcohol for consumption off the premises after 23.00 hours
39. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
40. After 23:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.
41. Patrons permitted to temporarily leave and then re-enter the premises (e.g. to smoke, make a phone call) shall not be permitted to take glass containers or consume drinks in the outside area after 00.00.

42. SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.
43. Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers.



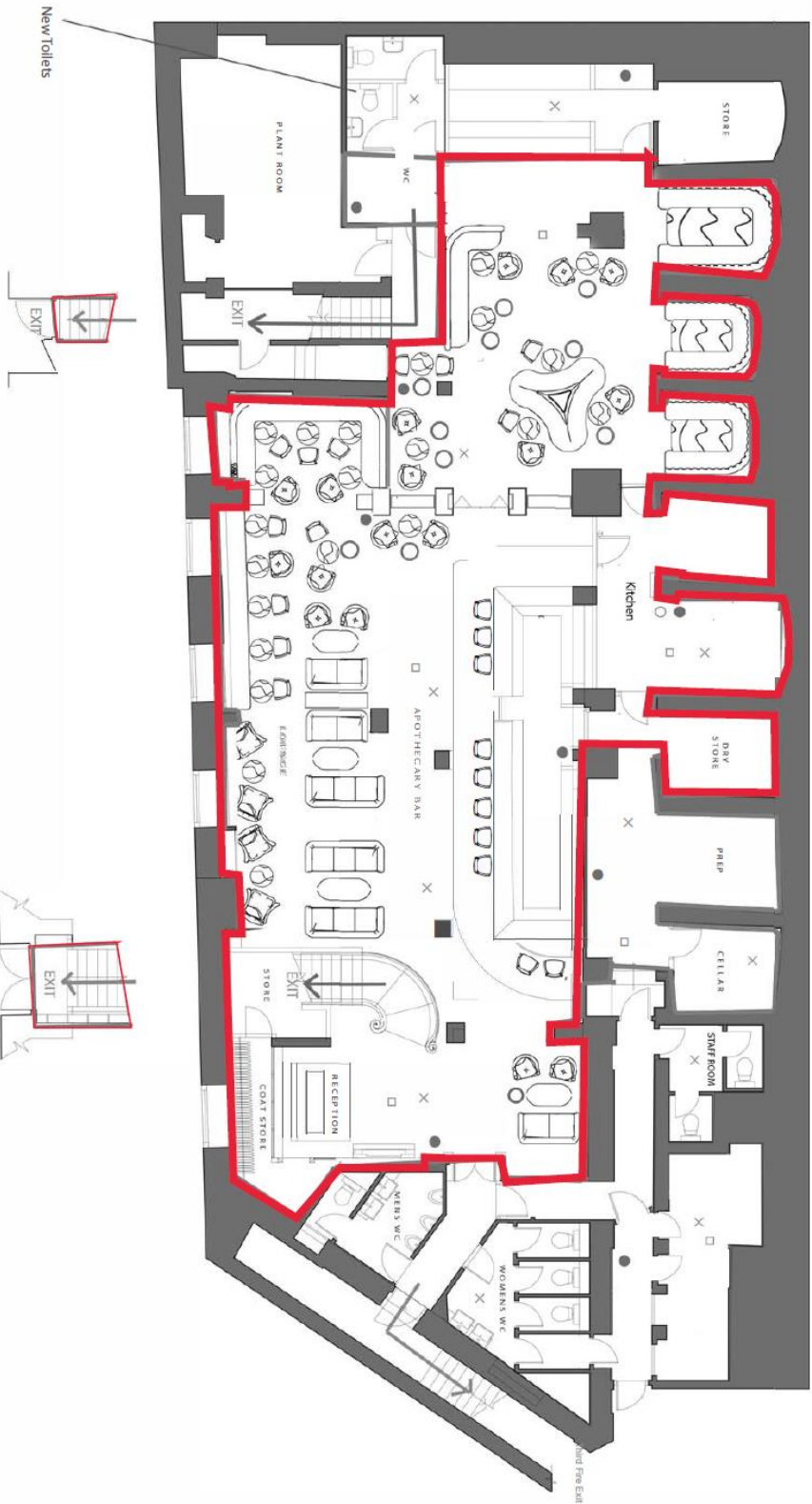
# Annex 4 – Plans

MR FOGGS | LONDON | MAYFAIR | BADSTUDIOS.CO.UK

- FIRE EXTINGUISHER
- FIRE BLANKET
- ✕ FIRE DETECTOR
- SOUNDER

■ FRONT OFFICE SECOND ENTRANCE

NOTES: ALL fire and extinguishers are to be placed in accordance with the fire risk assessment. Fire extinguishers are to be placed in accordance with the fire risk assessment. Fire detectors are to be placed in accordance with the fire risk assessment. Sounders are to be placed in accordance with the fire risk assessment.



Mr Foggs's Apothecary, 34 Brook Street

PROPOSED EDA  
2023/04/27/25315871

3D



# City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

WARD: West End  
UPRN: 010033590754

Regulation 33, 34

## Premises licence summary

Premises licence number:

24/00115/LIPDPS

### Part 1 – Premises details

#### Postal address of premises:

Mr Foggs Apothecary  
Basement  
34 Brook Street  
Mayfair  
London  
W1K 5DN

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

Not applicable

#### Licensable activities authorised by the licence:

Exhibition of a Film  
Indoor Sporting Event  
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:

##### Exhibition of a Film

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

##### Indoor Sporting Event

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

##### Performance of Live Music

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

##### Playing of Recorded Music

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

##### Late Night Refreshment

Monday to Saturday: 23:00 to 01:30  
Sunday: 23:00 to 23:30

**Sale by Retail of Alcohol**

Monday to Saturday: 07:00 to 01:30  
Sunday: 12:00 to 23:30

**Seasonal Details for all of the above:**

From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

**The opening hours of the premises:**

Monday to Saturday: 07:00 to 02:00  
Sunday: 12:00 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:**

Brook Street Bar Limited  
10 Queen Street Place  
London  
United Kingdom  
EC4R 1AG

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

12154897

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

Name: Quentin Louviot

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

Restricted

**Date:** 23 January 2024



**Signed:**

**This licence has been authorised by Miss Roxsana Haq on behalf of the Director - Environment, Climate & Public Protection (ECPP)**

## Application History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
22/02758/LIPN	New premises licence application	23.06.2022	Granted in full by Licensing Sub-Committee
23/02752/LIPVM	Minor variation application to replace Condition 37 with the following conditions:- There shall be no admittance or re-admittance to the premises after 01:00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call) The applicant has discussed the application with both the police and environmental health consultation team. There are no increases in hours or licensable activities being sought. Discussed with Police Licensing Team and Mr Ian Watson of the environmental health consultation team.	19.05.2023	Refused
23/03958/LIPV	Full Variation to amend Condition 37 as follows:  There shall be no admittance or re-admittance to the premises after 01:00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call)  There are no increases in hours or licensable activities being sought.	14.06.2023	Application withdrawn by applicant
23/04850/LIPDPS	Vary DPS	16.08.2023	Granted by delegated authority
24/00115/LIPDPS	Vary DPS	23.01.2024	Granted by delegated authority

**There is no appeal history**

## **Appendix 4**

### ***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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. 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.**

11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. The maximum number of persons, excluding staff, to be present in the licensed premises shall not exceed 270 persons.
13. All licensable activities taking place between 07:00 and 09:00 hours at the premises shall be private events or to customers who have pre-booked. Such events shall be restricted to Champagne and/or Wine, and substantial food and non-intoxicating beverages shall be available.
14. The premises licence holder shall ensure that the premises operates in accordance with an Outdoor Management/Smokers and Dispersal Policy.
15. During the hours of operation, 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.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
21. 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.



22. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
23. 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 preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
25. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - a) All crimes reported to the venue;
  - b) All ejections of patrons;
  - c) Any complaints received concerning crime and disorder;
  - d) Any incidents of disorder;
  - e) All seizures of drugs or offensive weapons;
  - f) Any refusal of sale of alcohol.
26. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
27. A challenge 21 proof of age scheme shall be operated at the premise 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.
28. 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.
29. 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.
30. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
31. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
32. The edges of the treads of steps and stairways shall be maintained so as to be
33. conspicuous.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
35. No licensable activities shall take place at the premises until premises licence

22/01012/LIPVM has been surrendered and is incapable of resurrection.

36. All windows and 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
37. There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).

**To be replaced with:**

37. There shall be no admittance or re-admittance to the premises after 01.00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
38. There shall be no sales of alcohol for consumption off the premises after 23.00 hours
39. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
40. After 23:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.
41. Patrons permitted to temporarily leave and then re-enter the premises (e.g. to smoke, make a phone call) shall not be permitted to take glass containers or consume drinks in the outside area after 00.00.
42. SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.

**To be replaced with:**

42. SIA licensed door supervisor(s), (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 (when required) at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.
43. Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers.

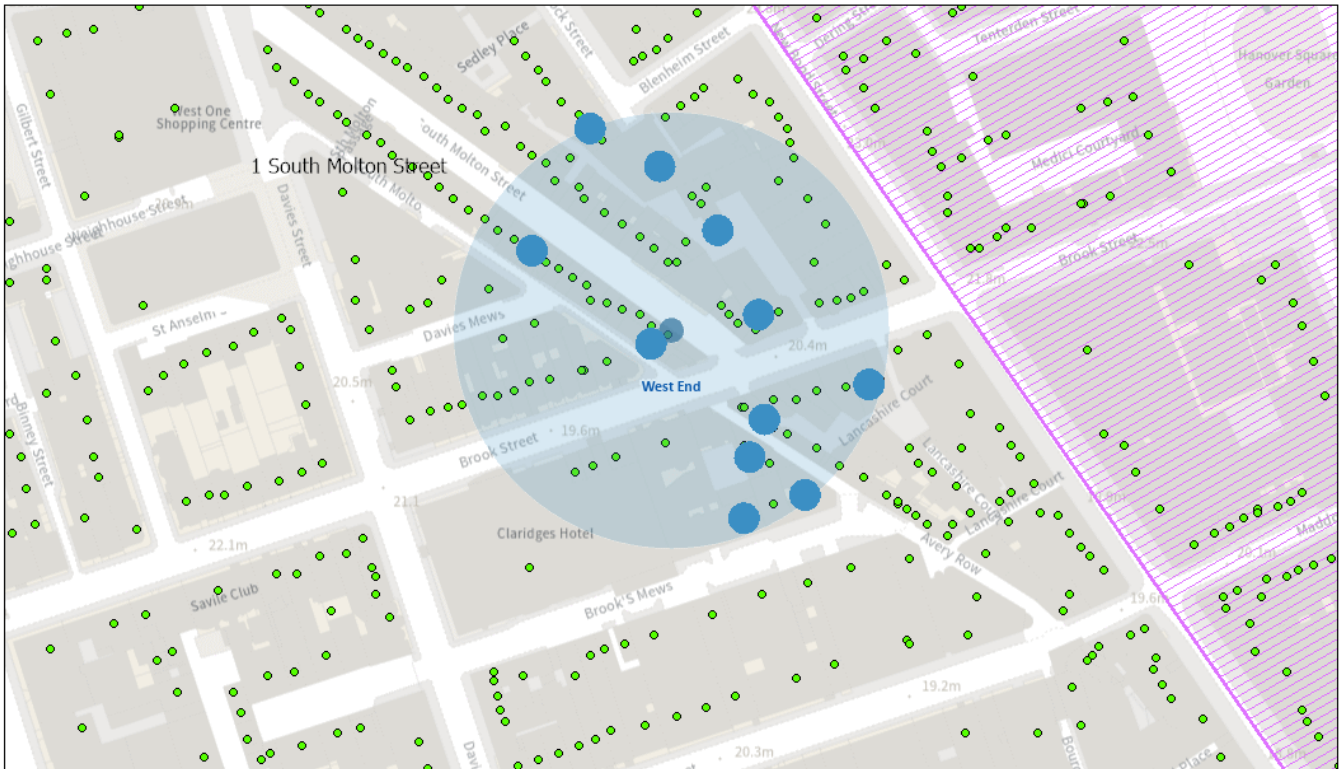
**To be replaced with:**

43. Notwithstanding the SIA condition above (no 42), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes on Fridays and Saturdays after the premises close, to supervise and prevent potential nuisance from customers.

# Residential Map and List of Premises in the Vicinity

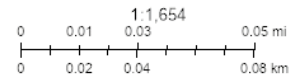
# Appendix 5

BASEMENT, 34, BROOK STREET, MAYFAIR, LONDON, W1K 5DN



16/02/2024, 10:56:10

- Property Mailing List
- Ward Boundaries
- Ward Labels
- Special Consideration Zones



**Resident Count: 23**

Licensed premises within 75 metres of Basement, 34, Brook Street, Mayfair, London, W1K 5DN				
Licence Number	Trading Name	Address	Premises Type	Time Period
24/00115/LIPDPS	Mr Foggs Apothecary	Basement 34 Brook Street Mayfair London W1K 5DN	Public house or pub restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 07:00 - 02:00
23/07678/LIPN	Not Recorded	Second Floor 34 Brook Street Mayfair London W1K 5DN	Not Recorded	Monday to Sunday; 07:00 - 22:00
23/07679/LIPN	Not Recorded	Third Floor 34 Brook Street Mayfair London W1K 5DN	Office	Monday to Sunday; 07:00 - 22:00

06/03942/WCCMAP	Ikeda Japanese Restaurant	Basement And Ground Floor 30 Brook Street Mayfair London W1K 5DJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/03325/LIPDPS	Bonhams	3 Haunch of Venison Yard London W1K 5SS	Auction Rooms	Sunday; 12:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00
21/02830/LIPN	Not Recorded	Basement And Ground Floor 20 Avery Row London W1K 4AT	Food store	Monday; 07:00 - 23:00   Tuesday; 07:00 - 23:00   Wednesday; 07:00 - 23:00   Thursday; 07:00 - 23:00   Friday; 07:00 - 23:00   Saturday; 07:00 - 23:00   Sunday; 07:00 - 23:00
20/09601/LIPN	Browns	39 Brook Street Mayfair London W1K 4JE	Not Recorded	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; 08:00 - 00:00   Sunday; 08:00 - 23:00
23/03152/LIPN	11-12 South Molton Street	11 South Molton Street London W1K 5QL	Restaurant	Friday to Saturday; 09:00 - 00:30   Sunday to Thursday; 09:00 - 00:00
14/01662/LIPVM	Bonhams	Blenstock House 7 Blenheim Street London W1S 1LG	Auction Rooms	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
22/00528/LIPDPS	The Bath & Racquets Club	49 Brook's Mews London W1K 4EB	Private sports centre (no pool)	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
07/07013/WCCMAP	Handel House	Handels House 25 Brook Street Mayfair London W1K 4HB	Museums & Art Galleries	Sunday; 09:00 - 18:00   Monday to Saturday; 09:00 - 20:00
21/14210/LIPRW	LPM	54 Brook's Mews London W1K 4EG	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30

16/14245/LIPDPS	Chisou	Basement And Ground Floor 22 Woodstock Street London W1C 2AP	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 01:30
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