

Draft Statement of Licensing Policy

Licensing Act 2003

June 2026



City of Westminster

This draft Statement of Licensing Policy of Westminster City Council, the Licensing Authority for the City of Westminster, was prepared under Section 5 of the Licensing Act 2003 with regard to the Revised Guidance issued under section 182 of the Licensing Act 2003.

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How to use this policy

How to use this policy

This Statement of Licensing Policy is for the use of applicants, residents, businesses and responsible authorities. Applicants need to have regard to the policies within this statement when considering and preparing their application. Residents and businesses should review the council's policies when considering an application for a premises that is near to them. Responsible authorities should use the policy along with their expertise and any evidence they have to consider whether an application is likely to impact the licensing objectives and whether it meets the requirements of the policies within this statement.

No matter whether you are an applicant, responsible authority, resident or any other person, the policies within this statement that apply to the application should be considered as follows:

Part C Applications

The Licensing Objective Policies (CD1, PS1, PN1 and CH1) apply to all applications. Applicants must be able to demonstrate that they will promote the four licensing objectives. The relevant considerations and criteria that the Licensing Authority will take into account are listed within these policies. Each application will be considered on its own merits having regard to this policy and the Secretary of State's Guidance (which may be issued from time to time).

Part D Premises Licence and Club Premises Certificate Policies

These policies apply to applications for premises licence and club premises certificates to be granted, varied or transferred.

II – Licensing Objectives Policies

The Licensing Objective Policies (CD1, PS1, PN1 and CH1) apply to all applications. Applicants must be able to demonstrate that they will promote the four licensing objectives. The relevant considerations and criteria that the council will take into account are listed within these policies. Each application

will be considered on its own merits having regard to this policy and the Secretary of State's Guidance (which may be issued from time to time).

III – Premises Uses Policies

The premises use policies relate to the most common licensed operations that are applied for within the city. Each premises use policy provides a definition that describes the premises operations that will fall under that policy. You should then read the policy text; this will tell you what the council's policy is for that particular type of premises operation. Some policies have a number of different policy approaches based on whether the premises are located within the Cumulative Impact Zone or Special Consideration Zone and whether the hours are within or outside Core Hours. Finally, you should read the supporting text of the policy, this will tell you the reasons for the policy and give an indication of what the council will be particularly interested in when considering an application.

If the proposed operation of a premises does not meet all or part of the definition within the premises use policies, the council will have regard to the policy that most closely relates to that operation. For example, if an application is for a food-led establishment providing meals for customers for consumption on the premises that does not fit the definition of a restaurant within the Restaurant Policy (RNT1), the council will generally look to apply the same considerations under the Restaurant Policy when determining that application. The council is aware that the operation, styles and experience that licensed premises offer are always evolving and in that some operations will not fit the premises use policy definitions.

IV – Core Hours Policy

The council has set Core Hours which it believes are appropriate for certain premises uses. The Core Hours Policy (HRS1) provides the relevant Core Hours for each of the premises uses which are defined within the premises use policies within this statement.

V – Spatial Policies

There are two specific spatial policy approaches within this statement that come from the Council's Cumulative Impact Assessment, published in June 2026. This looked at the locations of licensed premises across the city and identified areas where the cumulative effect of premises was impacting the licensing objectives. The two spatial policies are:

- Cumulative Impact Zone – Policy CIP1.
- Special Consideration Zone – Policy SCZ1.

The cumulative impact policy sets out a presumption to normally refuse applications for pubs, bars, fast food premises and music, dance or similar entertainment venues in the West End Cumulative Impact Zone, other than in limited circumstances. This is due to the cumulative effect of these types of venues in this area which is defined in a map within this section of the Policy. Applications for other types of venues in this area will need to demonstrate to the satisfaction of the council that they will not add to the cumulative impact.

The special consideration zone policy applies to eight other areas of the city where the cumulative impact is adversely affecting the licensing objectives but not to the same extent as in the West End Cumulative Impact Zone. These areas are also defined in maps contained within this section. The policy requires applications for premises in these areas to include measures to address the particular issues in the area that are the main causes of the cumulative impact. The policy applies to all application types, except for the Harrow Road Special Consideration Zone, where the policy only applies to applications seeking to supply alcohol for consumption away from the premises.

Look at the relevant policies and maps depicting these zones. If the premises are located within one of these Zones, then the relevant spatial policy will apply. If the premises are located outside of these zones, the application will be considered based on the other policies within this statement.

Part E – Temporary Event Notice

This policy applies to standard temporary event notices. It sets out the criteria and considerations that will be taken into account where an objection is received and the council must decide whether it is appropriate to issue a counter notice.

Part F – Personal Licences

This part sets out the policies that will be applied to applications for personal licences to be granted where an objection is received, and also to licences once they are issued and the council becomes aware that the licence holder has been convicted or a relevant, foreign or immigration offence. In each case, the council will apply the relevant policy to determine the appropriate course of action.



Applicants

When preparing an application, applicants should refer to the part of this policy that is relevant to the type of application they are making. Applicants should have regard to the applicable policy requirements and consider the reasons for those policies. Other factors may also be relevant depending on the type and circumstances of the application. For example, with a premises licence application, the particular characteristics surrounding the premises may help to inform the application. In addition to the policy, applicants should have regard to the council's Good Operator Guidance, which provides practical suggestions on how to promote the licensing objectives.

Applicants must demonstrate how the application and, where applicable, the operation of the premises will promote the licensing objectives. Residents, businesses and responsible authorities will consider the information provided within an application and it is therefore important to include as much detail as possible. Applications that are lacking adequate information are more likely to receive representations or objections. Applicants may therefore wish to provide additional documents to support their applications but these should be provided at the time the application is made.

It may be beneficial for those applying for premises licences, club premises certificates or temporary event notices to engage with the local community before submitting the application. Early engagement with residents, businesses and responsible authorities can help to identify and address potential concerns, which may reduce the likelihood of representations and could therefore prevent the need for the application to be determined at a hearing. Where representations are made, applicants are encouraged to engage constructively with those raising concerns in order to better understand the issues and where possible, to agree appropriate mitigation. Early dialogue with responsible authorities or other parties who make representations can enable meaningful discussions and potential agreement.

A list of the relevant authorities responsible for the City of Westminster and their contact information is provided at [Appendix 9](#) – this will be updated separately if details change.

Relevant representations, responsible authorities and other parties

In order for the views of any party to be taken into account in respect of an application, they must qualify as relevant. This means they are:

- Made by a responsible authority or any other person;
- Made in writing to the council;
- Received by the council within the time period allow for making representations or objections;
- Relating to the likely effect of the granting of the application upon one or more of the licensing objectives; and
- Not considered by the council to be frivolous or vexatious, if made by a person other than a responsible authority.

When making a representation or objection, either in opposition to or in support of an application, responsible authorities and other persons must only address the likely effect of granting the application on the promotion of the licensing objectives and the relevant policies that apply. Representations cannot be based on issues that do not relate to the licensing objectives, such as moral grounds, the need for a particular premises or whether it benefits from planning permission. Licensing and Planning are complimentary but legally distinct regimes with their own aims and considerations. Planning permission, or lack thereof, is not a reason to grant or refuse an application. Planning matters will only be considered where they relate to the promotion of the licensing objectives, so the relevance of planning matters will be decided on a case-by-case basis.

Where possible representations and objections should include as much detail as possible so that they can be addressed by the applicant at or before a hearing. Supporting documentation may be provided but this should be submitted as soon as possible. Responsible authorities and other persons are encouraged to engage with applicants if they attempt to make contact to discuss the content and the concerns. This engagement and meaningful discussions can help to strengthen the protections and may lead to agreement between both parties. However, the council understands that it will not always be possible to come to an agreement. In such cases, the application will usually be determined by the Licensing Sub-Committee at a hearing.

Residents and businesses who make a representation or objection and do not withdraw it prior to the hearing are encouraged to attend, where possible. This will give the objector the opportunity to hear the applicant's explanations and allow them to elaborate on their representation or objection. This will also enable the applicant or Sub-Committee to ask any questions they may have to help with understanding the concerns.

Licensing Advice Project

The council understands that residents may not be able to attend a hearing due to other commitments or that they may find the proposition of attending and addressing a Licensing Sub-Committee daunting. The Citizens Advice Westminster's Licensing Advice Project provides independent, impartial and confidential information, advice and assistance on the licensing process, help in drafting a representation to a particular application and, if required, can represent the resident at a Licensing Sub-Committee hearing on their behalf. This service is free for Westminster residents.

Further information on the Westminster Citizens Advice Bureau Licensing Advice Project services can be found at licensingadvice.org. Alternatively, residents can contact them via:

Email: licensing@westminstercab.org.uk

Telephone: 020 7706 6029

Address: Licensing Advice Project, Westminster Citizens Advice Bureau,
The Stowe Centre, 258 Harrow Road London, W2 5ES



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City Profile

The City of Westminster

- A1.** The City of Westminster is an Inner London borough with city status. It is home to around 210,000 people¹ who make up the highly diverse local communities. However, during the daytime, the population can surge to around one million people with visitors, residents and commuters.



- A2.** Westminster is world renowned for its theatres and entertainment, as well as national landmarks and districts which include Westminster Abbey, Houses of Parliament, Buckingham Palace, Big Ben, Marble Arch, Mayfair, Oxford Street, Piccadilly Circus, Soho, Trafalgar Square and the Royal Parks. The city's local economy has national clout, contributing almost £95bn to the country's economic output.² It is a prestigious business location, housing the international headquarters of many multinational organisations and startups.
- A3.** The council has wide experience in regulating entertainment. Licensed entertainment in Westminster plays a significant role in London's appeal as a vibrant destination for tourists and visitors. The scale, diversity and concentration of entertainment venues in the West End are unparalleled. Westminster has more licensed premises than any other local authority area in the UK, with over 4,000 premises. These include around 1,750 licensed restaurants and cafés, over 450 licensed shops and retail premises, nearly 500 pubs, bars and wine bars, over 230 hotels and similar accommodation, 116 nightclubs and dance venues, over 75 members' clubs, 50 theatres, 21 cinemas, more than 130 licensed offices, conference centres and studios, and around 35 fast food premises and takeaways, alongside a diverse mix of educational, community, cultural and entertainment venues. Of these, there are 18 Lesbian, Gay, Bisexual, Transgender, Queer (or Questioning), and Intersex (LGBTQI+) venues.³
- A4.** The economic contribution of licensed premises in Westminster is significant. They generate up to £3.7 billion in Gross Value Added (GVA) and support approximately 80,000 jobs, making the sector a cornerstone of both the local and national economy. Beyond direct employment and revenue, licensed premises create substantial indirect benefits, including an estimated £1.2 billion in local supply chain spending and around £300 million in annual business rates revenue.⁴
- A5.** Westminster's licensed operators make a significant contribution to enriching the city. Licensed premises play a pivotal role as cultural venues that are crucial in sustaining Westminster's visitor economy and offering a diversity of world class and cutting-edge cultural experiences. Beyond their economic benefit, many licensed operators offer important late-night services and spaces for those who work unsocial hours, particularly medical and healthcare staff. The night-time in Westminster is as much for somebody visiting friends for dinner at 8pm or working as a nurse at 2am, as it is for somebody going to the theatre, eating out at a restaurant, or attending a music venue.
- A6.** The growth of the entertainment industry is important for Westminster's economic vitality and its leading role as a place for cultural innovation. However, this must not compromise Westminster being a great place for residents to live. The council expects licensed operators to demonstrate best practice by being responsible and inclusive operators. The council believes that good management of its vibrant entertainment industry and of the street environment within which it operates is essential to the continued success of central London and attracting a wide range of people who want to come here to live, work and visit.



Our Approach to Licensing in Westminster

Our Approach to Licensing in Westminster

The Framework

- B1.** Licensing involves the regulation of licensable activities carried out on licensed premises, by qualifying clubs and at temporary events, in accordance with the Licensing Act 2003 ("the 2003 Act"). The activities regulated by the 2003 Act are:
- The sale of alcohol by retail;
 - The supply of alcohol to a member of a club;
 - The provision of regulated entertainment; and
 - The provision of late-night refreshment.
- B2.** This Statement of Licensing Policy ("the Policy") has been prepared under section 5 of the 2003 Act. It sets out how the council, as the licensing authority, will undertake its duty to promote the licensing objectives when carrying out its licensing functions.
- B3.** There are four licensing objectives that are of equal importance:
- Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance, and
 - Protection of children from harm.
- B4.** The council must have regard to this Policy and any guidance issued by the Secretary of State under section 182 of the 2003 Act when undertaking its licensing functions. This policy has been prepared with reference to the Revised Guidance issued by the Secretary of State in February 2026 ("the s.182 Guidance").⁵
- B5.** In addition to the statutory s.182 Guidance, the Government published a National Licensing Policy Framework ("the Framework Guidance")⁶ on 26 November 2025. This is non statutory guidance that applies exclusively to "on-trade" premises that the Government expects licensing authorities to have regard to it when preparing their licensing policies. The Council has recognised the government priorities set out in the Framework Guidance and, where appropriate, has incorporated them into the Council's licensing strategy. The Council will continue to have regard to the Framework Guidance when exercising its licensing functions. However, the 2003 Act, the s.182 Guidance and this policy will take precedence, as set out in law.
- B6.** The council also notes the powers conferred on the Mayor of London by virtue of the amendments to the 2003 Act made by the English Devolution and Community Empowerment Act 2026. The Mayor is required to determine a policy in relation to the carrying out of relevant licensable activities in Greater London, to which all London licensing authorities must have regard. The council will consider the implications of the mayoral policy, once published, alongside the legal obligations that have been imposed on the council. The responsibility for upholding the licensing objectives remains with the council and accordingly the council remains committed to decision-making at a local level and will resist any mayoral intervention that compromises its ability to meet its legal responsibilities.
- B7.** The Policy does not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions. It also does not override the right of any person to make representations about an application or apply for the review of a licence or certificate, where provision has been made for them to do so in the Act.

- B8.** The council will consider each application on its individual merits. It may depart from the Guidance or make exceptions to its own policies where it is appropriate to do so in order to promote the licensing objectives. The council will give full reasons for its decision.

Licensing Strategy

- B9.** The council recognises that a thriving licensed economy plays a vital role in creating a successful city. Venues that offer a variety of food, drink, entertainment and cultural experiences contribute significantly to Westminster's character and identity, supporting strong and active neighbourhoods and providing a diverse range of leisure opportunities for residents and visitors alike. However, this contribution must be carefully balanced with the council's duty to promote the licensing objectives, with an emphasis on activity taking place particularly before 22:00.

Economic Benefit of Licensed Premises

- B10.** The council acknowledges the important role that licensed premises play in supporting economic growth and regeneration across the city. By bringing footfall and sustaining activity, licensed venues bring vitality to high streets and neighbourhoods and support the wider economy. The Council strongly supports this activity throughout the day and evening, and encourages businesses to adapt their operations during traditionally quieter periods to attract customers and maximise economic opportunities through the day and across the week. Increased footfall can alter the character of an area and may contribute to reductions in antisocial behaviour and levels of crime and disorder, which helps to promote the licensing objectives. The Council also recognises the significant and wide ranging employment opportunities provided by the licensed sector in Westminster, from entry level and flexible roles to skilled, managerial and creative positions. The employment of local residents and the offering of apprenticeship schemes is strongly encouraged as this will not only deliver economic benefits for the local community through creating pathways for residents to develop skills and build careers in hospitality and creative industries, but can enhance operational resilience by reducing reliance on public and other forms of transport, which will also have environmental benefits.

Diverse Offerings

- B11.** The Council acknowledges the findings of the London Nightlife Taskforce⁷ and appreciates the challenging commercial environment currently faced by licensed venues. This includes rising operating costs, changes in alcohol consumption – particularly among younger age groups – transport limitations, and shifts in consumer priorities, spending patterns and demand, arising from cost-of-living pressures and changes in working patterns. In response, many operators have innovated and diversified their business models, placing greater emphasis on food-led and experience-driven offers and more flexible use of space, leading to venues providing a more varied leisure offering for the public.

Social and Health Contributions

- B12.** The council accepts that licensed premises can provide social and health benefits. They provide valuable places for social interaction, inclusivity, cultural expression and leisure activities, helping to reduce social isolation, support mental wellbeing and strengthen community cohesion. The council also recognises that many residents who live near licensed premises, appreciate the amenity benefits they contribute to local areas. The council particularly acknowledges the significance of LGBTQIA+ venues and the vital role they play in making safe, inclusive spaces that recognise identity, support visibility and allow social connection. Licensed premises can help to strengthen Westminster's appeal as a welcoming and diverse city, and a great place to live, work and visit.

Harmful Impact of Licensed Premises

- B13.** Alongside the benefits that licensed premises bring, the council is fully aware that the provision of licensable activities has the potential for harmful impacts where such provision is not properly managed. Crime, antisocial behaviour and noise nuisance often occur as a result of poorly run premises, the cumulative impact of clusters of licensed venues, or the behaviour of patrons within the wider locality. The council acknowledges that such impacts can adversely affect other businesses and residents' quality of life, have a detrimental effect on children and place demands on public services, which may also be impacted by the short and long-term effects of irresponsible alcohol consumption.

Prevention of Violence Against Women and Girls

- B14.** The council fully recognises and takes seriously the heightened risk of harassment, violence, and vulnerability faced by women and girls, and acknowledges that licensed premises and licensable activities can contribute to this. The council is committed to ensuring that all women feel safe and supported when working, visiting, or passing by any licensed venue in Westminster.

Protective Security and Public Protection

- B15.** The council acknowledges that licensed premises are often crowded places that are publicly accessible and have the potential to be easily targeted in a terrorist incident, resulting in devastating consequences. Whilst not common, terror attacks have occurred in Westminster, with some targeting bars, pubs and nightclubs. The council therefore appreciates the importance of ensuring licensed premises are adequately prepared to respond to the threat of terrorism. The council welcomes the implementation of the Terrorism (Protection of Premises) Act 2025 – also known as “Martyn’s Law” or the ‘Protect Duty’ – that introduces legal requirements for certain premises to take proportionate steps to protect the public and mitigate the impact of any terrorist incident. This represents an important step in tackling terrorism.

Equality and Inclusion

- B16.** The council is committed to creating vibrant communities and achieving equality and inclusion to improve the quality of life and opportunities for all people who live, work and visit the city. Licensed premises play a vital role in supporting this ambition. In exercising its licensing functions, the council will have regard to its public sector equality duties under the Equality Act 2010, including the need to eliminate unlawful discrimination, harassment, victimisation and any other prohibited conduct. The council will also advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not. The Equality Act 2010 defines the protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation, and makes it unlawful to discriminate against any person, including employees and customers.
- B17.** Applicants and licence holders must make themselves familiar with the law and their responsibilities under the Equality Act 2010 and relevant guidance for businesses published by the Equality and Human Rights Commission. The council will use the licensing process to ensure compliance with these legal obligations. It will aim to identify and scrutinise applications that do not provide sufficient information about the promotion of equality. This approach aligns with the council’s wider objectives to foster strong, cohesive communities and ensure all residents and visitors are able to participate fully in the city’s cultural and social life.

Our Strategy

B18. The Licensing Act 2003 supports a number of key and vitally important aims and purposes. As recognised in the s.182 Guidance,⁸ these include protecting the public and local residents from harm, enabling the police and licensing authorities to effectively manage the evening and night time economy, recognising the role of licensed premises in local communities, reflecting local needs, and encouraging community involvement in licensing decisions. The s.182 Guidance⁹ also says that all licensing authorities should consider the need to promote growth and deliver economic benefits when making licensing decisions. The Council recognises the impact that the challenging economic climate is having on businesses and wants them to take advantage of all economic opportunities. However, this must not be to the detriment of the licensing objectives. Evidence suggests, for example, that noise complaints about licensed premises are more prevalent between 22:00 and 23:00 than at other times of the day. The Council is therefore more likely to support varied operations that promote the licensing objectives during the day and early evening, predominantly before 22:00.

B19. This statement of licensing policy sets out the policies that the council believes will strike a reasonable balance between these differing and sometimes competing aims in promoting the licensing objectives, balancing the vibrancy of the city with the need to protect residents and maintain safe, inclusive spaces. In exercising its licensing functions, the council will seek to:

- Drive sustainable growth and wider economic benefits by supporting responsible operators and enabling innovation in the hospitality and cultural sectors to help businesses adapt to economic challenges, and respond to new trends, technologies and consumer preferences.
- Align licensing and planning decisions where possible, and have regard to relevant local plans and strategies, such as those relating to town planning, the night-time economy, culture and economic growth.
- Encourage positive changes in the composition of Westminster's evening and night-time economy and support measures that promote a more balanced range of venues that are less dominated by alcohol-led activities and more widely distributed across the city.

- Support diverse, inclusive and well managed venues for all ages and communities – particularly those that are embedded in their local areas – and promote higher accessibility standards, sensory friendly and inclusive programming and initiatives that help to combat social isolation, particularly during evening and night time periods.

B20. However, this can only be achieved where it is appropriate for the promotion of the licensing objectives to do so. In fulfilling this duty, the council will:

- Provide robust protection and minimise harm to local communities by ensuring that licensable activities are provided in suitable locations, at appropriate times and in a responsible manner.
- Address the cumulative impact of licensed premises through the use of cumulative impact policies and ensure the effective dispersal of customers from both venues and the surrounding areas.
- Strive to prevent all violence against women, girls and other vulnerable persons by promoting safer licensed environments and requiring responsible venue management with proactive safety measures embedded across licensed premises – this includes appropriate staff training, effective safeguarding policies and procedures, and the operation of safety initiatives, such as the Ask for Angela scheme, being standard practice.
- Discourage excessive drunkenness and encourage the provision of more seating in premises that serve alcohol for people to sit and enjoy a drink and order food by table service in place of open bar space that caters for high volume vertical drinking.
- Aim to eliminate all forms of discrimination in licensed venues so that they are all welcoming and inclusive environments with no discriminatory policies, such as refusal of entry based purely on not being the right 'look' or 'fit' for the venue.
- Work with partner agencies to reduce the risk of a terrorist incident in a licensed venue and ensure that they are safe spaces run by licence holders that comply with all relevant statutory duties to improve protective security and organisational preparedness, as and when they apply.

- Strengthen enforcement against problematic premises and take swift action against operators who cause persistent disturbance.

B21. Licensing law will always be a key aspect of the council's holistic approach to the management of the evening and night-time economy across Westminster. However, as recognised in the s.182 Guidance,¹⁰ licensing is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or authorisation. The Council will therefore continue to use the full range of available regulatory, enforcement and partnership tools, working closely with responsible authorities and other agencies, to address these issues in a proportionate and coordinated way.

Related Strategies, Initiatives, Accreditation Schemes and Other Relevant Legislation

B22. The council has adopted a range of strategies to protect and enhance Westminster's status as a world-class city. It has implemented measures to address antisocial behaviour, noise nuisance, and the deterioration of the street environment which are issues often associated with late-night activity. At the same time, the council has developed strategies around cultural development, supporting economic growth, and promoting sustainability and environmental best practice. These strategies are described in [Appendix 5](#). Achieving these objectives requires a coordinated and balanced approach, including the effective use of licensing and planning powers alongside proactive management of the public realm.

B23. The council supports a range of recognised best practice initiatives and accreditation schemes for licensed premises, which aim to improve standards of management, safety, and customer experience, particularly within evening and night-time periods. These include the Women's Night Safety Charter, Safe Sounds Partnership, the Council's Night Safety Accreditation and Safe Haven Schemes, and Best Bar None. Whilst participation in such initiatives is voluntary, it demonstrates a commitment to responsible practices and continuous improvement. Further detail on these schemes is set out in [Appendix 6](#).

B24. Many other statutory requirements apply to licensed premises such as fire safety, public health, food hygiene, and weights and measures. A list of other relevant legislation is provided in [Appendix 7](#). The council is committed to avoiding duplication with other regulatory regimes as far as possible. The council will continue to work collaboratively across service areas to ensure proportionate and effective regulation, while avoiding unnecessary duplication between regulatory regimes. Conditions will only be imposed if they are considered appropriate to promote the licensing objectives and are not already requirements under other legislation.

Policy Approach

B25. This statement of licensing policy provides the strategic framework that will help to shape Westminster's hospitality and cultural landscape, including its evening and night-time economy, and to enable the delivery of the council's licensing strategy. The council is committed to making clear, unambiguous policies and being open and transparent with decision-making to provide clarity and a degree of certainty for operators, local communities and all persons affected by licensed licensing premises and the licensed trade.

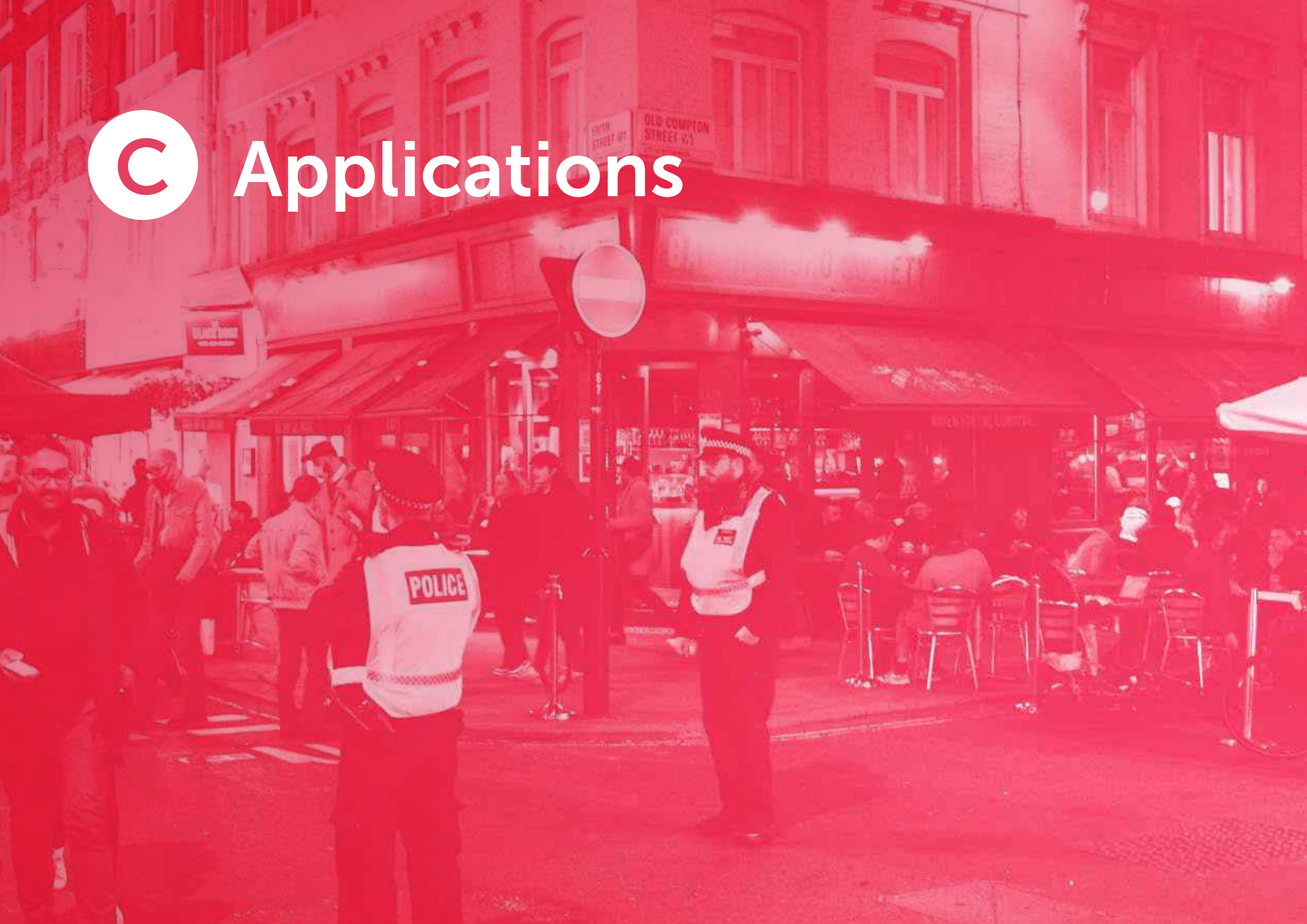
B26. The Council has discretion to grant, amend or refuse an application for the grant, variation or transfer of a premises licence but only where one or more representations relevant to the licensing objectives are made in due time by a responsible authority or other person (including local residents and businesses). The same approach applies to applications for the grant or variation of a club premises certificate. The Mayor of London is due to receive powers that will enable them to call-in and amend certain decisions but the council remains the licensing authority for Westminster and will use its discretion to determine applications as it considers appropriate having regard to the applicable policies and the promotion of the licensing objectives.

- B27.** The council also has discretion to impose conditions on a temporary event notice, to stop a temporary event from taking place or to reject a personal licence where objections are received from the relevant responsible authorities. In all other cases, the council must grant applications and allow temporary events to proceed. The council's discretion is always engaged where an application is made to review a premises licence or club premises certificate.
- B28.** The way that the council has delegated authority to determine applications is shown at [Appendix 3](#) (See [Appendix 4](#) on reviews of premises licences and club premises certificates).
- B29.** The council will only apply this Policy when relevant representations or objections have been made, or an application is made to review a licence or certificate. The Policy will not be applied retrospectively and will only become relevant to an existing licence or certificate where an application is made to vary, transfer or review these authorisations. However, the council encourages all licence and certificate holders to follow the principles and apply the measures set out in the policy to help them comply with statutory obligations and to promote the licensing objectives when providing licensable activities.





Applications



Submission of Applications Policy AS1

- C1.** The Council expects all applicants to complete application forms in full and provide clear, comprehensive information. This should include, where required, a full description of the premises, together with details of the proposed style of operation, licensable activities and operating hours. Applications should be submitted with all relevant supporting documentation and the appropriate fee, where applicable.
- C2.** Applications should contain sufficient detail to enable the proposed operation, and the likely implications of granting the application, to be properly understood and considered. This includes clearly setting out any seasonal variations or non-standard timings forming part of a premises licence or club premises certificate application. Such timings must be stated unambiguously, with clear start and end times for each day. Applicants should also clearly set out how the premises will be used and if there will be different uses at different times of the day, on different days of the week or at different times of the year (e.g. a restaurant on some days or for part of the day and a bar at other times). By doing so in an open and transparent way, the council will be able to support applicants to achieve their ambitions for their business, where doing so is appropriate for the promotion of the licensing objectives. Well-prepared and fully completed applications support efficient processing, help to minimise delays, and provide a clear basis for assessment against the licensing objectives.
- C3.** The Council will provide guidance and advice to assist applicants in submitting valid applications. However, it cannot accept applications that do not comply with the statutory requirements of the Licensing Act 2003 and associated regulations. Applicants will be given the opportunity to address omissions, but applications that remain incomplete, unclear, or fail to include the prescribed information cannot be treated as valid and will be rejected.
- C4.** Applicants are encouraged to refer to the Council's "Good Operator Guidance" when preparing applications. This provides advice on key areas including the prevention of crime and disorder (with reference to the Metropolitan Police's crime prevention and effective management checklist), counter-terrorism measures, recommended CCTV standards, noise management, sustainability, and safeguarding against child sexual exploitation. The Council's pool of model conditions may also assist applicants in setting out appropriate steps to promote the licensing objectives should the application be granted.





Premises Licences and Club Premises Certificates

The following policies apply to applications for premises licence and club premises certificate to be granted, varied and transferred.

Applicants are encouraged to refer to the council's "Good Operator Guidance" when preparing applications. This provides advice on key areas including crime and disorder (with reference to the Metropolitan Police's crime prevention and effective management checklist), counter terrorism measures, recommended CCTV standards, noise management, sustainability and safeguarding against child sexual exploitation.

The Council's pool of model conditions may also assist applicants in describing steps that they will take to promote the licensing objectives if the application is granted.

As the Council should consider the need to promote growth and deliver economic benefits when making licensing decisions, if appropriate, applicants are expected to set out in their applications how they consider that the granting of the application will achieve this. Additionally, if applicants consider that the granting of their application aligns with any relevant local or national plans and strategies, such as those relating to town planning, the night-time economy or business support (e.g. the London Plan 2021), they should clearly provide details in their application, listing the relevant plans and/or strategies and explaining their reasons for that view.

In cases where licences have lapsed through insolvency or death, the Council will generally grant a new licence on similar terms as the lapsed licence as a replacement. However, the Council will take into account the previous history of the premises, the length of time the premises have been closed, and any problems at the premises, and will determine and impose conditions that reflect current good practice for the type of business proposed at the premises.

I – General

General Policy GEN1

- A. The council will generally not grant any application that is not consistent with the policies contained within this part of the Policy.
- B. When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1. Whether the application is consistent with the relevant Licensing Objective policies, Premises Use policies, Core Hours policy, Spatial Policies and the Ancillary Delivery Policy, insofar as they relate to the application.¹¹

Considerations

- i. Which policies, and which specific provisions within those policies, are relevant to the application.
- ii. The extent to which the application complies with those relevant policies.
- iii. Whether any departure from the policy is justified by the individual merits of the application.

Reasons for Policy GEN1

- D1. This section of the Policy is intended to provide a clear and coherent framework for decision-making. Each policy addresses a distinct aspect of licensing control, including the promotion of the licensing objectives, the appropriate use of premises and appropriate hours of operation.
- D2. Not all policies will be relevant to every application, but where a policy is relevant, the application should usually comply.
- D3. The council will apply these policies unless there are clear reasons that justify a departure in any particular case.

II – Licensing Objectives Policies

Prevention of Crime and Disorder Policy CD1

- A. The council will not grant any application that does not promote the prevention of crime and disorder licensing objective.
- B. When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1. Whether the premises will contribute to levels of crime and disorder; and
- 2. Whether the operating schedule is based on an adequate risk assessment and takes account of all of the relevant considerations below.

Considerations

- i. The appropriateness of the licensable activities and the steps proposed to prevent crime and disorder, having particular regard to the following:
 - a. The extent to which the Metropolitan Police's effective management checklist has been considered (see the council's Good Operator Guidance);
 - b. Any safeguarding measures to protect women, girls and other vulnerable persons (including the use of safety campaigns and training) and the approach to preventing, managing and responding to harassment, intimidation and violence;
 - c. Any counter terrorism measures such as
 - The completion of a terrorism-threat risk assessment identifying all security-related vulnerabilities and setting out reasonable and proportionate controls (in keeping with the size and nature of the operation) to reduce the risk and impact of a terrorist attack,
 - The preparation of an ACT (Action Counters Terrorism) security plan containing an outline of the proactive steps taken (see the council's Good Operator Guidance),
 - Actions taken in response to any specific protective security advice provided by Counter Terrorism Security Advisors or other parties acting on behalf of the police, other Government agency or any other responsible authority,
 - Compliance with obligations under the Terrorism (Protection of Premises) Act 2025, and any subsequent amendments or similar legislation, as and when they apply;
- d. Any measures to prevent illegal working in the premises;
- e. Any CCTV provision and whether any such system will adequately record incidents and assist in the identification and prosecution of offenders (see the recommended CCTV standards set out in the council's Good Operator Guidance);
- f. Any measures that promote equality and prevent discrimination; and
- g. For pubs, bars and venues offering music and dancing, any consideration given to the risk and control of overcrowding in areas set aside for drinking while standing.
- ii. The layout, lighting and fittings of the premises and whether these have been designed to effectively minimise conflict and opportunities for crime and disorder.
- iii. The levels of crime and disorder in and around the premises.
- iv. The suitability of the applicant and where applicable, their level of compliance with conditions attached to existing licences.
- v. Any information contained in the relevant representations that relates to the prevention of crime and disorder licensing objective.

Reasons for Policy CD1

- D4.** The council expects all applicants to fully explain in their operating schedule how the operation of the premises will promote the prevention of crime and disorder licensing objective. This will enable the potential impact of the premises to be assessed by responsible authorities, other persons and ultimately the council. The suitability of the applicant will also be assessed by the council. For pubs, bars and premises with facilities for music and dancing (e.g. night clubs), the applicant should undertake a specific assessment of how the risks of violence and crime in the premises and the vicinity will be managed and include appropriate control measures in the application.
- D5.** The council works in close partnership with the Metropolitan Police Service to tackle crime and disorder. This is a broad term and includes terrorism, which is clearly a violent crime. Publicly accessible places provide attractive targets for terrorist attacks. Steps must be taken to reduce the risk to the large numbers of people who use licensed premises and spaces that are part of our day, evening and night-time economy, and to provide a safe environment for those who live, work and visit our city. These will be considered by the appropriate responsible authorities and assessed by the council when determining the application.
- D6.** The council is committed to promoting a culture of zero tolerance towards harassment, intimidation, and violence against women, girls, and all other vulnerable persons. Licence holders are therefore expected to take appropriate and proportionate steps, based on the nature of their premises and operations, to foster such a culture within their venues and to prevent all harassment, intimidation, and violence.
- D7.** Immigration crime and allowing illegal working in premises licensed for the sale by retail of alcohol and the provision of late night refreshment are relevant aspects of the crime and disorder licensing objective – the to link wider criminal activity, including document fraud, tax evasion, and organised exploitation is well recognised. The council expects licence holders to undertake steps to ensure lawful employment practices and will work with the Home Office (Immigration Enforcement) to prevent illegal working in licensed premises.
- D8.** The council accepts that CCTV images are an integral part of crime investigation and one of the most powerful pieces of evidence to secure a conviction. CCTV should be provided at premises to varying extents, and only as appropriate to promote the licensing objectives. Generally, only a minimum level of CCTV will be required in premises where it is appropriate to assist in the investigation of thefts, underage sales, non-payment of bills etc., with images of a standard that enables facial recognition and cameras covering entrances, exits and the till areas. Higher levels of coverage, based on factors including the type and location of the premises, any history of crime, and the layout and proposed use of the premises, may be appropriate at individual premises or types of premises associated with high levels of serious crime but in these cases, the council would expect the police to indicate why CCTV is appropriate to such an extent.
- D9.** The Council recognises that the layout and design of licensed premises can play a significant role in preventing crime and disorder. Premises which are designed and operated with appropriate lighting, fittings, and visibility, together with effective crowd management practices, can help to discourage criminal behaviour and reduce the likelihood of disorder.

Conditions

- D10.** The s.182 Guidance¹² sets out matters that may be relevant to the imposition of conditions relating to crime and disorder on licensed premises. The Licensing Authority will tailor appropriate conditions for premises licences and club premises certificates. Since the matters set out in the s.182 Guidance and this policy cannot cover every possible scenario, the council will liaise with the police for advice on appropriate conditions for particular premises. Conditions attached to premises licences and club premises certificates will, as far as possible, reflect local crime prevention strategies as suggested in Revised Guidance.

D11. The Licensing Authority may impose a range of conditions on premises licences or club premises certificates, which may include one or more model conditions collated by the licensing authority. The seeking and any imposition of any of these conditions and their extent will depend upon the risks of crime and disorder at the particular premises. Conditions may include but not be limited to the following:

- Prescribed capacity of premises;
- Requirements for an appropriate ratio of tables and chairs to customers, based on capacity, and for areas to be allocated permanently for seated customers in order to prevent overcrowding, which can lead to disorder and violence;
- A requirement for a certain number of Security Industry Authority (SIA) registered door supervisors to be on the premises at certain times to control numbers of persons entering the premises, to provide a security function within the premises and to deny entry to individuals who appear drunk, disorderly or intent on crime;
- Requirements that drinking vessels be made of toughened glass or plastic or other materials that do not form a sharp edge when broken, and that glass bottles are not passed to customers, e.g. for use outside the premises – These conditions will generally only be required when there have been a number of incidents leading to injuries inflicted by broken glass and where numbers of people gather in association with major sporting and other events but the Police may also encourage the adoption of shatter-proof or crumpleable drink containers at particular premises at times when there are risks of disorder or threats to public safety;
- Restrictions on drinking in areas within and outside the premises;
- Procedures for checking the ages of young people who appear under 21 or under 25 to ensure that alcohol is not sold to those under 18, and that those under 16 are accompanied in alcohol-led premises;
- The maintenance of good order by the management, particularly where alcohol is supplied for consumption and where large numbers of people are admitted;
- Use of a dedicated text, pager or other remote communications between management teams, and local police stations and other licensed premises to provide early warning of disorder;
- The installation, maintenance and operation of a closed-circuit television system (CCTV) with an appropriate number of suitably sited cameras both inside and immediately outside the premises that capture images of a suitable quality for use as evidence, with the images being retained for a minimum period of time, such as 31 days – the times that the CCTV system shall be operational and a requirement for appropriately trained staff to be available to allow the immediate viewing of recordings on the request of a police constable or authorised officer may also be stipulated;
- Clear policies and measures to prevent illegal drugs being brought onto the premises and measures to discourage the use of illegal drugs;
- Requirements to search customers and staff on premises licences associated with serious crime and disorder or those where events organised by an outside promoter are to be held. Search arches and search wands to detect weapons and “clubscan” schemes to record the identity of all those attending premises, may be required where there is evidence of a significant risk of serious violence at an event or premises.

D12. Other conditions relating to the deterrence and prevention of crime and disorder, and initiatives to reduce crime will be drawn up in liaison with the Police to deal with particular premises or types of premises where concerns may arise. The council recognises the value of the coordination of premises through schemes, such as the Pubwatch and other similar schemes, to combat problems associated with large scale events, and football and other sporting events, and in alerting premises to trouble. The council encourages membership of an appropriate scheme where this would promote the licensing objectives.

Public Safety Policy PS1

- A.** The council will not grant any application that does not promote the public safety licensing objective.
- B.** When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1.** Whether satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant responsible authority and to the council showing that all relevant considerations have been fully assessed and that appropriate measures are in place to keep the public safe within, and in the vicinity of, the premises.

Considerations

- i.** The appropriateness of the licensable activities and the steps proposed to ensure public safety, having particular regard to the following:
 - a.** Any existing or proposed safe permitted capacity for the premises, or any part of it, as determined through an appropriate risk assessment that will help to ensure the safe operation of the premises and effective evacuations in the event of emergencies;
 - b.** Any crowd management procedures, including arrangements to prevent and manage overcrowding, monitor, record and control the number of people on the premises, taking account of “pass outs” and readmission, and prevent obstruction of roads and footways outside the premises;
 - c.** Any proposed use of equipment or special effects that may affect public safety, including (but not limited to) moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines), and the appropriateness of any procedures for their safe operation;
 - d.** Any welfare and overall safety measures, such as
 - Heating, ventilation and air conditioning systems,
 - The availability of drinking water,
 - Additional measures to minimise the risk of performers and others overheating,
 - Affordable cloakrooms;
 - e.** Any CCTV provision within the premises to assist with and promote public safety (see the recommended CCTV standards set out in the council’s Good Operator Guidance);
 - f.** Any counter terrorism measures such as
 - The completion of a terrorism-threat risk assessment identifying all security-related vulnerabilities and setting out reasonable and proportionate controls (in keeping with the size and nature of the operation) to reduce the risk and impact of a terrorist attack,
 - The preparation of an ACT (Action Counters Terrorism) security plan containing an outline of the proactive steps taken (see the council’s Good Operator Guidance),
 - Actions taken in response to any specific protective security advice provided by Counter Terrorism Security Advisors or other parties acting on behalf of the police, other Government agency or any other responsible authority,
 - Compliance with obligations under the Terrorism (Protection of Premises) Act 2025, and any subsequent amendments or similar legislation, as and when they apply;
 - g.** Any procedures with defined role and responsibilities for responding to incidents and emergencies, and for calling the emergency services, for example, in the event of a terrorist threat or incident, fire, serious medical emergency (e.g. heart attack) or trauma incident; and
 - h.** Where the premises is a vessel, any Passenger Ship Certificate that is in force – If the operation of the vessel is conducted in accordance with a current certificate, the public safety objective can generally be regarded as being met in respect of the premises itself.
- ii.** The layout of the premises including any external areas, the potential for overcrowding in any part of it, and the extent to which its design ensures public safety.

- iii. The ability of patrons to arrive at and depart from the premises safely.
- iv. The suitability of the applicant and where applicable, their level of compliance with existing statutory obligations and any licence conditions that relate to public safety.
- v. Any information contained in the relevant representations that relates to the public safety licensing objective.

Reasons for Policy PS1

- D13.** The council in its role as Licensing Authority must try to ensure the safety of people visiting and working in licensed premises. The council will need to be satisfied that measures to promote public safety including comprehensive risk assessments, adequate procedures, safe capacities, sufficient means of escape, and where appropriate, CCTV are put in place and maintained, if not adequately provided for by other regulatory regimes.
- D14.** Terror attacks, whilst not common, have occurred in Westminster, with bars, pubs and nightclubs being targeted. By assessing the risks and taking appropriate steps based on the type of business and proposed operation, the risk and impact of any such incident can be greatly reduced to ensure public safety. Crime, disorder and anti-social behaviour inside and in the vicinity of licensed premises can also threaten public safety and affect perceptions of public safety and so are relevant considerations.
- D15.** When determining any application, the council will need to assess the suitability of the proposals, the premises, the applicant and the location in deciding if the granting of the application will promote the public safety licensing objective.

Conditions

- D16.** The s.182 Guidance sets out matters which relate to conditions on public safety.¹³ These will be used to tailor appropriate conditions for premises licences and club premises certificates.
- D17.** Conditions relating to public safety that may be attached to licences by the council include:
- Checks on equipment at specified intervals;
 - Standards to be maintained e.g. temporary electrical installations to comply with British Standards;
 - The maximum number of people that may be on the premises for the activities taking place and reliable ways of counting the number of people on the premises;
 - Maintaining and making available a record of pre-opening and during performance inspections of fire doors, escapes and appliances, and of the number of people on the premises;
 - Ensuring that floors are kept from becoming slippery from spillages or condensation;
 - Measures to prevent climbing onto ledges, balconies and speakers;
 - Measures to keep sound levels below levels where damage to the hearing of staff and customers is likely to occur;
 - Management measures to reduce the risks to dancers and others;
 - Overheating such as affordable cloakrooms, "chill-out rooms", breaks from fast dance rhythms, and procedures for identifying dancers who may be in distress;
 - Provision of facilities for people who are taken ill or injured to contact friends or family, to recover, or be kept safe while awaiting medical assistance; and
 - Policies and procedures to improve the premises preparedness for and resilience to a terrorist attack that are tested and reviewed every 12 months to assess effectiveness and overall preparedness.

Prevention of Public Nuisance Policy PN1

- A.** The council will not grant any application that does not promote the prevention of public nuisance licensing objective.
- B.** When considering Clause A, the council will apply the criteria and take into account the relevant considerations set out below.

Criteria

- 1.** Whether the style, characteristics and activities of the business to be carried out at the premises have the potential to cause nuisance.
- 2.** Whether the proposed steps that would be taken to reduce the risk of nuisance occurring are sufficient, particularly in areas of residential accommodation and where there is residential accommodation in proximity to the premises.

Considerations

- i.** The appropriateness of the licensable activities and the steps proposed to prevent public nuisance, having particular regard to the following:
 - a.** Any measures to restrict noise and vibration, whether air or structure borne, generated within the premises (including open sites) or outside the premises (see the council's Good Operator Guidance), such as
 - Controlling the generation and level of noise and vibration caused by the provision of licensable activities within the premises or any associated activities within its vicinity and restricting the escape of noise from the premises,
 - Minimising and controlling noise generated by customers, staff, contractors and suppliers (including delivery and waste collection companies) when arriving at or departing from the premises, and from their activities whilst on site (including queuing for entry or readmission, smoking, using outdoor seating areas), together with the implementation of effective customer dispersal policies;
 - Note: A pavement licence will be required for providing removable outdoor furniture on the public highway and the hours are usually limited to 11am to 11pm unless there are exceptional reasons for granting longer hours.
- b.** Any measures to control other types of nuisance, such as
 - Preventing congestion on, or obstruction of, roads and footways caused by customers queuing, congregating or smoking,
 - Collecting litter and discarded glasses, crockery, cutlery and food containers in the vicinity of the premises, and ensuring sufficient means of storage waste and recyclable materials prior to collection,
 - Preventing nuisance caused by light pollution, odour (such as smoke, fumes and other emissions), touting and street fouling,
 - Use of measures such as CCTV and registered door supervisors to monitor and control outdoor areas and manage dispersal effectively.
- ii.** The layout of the premises, including the proposed locations for licensable activities, and any design features intended to minimise the risk of public nuisance.
- iii.** The suitability of the location of the premises for the proposed activities and hours of operation, having particular regard to the proximity to residential accommodation – Stricter conditions will usually be imposed on licences granted in areas that have denser residential accommodation or have residential accommodation close to them.
- iv.** The suitability of the applicant and where applicable, their level of compliance with existing statutory obligations and any licence conditions that relate to public nuisance.
- v.** Any information contained in the relevant representations that relates to the prevention of public nuisance licensing objective.

Reasons for Policy PN1

- D18.** The council expects applicants to set out clearly in their operating schedules the steps taken, or proposed, to prevent public nuisance arising from the operation of premises. Applicants should identify through a suitable risk assessment the potential causes of nuisance associated with the proposed activities and how these risks can be appropriately managed.
- D19.** Westminster has a substantial residential population, and the Council has a duty to protect residents from public nuisance - this may range from disturbance affecting properties that adjoin a licensed premises to more serious impacts on the wider community, causing harm to those living and working in the vicinity. In some areas, high concentrations of licensed premises providing entertainment during extended hours of operation have adversely affected residents. Businesses also have a legitimate expectation of an environment that supports their operation.
- D20.** Noise is a common cause of public nuisance associated with licensed premises. This includes noise from amplified music, transmission through building structures, and the behaviour of patrons who may be noisy due to aggression or high spirits, and shout or scream when entering, using, or leaving premises, particularly where they have become accustomed to high sound levels within venues. Other sources of noise include people congregating, loitering, or travelling along routes to transport hubs, parking areas or between late night venues, as well as vehicle movements, sounding of car horns and slamming of car doors. Noise and emissions from plant, ducting, or ventilation equipment, as well as deliveries and servicing activities may also cause a nuisance. Nuisance is often more likely and more impactful at night when background noise levels are lower and the risk of sleep disturbance increases, particularly when windows are left open during warmer months.
- D21.** The council expects applicants, particularly those with premises in the cumulative impact or special consideration zones, to devise a dispersal policy and describe in their applications how people using the premises will depart from the venue and surrounding area having regard to the location of the premises and any nearby residential properties. Submitting a dispersal plan to support an application will help responsible authorities, residents and decision makers to understand how customer departure will be managed. Where an applicant intends to operate after midnight, they should give particular consideration to the availability of late night transport, such as night buses, the night tube, and licensed taxis and private hire vehicles, particularly into the early hours of the morning. Venues located some distance from night time transport links should consider how patrons will travel from the premises and how any waiting customers will be monitored and managed.
- D22.** Outdoor eating, drinking, and smoking have increased, particularly following the smoking ban but can cause a nuisance. While often lawful, the congregation of people outside premises can result in noise, obstruction of road and footways, and other disturbances but it may amount to an obstruction offence or become a public safety issue in some cases.
- D23.** Litter and refuse associated with late night premises, particularly takeaway food outlets, venues with where queuing occurs, and those distributing flyers or flyposting, can cause significant nuisance. Street cleaning efforts can be hindered by customers congregating outside venues.
- D24.** Touting on behalf of licensed premises, which includes approaching potential customers on the street or in other venues and getting them to come to a particular premises, can have an adverse effect on the licensing objectives. Pestering the public may cause a nuisance and noise from groups of customers in a party mood being escorting from one licensed premises to another and then queuing outside may also cause a disturbance. Crime and disorder or public safety concerns may also arise where disputes occur between touts over customers or where individuals are directed to premises that are unsuitable for their needs.

Conditions

D25. The s.182 Guidance includes advice on conditions that relate to the prevention of public nuisance.¹⁴ Hours of opening and hours for each licensable activity will be specified on the licence and the times for certain activities may be restricted where it is considered appropriate to prevent public nuisance. For example, it may be appropriate to stop alcohol being served at a music venue or for music to cease in a bar or restaurant before other licensable activities end. The council may also attach conditions to a licence that refer to the specific parts of a premises that might be used for certain licensable activities at certain times.

D26. Conditions will be attached to premises licenses where considered appropriate for the promotion of the licensing objectives, which may include but not limited to the following:

- Maximum noise levels during specified time periods;
- Requirements to install sound limiters or acoustic lobbies;
- Requirements to display signs or publicity and give verbal advice to patrons about leaving the premises quietly and by certain routes;
- Measures to control nuisance from light pollution;
- Restrictions on taking food or drink outside the premises and also on the hours of use, location and nature of outdoor seating areas;
- Requirements to provide an appropriately located and managed smoking area;
- Restrictions on admissions or readmission to the premises, including from an outdoor seating or smoking area;
- Requirements to undertake litter picking and street cleaning outside the frontage and in the vicinity of the premises;
- Controls on touting and the distribution of leaflets, as well as prohibiting flyposting;
- Requirements to provide appropriate waste and recycling storage;
- Restrictions on deliveries, waste collections and the emptying of bottle bins.

D27. In considering the imposition of conditions, the council will focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning, when residents in adjacent properties will want to relax or sleep. Conditions relating to noise may also prove necessary to address any disturbance anticipated from the activities of customers in the vicinity of the premises. Stricter conditions will be expected in areas of denser residential accommodation.

Protecting Children from Harm Policy CH1

- A.** The council will not grant any application that does not promote the protection of children from harm licensing objective.
- B.** When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1.** Whether appropriate measures, systems and processes are in place to safeguard and protect children from harm.

Considerations

- i.** The appropriateness of the licensable activities and the steps proposed to safeguard and protect children from harm, having particular regard to the following:
 - a.** Any proof of age policies (such as 'Challenge 25') and measures to prevent
 - The sale of alcohol and other age-restricted goods to persons under the age of 18,
 - A person under the age of 18 accessing a premises, performance of entertainment or exhibition of a film that is intended for adults only,
 - A child under 16 years of age, who is not accompanied by an individual aged 18 or over, being in a premises,
 - between 12 midnight and 5 a.m. if alcohol is being supplied for consumption there or
 - at any time if the premises is used exclusively or primarily for the supply and consumption of alcohol;
 - b.** The type of venue, the activities that will be provided in the premises, and the likelihood of children being attracted to the premises, such as
 - Any adult oriented or age restricted activities,
 - Any evidence that there is, or could possibly be, heavy, binge or underage drinking, or the use of drugs or other intoxicating substances on the premises,
 - The location and promotion of alcohol and whether industry codes of good practice relating to advertising, labelling and the display of alcoholic drinks will be observed;
- c.** Any policies and procedures to maintain child safety, such as
 - Restrictions on the times that children may be in the premises, whether accompanied by an individual aged 18 or over or not,
 - Conditions under which children may be admitted to premises used exclusively or primarily for the supply of alcohol, e.g. if taking a table meal or being entertained by a live performance,
 - Supervision arrangements for children's events and the number of adults required per child,
 - Vetting measures to ensure that those supervising or having significant contact with children are suitable and pose no risk to children.,
 - The use of risk assessments to identify and manage potential hazards e.g. the risks associated with play facilities,
 - Procedures for dealing with lost, unaccompanied or vulnerable children,
 - Arrangements for the safe transport of children, where applicable;

- d. Safeguarding policies and measures to ensure staff awareness, such as
 - A written safeguarding policy that recognises that safeguarding of children applies to all staff (paid or unpaid) involved in the operation and management of the premises,
 - Regular staff training, with appropriate records maintained, to ensure all staff:
 - have a basic awareness of child protection issues
 - are alert to the possibility of and can recognise child abuse and neglect, and
 - know who in the organisation (or in the council or Police where the concern relates to a more senior individual) to raise concerns with,
 - Designating a lead safeguarding person (i.e. licence holder, premises supervisor or other senior staff member) having responsibilities for:
 - Staff training and maintaining training records
 - Implementing a system to record all concerns raised by staff, and
 - Being the contact person for the council's Children's Services Department and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.
- ii. The layout of the premises and whether it will allow for appropriate supervision, enable access to be effectively controlled and minimise the risk of children being exposed to any age-restricted activities.
- iii. The suitability of the location of the premises for the proposed activities and hours of operation in view of the need to protect children from harm.
- iv. The suitability of the applicant and where applicable, their level of compliance with existing statutory obligations and any licence conditions that relate to the protection of children from harm.
- v. Any information contained in the relevant representations that relates to the protection of children from harm licensing objective.

Reasons for Policy CH1

- D28.** All children need to be protected, even when it appears that they are not aware that any physical abuse, sexual activity they are involved in or witness, or neglect they experience, is harmful. They must be safeguarded whatever their:
- Race, religion, first language or ethnicity
 - Gender or sexuality
 - Age
 - Health, ill-health or disability
 - Location or placement (e.g. living alone in a hostel or residential unit, with family or a foster family; as a tourist in a hotel, etc.)
 - Criminal or offensive behaviour, wealth or lack of it; or
 - Political or immigration status
- D29.** Westminster is unique in the range of entertainment facilities it has to offer and in its accessibility from all over London, the Southeast and nationally. The "bright lights" of the West End attract young people from far and near. Young people who are some distance from their homes are particularly vulnerable, especially underage and inexperienced drinkers. Licence holders and the staff that work within their premises have a duty to safeguard children and young people as part of their responsibilities under this objective.
- D30.** The Licensing Authority expects applicants to consider the measures necessary to promote the licensing objective of protecting children from harm when in the premises and in the vicinity where the applicant or licence holder can reasonably influence this. Particular regard should be given where an application seeks a licence that will allow:
- The sale or supply of alcohol;
 - Performances for, or involving, children;
 - Activities likely to attract children;

- Entertainment or activities that are intended for adults, including those with mature themes or sexual references, acts or performances; or
- The provision of overnight accommodation.

D31. It is an offence to sell alcohol to a child under the age of 18 and also to persistently sell alcohol to children, where sales are made on two or more different occasions within a period of three consecutive months. There are further offences of allowing a child under the age of 16 who is not in the company of an individual who is aged 18 or over to be on a premises used exclusively or primarily for the supply of alcohol for consumption there (e.g. "alcohol-led" premises such as pubs, bars and nightclubs) and to allow an unaccompanied child to be on any premises between midnight and 5am if alcohol is supplied for consumption on the premises, regardless of its exclusive or primary use. Applicants for alcohol-led premises should consider if it is appropriate for there to be other circumstances when children under 16 should be excluded from the premises in order to protect them from harm.

D32. Applicants should clearly state in their application forms if it is intended for any activities to take place at the premises that may give rise to concern in respect of children. These include nudity or semi-nudity (e.g. topless servers), films for restricted age groups or the presence of gaming machines but this is not an exclusive list. Applicants should consider the steps that could be taken to protect children from any harm that could be caused by any such entertainment or activities.

D33. Certain types of licensed premises, such as hotels, hostels and other forms of visitor accommodation, may present an increased risk to children and young people due to the nature of their operation and the potential for anonymity or short term stays. Alcohol may be supplied in a range of settings within such premises, including bars, restaurants, events, room service or minibars, and appropriate procedures must be in place to prevent underage sales and to identify safeguarding concerns. Licence holders and staff working in these premises have an important role in remaining alert to indicators of child exploitation and abuse, including child sexual exploitation.

D34. There are a number of criminal offences associated with child sexual exploitation and failures to protect children could have damaging consequences for a hospitality business. This may include action being taken against a premises licence or club premises certificate, prosecution and significant reputational and/or financial damage. It is the responsibility of premises licence holders and their managers to make sure that suitable safeguarding measures are in place and that concerns are acted upon promptly and appropriately. These responsibilities form part of the duties imposed by the 2003 Act, and the Police may require the provision of information where necessary in connection with investigations into child exploitation.

Conditions

D35. The s.182 Guidance states that the protection of children from harm includes the protection of children from moral, psychological and physical harm.¹⁵ This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms, such as exposure to strong language and sexual expletives and sexual exploitation.

D36. In line with the s.182 Guidance, conditions may be attached to a premises licence or club premises certificate relating to access by, or the exclusion of, children where there is:

- A history of offences relating to underage drinking.
- A known association with drug taking or dealing.
- A strong element of gambling on the premises.
- Entertainment of an adult or sexual nature provided.
- Films shown with age restricted classification.

D37. Conditions could include one or any combination of the following:

- Requirements for adequate procedures to check ages in premises where alcohol is served.
- Limitations on the hours when children may be present.

- Limitations or the exclusion of children under certain ages when particular specified activities are taking place.
- Requirements for accompanying adults, including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult.
- Limitations on the parts of a premises to which children may have access.
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

D38. The council will impose conditions relating to film exhibitions in order to protect children from inappropriate exposure to portrayals of violence or sexual activities, strong language and sexual expletives. These will include:

- A requirement to adhere to either the age restricted recommendations of the British Board of Film Classification or to similar classifications imposed by the council – Details of the certifications imposed by the council are available from the council's Licensing Service;
- A requirement for the cinema venue operator to submit to the council any film not classified by the British Board of Film Classification which it intends to exhibit 28 days before it is proposed to show it; and
- In line with the various classifications of films by the British Board of Film Classification, imposing conditions necessary to restrict access accordingly and to require any certificates or notices of category to be displayed appropriately.

D39. At premises and performances which are likely to attract a substantial number of children, the council may attach conditions requiring the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during an emergency.



III – Premises Use Policies

Casinos Policy CAS1

A. The council will generally grant an application for a casino, subject to:

1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy;
2. The premises operating in accordance with the definition of a casino in Clause B; and
3. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a casino.

B. For the purposes of this policy a casino is defined as a premises that has been granted a Converted Casino Premises Licence under the Gambling Act 2005.

Reasons for Policy CAS1

D40. Casinos may be licensed for the sale of alcohol and since 2002 are no longer prohibited from serving drinks at gaming areas. However, they must ensure they are provided in a way which does not disturb or threaten the orderly conduct of the gaming. The restrictions on live entertainment in casinos were removed by the Gaming Clubs Licensing Amendment Regulations 2002 (SI No 1910/2002), which came into force on 12 August 2002. Casinos are no longer prohibited from providing entertainment but do so as ancillary to the gaming and as a private place of entertainment. Casinos no longer have to be private clubs since the provisions of the Gambling Act 2005 came into effect on 1 September 2007. The requirement for identity checks at casinos has led many casinos to continue to operate membership schemes. Casinos have sought premises licences for the sale of alcohol and regulated entertainment alongside the licences they need for gaming and gambling.

D41. Casinos that were formerly licensed under the Gaming Act 1968 and had that licence converted into a casino premises licence issued under the Gambling Act 2005 can apply to vary their casino premises licence so that it has effect in respect of a new premises, provided that new premises is still within the City of Westminster. If the operation of a casino were moved to a new premises in such a way, it would be likely that an application for a new premises licence to be granted under the 2003 Act would be required. The council will generally grant Casinos licences outside the West End Cumulative Impact Zone¹⁶ subject to the application complying with the other relevant policies within this statement. If the operation moved from a premises outside the West End Cumulative Impact Zone to a premises inside the West End Cumulative Impact Zone, the applicant would need to demonstrate that the operation would not add to the cumulative impact. If an operation is relocating from one premises to another and both premises are situated within the West End Cumulative Impact Zone, it is likely to be sufficient to demonstrate that the grant of a new premises licence would not add to the cumulative impact provided that the capacity of the new premises is no greater than that of the existing premises, the proposed hours of operation do not exceed those permitted by the existing licence and the existing licence is surrendered upon the grant of the new licence. However, if the location of the operation of a casino were changed and the council were minded to grant a new premises licence, a condition may be imposed that would require the licence holder to surrender the previous licence before the new licence could take effect.

D42. The permitted hours for gambling in a casino are set by way of default conditions as midday until 6am every day of the week. However, longer hours can be sought by applying to vary the Casino Premises Licence issued under the Gambling Act 2005. The provision of regulated entertainment, the sale of alcohol, and late-night refreshment, and hours for these activities, are separately regulated under the 2003 Act.

- D43.** Casinos within Westminster are authorised to being used primarily for the playing of casino table games. People gambling at table games do not tend to drink excessively. Alcohol consumption will therefore be limited within these premises as the primary function of these venues is to operate as a casino.
- D44.** If representations are received about an application for a Casino premises licence the Licensing Authority may impose conditions that restrict the provision of licensable activities to occasions when gambling is taking place. This is to prevent casinos changing into alcohol-led bars and dance premises if the gaming activity is abandoned.
- D45.** Account will be taken of the hours when the premises may be open for gambling. The Licensing Authority will consider the hours being requested carefully and any representations received. As Casinos can operate 24-hours a day the Licensing Authority may grant licensable activities up to 24-hours in line with the Casino Premises Licence hours issued under the 2005 Act. However, if there are concerns associated with these longer hours and the impact that it may have on the licensing objectives or cumulative impact where the venue is located within the West End Cumulative Impact area, lesser hours may be granted.



Cinemas, Cultural Venues, Live Sporting Premises and Outdoor Spaces Policy CCSOS1

- A.** The council will generally grant an application for a cinema, cultural venue, live sporting premises or outdoor space, subject to:
- 1.** The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy;
 - 2.** The premises operating in accordance with the definition of a cinema, cultural venue, live sporting premises or outdoor space set out in Clause B;
 - 3.** The sale by retail of alcohol and/or late-night refreshment being ancillary to the primary function of the premises as a cinemas, cultural and live sporting venues and outdoor space; and
 - 4.** Where the premises is located within the West End Cumulative Impact Zone, the sale by retail of alcohol and/or late-night refreshment after 11pm being limited to customer, patrons or members of the audience who will or have made use of the primary function of the venue.
- B.** For the purposes of this policy, a cinema, cultural venue, live sporting premises or outdoor space is a premises used the following primary purpose:
- 1. Cinema**
the exhibition of feature or shorts films to an audience.
 - 2. Cultural Venues**
 - a.** Theatres: the performance of plays, dramatic or other entertainment performances to an audience.
 - b.** Performance Venues: live performances in front of an audience, including performances in concert halls, comedy clubs or similar performances venues, where the majority of the audience will usually be seated.
 - c.** Cultural Uses: the exhibition of art (e.g. galleries), museums, or historical buildings/sites open to visitors on payment.

3. Live sporting premises

- a.** Live sporting events in the form of boxing and wrestling that takes place either inside or outside in the presence of an audience.
- b.** Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.
- c.** Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities are provided ancillary to that live sporting event.

4. Outdoor space

The use of an outdoor space for licensable activities and other purposes as part of or ancillary to an event, small to large concerts, nationally significant musical concerts or events (e.g. Hyde Park), Mayoral or council organised events, and seasonal activities (e.g. Christmas markets or Winter Wonderland).

- C. For the purposes of D1 to D3 above** an audience may include either invited guests, members of that venue or associated organisations or members of the public who have purchased a ticket or not.

Reason for Policy CCSOS1

- D46.** The council welcomes the vital contribution that cinemas, cultural venues and live sporting premises make in providing the diverse culture and entertainment that attracts people of all ages into Westminster and maintains its status as a world class city. The council accepts that these types of uses are unlikely to be linked with crime and disorder, and generally have less impact on residents than other licensable activities. The substitution of these types of uses in the West End Cumulative Impact Zone⁴⁷ in place of pubs, bars and alcohol-led music and dance venues will likely promote the licensing objectives.
- D47.** Theatre, cinema, other cultural and live sporting venue will be subject to conditions on public safety related to the staging of special effects, the management of people, security, building design, evacuation and invacuation, lighting, stairs, lifts and any other relevant safety consideration. These venues are likely to have a range of capacities and therefore there may be a need for significant scrutiny in the planning, building and operation of these venues. The Licensing Authority will expect, where relevant, that applicants have regard to the “Technical Standards for Places of Entertainment” and that as part of the application a detailed operating scheduled is provided setting out how the venue will operate and how the operator will ensure that the licensing objectives will be promoted. Further advice and support for larger venues and events can be sought via pre-application advice from the council.
- D48.** Applicants will be expected to demonstrate that the primary use of the premises will be as a cinema, cultural venue or live sporting premises as defined within this policy. Alcohol and late-night refreshment must be ancillary to the main use of the venue. This is to ensure that the venue will operate as a cinema, cultural venue or live sporting premises. Conditions may be attached to the premises licence to ensure that alcohol and late-night refreshment remain ancillary to the primary purpose of the venue. This approach will ensure that the premises use does not change to a venue which is more drink led which is likely to have a detrimental impact on the licensing objectives.
- D49.** Bars and the sale of alcohol will be permitted in these venues as long as the sale of alcohol is ancillary to the primary use of the venue. The hours of the operation of the bar will usually be those related to the times the premises are open for visitors, customers, performances and the sporting event.
- D50.** Within the West End Cumulative Impact Zone the use of bars and the provision of late-night refreshment beyond 11pm must be limited to patrons or customers who have made use of the primary activity of the venue. For example, it is acceptable for a theatre to maintain the use of their bar following a performance beyond 11pm if the sale of alcohol and/or late-night refreshment is limited to customers who were part of the audience for the earlier performance. It would not be acceptable for the general public to enter the theatre after 11pm and make use of a bar or purchase late-night refreshment as this would create a significant risk that the venue would become a bar late at night, which is likely to have a negative impact on the licensing objectives. In those cases, the application would be considered under the Public House and Bars Policy PB1. This approach will enable these venues to open later (within Core Hours) in the Cumulative Impact Zone whilst limiting the risk that they will become a destination venue or standalone bar available to passing customers and therefore add to cumulative impact in the area.
- D51.** The Licensing Authority understands that premises operators may need to diversify their income due to the additional costs associated with the ongoing maintenance of large and historic buildings. For example, theatres may wish to provide food and drink to the public or use their premises for occasional events. This policy does not set out to prohibit the ancillary use as long as it will not impact the licensing objectives and the primary use of the premises remains a cinema, cultural venue or live sporting premises. The use of a premises for other activities may also apply to outdoor spaces, however this is less likely due to the operation and use of such space.

- D52.** Westminster is keen to encourage cultural venues that attract a wide variety of visitors ranging from those from the local community to international tourists. Westminster has a large number of cultural venues ranging from galleries, museums and historical buildings. Many of these venues will provide some form of licensable activity which may be in the form of limited alcohol sales or entertainment. These licensable activities are normally ancillary to the main activity of the venue and may be provided as part of their wider food and beverage offer or for special events, e.g. exhibition opening. The Licensing Authority will likely grant applications for cultural venues where it can clearly be demonstrated that the licensable activity is limited in its offer or provided as ancillary to the main use of the premises, e.g. museum.
- D53.** There are not many live sporting premises within Westminster but there are a few where live sporting events are played regularly, e.g. Lords Cricket Ground. Westminster also hosts a large number of live sporting events that range from the London Marathon to international cycle racing. There are venues that also may provide either regulated sport, such as boxing or wrestling, or non-regulated sport such as tennis either indoors or outdoors. Although some of these events are unlikely to apply for the sale of alcohol or late-night refreshment, some may. If alcohol or late-night refreshment is to be provided, then it must be ancillary to the main sporting event taking place. Live sporting events are often extremely well managed, and a great deal of planning goes into them before they take place. Therefore, these normally present a low risk in terms of their impact on the licensing objectives.
- D54.** This policy will apply to dedicated premises that provide live sporting events as its primary use (e.g. Lords Cricket Ground), larger events where a temporary event notice is not applicable and venues where live sport is taking place in front of spectators, with other licensable activities provided as an ancillary to that live sporting event for those spectators, (e.g. a boxing match in front of spectators who are able to purchase alcohol from locations around the premises for consumption whilst watching the boxing event).
- D55.** Westminster is known for its major cinemas and film premiers. There are a range of cinemas within Westminster from small intimate premises to large multi-screen venues, such as those within Leicester Square. Cinemas are normally well-run venues and the sale of alcohol or late-night refreshment is normally ancillary to the main purpose of the venue for the exhibition of films. The sale of alcohol or late-night refreshment should be limited to customers and therefore these venues and any bars within them do not become a location for people to drink alcohol late at night. Therefore, the Licensing Authority may attach conditions to the licence to ensure that any alcohol and late-night refreshment is limited to members of the audience for a film screening.
- D56.** Outdoor spaces where licensable activities take place fall within the definition of “premises” in the 2003 Act. The Royal Parks Agency and its predecessors have for many years hosted and facilitated a wide range of nationally significant musical and other events. The Mayor has similarly organised events in Trafalgar Square, often focusing on the rich cultural and ethnic diversity of London. The council itself has a programme of smaller events in its parks with occasional larger events over wider areas. There are other occasional events in squares. The range and diversity of these events may make it desirable to have provisions in the licence for a specific “event plan” to be agreed for each event rather than to rely solely on conditions within the premises licence.

- D57.** Because of their prominence, some of these events attract very large crowds. Sound from outdoor events is not enclosed and carries across the city and therefore may cause widespread nuisance. The British climate dictates that most proposals are made in the summer months. The extent and frequency of these events in relation to the areas where the impact is felt will be considered in determining applications for premises licences for outdoor licensable activities, and the imposed conditions will reflect this. When subsequent applications are received for the same or part of the same area to be licensed for additional activities or events, the council will take into account the cumulative effect over a period of time of the events which have already taken place or are planned at the open space, under all of the licences that may have authorised events at the open space. Licences for large open spaces are generally restricted in the intensification of their use. The involvement of Safety Advisory Groups for significant events provides a flexible mechanism for consultation.
- D58.** The council holds a number of premises licences covering some of the city's busiest and highest profile areas (including Maida Hill, Piccadilly, Whitehall, Covent Garden, Leicester Square, Soho, Regent Street and Oxford Street). These are known as Area Premises Licences.
- D59.** These licences enable the safe, controlled facilitation of event activities. Specifically, by making use of this framework, event organisers are enabled to submit their plans to the multi-agency LOSPG (Licensing, Operational and Safety Planning Group) event planning process, under the 'umbrella' of an Area Premises Licence. In this way proper consideration can be given to the whole range of factors that are relevant in deciding whether a given event proposal ought to be permitted, such as traffic and pedestrian congestion, local consultation, the appropriateness of an event to its proposed locale, and the management of litter and waste.
- D60.** The use of the Area Premises Licences has been largely successful. A named person of experience and proven competence is required to be responsible for compliance with the set conditions, co-ordination and planning. There is general recognition by all concerned that Area Premises Licences have a part to play in the overall licensing system. They can be ideal for small, low impact community event activities that align to defined criteria, removing a bureaucratic/regulatory burden, and have been used as such. They also assist in the facilitation of "last minute" event applications that the council wishes to support, and they can afford the council a robust level of control over the way event activities are planned and executed on the ground.
- D61.** When an event proposal entails any form of licensable activity, the most appropriate means of licensing it must be identified at an early stage. An event activity may be licensed by way of its own premises licence or, for event activities within the relevant geographic areas, permission can be sought to use one of the Area Premises Licences. The council wishes to ensure that local residents and others have the opportunity to have their say in appropriate circumstances regarding licensing decisions that may affect them, and this includes the use of Area Premises Licences. The council will therefore only allow an event to be authorised by an Area Premises Licence when it is appropriate to do so to promote the licensing objectives. This will not be the case where the council considers that wider consultation on the proposals is appropriate.

Combined use premises Policy COMB1

- A.** The council will consider an application for a 'combined use premises' on its merits and subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
 2. The premises operating in accordance with the definition of a combined use policy in Clause D.
- B.** When considering what weight is to be given to the relevant uses and policies, the council will take into account:
1. Whether the operation of the premises will undermine the licensing objectives;
 2. The current and proposed use of the premises;
 3. When those uses will take place;
 4. What the primary use of the premises is or the uses that will take place in different parts of that premises;
 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises; and
 6. Whether the hours sought for the all or parts of the premises are within or outside the hours set out in the Core Hours policy, HRS1.
- C.** When considering an application for a combined use premises, the council will take into account the relevant considerations from each of the appropriate premises uses policies within this statement.
- D.** For the purpose of this policy, a Combined Use Premises means a premises which requires a premises licence and where there is more than one premises use, but the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.

Reasons for Policy COMB1

- D62.** In recent years, there has been a rapid development of new entertainment and leisure concepts including chameleon bars that change over the course of the day, food halls that are contained within one building and operate under one licence, and multi-attraction entertainment complexes. As a result, the conceptual boundaries between premises such as pubs, restaurants and other entertainment venues are increasingly becoming blurred and difficult to define. This policy has been developed to meet these changing circumstances.
- D63.** Premises that operate as combined use premises where there is more than one use and the uses are not dependent on, or part of, the other uses, i.e. are not ancillary to them, will be considered under this policy. The policy is intended to capture premises that either significantly change their operation/offer throughout the day (e.g. a restaurant, offering substantial table meals that transitions to a night club with DJ and dance floor late at night), have multiple uses and units under one licence (e.g. large food halls that have numerous units providing licensable activities to a shared seating/ congregating area) or large spaces that have multiple activities over a wide footprint (e.g. Winter Wonderland). These types of premises sometimes operate in different ways throughout the day and night and may vary their operation over the days of the week.
- D64.** When considering applications under this policy the Licensing Authority will take into account the specific considerations under other policies for the types of activities that may occur on the premises. For example, where it is proposed that a premises will have a number of bars and restaurants and also provide a concert experience with dancing, the relevant policy considerations will be PB1, RNT1 and MD.
- D65.** Due to the potential complexity of these applications and the need for different hours, licensable activities and conditions, applicants will be expected to provide significant information on the proposed operation of the premises and how they will manage its operation to promote the licensing objectives. The council will expect the applicant to set this out in their application.

D66. This policy will not apply to premises that would be considered as operating under one premises use offering other forms of licensable activities as ancillary to that main use. For example, a pub that provides a stand-up comedy night or drag act would not be considered a combined use premises under this policy if the primary use is as a pub and the entertainment is ancillary to that use.

Delivery Centre Policy DC1

A. The council will generally grant an application for a delivery centre outside the West End Cumulative Impact Zone,¹⁸ subject to:

1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy;
2. The premises operating in accordance with the definition of a delivery centre in Clause D; and
3. The premises not being located in a predominantly residential area.

B. The council will consider an application for a delivery centre in the West End Cumulative Impact Zone on its merits and subject to:

1. The application being consistent with the relevant policies within this part of the Policy;
2. The premises operating in accordance with the definition of a delivery centre in Clause D; and
3. The premises not being located in a predominantly residential area.

C. Applications for premises that do not meet Clause B will be considered on their own merits, subject to the following considerations:

1. Whether the premises is located within close proximity to residential accommodation;
2. Whether the applicant has engaged with local residents and/or local resident/amenity societies on the proposed application and the operation of the premises prior to submitting the application to the council;

3. Whether the applicant has put forward sufficient control measures within the application to mitigate or eliminate the potential impact on the licensing objectives and residents in the area, having regard to any concerns identified during any pre-application engagement with residents or in view of any relevant representations received during the consultation period;
4. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party;
5. Where the delivery service will be operated directly by the applicant with their own staff, how they will ensure that it does not adversely impact the licensing objectives, breach the conditions of the licence or commit offences under the 2003 Act;
6. Where a third party will provide the delivery service on behalf of the applicant, what the contractual arrangements with that third party are that will ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the conditions of the licence or commit offences under the 2003 Act;
7. The operation and management of the proposed delivery service from the premises;
8. The types of delivery vehicles that will be used and whether they will likely create public nuisance;
9. The existing operation of the licensed premises, where applicable, including its impact on the licensing objectives and the outcome of any previous review applications, together with the applicant's experience of operating licensed premises, compliance with licence conditions and whether they have committed any offences under the 2003 Act;
10. In addition to Sub-clause 3 and 4 above, what measures the applicant has put forward to mitigate the specific risk of public nuisance caused by their, and any third parties', operation of the delivery service at the premises or at the point of delivery; and
11. In addition to sub-clause 3 and 4 above, what specific measures and processes the applicant has put forward to mitigate the risk of the delivery of alcohol to children by their staff or any third-party delivery company, and to ensure that children are protected from harm.

- D. For the purposes of this policy, a delivery centre is a premises that's primary function is to temporarily store alcohol and/or to prepare hot food and hot drinks, so that they are available when ordered for transportation to a customer's residential or workplace location.
- E. For the purposes of Clause B reference to 'a predominately residential area' means an area of the city in which housing is the predominant use.

Reasons for Policy DC1

- D67.** There has been growing interest from businesses seeking to find a location within Westminster from which they can store and distribute alcohol and/or late-night refreshment to customers at home. This includes so-called 'dark kitchens' where food is prepared for delivery only. The operation of the delivery service to customers will be the primary use of the premises. In some cases, applicants may offer an ancillary retail element to their operation for click and collect customers. This policy is only intended to apply to applications where the primary use of the premises is the storage, preparation, and delivery of alcohol and/or late-night refreshment to customers residential properties or places of work. Where a business intends to provide a delivery service as ancillary to their main operation, for example a traditional off licence or restaurant, they will be considered under the relevant premises use and the ancillary alcohol and/or late-night refreshment delivery service policies.
- D68.** The majority of businesses that operate a delivery service as their primary function will take orders, including those for alcohol and/or late-night refreshment, via their own websites, a third-party site, a dedicated mobile application and/or call centres. In circumstances where an order is taken in a different location to the place where the contract for the sale of alcohol and/or late-night refreshment is fulfilled, it is the fulfilment centre that needs to be licensed. For example, if orders are taken in a call centre but then sent to a warehouse or dark kitchen in a different location and it is in that warehouse or dark kitchen that alcohol is stored, or the food for late night refreshment is prepared, and packaged for delivery to customers, it is the warehouse or dark kitchen that needs to be licensed, not the call centre.
- D69.** The council is concerned with the potential impact of the operation of distribution or delivery centres within residential areas. Growing levels of complaints and issues associated with the impact of delivery services within the city have been seen. Most complaints relate to noise and other forms of public nuisance caused by delivery personnel and their vehicles. Delivery centres that require regular deliveries to maintain stock levels are also likely to generate additional noise depending on the time and day of the deliveries, the types of vehicles that are used, e.g. refrigeration vehicles, and how they are unload and loaded.
- D70.** Applicants will be expected to explain the operation of their distribution and delivery service. The potential impact of their operation on residents within the vicinity of the premises must be considered, along with how they will prevent or mitigate the impact on the licensing objectives. Appropriate waiting areas inside the licensed premises should be provided to prevent delivery personnel congregating outside the venue. Consideration should also be given to where delivery personnel park their vehicles when waiting for deliveries or when the premises is closed, ensuring that the public highway is not obstructed and that vehicles are not parked illegally. If the applicant intends to use a specific area for the delivery vehicles to wait, then this should not be in a place that is likely to cause nuisance to residents. The use of cycles for local deliveries or electric vehicles should also be considered as they will often generate far less noise than polluting vehicles, so will help to prevent public nuisance as well as reduce emissions within the city.
- D71.** Public nuisance does not just relate to the noise. Littering in and around locations where delivery personnel congregate can also cause public nuisance and generate additional street cleaning for the council. Applicants will be expected to ensure that delivery personnel do not litter or create unnecessary waste. Training should be provided for delivery personnel street to prevent littering, adequate bins should be situated outside the premises in the areas where they wait for their jobs and street cleaning should be undertaken, as and when necessary. The applicant should also ensure that adequate toilet provisions are provided within the licensed premises and that delivery personnel are made aware of their availability to prevent urinating in the street or in private spaces within Westminster.

- D72.** Alcohol delivery poses a unique set of challenges as it often transfers the assessment of the suitability to supply alcohol and the final age verification process to a person who has no responsibility for the licence. The council and the Metropolitan Police Service therefore have specific concerns due to issues around age verification checks and the end location of the delivery where landmarks/businesses that are not related to the customer may be used. This can lead to alcohol being consumed in open spaces, parks or in known street drinking hotspots, with an increased risk of crime and disorder, public nuisance, or a possibility that underage persons can gain access to alcohol. The personal safety of drivers when having to refuse to deliver alcohol to a customer due to intoxication or failed age verification is also a concern. Applicants should ensure the regular and comprehensive training of all delivery drivers in age verification and identifying persons who have consumed too much alcohol. A condition requiring all deliveries to be to a verifiable residential or business address and a face-to-face ID verification is also vital to mitigate some of these risks.
- D73.** The council will pay particular regard to who will be providing the delivery service. Applicants who employ their own delivery staff are likely to have far greater control over staff than where a third-party delivery company is used and can therefore more easily ensure that the licensing objectives are not negatively impacted. Applicants are expected to have robust disciplinary procedures for delivery staff who are found to generate noise, drop litter or urinate in the street. These types of operations where delivery staff are employed directly by the applicant are likely to be considered more favourably than where third party delivery companies are used. Applicants that contract out the delivery service must still ensure that their operation will not undermine the licensing objectives and should ensure, as part of the contractual agreement, that delivery personnel working for or under the direction of that third party receive disciplinary action for causing public nuisance.
- D74.** The responsibility for ensuring that deliveries are conducted in a manner that always promotes the licensing objectives rests with the licence holder. Applicants are therefore expected to demonstrate that robust management controls and enforceable procedures are in place to govern the conduct of delivery personnel, whether employed directly or through third-party platforms. This includes clear oversight, monitoring and accountability arrangements, and the ability to take effective and timely action where issues arise. The use of third-party delivery platforms does not diminish this responsibility, and the council will expect applicants to ensure full compliance with all relevant conditions and policies throughout the delivery process.
- D75.** Applications will generally be granted for premises outside the West End Cumulative Impact Zone¹⁹ if they meet the criteria of this policy, the proposed hours are within the Core Hours for the type of premises and it is consistent with the other policies within this statement. Applications outside the West End Cumulative Impact Zone that seek hours beyond those specified within the council's Core Hours Policy and that are not located within a predominantly residential area will be considered on their own merits. Applications within the West End Cumulative Impact Zone will be considered on their own merits and subject to other policies within this Statement.
- D76.** Applicants with premises located within a predominantly residential area that seek hours beyond those specified within the council's Core Hours Policy HRS1²⁰ will be expected to provide significant mitigation and propose conditions that would ensure that the premises can operate in a way that will promote the licensing objectives and not adversely impact residents in the vicinity. Applicants with premises in such areas are expected to have engaged with residents and local resident or amenity associations to explain their application and consider any concerns they may have prior to making an application to the council.

- D77.** When determining whether or not an area is predominantly residential, the Licensing Authority will take into account the relationship with neighbouring uses. Although not bound by the City Plan when making licensing decisions, the council will be guided by its contents as well as other considerations. For example, the definition in the City Plan of 'predominantly commercial neighbourhoods' and the network of town centres may be relevant. The council will be mindful of the residential nature of many parts of the city, although the simple presence of residential units may not by itself be sufficient to be considered predominantly residential.
- D78.** The area in question will be the area in the vicinity of the premises that could reasonably be expected to be impacted by a venue's operation. For example, a residential premises on the same road as a delivery centre might be impacted by the number of delivery vehicles leaving and arriving at the venue. However further away from the venue, this may be reasonably considered to be part of everyday traffic, so neighbouring roads may not necessarily be part of the relevant area. Each case will be decided on its own merits.
- D79.** Applicants with premises that are located in predominantly residential areas must consider the impact of their operation on residents, especially if the operation of the delivery service will be late at night when roads are quieter. Applicants in these circumstances may consider whether the location for this type of operation is suitable and if so, they will need to demonstrate how they may mitigate the impact on residents and the licensing objectives.

Fast Food Premises Policy FFP1

- A.** The council will generally grant an application for a fast food premises, subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy
 2. The premises operating in accordance with the definition of a fast food premises in Clause B.
- B.** For the purposes of this policy a fast food premises is defined as a premises where:
1. Late night refreshment is provided, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption;
 2. Food and drink are:
 - a. Available on the premises for self-selection,
 - b. Prepared on the premises,
 - c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers;
 3. Food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption; and
 4. Any delivery service that is part of the operation is ancillary to the main function of the premises as defined within sub-clauses B1 to B3 above.

Reasons for Policy FFP1

- D80.** Fast food premises that are open after 11pm provide late night refreshment either by way of take-away food for immediate consumption, or fast food on a counter or self-seating basis. They can attract large groups of customers, many of whom will have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. In general, these premises are more likely than, for example, restaurants to cause people to remain on the streets of the West End Cumulative Impact Zone²¹ or returning rapidly to those streets. If no fast food premises were available, people would be more inclined to disperse from the area.

- D81.** The congregation of customers around these premises can lead to increased noise, disturbance, congestion and opportunities for alcohol-fuelled crime and disorder. The council and the Metropolitan Police Service are concerned by the levels of crime and disorder occurring outside fast food premises late at night, and by the comparatively high association between such premises and reports of violence against the person. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they do not appear to be as attractive to people who have been drinking as those providing hot food and drink. The consumption of food outside fast food premises can result in food waste and litter on pavements leading to public nuisance. Customers crowding the pavement can also make effective street cleaning impossible at that time.
- D82.** The council considers that minimising the number of people on the street late at night through rapid dispersal, especially those who have been drinking, is fundamental to promoting the licensing objectives of the prevention of crime and disorder, public nuisance, and public safety. This view is held not with standing the potential benefits that may be offered by well run fast food premises, such as security staff, CCTV, toilets, and the provision of a safe environment in which to wait until transport is available. These aspects have been considered by the council but are outweighed by the need for more rapid dispersal from the area in order to promote the licensing objectives.
- D83.** The issues associated with fast food premises are of particular concern within the West End Cumulative Impact Zone where there are high concentrations of fast food premises in addition to other licensed premises. On this basis and because the attraction and retention of people by the premises mitigates against their rapid dispersal from the cumulative impact areas, the council considers that the grant of variations or new licences for fast food premises in the Cumulative Impact Areas should be limited to exceptional circumstances.

Hotels Policy HOT1

- A.** The council will generally grant an application for a hotel, subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy;
 2. The premises operating in accordance with the definition of a hotel in Clause B; and
 3. The sale by retail of alcohol, regulated entertainment and late-night refreshment being an ancillary function to the primary purpose of the venue as a hotel.
- B.** For the purposes of this policy, a hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.

Reasons for Policy HOT1

- D84.** Hotels have historically been permitted to supply alcohol to residents at any hour, reflecting the distinctive nature of hotel accommodation and the reasonable expectations of overnight guests. While hotel bars would typically close before 2am, this arrangement allowed for the continued provision of alcohol through room service and in-room minibars throughout the night. The council recognises that applicants wishing to license new hotels will generally want to offer a similar level of service to residents. Such provision will usually be considered acceptable, subject to appropriate controls in place to promote the licensing objectives.
- D85.** Hotels also commonly supply alcohol to bona fide guests of residents after the sale of alcohol to members of the public have ceased. The council acknowledges that this can be a reasonable and proportionate facility within a hotel setting and will generally grant such provision. However, it may be subject to conditions limiting the times during which such sales may take place and the number of guests that are permitted per resident.

D86. The extent and location of the provision of bar facilities within a hotel will be carefully considered. Any proposal for a hotel bar that is directly or easily reached from the street may be treated in the same way as pubs and bars, particularly where they are accessible without having to pass through the reception area. The advertisement of the operation of late bars by hotels may also give rise to concerns and the hours for any associated off sales of alcohol may also be restricted if considered appropriate for the promotion of the licensing objectives.

D87. Hotels seeking extended hours in order to hold events for non-residents may be unable to use a temporary event notice because of the statutory limits that apply. In such cases, the proposed activities and hours should be included within applications. Similarly any regulated entertainment that is provided to residents, such as the exhibition of films on hotel bedroom TVs (other than live broadcasts) should be detailed in applications.

D88. Any applications for premises within the West End Cumulative Impact Zone²² will need to demonstrate that the proposed operation will not add to the cumulative impact. Applicants will be expected to set out how the venue will operate with detailed information provided about what licensable activities will be provided in different parts of the hotel, if different hours and conditions will apply to each area and whether there will be a distinction between activities provided to the public and those for residents and their guests.

Music and Dance Premises Policy MD1

- A.** The council will generally grant an application for a music and dance premises, subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
 2. The premises operating in accordance with the definition of a music and dance premises, or similar entertainment, in Clause B.
- B.** For the purposes of this policy, a music and dance premises is defined as a venue used for the primary purpose of providing:
1. regulated entertainment in the form of music, either in the form of live performances or recorded music, to customers; or
 2. regulated entertainment in the form of music, either as live performances or recorded, with dancing,
- where the sale by retail of alcohol may either be a considerable element of the operation or ancillary to the provision of regulated entertainment, such as in nightclubs or bars that provide music and dancing.
- C.** De-regulated entertainment (as set out in the glossary) will not be subject to this policy.

Reasons for Policy MD1

D89. Music and dance venues are an important part of London's entertainment offer. Night clubs are an inherent part of the social life for many young people in Britain. However, the provision of music and dancing, especially with amplified music, and the large numbers of people attending venues and congregating outside them, can lead to concerns over public nuisance and in some cases crime and disorder. The Police's experience is that some people who visit music and dance venues carry controlled drugs for recreational use or to sell to others.

- D90.** Performances of dance do not generally give rise to these concerns to the same degree, but the playing of music and noise from the audience can cause nuisance. If the dance performance involves nudity or partial nudity and the premises falls with the definition of a sexual entertainment venue, Policy SCEV1 will apply.
- D91.** There is particular concern within the West End Cumulative Impact Zone²³ where there has been a growth in the number of entertainment premises and other licensed premises over the years. The 2026 Cumulative Impact Assessment does not differentiate between the impact of night clubs (music and dance venues) and other types of premises on incident rates. However, previous behavioural audits, as well as practitioner and academic research have discerned that such late-night venues are frequently associated with cumulative impact and are of greater risk of having a negative impact on the licensing objectives. Music and dance venues are typically among the last to close their doors, while incidents of cumulative impact tend to concentrate late at night. On this basis, the council considers that the grant of new or variation applications for premises offering facilities for music and dancing in the West End Cumulative Impact Zone should be limited to exceptional circumstances.
- D92.** Outside the Cumulative Impact Areas, more scope has been provided for the establishment of new premises licences where they are not in conflict with the licensing objectives.
- D93.** When considering application, the council will have regard to measures to prevent crime and disorder, as outlined in the council's Good Operator Guidance, and in guidelines on crime prevention such as "Safe and Sound." The council will expect applicants to implement and operate a drugs policy and to provide details of the policy within the application. A condition that customers entering the premises are subject to searches by trained door supervisors may be required, together with conditions in line with the recommendations in "Safer Clubbing" and any other conditions that are considered to appropriate in individual circumstances.

Public Houses and Bars Policy PB1

- A.** The council will generally grant an application for a public house or bar, subject to:
1. it being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
 2. The premises operating in accordance with the definition of a public house or bar in Clause B.
- B.** 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 but outside the venue.

Reasons for Policy PB1

- D94.** The wide range of pubs and bars in Westminster are a key part of its appeal and character, serving residents and those who work in and visit the city. Many of these venues offer live music performances which provide cultural value and enhance the enjoyment of customers. However, premises that primarily serve alcohol, whether or not there is ancillary live or recorded music, have the potential to cause public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This nuisance is principally caused by noise generated at the premises and noise from patrons when they leave. Pubs and bars also present opportunities for crime and can give rise to disorder.
- D95.** This is of particular concern within the West End Cumulative Impact Zone²⁴ where there are substantial numbers of licensed premises within a confined area. Premises that primarily sell alcohol have the potential to undermine the licensing objectives. Applicants are therefore expected to provide a clear and comprehensive description of how their premises will operate and to set out appropriate measures to mitigate any potential adverse impacts.

- D96.** If the premises, to which the application relates is located within the West End Cumulative Impact Zone it is likely to add to the cumulative stress in that area. On this basis, the council considers that the grant of new or variation applications for pubs and bars in the West End Cumulative Impact Zone should be limited to exceptional circumstances.
- D97.** The provision of a bar within a workplace solely for the use of those working there, and their invited guests, will generally be regarded as an exception to the policy not to grant new bars in the Cumulative Impact Zone. However, regard will be had to the hours of operation of the workplace, the proposed hours and extent of the use of the bar. The potential effect on cumulative impact in the West End Cumulative Impact Zone, and other policies in this statement. Any sale of alcohol for consumption off the premises and drinking outside the venue would also be a cause for concern.
- D98.** Premises that are small in size and permit customers to consume alcohol on the public highway or on private open-air land outside the premises are likely to create significant amounts of public nuisance to residents in the area. The risk is even greater during the summer months or periods when the temperature is warm enough that residential windows are likely to be left open at night. Applications for small venues in an area that has residential properties surrounding it will need to set out in their application how customers will be managed and the impact of noise will be limited. The council may consider conditions to restrict the use of outside spaces and off sales of alcohol in open containers where it is appropriate to promote the licensing objectives.

- D99.** Licensed premises are encouraged to be active members of local pub watches, business radio networks or other schemes that enable businesses to share information and work together to tackle local issues. There are significant benefits to these schemes and they are actively supported by the council and the Police who will work with businesses that engage and participate. These schemes can provide a mechanism for the dissemination of information and intelligence between businesses on local issues or problem individuals. Being a member of a local crime prevention business radio network provides greater opportunities for businesses to work together and support one another via mutual aid between local security staff in the event of an incident. It also provides a way of quickly communicating with other venues if there was a wider incident that required immediate action, for example invacuation and venue lockdown in the event of a terrorist incident.

Qualifying Club Policy QUC1

- A.** The council will generally grant an application for a qualifying club, subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
 2. The premises operating in accordance with the definition of a qualifying club in Clause B.
- B.** For the purpose of this policy, a qualifying club that supplies alcohol to its members and guests will meet the requirements of the general conditions in section 62 and the additional conditions in section 64 of the 2003 Act.

Reasons for Policy QUC1

- D100.** Westminster contains a number of well-known traditional clubs and other clubs that will be Qualifying Clubs. They have little association with crime and disorder and public nuisance due to their membership controls. Qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for the purposes of profit. Proprietary clubs will be considered under the Public House and Bars Policy PB1.

D101. Qualifying clubs are those that meet the conditions set out in Part 4 of the 2003 Act. The club must satisfy the following general conditions:

- A person may not be given membership or admitted to any membership privileges as a candidate for membership, without an interval of at least two days between their nomination or application for membership and their admission.
- The club rules must state that for those becoming members without nomination or application, there must be at least two days between the persons becoming members and them being admitted to the privileges of membership.
- The club must be established and conducted in good faith.
- The club must have at least 25 members.
- Alcohol can only be supplied to members in the club premises if such supply is by, or on behalf of, the club.

D102. The following additional conditions must also be complied with if the club supplies alcohol:

- The purchase and supply of alcohol by the club must be managed by a committee consisting of elected members of the club who are over 18 years of age or otherwise managed by the club as a whole.
- No person can at the expense of the club receive any commission, percentage or other similar payment in regard to the purchase of alcohol by the club.
- There can be no arrangements in place for anyone to receive a financial benefit from the supply alcohol, unless the benefit is received by the club as a whole.
- Registered industrial and provident societies and friendly societies will qualify if the alcohol purchased for and supplied by the club is done under the control of the members or a committee of members.

D103. Qualifying clubs will be authorised to provide qualifying club activities under a Club Premises Certificate. Applications will be considered on their own merits and subject to the club demonstrating that it meets the conditions of a qualifying club, the operation will promote the licensing objectives and that the proposed location, activities and hours are consistent with other policies within this Statement.

Restaurants Policy RNT1

A. The council will generally grant an application for a restaurant, subject to:

1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
2. The premises operating in accordance with the definition of a restaurant in Clause B.

B. For the purposes of this policy a restaurant is defined as a premises in which:

1. Customers are shown to their table or they select a table themselves and food is either served to them at the table or they collect it themselves;
2. Food is provided in the form of substantial table meals that are prepared on the premises and are served and consumed at a table;
3. No takeaway service of food and/or drink for immediate consumption is available, except if provided via an ancillary delivery service to customers at their residential or workplace address;
4. Alcohol shall not be sold or supplied on the premises otherwise than to persons who are bona fide taking substantial table meals there or are waiting in a bar area in the premises immediately prior to them taking such meals, provided it is ancillary to taking that meal; and
5. Alcohol shall not be consumed on the premises otherwise than by persons who are bona fide taking substantial table meals there or are waiting in a bar area in the premises immediately prior to them taking such meals, providing it is ancillary to taking that meal.

Reasons for Policy RNT1

D104. This policy only applies to those premises that are proposed to be used as a restaurant as defined within this policy, not fast food premises. The policy distinguishes between restaurants where dining (i.e. the taking of a substantial table meal) is the main activity and fast food premises that at certain hours are likely to attract and provide food for people at the end of an evenings' drinking.

D105. The council is concerned about restaurant premises within the West End Cumulative Impact Zone²⁵ operating, even in part, as bars and in particular "vertical drinking" premises where customers consume alcohol whilst standing throughout the evening. The council is not minded to relax the conditions for restaurants that restrict the consumption of alcohol to those who are taking a substantial table meal. This applies to all persons who wish to consume alcohol in a restaurant. There is no exception, for example, for a group of individuals where the majority are taking a substantial table meal but one is not, and nevertheless all wish to consume alcohol. The individual who is not taking a substantial table meal could not be supplies alcohol. The council will prioritise its enforcement efforts at preventing a change of character of the premises towards bar use.

D106. Where an application is to be considered under this policy after relevant representations are made, conditions limiting the hours for the sale of alcohol and/or capacity of any bar areas may be attached. Other conditions might include:

- Requiring alcohol to be served only by waiter/ waitress service.
- Customers to be only served while seated.
- The sale of alcohol only to persons taking a substantial table meal for consumption ancillary to that meal.

D107. When making an application for a premises licence the extent of the premises must be defined by the applicant. The premises may consist of a building or part of it and could include a private outdoor space associated with the building or an area of public highway adjacent to the building. A restaurant may, for example, include an area for the use tables and chairs on the adjoining pavement in a similar way to the use of rooms within the building. The applicant may define the premises as including both the restaurant building and the area of the pavement it intends to use to enable licensable activities to be provided in both areas.

D108. A premises licence can only authorise the provision of licensable activities and not the use of an area of a highway. Such permission would be considered separately and may require a pavement licence. To avoid any suggestion that a premises licence confers permission to use table and chairs on the highway, the council would prefer to restrict the provision of licensable activities to the internal areas and condition the consumption of alcohol on the highway as an exceptional "off sale." An appropriate condition might be that the sale by retail of alcohol for immediate consumption off the premises shall be limited to any area of the highway immediately adjacent to the premises in respect of which the licence holder is in possession of a separate and current pavement licence authorising the use of tables and chairs in that area. The council's intention therefore is that a premises licence should not generally include any area of public highway intended for use for tables and chairs.

D109. New applications or variations for premises licences seeking permission to sell alcohol for consumption on the premises other than in respect of restaurant premises will be considered under other relevant policies in this statement. The operation of premises with a new premises licence granted as a restaurant solely under this policy may not include independent use of the bar or entertainment. Bar use and entertainment would have to be specifically sought and considered, having regard to other policies within this statement. In the same way, where it is proposed to sell hot food and hot drinks, other than as a substantial table meal, the application will be considered under the Fast Food Premises Policy FFP1.

- D110.** Should a restaurant apply for permission to supply late night refreshment and relevant representations be received, the council will have regard, amongst other matters, to the desirability of encouraging the rapid dispersal of people from the West End Cumulative Impact Zone, and the times of closing of other premises in the vicinity.
- D111.** The wide variety of restaurants is a feature of Westminster and contributes to its status as a world class city. Restaurants of various types attract people over a wide range of ages. Restaurants where there is no music and dancing, where customers are seated and served at tables, may appeal particularly to families or older customers. It is recognised that restaurants, as defined in this section, have a low risk of association with crime and disorder.
- D112.** It is necessary to recognise that activities in restaurants continue after licensable activities have ended for longer than in many other types of premises. This includes customers finishing their meals and paying the bill, and the clearing up in the kitchen and the public parts of the restaurant. There may also be handling and removal of waste and recyclable materials, but this can also be done the next day. These activities can give rise to public nuisance.
- D113.** New restaurant premises licences will generally be granted the core hours (for premises that serve alcohol for consumption on the premises) in line with Policy HRS1,²⁶ but for premises within the West End Cumulative Impact Zone, that will only be if they can demonstrate that they will not add to the cumulative impact. These are times when customers are permitted to be on the premises. The granting of later hours for restaurants would depend on the extent to which the service of customers, closing up operations and customers leaving premises would be likely to give rise to public nuisance and crime and disorder. This would take into account the extent of the activities, the operation of plant and equipment and the proximity of residential property. If there are representations made, conditions may be imposed to require the sale of alcohol in restaurants later than the core hours to be part of the continuing service and consumption of a table meal at the same table. i.e. no retiring to a bar area. This is in order to ensure that restaurants continue to function as restaurants and not as late-night bars. When considering applications for the sale of alcohol after 12 midnight where representations are made on the grounds of prevention of crime and disorder or public nuisance, the council will take into account the increased likelihood of crime and disorder and the greater disturbance from activities late at night.
- D114.** The Licensing Authority will generally grant premises licences and variations for restaurants outside the West End Cumulative Impact Zone subject to the relevant criteria and considerations in policies CD1, PS1, PN1 and CH1 and, if relevant the Special Consideration Zone Policy SCZ1.²⁷ A stricter approach to restaurants within the West End Cumulative Impact Zone described in policy CIP1.²⁸ For applicants within the Cumulative Impact Zone, they must demonstrate that they will not add to cumulative impact.
- D115.** It is recognised that late night refreshment premises play an important role by providing food and drink for visitors and workers and for some residents late at night. However, public nuisance can arise because of the late hours that they operate. This may particularly be the case from premises selling hot food or hot drink for consumption off the premises. Therefore, the council will give separate consideration to those late-night refreshment premises offering the sale of hot food or drink for consumption off the premises.

Sexual Entertainment Venues and Sex Cinemas Policy SCEV1

- A.** The council will generally grant an application for a sexual entertainment venue or sex cinema subject to:
1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy;
 2. The sale by retail of alcohol, regulated entertainment and/or late-night refreshment being an ancillary function to the primary purpose of the venue as providing nudity, striptease or sex related entertainment; and
 3. The premises operating in accordance with the definition of a sexual entertainment venue or sex cinema in Clause B.
- B.** For the purpose of this policy sexual entertainment venues and sex cinemas are defined as:
1. Sexual Entertainment Venue – a venue that meets the definition of a Sexual Entertainment Venue as defined under paragraph 2A of Schedule 3 Local Government (Miscellaneous Provisions) Act 1982; and
 2. Sex Cinema – a venue that meets the definition of Sex Cinema as defined under paragraph 3 of Schedule 3 Local Government (Miscellaneous Provisions) Act 1982.
- C.** The council will generally only grant applications for sexual entertainment venues and sex cinemas in exceptional circumstances and subject to:
1. The premises not being located in the proximity of
 - Residential accommodation,
 - Schools,
 - Places of worship, or
 - Community facilities or public buildings;
 2. The sale by retail of alcohol, regulated entertainment and/or late-night refreshment being an ancillary function to the primary purpose of the venue as providing nudity, striptease or sex related entertainment.

- D.** Venues that are operating under their entitlement to provide relevant entertainment (nudity, striptease, etc.) under paragraph 2A(3)(b) of schedule 3 of the Local Government Miscellaneous Provisions Act 1982 on up to 11 occasions in a 12-month period, with each occasion not lasting any longer than 24 hours and not being within a period of one month of any other occasion, shall not be subject to this policy and will be considered under other relevant policies within this statement, as appropriate.

Reasons for Policy SCEV1

- D116.** Premises that operate as a “sexual entertainment venues” (SEV) or sex cinemas under the Local Government (Miscellaneous Provisions) Act 1982 (1982 Act) will be subject to this policy if they also intend to provide licensable activities under the 2003 Act.
- D117.** The council has separate policies and standard conditions which apply to premises licensed as SEVs, whether or not those premises are also licensed under the 2003 Act. Whilst most venues providing nudity, striptease and sex related entertainment will require to be licensed as an SEV, there are premises and circumstances in which a SEV licence will not be required. In those circumstances the application would be considered under other policies within this statement.
- D118.** Premises providing sex related entertainment are likely to constitute a public nuisance if:
- They are in or near residential areas.
 - They are in other areas which are not already associated with entertainment.
 - They are close to schools, places of worship and community facilities.
 - Their clientele sometimes arrive and depart in large groups.

Premises offering sex related entertainment have a cumulative effect particularly if they are clustered together. This is irrespective of any visual displays that indicate the type of entertainment on offer, which if judged to be indecent can be regulated by Indecent Displays (Control) Act 1981. Many of these premises need to be licensed by the council as SEV’s.

D119. There are specific concerns over some aspects of crime and disorder and public nuisance that have been associated with some poorly run premises offering this type of entertainment. These arise from lewd acts and disorder on the premises, prostitution, touting and “clipping” around associated with the premises. This policy, in conjunction with policies in respect of SEVs, ensure that where such entertainment is permitted it promotes the licensing objectives and has sufficient conditions attached to ensure the premises are managed satisfactorily.

D120. The council and the Police are concerned that nudity or partial nudity may become incidental to the operation of other licensed premises such as pubs and bars on either a permanent or occasional basis. The council would expect that any proposals for such entertainment or operation as a “hostess” venue at any time should be identified in the application. In general, the council will not consider nudity to be part of the normal operation of a pub, bar or restaurant and will require that premises where such entertainment or operation is proposed benefits from an appropriate planning permission or other lawful planning use. The proper regulation of sex related entertainment requires a range of conditions to be imposed and supervised by the council and the specialist units of the Police in order to promote the licensing objectives. The specialist resources to do this are limited and such necessary regulation cannot be operated if sex related entertainment is provided on an incidental or casual basis or in a great number of premises.

D121. If nudity or partial nudity forms part of the entertainment (e.g. striptease, pole or lap dancing) or is part of the operation of the premises (e.g. topless or fetish bars and clubs), the council will consider attaching conditions to any premises licence that is granted that are appropriate for the promote of the licensing objectives. These may include conditions relating to:

- The exclusion of persons under 18 at all times from premises where these activities take place.
- The prevention of views into the premises from the street or any other part of the premises that are not used for these activities
- Prohibiting exterior advertising of the sex related entertainment at the premises.

D122. Conditions may be imposed requiring that all service is to seated customers, prohibiting the participation of customers in performances and maintaining a minimum distance of at least one metre between performers and customers, and between performers during a performance. This is to ensure that it can be easily observed that no touching or other acts that would constitute disorder take place. There may also be conditions requiring the installation and operation of CCTV, the retaining of CCTV recordings of performances and on the employment of supervisors. Licences for premises with “hostesses” may be subject to a range of conditions to ensure that they operate in a way that ensures that all charges are transparent to customers, that the identity of the hostesses are recorded and that conduct of the “hostesses” with regard to patrons is regulated. The council may attach other conditions as appropriate.

D123. To prevent the proliferation of such premises, applications for premises that provide music, dancing and late night refreshment, that do not specify in the relevant part of the application that there will not be any adult entertainment, services or other entertainment that may give rise to concern in respect of children, will include a “no nudity, no hostesses” condition, as that will be consistent with the information provided in the application. The removal of conditions which restrict adult entertainment or nudity in premises is likely to impact on the licensing objectives and the council therefore considers that it is not appropriate, in general, to remove such conditions from licences under the “minor variations” procedure of the 2003 Act.

D124. Sex cinemas are licensed under the 1982 Act and are permitted to exhibit pornographic films rated R18 by the BBFC to an audience for payment. These types of venues are now rare. However, applicants can apply for a Sex Cinema licence as well as a licence under the 2003 Act to sell alcohol or provide other licensable activities. However, if an applicant applied for a licence for regulated entertainment to exhibit films, including R18 pornography, and it was granted by the council, a Sex Cinema licence would not be required. In those circumstances this policy would not be applicable and the application would be considered under other policies within this statement.

Shops Policy SHP1

A. The council will generally grant an application for a shop, subject to:

1. The application being consistent with the relevant policies within Part D, sections I-II and IV-VI, of the Policy; and
2. The premises operating in accordance with the definition of a shop in Clause B.

B. For the purposes of this policy:

1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment;
2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop;
3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises as a shop unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.

Reasons for Policy SHP1

D125. Westminster offers an unparalleled range of shops, from small units to large department stores. The West End and Knightsbridge are International Centres providing London's prime retail destinations offering specialist and comparison retail of regional and national importance that draws in international visitors. The West End International Centre includes Oxford Street, Regent Street and Bond Street, while Knightsbridge International Centre includes Brompton Road and extends beyond the city boundary in the Royal Borough of Kensington and Chelsea. Westminster attracts international retail brands due to its unique historic character and the large number of domestic and international visitors.

D126. Recent changes in the Use Class Order under planning legislation recognise that to ensure long-term sustainability, town centres and high streets need to be able to adapt to changing consumer demands and behaviours. These changes combine several town centre uses under a new Class E (commercial, business and service uses) with the aim of enabling a shift towards mixed-use and multi-purpose spaces. The council's City Plan and this policy support the evolution of Westminster's town centres and high streets as multifunctional commercial areas where a mix of commercial uses provide activity at street level and creates a welcoming, attractive and healthy environment for people to shop, access services, work and spend leisure time.

D127. The council recognises that shop operators need to continually evolve to compete with online retailers to keep existing customers and attract new ones into their stores. As part this evolution shops often seek to provide other activities within their premises that will help them to achieve this, which can include licensable activities. The council is keen to support shops who wish to offer ancillary licensable activities to the main purpose of their shop. However, licensable activities must be provided in a responsible way that will promote the licensing objectives and not impact residents, as well as not adversely change the character of the premises main use as a shop.

D128. This policy is intended to apply to premises that offer the retail sale of goods or provide services to customers as the primary use of the premises. Common examples of a premises that would be considered under this policy will include traditional off licences, speciality stores, supermarkets, department stores, general stores, boutique, outlets, delicatessens, butchers, grocers, hairdressers, massage parlours, or anything of a similar nature where the primary use is the purchase of goods by customers or to provide a service. Cafes, coffee shops or similar venues providing food for takeaway or for consumption on the premises will be considered under either the Fast-Food Premises or Restaurant policies. The sale of alcohol for consumption off the premises can form the primary function of the premises, e.g. in traditional off licences. However, any other licensable activity, including the sale of alcohol for consumption on the premises must be ancillary to the main use of the premises as a shop.

- D129.** The Licensing Authority will generally grant applications outside the West End Cumulative Impact²⁹ Zone that are within the hours as set out in the Core Hours policy HRS1,³⁰ subject to not being contrary to other policies in this Statement. Applications within the West End Cumulative Impact Zone will be considered on their own merits and subject to the specific considerations of this policy, including whether the premises would add to cumulative impact in the area.
- D130.** The S.182 Guidance³¹ recommends that shops selling alcohol should generally be permitted to match the hours during which they may sell alcohol with their normal trading hours, unless there are good reasons, based on the licensing objectives, for restricting those hours. The s.182 Guidance³² further states that licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on local knowledge and in consultation with responsible authorities.
- D131.** The hours when shops can start to sell alcohol for consumption off the premises will be specifically considered when determining applications. This is because problematic street drinkers, and other people who are seriously addicted to alcohol, may be drawn to shops that sell alcohol earlier in the morning and create public nuisance.
- D132.** There are problems of street drinking found across the city. While there are some areas with recurring problems of street drinking 'schools', they also crop up in different areas at different times and seasons. Shops selling alcohol can be a focus of antisocial behaviour, disorder, and disturbance. These include the day-long consumption of alcohol on the street and in open spaces by groups of drinkers who cause various types of public nuisance and engage in antisocial behaviour. In the Victoria Special Consideration Zone, for example, new licences for the off sale of alcohol will be considered in the light of the problems of street drinking in that area and may be restricted in their numbers and have conditions imposed on their management and supervision.
- D133.** If there are significant concerns associated with street drinkers in the area the council may impose conditions that there should be no sale of alcoholic beverages over a specified limit of alcohol by volume or of specified quantities (e.g. of beers, lagers and ciders over 5.5% alcoholic content by volume). Other conditions may be imposed directed at reducing problematic street drinking. There will be concerns over irresponsible drink promotions that do not follow best practice and that would appeal to underage drinkers or street drinkers or otherwise encourage excessive consumption.
- D134.** Some shops selling alcohol in Westminster's commercial and residential areas have been a focus for anti-social behaviour, disorder and disturbance. This has been caused by street drinkers and underage drinkers who have tried to obtain or have obtained alcohol from such premises. Due to these concerns over crime, disorder and disturbance, the council will not, as a general rule, grant applications for the 24-hour sale of alcohol for consumption off the premises for premises outside the West End Cumulative Impact Zone. It will consider seriously any representation made by the police, other responsible authorities, and relevant representations from other persons and will consider Policy HRS1 in determining applications.
- D135.** The council has introduced a public spaces protection order across the whole city under the Antisocial Behaviour, Crime and Policing Act 2014 (as amended). This gives the Police and authorised persons from the Council powers to stop street drinking and seize alcohol. Short term Dispersal Zones have also been used in various parts of the city to break up street drinking "schools" and disrupt patterns of street drinking. These Orders continue to be in force under the Crime and Policing Act 2014.

- D136.** Where the police or others make representations against the grant of a further licence for off-sales, because of their serious concerns over problems of street drinking or late-night disorder associated with the off sale of alcohol in the area, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises. This is to hinder both underage drinkers and problematic street drinkers masking their consumption by purchasing from a series of premises and using a number of premises to try to buy alcohol if they are refused in one. Where there are representations that refer to problems of late-night disorder (these are generally within the West End Cumulative Impact Zone) the permitted hours for the sale of alcohol for consumption on and/or off the premises may be less than core hours.
- D137.** In appropriate cases, the hours of selling alcohol for consumption off the premises may end before the terminal hour of other premises in the vicinity, such as bars, that are authorised to sell alcohol for consumption on those premises. This is to discourage the consumption of alcohol on the streets after premises in the vicinity which sell alcohol for consumption on the premises have closed.
- D138.** The restriction of premises to core hours, the requirement on applicants to demonstrate how their operation will not add to cumulative impact and the imposition of conditions can be an effective means of promoting the licensing objectives. However, applications will be considered on a case by case basis and upon their own merits.
- D139.** The proliferation of premises for the sale of alcohol for consumption off the premises is of concern if it leads to consumption of alcohol on the streets or being carried into premises licensed to sell alcohol for consumption on the premises. In light of the evidence it has considered, the council is concerned that alcohol loading from off-licence sales is a significant problem, particularly within the West End and adversely affects the licensing objectives.
- D140.** It is accepted that shops may wish to include areas within their premises where customers can eat and drink. The sale of alcohol for consumption on the premises must be an ancillary function to the main use of the premises. Applications that include the sale of alcohol for consumption on the premises will need to ensure that adequate measures are put forward to ensure that this activity will not adversely impact the licensing objectives.
- D141.** This policy is intended to enable a limited provision for the sale of alcohol for consumption on the premises in shops. Shop environments and their management and staff are unlikely to be able to manage significant alcohol consumption in the shop and the potential adverse impacts that it can cause. The council seeks to ensure that shops do not turn into premises that offer significant amounts of alcohol for consumption on the premises. Where appropriate, the council may impose conditions on a premises licences determined under this policy to ensure the licensable activities do not exceed a level that could reasonably be expected of shops, for example limiting the proportion of sales that alcohol can make up or limiting the licence to a particular operator.
- D142.** The provision of entertainment, such as live music can provide a significant draw to a premises. Entertainment can add to the experience of shopping at the premises which elevates it above its competitors. Shop operators who wish to provide regulated entertainment on their premises must ensure that this is an ancillary function to the main use of the premises as a shop. Adequate measures must be included in the application to ensure that the entertainment will promote the licensing objectives. Particular attention will need to be given to the impact of noise and ensure public safety. Entertainment of an adult nature must not be provided in shops that are often frequented by children or families. Applications wishing to provide entertainment that is directed at adults must ensure that children are protected and access to the premises by children is restricted. In certain circumstances the adult entertainment may be regulated and require an additional authorisation from the council.

- D143.** The sale of alcohol from shops can be a small part of their overall business or, in the case of traditional off licences, can be their primary products. Applicants will be expected to ensure that the sale of alcohol is adequately managed to ensure that alcohol is not sold to anyone under the age of 18. The council expects applicants to implement think 21 or think 25 policies associated with age verification. Staff training is also extremely important to reduce the risk that alcohol will be sold illegally. The council will take a robust approach where any licence holder knowingly or negligently sells or enables the sale of alcohol to children.
- D144.** The council may impose conditions on the checking of the age of those who appear under 21 or 25 to ensure that alcohol is not sold to those under 18. Licence holders of smaller outlets need to have sufficient day-to-day control of operations. They can be held responsible for breaches of the licence and for not providing adequate staffing and training.
- D145.** The sale of alcohol to underage young people, which apart from being a criminal offence, may give rise to disorder, public nuisance and concerns over public safety and harm to children. The sale of alcohol to people who then consume it on the way to other premises can give rise to problems of drunkenness and disorderly behaviour.
- D146.** The council and the Police will continue to use young people for test purchasing of alcohol and CCTV, which has proved its usefulness in prosecutions for unlawful sales of alcohol. The possible outcomes of reviews of licences for underage sales include the imposition of additional conditions such as the attendance of a personal licence holder, the removal of the premises supervisor and, where appropriate, the revocation of the licence.
- D147.** The council will expect applicants to set out within their application how the premises will operate, where licensable activities will take place and what conditions and mitigation measures they propose to ensure that the premises promotes the licensing objectives, including the training procedures and staffing levels within the premises and the types, quantities and strength of alcohol, and where and how alcohol will be securely stored.



IV – Core Hours Policy HRS1

- A. The Council will generally permit the core hours for each premises use type set out in Clause C but will not generally permit hours outside those core hours.
- B. Any application that seeks hours outside the core hours will be determined on its merits and will only be granted where the Council is satisfied that the proposal would not undermine the licensing objectives. In doing so, the Council will primarily have regard to the following considerations:
 - 1. The type of use of the premises, recognising that some venues may present a higher risk to the licensing objectives due to the nature of the operation (e.g. pubs and bars are higher risk than cinemas and cultural venues).
 - 2. The proposed hours for the licensable activities, the playing or performance of any music (including incidental music), and when customers will be permitted to be on the premises.
 - 3. The hours when customers will be allowed to take food or drink outside the premises or be within any open areas that form part of the premises.
 - 4. The capacity of the premises.
 - 5. Where applicable, the existing permitted hours and the past operation of the premises, including compliance with existing licence conditions and permitted hours.
 - 6. The likely effect on the promotion of the licensing objectives of granting the application for hours that are later or earlier than the core hours.
 - 7. The character of the surrounding area and its sensitivity to late-night activity.
 - 8. The number and type of any other licensed premises in the vicinity and the authorised licensable activities and permitted hours for those premises.
 - 9. The proximity of the premises to any residential properties that could be adversely affected by the proposed hours of operation.
 - 10. The availability of public transport for customers and staff arriving at and leaving the premises, especially at night.
 - 11. Any proposed 'winding down' period and arrangements for customers to leave the premises safely and disperse without causing disturbance.
 - 12. Any other measures that are proposed to mitigate the impact of the extended hours
- C. For the purposes of Clause A and B, the Core Hours for each premises use type are:
 - 1. **Casinos**
Up to 24 hours a day whilst casino gaming is permitted by a premises licence issued under the Gambling Act 2005.
 - 2. **Cinemas, Cultural Venues and Live Sporting Premises**
Monday to Sunday: 9am to Midnight.
 - 3. **Delivery Centres**
Monday to Saturday: 8am to 11pm.
Sunday: 9am to 10.30pm.
 - 4. **Hotels**
Monday to Thursday: 9am to 11.30pm.
Friday and Saturday: 9am to Midnight.
Sunday: 9am to 10.30pm.
Sundays immediately prior to a bank holiday: 9am to Midnight.
For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

5. Outdoor Spaces

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

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10am to 11.30pm.
Friday and Saturday: 10am to Midnight.
Sunday: Midday to 10.30pm.
Sundays immediately prior to a bank holiday: Midday to Midnight.

7. Qualifying Clubs

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

8. Restaurants

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

9. Sexual Entertainment Venues and Sex Cinemas

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

10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)

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

10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)

Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

Note:

- i. The core hours apply to all licensable activities but the start time for late night refreshment will be 11pm.
- ii. The core hours shall also be when customers are permitted to be on the premises and will therefore be the maximum permitted opening hours permitted.
- iii. The council may require that the permitted hours for certain activities, such as live or recorded music and the supply of alcohol for consumption on the premises, cease a suitable period of time before customers are required to leave the premises.
- iv. The council may reduce hours if, after review, it is considered appropriate to do so in order to promote the licensing objectives.
- v. For the purposes of this policy, 'premises use types' are defined within the relevant premises use policies within this statement.

Reasons for Policy HRS1

D148. The Council has operated a core hours policy since the introduction of the 2003 Act. It provides a set of hours for specific types of operation or premises use which are dependent on the location of the premises. The policy provides clarity and reassurance to applicants and those who live or work within the vicinity of licensed premises, allowing businesses to trade for reasonable periods whilst limiting the impact on the licensing objectives, particularly the prevention of crime and disorder and public nuisance. The s.182 Guidance³³ recognises that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas and that licensing authorities, in consultation with other responsible authorities, are best placed to make decisions regarding licensing opening hours as part of the implementation of their licensing policy statements.

D149. Westminster has the greatest concentration of licensed premises in the United Kingdom, with c.4,000 premises offering extensive late-night opening and a range of closing hours throughout the night. Enhanced transport provision, such as the night tube, supports the dispersal of people from a buoyant evening and night-time economy. There has also been a significant increase in private hire vehicle operators that allow instant booking via apps. The availability of vehicles and ability to easily book them has assisted in dispersing people from the busiest areas of the West End to other parts of the city and elsewhere, and also to allow people to travel into the West End from the outskirts or outside the city at later hours throughout the night.

D150. The council is mindful, however, of the negative impact that late night licensed premises can have on crime and disorder and public nuisance with customers leaving premises, particularly in groups, causing a disturbance due to reduced ambient noise levels and the increased likelihood of residents being asleep. The need for a “window of opportunity” during which the city can be cleaned is also recognised. The council therefore considers that the core hours provide a reasonable balance and does not accept that the granting of longer hours would generally result in a reduction in crime and disorder and public nuisance.

D151. The council wishes to see less alcohol-led premises and a more diverse range and variety of uses available later at night. Cinemas and theatres where regulated entertainment is provided to a seated audience, other cultural venues (such as galleries and museums) and live sporting premises are generally considered low risk where alcohol is provided as ancillary to the main premises use. The supply of alcohol is also either limited in the type or quantity, e.g. wine and beer only, or to specific times, e.g. during an interval. These venues attract a diverse mix of visitors/customers from a large array of different age groups, including families, and have little association with crime and disorder or public nuisance. The council wishes to encourage a wide range of people to come and enjoy Westminster’s evening and night-time economy, with residents and visitors enjoying what the city has to offer. It recognises that attracting a wide range of age groups can curb anti-social behaviour and will further the licensing objectives of the prevention of crime and disorder and public nuisance. The core hours are therefore longer for these types of premises that add a more varied offer of entertainment and cultural activity. However, alcohol and late-night refreshment must be ancillary to the primary use of the venue and for those venues that have audiences, the additional hour for licensable activities beyond 11pm will be limited to that audience. Applications within the Cumulative Impact Zone will still have to demonstrate that they will not add to the cumulative impact.

D152. Westminster offers an unparalleled range of shops ranging from small units to large department stores. Shops will continually seek to provide a greater offer to their customers so that they will prolong the time customers spend in their premises and the opportunity to increase revenue. The evolution of shops is also essential to enable premises-based retailers or service providers to compete with online competitors. The council recognises that shop operators need to continually evolve and to achieve this may seek to provide licensable activities for their customers. This may be via entertainment, the sale of alcohol for consumption on the premises or the provision of late-night refreshment. The core hours for shops has been split into two elements. The first set of core hours apply to shops that intend to provide licensable activities, other than the off sale of alcohol as an ancillary function to the primary use of the premises. The second set of hours, which are more restrictive are specifically for the sale of alcohol for consumption off the premises. The council is specifically concerned with the availability of alcohol for consumption off the premises due to the risks to the licensing objectives, particularly as a result of street drinking issues and pre-loading of alcohol before entering pubs, bars and clubs

D153. Qualifying clubs have historically had little association with crime and disorder or public nuisance. Through their membership requirements, they exert a degree of control over behaviour in and around their premises. This is reflected in the core hours for club premises. Any clubs that doesn't fit the definition of a qualifying club and are operated on a commercial basis will be considered under the Public House and Bars Policy PB1.

D154. The council will generally grant applications where the proposed hours that customers will be permitted to be on the premises are within the 'core hours' as set out within this policy. These provide earlier closing times on nights when residents have to get up for work the next morning and also some respite on Sundays mornings, whilst Fridays and Saturdays outside the Cumulative Impact Zone have longer hours as people are able to travel home relatively easily by tube, train, bus, licensed private hire vehicle and/or taxi. However, this is subject to the application meeting the other policies within this statement.

D155. Applicants should carefully consider the hours for each licensable activity, when to stop the entry of new customers and the time that all customers will be required to leave the premises. They should consider each licensable activity separately and carefully reflect that in their application form. Applicants are discouraged from applying for later hours than they intend to operate, particularly a 24-hour licence where there is no intention of operating on such a basis. Responsible authorities and other persons are more likely to make objections the later the hour that licensable activities are proposed to take place.

D156. Any application with proposed hours that exceed the core hours will not automatically be refused but will be considered on its individual merits, having regard to the criteria set out under this policy and the other policies contained in this statement. This includes the cumulative impact policy applied in the West End that provides a rebuttable presumption to refuse applications for certain types of premises with hours that exceed the core hours. Applicants should demonstrate how the granting of any application will not undermine the licensing objectives and if applicable, will not add to any existing cumulative impact.

D157. When determining an application, the council will consider the hours for licensable activities, opening and closing times and appropriate conditions. The benefits of 'winding down' periods (after the last sales of alcohol, while food and non-alcoholic drinks are still available, the level and tempo of music is reduced, and the levels of lighting are increased) are widely recognised as helping to reduce crime and disorder and public nuisance. Whilst the consumption of alcohol is not a licensable activity it is clearly relevant in assessing whether the operation of a premises will promote the licensing objectives. Applicants should therefore consider introducing a 'winding down' period. The council may, subject to other conditions and restrictions, impose such a requirement by restricting the time at which alcohol may be consumed on the premises and/or require that all customers leave the premises by a certain time where it is considered appropriate for the promotion of the licensing objectives to do so.

V – SPATIAL POLICIES

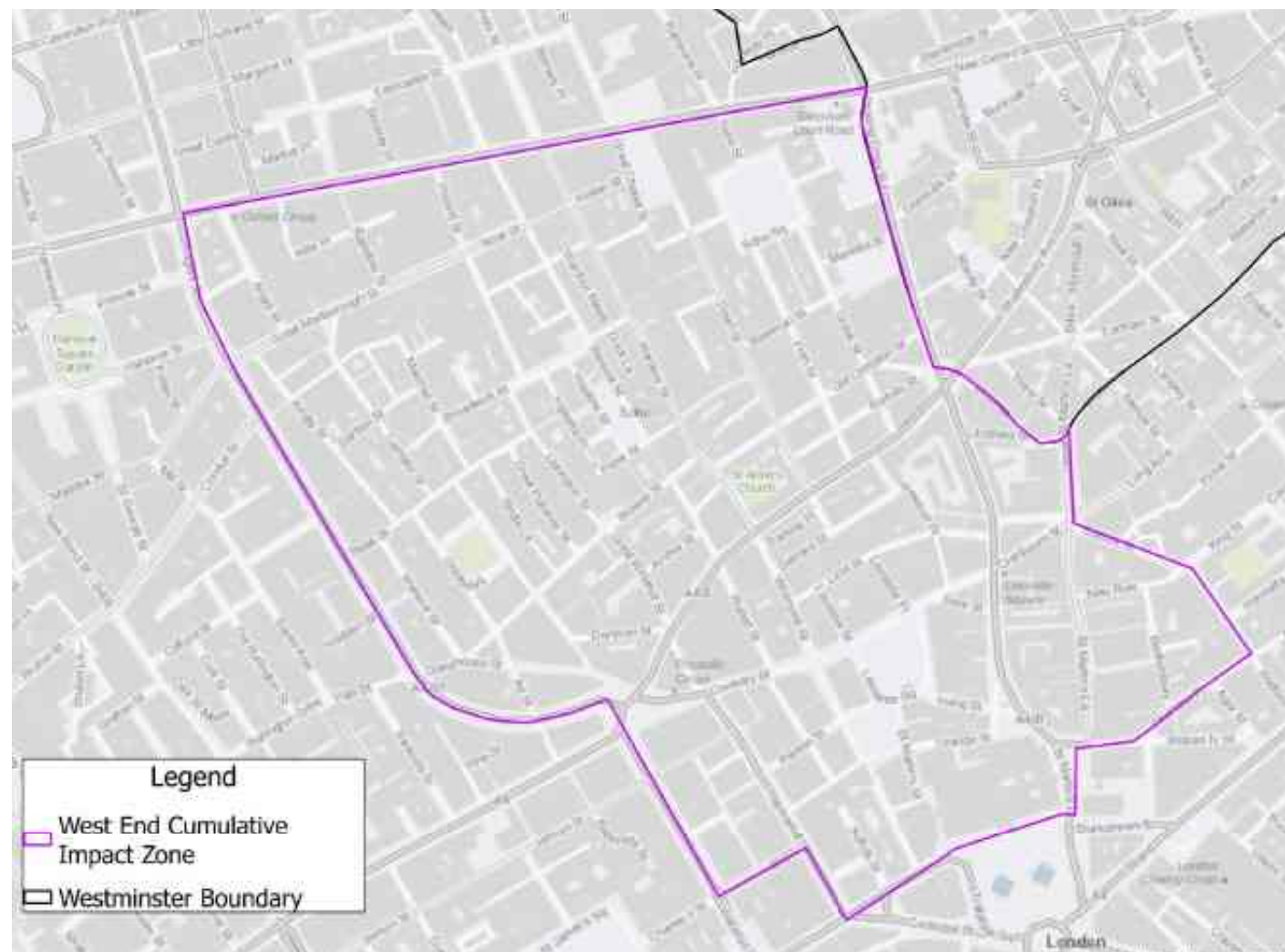
Cumulative Impact Policy CIP1

- A.** The Council will normally refuse any application made in respect of a premises located in the West End Cumulative Impact Zone that is a pub or bar, a fast food premises or a venue offering music, dancing and similar entertainment, other than an application to vary a licence to:
 - i.** Vary the hours within the specified hours for the applicable premises type as set out in the Core Hours Policy HRS1; and/or
 - ii.** Reduce the overall capacity of the premises.
- B.** The Council will not normally grant any application for any other type of premises located within the West End Cumulative Impact Zone, unless the applicant demonstrates to the satisfaction of the Council that the granting of the application will not add to cumulative impact.
- C.** For the purposes of this policy:
 - i.** The premises use types referred to in Clause A and B are defined within the relevant premises use policies within this statement; and
 - ii.** The West End Cumulative Impact Zone is the area outlined in the map below.

Reasons for Policy CIP1

- D158.** On 11 June 2026, the Council resolved to publish a revised cumulative impact assessment ("the 2026 CIA") under section 5A of the 2003 Act.³⁴ The 2026 CIA is not a policy itself but uses evidence to identify the areas of Westminster where the cumulative effect of licensed premises is having the most impact on the licensing objectives. It will be kept under review and updated when new evidence becomes available.
- D159.** In developing the 2026 CIA, the Council analysed the locations of licensed premises alongside crime, antisocial behaviour and noise incidents, as well as footfall data, across Westminster covering the period from January 2023 to December 2024. The focus was on the evening period (6pm to 6am) and late night hours (12 midnight to 6am) because that reflected the time of peak negative outcomes related to the night-time economy and the highest activity of licensed premises.
- D160.** The city was divided into 5,000m² hexagon blocks and the datasets were mapped across each of these blocks. A cumulative impact score was then calculated for each block. This enabled a detailed, block-level assessment of cumulative stress to be undertaken to identify the areas of Westminster where, according to the evidence, the cumulative effect of licensed premises is having an impact on the licensing objectives. This process is explained in more detail in the 2026 CIA.
- D161.** Only one such area was identified that covers part of the West End shown in the map below. The 2026 CIA states that the Council considers the number of premises licence and club premises certificates already granted in respect of premises in this area means that granting any further licences or certificates would be inconsistent with the Council's duty to promote the licensing objectives. This does not change how licensing decisions are made, as applications will always be considered on their individual merits. However, as recognised by the s.182 guidance,³⁵ the publication gives a strong statement of intent about the Council's approach to licence applications.

D162. In developing this Cumulative Impact Policy, the Council has had regard to its CIA and is satisfied that the evidence contained within it demonstrates that the cumulative stress caused by licensed premises in the area identified in the map below is at a level that requires a strategic, area-based response. It therefore considers it appropriate to apply this overarching spatial policy to the area, known as the “West End Cumulative Impact Zone,” rather than simply assessing individual applications in isolation.



D163. The Council will also consider the use of alternative measures such as fixed closing times, staggered closing times and zoning within the city, where these are justified on the basis of the licensing objectives. Such measures are only presumptive, with decisions continuing to be made on a case-by-case basis, having regard to what is appropriate to promote the licensing objectives. A range of mechanisms will be employed by the Council, in partnership with other agencies, to prevent or limit cumulative impact arising from premises and the behaviour of customers once they have left a premises. These include:

- Planning policies;
- 24-hour City Inspector Teams monitoring licensed and unlicensed premises;
- 24 hour-Council Noise Team;
- Dedicated Police Licensing Team embedded within the Council Offices;
- Support to Pub Watch and Club watches;
- Support to Best Bar None and Purple Flag schemes;
- Collaborative operations and joint working with the police (including Ward Officers, Specialists Police Units and the British Transport Police), Security Industry Authority, the National Crime Agency, HMRC and HM Immigration;
- Additional portable urinals and 24-hour street cleansing;
- Orders to give the police and authorised officers of the Council powers to stop street drinking and seize alcohol and receptacles (Public Space Protection Orders);
- Use of Dispersal Orders; and
- Joint operations on illegal minicabs.

D164. There is no presumption against granting applications outside the West End Cumulative Impact Zone on cumulative impact grounds. However, the absence of such a policy does not preclude representations being made that an application may give rise to adverse cumulative impact on the licensing objectives. Where such evidence is presented, the Council will consider the potential effect of granting the application in relation to cumulative impact.

Pubs, bars, fast food premises and venues offering music, dancing and similar entertainment

D165. The CIA does not distinguish between different types of premises but the Council considers pubs, bars, fast food premises and venues offering music, dancing and similar entertainment to be the key driver of cumulative impact in the West End. The Cumulative Impact policy therefore provides a presumption to refuse applications for these types of premises in the West End Cumulative Impact Zone. This policy is intended to be strict and will only be overridden in genuinely exceptional circumstances. However, the Council will not apply this policy inflexibly. Applicants will be expected to demonstrate that there are exceptional reasons why their application should be granted. The Council will then consider the individual circumstances, even where an application appears to be contrary to the policy.

D166. The Council considers that trial periods are not in accordance with the principles of the 2003 Act. The Council needs to be satisfied that granting an application will promote the licensing objectives and accordingly, a trial period will not be necessary if it is so satisfied. A request for a trial period for an individual premises to establish the effect on cumulative impact will almost inevitably be refused. The impact of one premises staying open later can rarely be measured empirically over a trial period, which underlies the fact that cumulative impact is a consequence of the totality of premises in an area rather than any individual premises.

- D167.** The Council will not consider a case to be exceptional merely on the grounds that the premises has been, or will be, well managed and operated within the terms and conditions of the licence or that the applicant has a good reputation or character. These are the expected standards for all applicants and licence holders.
- D168.** The Council will also not consider a case to be exceptional simply because the capacity of the premises, or any proposed increase, is small. It is commonly argued that customers will be drawn from other premises and there will be no increase in people within the area. However, due to the significant number of premises in the West End Cumulative Impact Zone, a small increase in capacity in each premises would lead to a significant increase in the area overall. Each incremental increase contributes in part to increasing the attraction of the area as a “honey pot” destination for night life and to the cumulative problems created by such a high concentration of activity in the area.
- D169.** It is not possible to give a full list of examples of when the Council may treat an application as an exception, but some circumstances are discussed below. As this policy addresses the cumulative impact of licensed premises on the area as a whole, applications are unlikely to be regarded as exceptional unless they address the underlying reasons for the policy. In determining each application, the Council will have regard to these reasons, alongside the relevant premises use policy.
- D170.** An example of an exception might be the relocation of an existing operation from one premises to another, where the existing licence is surrendered and the new premises, by reason of its size, layout or location, would result in a demonstrably lower impact on the licensing objectives. In such cases, the Council will consider the operation of the premises to be vacated, any proposals affecting its future use, and whether appropriate legal mechanisms are in place to ensure the original licence cannot continue or be transferred once surrendered.
- D171.** The introduction of measures to reduce the extent of, or to remove opportunities for, vertical drinking could address the underlying reasons for the policy. This could be by introducing fixed seating and conditions to provide a minimum number of seats at all times and requiring sales to be by waiter or waitress service only. However, this measure alone is unlikely to be considered as an exception.
- D172.** The Council will consider whether a proposal to set a capacity for a premises for the first time, or to reduce an existing capacity, effectively addresses the underlying reasons for the policy. Any reduction in capacity would have to be substantial when compared to that at which the premises had been operating. Any application for later hours with a reduction in the capacity of the premises will have to demonstrate that it would lead to a meaningful reduction in cumulative impact. This should reflect a genuine reduction in the number of persons using the premises during peak periods and late at night, rather than at times when the premises would ordinarily be less busy. The later the hours sought, the greater the reduction in capacity would have to be.
- D173.** Capacity limits and conditions relating to the provision of appropriate ratios of tables and chairs to customers and the use of door supervision to control entry, can promote the prevention of crime and disorder licensing objective. The Council also considers that a prescribed maximum capacity, alongside a minimum level of seating and tables, can assist in promoting the prevention of public nuisance licensing objective. Premises that are less crowded and where customers are seated are generally associated with lower noise levels and more orderly dispersal than higher-capacity venues with predominantly vertical drinking. However, the inclusion of a capacity limit or related measures will not, in itself, be sufficient to justify an exception to policy.

D174. The Council may consider granting a licence to a landowner or another person with a legal interest in the property if it replicates the terms and conditions of an existing operational licence for the same premises (a “shadow licence”). Shadow licences are typically sought to protect the interests of a property, so if the operational licence lapses, is surrendered or is revoked, the holder of the shadow licence can market the property with the shadow licence. An application would need to be made to vary the shadow licence to remove any conditions preventing its use. At that point the Council will consider whether the operation of the premises is likely to be an exception to the policy, which would need to be demonstrated by the holder of the shadow licence.

D175. An application for a new licence may be considered as a possible exception to the policy if it seeks to replace a licence that has lapsed in the event of the death or insolvency of a licence holder and where there has been a failure to transfer the licence or submit an interim authority notice in due time. Unless there are representations that indicate there were problems with the previous licence, the new licence may be granted with conditions that replicate the effect of the previous licence and any supplementary conditions that are considered appropriate to bring the licence in line with current good practice e.g. on door supervision, CCTV provisions and proof of age policies. This will not apply to licences which have been surrendered or those that can have no practical effect because the premises in respect of which they were granted no longer exists or will not continue to exist in its previous form, e.g. because of planned demolition or redevelopment.

D176. Proximity to residential accommodation is a general consideration for the prevention of public nuisance. However, the absence of residential accommodation in the immediate vicinity of a premises within the West End Cumulative Impact Zone is not a reason for exception. The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but a wider area. The number of people visiting the premises, the licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.

Other Premises Use Types

D177. The Council wishes to encourage a diverse range of cultural and entertainment uses, where appropriate, and to reduce the dominance of pubs, bars, night clubs and fast food premises within the West End Cumulative Impact Zone. The Council recognises that other types of premises can also contribute to cumulative impact but to varying degrees depending on the nature of the use. The policy therefore provides that certain types of premises are not subject to a presumption of refusal, including restaurants, cinemas, cultural venues, qualifying clubs, off licences, hotels, sexual entertainment venues, sex cinemas and combined-use premises.

D178. Applicants for these premises use types must provide evidence to demonstrate to the satisfaction of the Council that the operation of the premises will not add to the cumulative impact within the West End Cumulative Impact Zone. It is the responsibility of applicants, not the Council, to identify appropriate measures and demonstrate how this will be achieved. Applicants who fail to provide sufficient information may have all or part of their application refused where representations are received.

D179. Restaurants are the most numerous licensed premises across the city and within the West End Cumulative Impact Zone. They normally represent a low risk to the licensing objectives if sufficient conditions and controls are in place. However, due to the large concentration of licensed premises within the area and the number of customers that may be present later at night, it is important that applicants provide sufficient evidence that the premises will not add to cumulative impact in the area.

D180. Cinemas, cultural venues, live sporting premises and outdoor spaces are generally less likely to have an adverse impact on the licensing objectives, in part due to the nature of the activities they provide. For example, the primary purpose of cinemas or cultural venues, including theatres, museums and galleries, will be the provision of regulated entertainment, such as the exhibition of films or performance of plays, or non-licensable activities, such as the display of artwork. Any activity that is considered a higher risk, such as the sale of alcohol, is expected to be limited in offer and ancillary to the main use of the premises. The same will apply to live sporting premises where the main function will either be regulated entertainment in the form of boxing, wrestling or other indoor sporting events in front of an audience or non-licensable sporting events, such as cricket matches. In such venues, alcohol and other licensable activities are expected to be ancillary to the primary function. The range of entertainment offered by these venues that appeals to a broad audience and that extends beyond alcohol-led activities can bring positive benefits to the local community and those visiting the area. However, applications must demonstrate that they will not add to cumulative impact.

D181. Members clubs operating under a club premises certificate that are well managed will usually have little association with crime and disorder and public nuisance. They therefore have less effect on cumulative impact than premises that are open to the public. This is because of their membership controls and the strict criteria that the premises must meet. These “qualifying clubs” are often characterised by long standing membership which is valued by the member and gives a real incentive for the club to promote the licensing objectives in its neighbourhood. New members are often nominated and vetted by existing members and in all cases there is a delay of at least two days between the grant of membership and the use of the club by the new member. Membership is usually intended to be long term and often renewable annually, with a significant financial commitment to join.

D182. Proprietary clubs operating under a premises licence, but with membership arrangements, often permit individuals to join with little or no prior contact, such as through to online registrations. The membership fees may be nominal and membership granted for short periods. Access to the club may be extended to guests of members or the management to allow immediate entry. Similarly, individuals attending premises hosting private functions, such as corporate or personal events, are not necessarily known to the management, although they may be known by the event organiser. Access may also be extended to guests of invitees. The Council notes that individuals leaving such premises may contribute to public nuisance or be involved in crime and disorder, whether as perpetrators or victims. It therefore considers that proprietary clubs and premises operating private functions are likely to contribute to cumulative impact. For this reason, they will not be considered exceptions to the cumulative impact policy on that basis alone.

D183. Sexual entertainment venues and sex cinemas have not been found to be significantly associated with incidents that are indicative of cumulative impact. However, due to the potential capacities of these venues and the association with alcohol for their operation, the Council will expect applicants to demonstrate how they will not add to cumulative impact in the area.

D184. Other venues, such as shops and off licences, hotels, casinos and combined use premises do not have a presumption to refuse under this policy and will be considered on their own merits.

Reviews within the West End Cumulative Impact Zone relating to Cumulative Impact CIP2

- A.** In deciding what steps, if any, are appropriate to promote the licensing objectives when determining an application for the review of a premises licence issued in respect of a premises within the West End Cumulative Impact Zone, the Council will take into account whether:
1. The premises is located within the zone where special policies of cumulative impact apply; and
 2. The need to reduce the cumulative impact of licensed premises within the West End Cumulative Impact Zone.

Reasons for the Cumulative Impact Zones Policy CIP2

- D185.** Existing premises licences that have a negative impact on the licensing objectives may contribute to cumulative impact. This may be reduced if appropriate steps are taken when licences that are granted in respect of the premises that are creating particular problems are reviewed.
- D186.** The s.182 Guidance³⁶ on reviews says: “Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as relevant unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate.
- D187.** The s.182 Guidance³⁷ further states: “CIAs should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the licensing authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so (see chapter 17). The “cumulative impact” on the promotion of the licensing objectives of a concentration of licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered.”

- D188.** When determining applications for the review of licences, the Council will have regard to the s.182 Guidance and to the evidence of ongoing nuisance within the West End Cumulative Impact Zone. In assessing what steps are appropriate to promote the licensing objectives, the Council may take into account the location of a premises within an area subject to a cumulative impact policy. However, the existence of such a policy will not, in itself, be grounds for revoking a licence. The Council will instead consider the effect of the premises and its operation on the licensing objectives, having regard to the underlying reasons and evidence underpinning the designation of the area.

Special Consideration Zones Policy SCZ1

- A.** Any application made in respect of a premises located within a designated Special Consideration Zone should demonstrate that the issues particular to the zone in question, as identified in the Cumulative Impact Assessment 2026, have been considered and should include any proposed mitigation measures in relation to those issues.
- B.** For the purpose of Clause A, the designated Special Consideration Zones are:
- West End Buffer;
 - Edgware Road;
 - Harrow Road, for applications seeking permission to supply alcohol for consumption off the premises;
 - Marylebone and Oxford Street;
 - Mayfair;
 - Paddington;
 - Queensway and Bayswater; and
 - Victoria.

These areas are outlined in the maps below.

Reasons for Policy SCZ1

- D189.** The Council has developed this policy to highlight areas within Westminster where there are increased levels of incidents that are linked to licensed premises but not to the extent that they are conclusively identifiable as being under cumulative stress. These areas have been designated as Special Consideration Zones (SCZs) under this policy. It is intended to alert applicants to the importance of taking such significant local issues fully into account in their applications by particularising the steps that they propose to take to promote the licensing objectives in light of those issues. This will be in addition to all other matters that are relevant to the application.
- D190.** The SCZs listed in this policy were identified in the 2026 Cumulative Impact Assessment ("the 2026 CIA") as having above average or sporadic levels of crime and disorder and public nuisance. The Council therefore believes that any application for a premises located within these SCZs would require a higher level of consideration due to the incident rates in these areas. Applicants who wish to operate within these areas or wish to vary their existing licences or certificates are expected to consider and identify within their applications how they will mitigate the risks associated with their premises in view of the higher levels of incidents within the area.
- D191.** The Council will keep the SCZs under review. If they reach a point where there is ongoing detrimental impact on the licensing objectives that can be conclusively linked with the number of licensed premises or clubs in the area causing cumulative impact, the Council may designate the relevant area as a Cumulative Impact Zone. The Cumulative Impact Policy CIP1 would then apply to that area.
- D192.** The Council is supportive of the hospitality and entertainment sectors but it needs to balance the needs of businesses, the residents who live and operate in the local area and its duty under the 2003 Act. This policy therefore aims to prevent areas that have a high concentration of licensed premises or clubs and significant levels of incidents, becoming Cumulative Impact Zones where a more restrictive policy approach would apply.

Special Consideration Approach

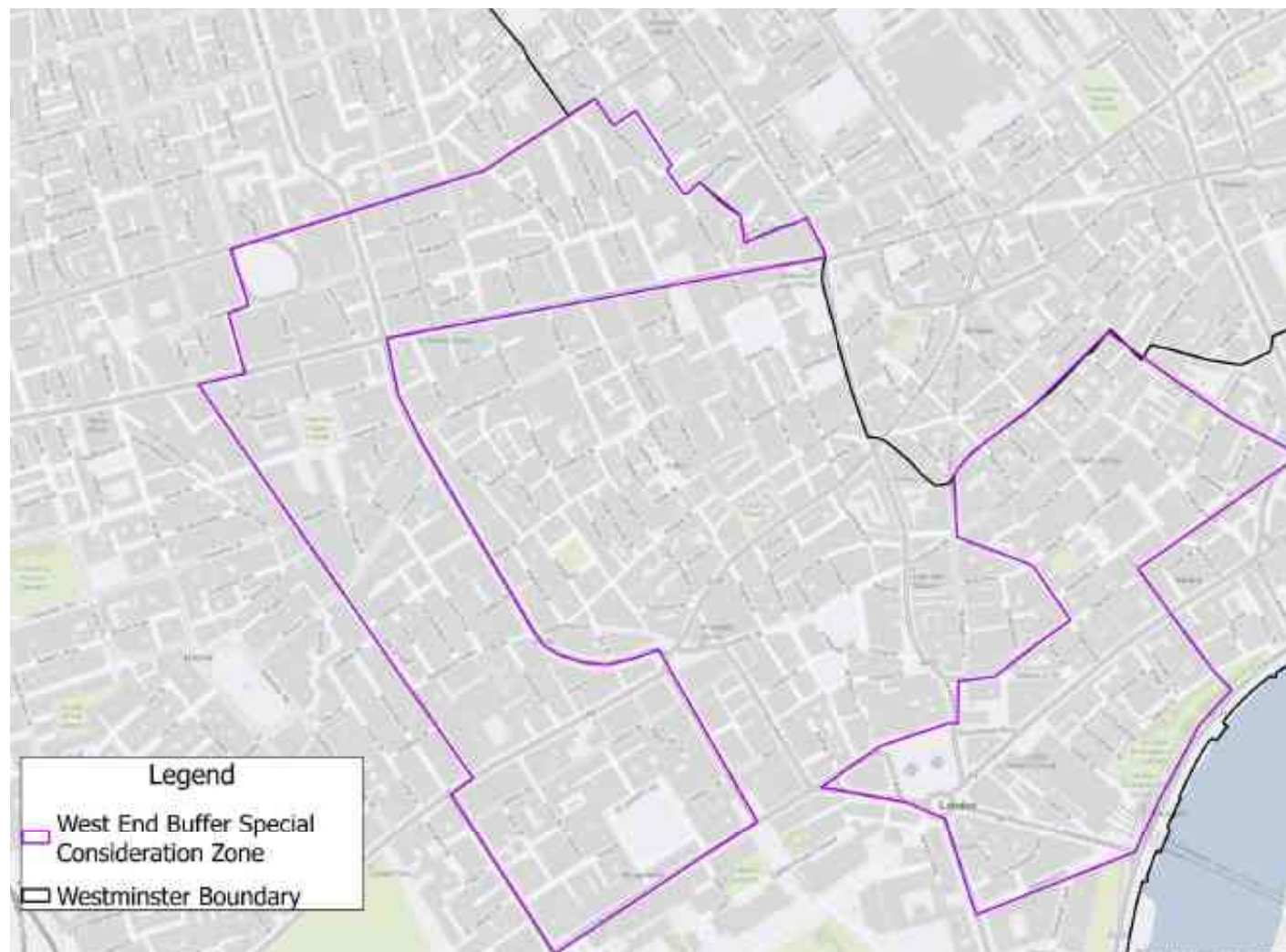
- D193.** Applications for premises licences and club premises certificates within these SCZs are not subject to a presumption of refusal. However, applicants are expected to have regard to the findings in the CIA for these areas when preparing their applications. A summary of the key findings for each SCZ is set out in the sections below. The Harrow Road SCZ only applies to applications seeking permission to supply alcohol for consumption off the premises.
- D194.** Applicants should consider whether additional mitigation measures are appropriate, beyond those that might ordinarily be appropriate for a premises that is not located in an SCZ, to ensure that the operation will not contribute to the local issues. The nature and extent of these measures will depend on the proposed use, type of business and style of operation.
- D195.** Where representations are received about applications for a premises in an SCZ, the applicant should consider the matters raised and whether the mitigation they have proposed is sufficient. If it is not, additional steps may be offered in an attempt to reduce any negative impact on the licensing objectives.
- D196.** Where the Council's discretion is engaged and it determines an application for a premises in an SCZ, it will consider the proposed measures put forward by the applicant and whether the application meets the criteria within other relevant policies within this statement. The Council may decide that additional conditions are appropriate but in some cases that may not be sufficient. Where there is significant concern associated with an application and it is not considered that the addition of any additional conditions will appropriately promote the licensing objectives, the Council may decide to refuse the application.

West End Buffer Special Consideration Zone

D197. The area shown in the map below is identified in the 2026 CIA as CIA Zone 2, an SCZ. It borders the West End Cumulative Impact Zone and is closely associated with late-night dispersal as a result of a number of transport hubs, including a national rail station, underground stations and numerous night bus routes.

D198. The local issues that need to be considered by applicants are:

- Theft;
- Rowdy or inconsiderate behaviour; and
- Alcohol-related antisocial behaviour.



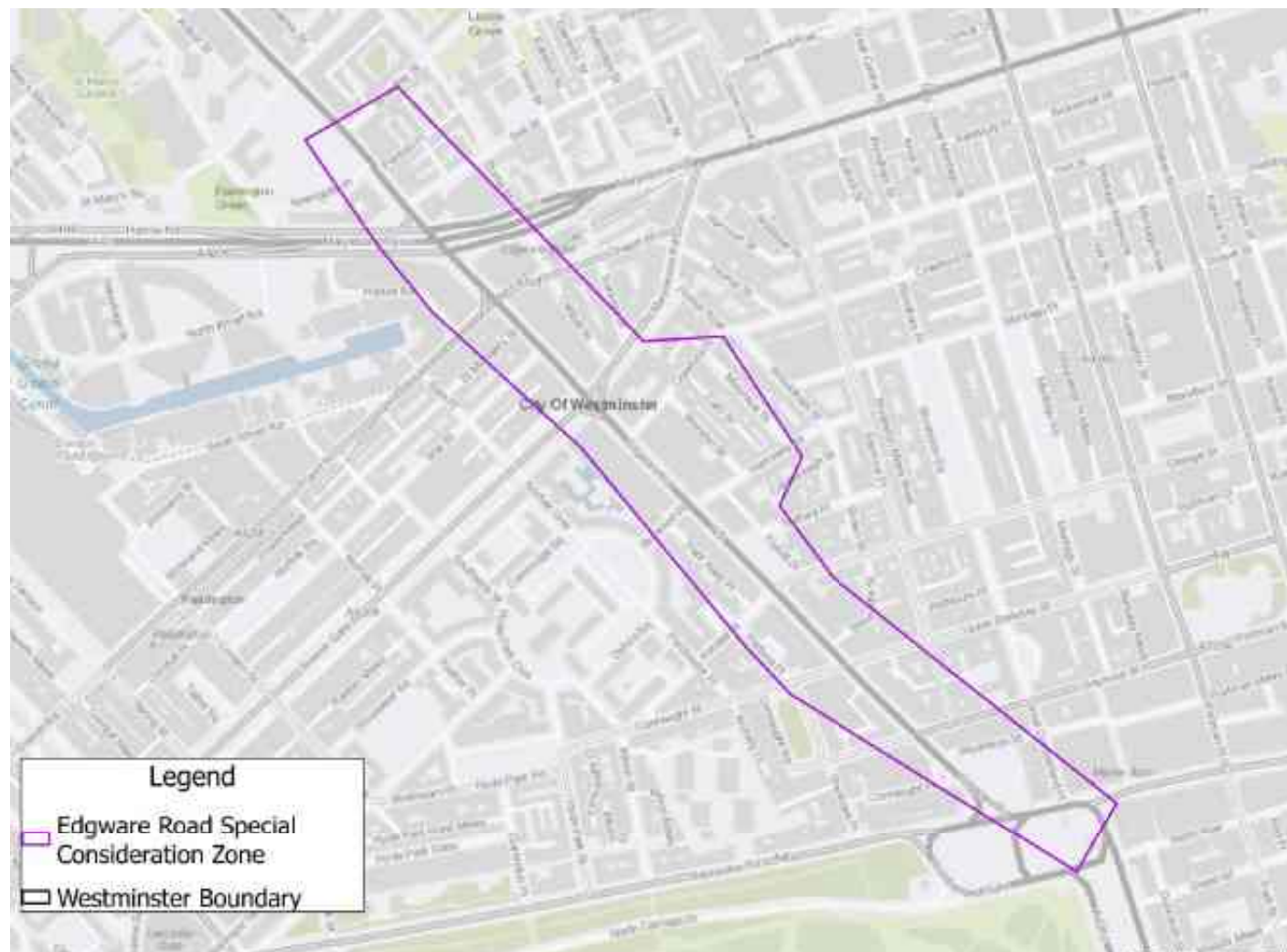
Edgware Road Special

Consideration Zone

D199. The 2026 CIA identified the area shown in the map below as an SCZ because it is a consistently high impact area relative to Westminster, particularly for footfall, antisocial behaviour and crime, with a substantial increase (around 285%) across all cumulative indicators.

D200. The local issues that need to be considered by applicants are:

- Theft;
- Violence against the person;
- Public order offences; and
- Rowdy or inconsiderate behaviour.



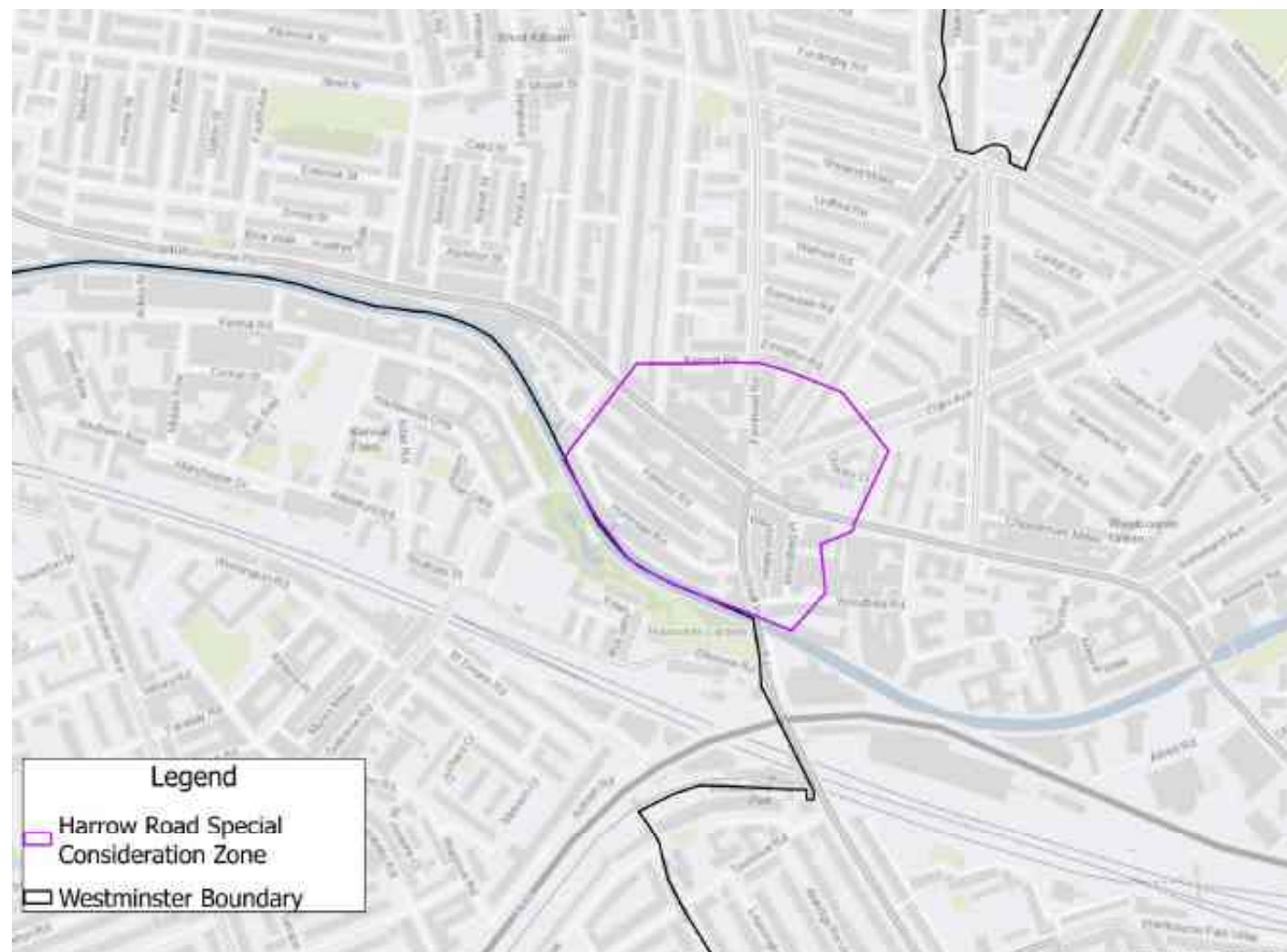
Harrow Road Special

Consideration Zone

D201. This area has been designated as a new SCZ that only applies to applications seeking the supply of alcohol for consumption off the premises. This is because within this area, shops, stores and kiosks are the dominant premises type, comprising 50% of all licensed premises (9 premises).³⁸ The 2026 CIA identified the area as a clear hotspot affected by the cumulative impact of licensed premises, with particularly high levels of crime and antisocial behaviour.

D202. The local issues that need to be considered by applicants seeking permission to supply alcohol for consumption off the premises are:

- Rowdy or inconsiderate behaviour;
- Alcohol-related antisocial behaviour; and
- Violence against the person.

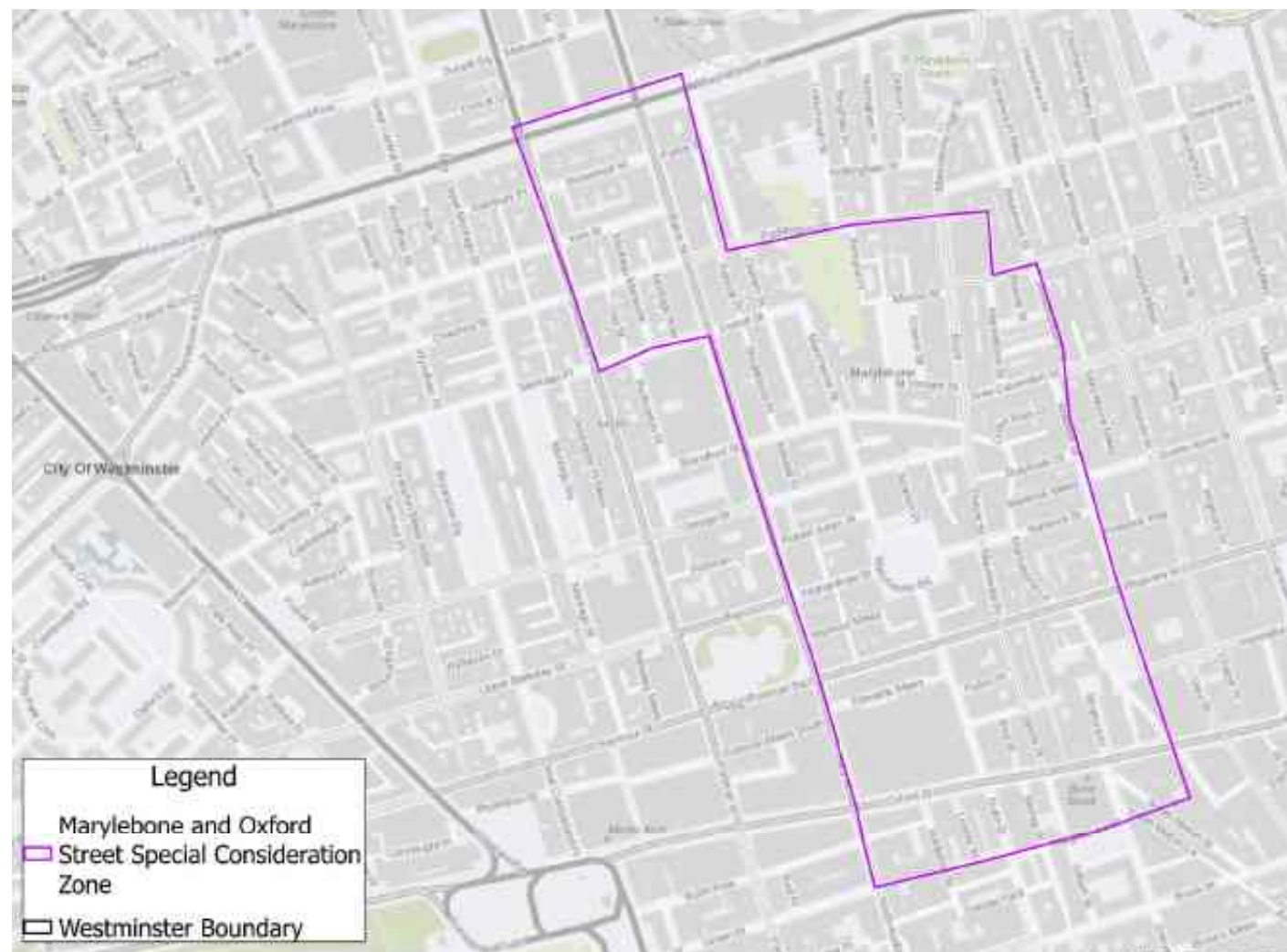


Marylebone and Oxford Street Special Consideration Zone

D203. The area shown in the map below is identified in the 2026 CIA as an SCZ because of the levels of crime, noise, antisocial behaviour, footfall in the area and the number of licensed premises.

D204. The local issues that need to be considered by applicants are:

- Theft;
- Robbery;
- Violent offences;
- Rowdy or inconsiderate behaviour;
- Alcohol-related antisocial behaviour; and
- Noise.

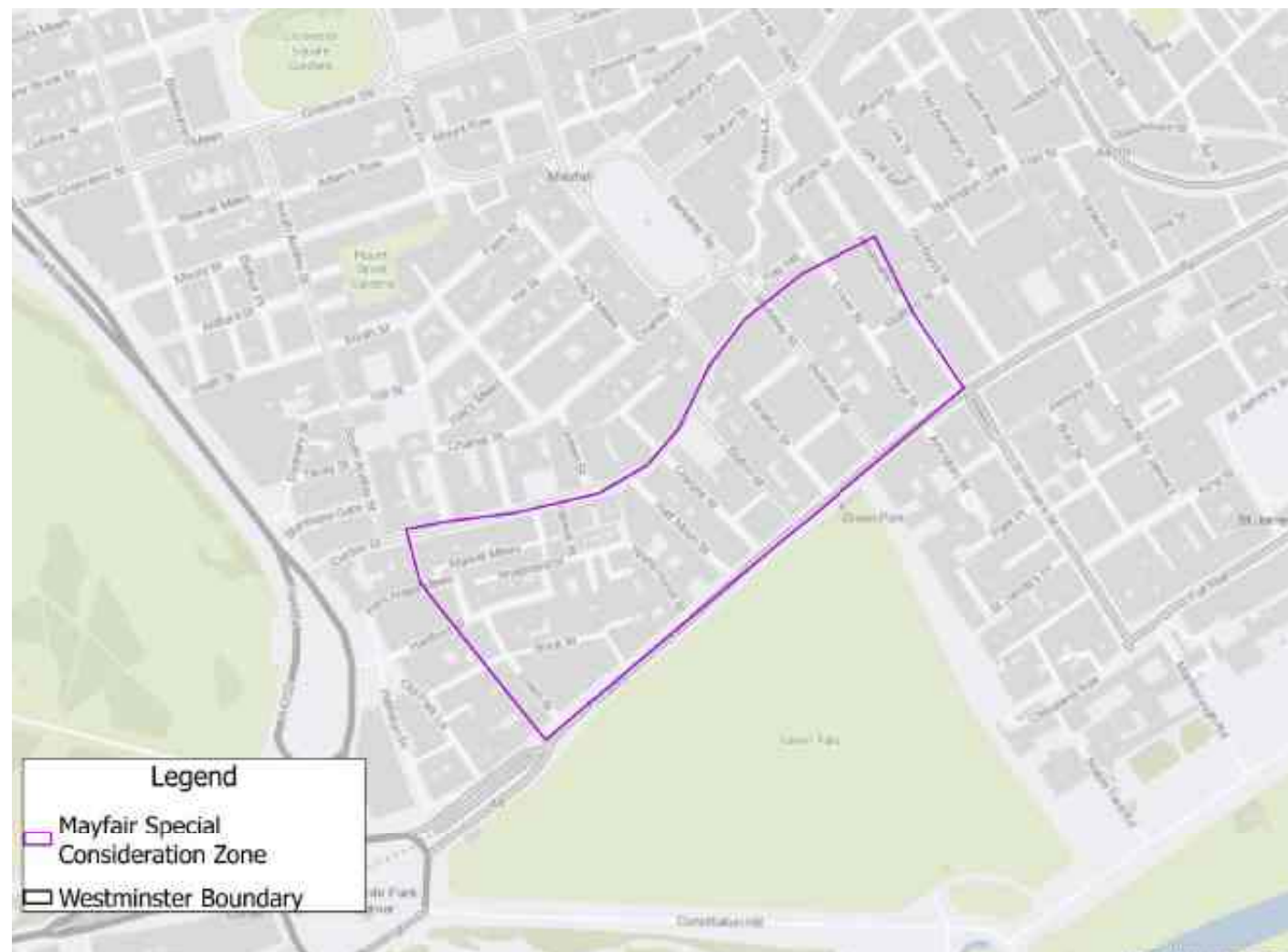


Mayfair Special Consideration Zone

D205. The area shown in the map below is identified in the 2026 CIA as an SCZ due to noise and other cumulative impact indicators.

D206. The local issues that need to be considered by applicants are:

- Theft;
- Violence against the person;
- Rowdy or inconsiderate behaviour; and
- Alcohol-related antisocial behaviour.

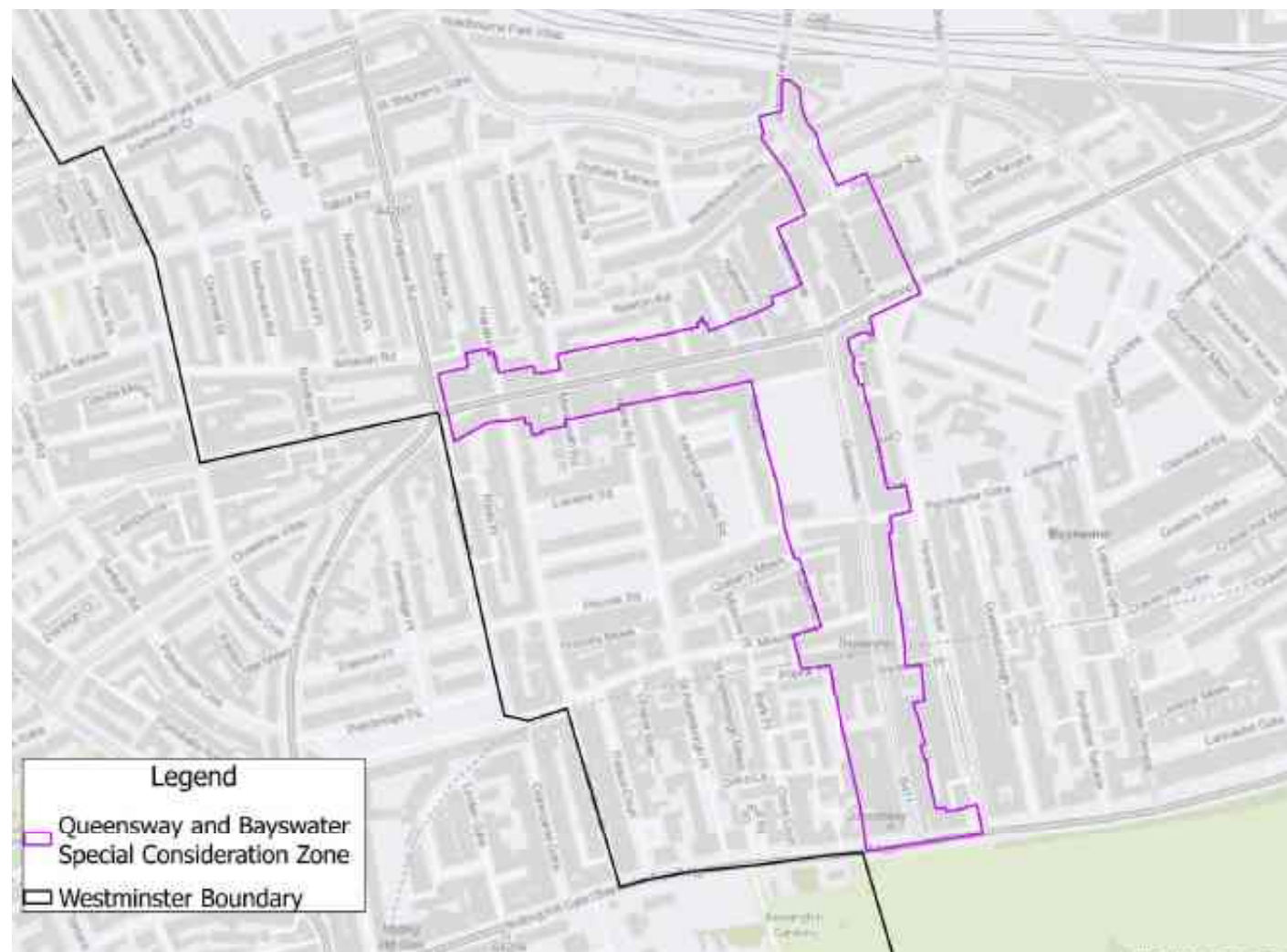


Queensway and Bayswater Special Consideration Zone

D209. This area is identified in the 2026 CIA as an SCZ because all CIA indicators in this area are above the Westminster average, with noise and antisocial behaviour being a particular issue.

D210. The local issues that need to be considered by applicants are:

- Theft;
- Violence against the person; and
- Rowdy or inconsiderate behaviour.

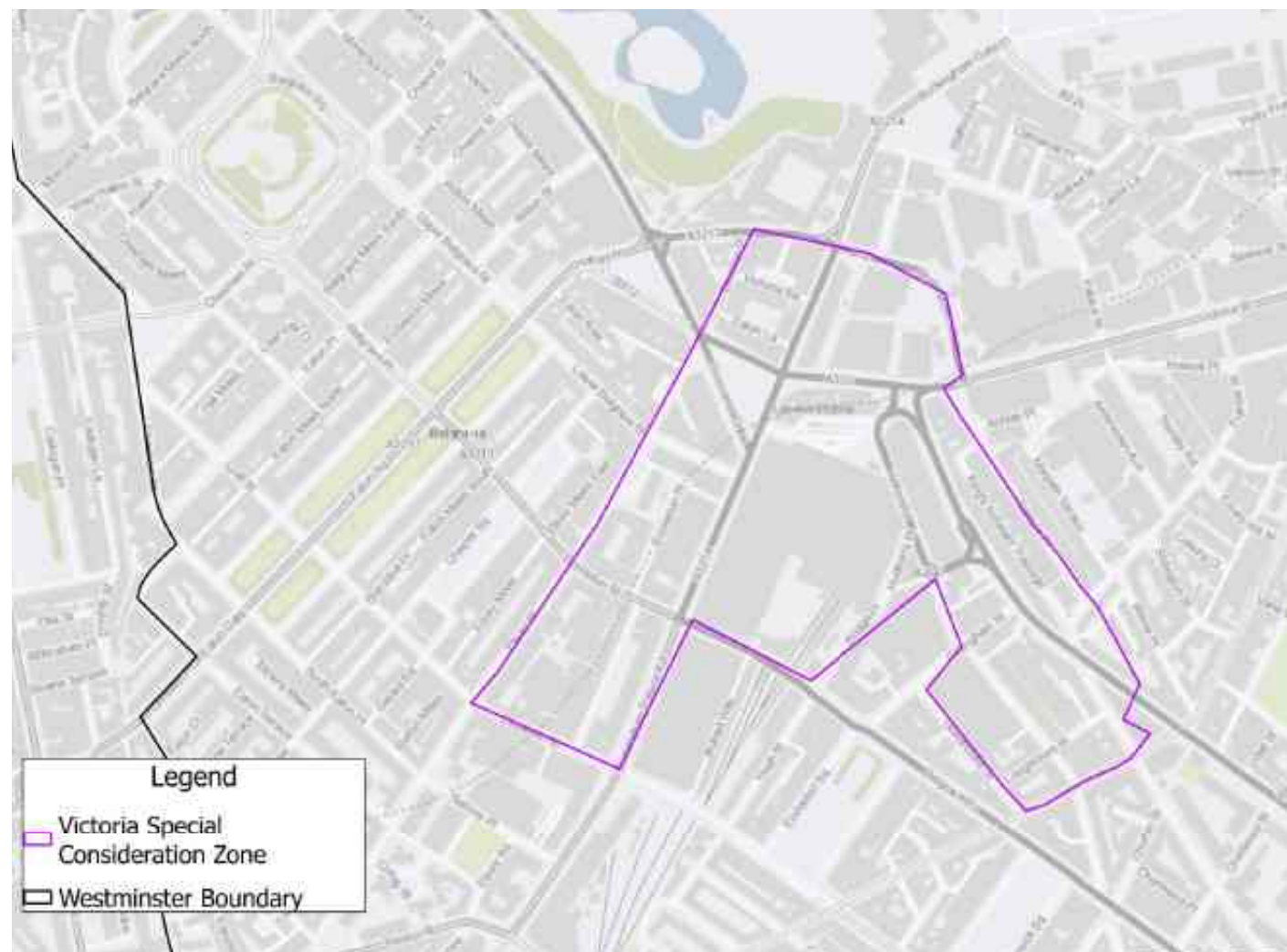


Victoria Special Consideration Zone

D211. This area, shown in the map below, is identified in the 2026 CIA as an SCZ Zone because it is one of the higher-impact areas across Westminster for all cumulative impact indicators.

D212. The local issues that need to be considered by applicants are:

- Theft;
- Violence against the person;
- Public order issues;
- Rowdy or inconsiderate behaviour; and
- Alcohol-related antisocial behaviour.



VI – Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1

- A.** The Council will generally permit the sale of alcohol and/or provision of late night refreshment for delivery from a premises, other than a delivery centre, where the criteria below are met.

Criteria

1. The delivery service will be ancillary to the main use of the premises.
2. Deliveries will only be to customers at their residential address or workplace.
3. The hours when deliveries will take place are within the core hours for the relevant premises use, as set out in the Core Hours policy, HRS1.
4. The applicant will:
 - a. implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures; and/or
 - b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.
5. The applicant will:
 - a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination; and/or
 - b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.

- B.** Any application that does not meet the criteria in Clause A will be determined on its merits and will only be granted where the Council is satisfied that the proposal would not undermine the licensing objectives. In doing so, the Council will have regard to the following considerations.

Council Considerations

1. The likely effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives;
2. Whether the proposed hours for the operation of the delivery service are beyond the core hours for the relevant premises use type, as set out in Core Hours policy HRS1, and if so, the reasons for the additional hours and the measures that the applicant has proposed to mitigate or eliminate any potential impact on the licensing objectives;
3. Whether the premises is located within an area of residential accommodation and/or in close proximity to residential accommodation;
4. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party;
5. Where the delivery service will be operated directly by the applicant with their own staff, how they will ensure that it does not adversely impact the licensing objectives, breach the conditions of the licence or commit offences under the 2003 Act;
6. Where a third party will provide the delivery service on behalf of the applicant, what the contractual arrangements with that third party are that will ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the conditions of the licence or commit offences under the 2003 Act;
7. The operation and management of the proposed delivery service from the premises;

8. The types of delivery vehicles that will be used and whether they will likely create public nuisance;
 9. The existing operation of the licensed premises, where applicable, including its impact on the licensing objectives and the outcome of any previous review applications, together with the applicant's experience of operating licensed premises, compliance with licence conditions and whether they have committed any offences under the 2003 Act;
 10. In addition to sub-clause 4 and 5 above, what measures the applicant has put forward to mitigate the specific risk of public nuisance caused by their, and any third parties', operation of the delivery service at the premises or at the point of delivery; and
 11. In addition to sub-clause 4 and 5 above, what specific measures and processes the applicant has put forward to mitigate the risk of the delivery of alcohol to children by their staff or any third party delivery company, and to ensure that children are protected from harm.
- C. For the purposes of this policy premises uses are defined within the relevant premises use policies within this Policy.

Reasons for Policy DEL1

D213. It is recognised that licence holders may seek to provide a delivery service, either directly operated by them or provided via a third party. The availability of dedicated platforms for the ordering of food and drink has made it simpler for the customer to find what they want and to order it directly without leaving their home or place of work. This growing market means that a large number of licensed premises may now wish to provide food and drink deliveries as an additional revenue stream but ancillary to the main use of the premises.

D214. This policy is intended to apply to premises that provide a delivery service for alcohol and/or late-night refreshment where that service is ancillary to the main use of the premises. For example, it would apply to an existing off-licence that wishes to introduce a new alcohol delivery service alongside its main retail business and is required to submit a variation application to do so. Where the intention is to primarily operate as a delivery hub, with or without an ancillary customer walk-in retail element, the operations will be considered under the Delivery Centre Policy DC1, rather than this policy. Any sale and delivery of hot food and drink after 5am but before 11pm is not a licensable activity and therefore this policy will not apply to businesses that only operate during those hours. However, it will apply to all premises that intend to provide alcohol for delivery no matter what time of the day.

D215. The council is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

D216. The applicant will be expected to consider where delivery vehicles or cycles will be parked or stored when the delivery service is being operated and when the premises is closed. Applicants should ensure that the public highway is not obstructed and that delivery vehicles are not parked illegally. If the applicant intends to use a specific area for the delivery vehicles to wait, it should not be in a place that is likely to cause nuisance to residents. Premises that are located in an area of residential accommodation or are in close proximity to residential accommodation, e.g. have residential properties immediately above them, must consider the impact that this can have on residents, especially if the operation of the delivery service will be late at night when the ambient noise levels are lower. Applicants in these circumstances may consider the use of cycles for local deliveries or electric vehicles rather than vehicles that can generate engine noise. This would also help to reduce emissions within the city.

- D217.** Public nuisance does not just relate to the noise. Littering in and around locations where delivery personnel congregate can also cause public nuisance and generate additional street cleaning for the council. Applicants will be expected to ensure that delivery personnel do not litter or create unnecessary waste. Training should be provided for delivery personnel street to prevent littering, adequate bins should be situated outside the premises in the areas where they wait for their jobs and street cleaning should be undertaken, as and when necessary. The applicant should also ensure that adequate toilet provisions are provided within the licensed premises and that delivery personnel are made aware of their availability to prevent urinating in the street or in private spaces within Westminster.
- D218.** Alcohol delivery poses a unique set of challenges as it often transfers the assessment of the suitability to supply alcohol and the final age verification process to a person who has no responsibility for the licence. The council and the Metropolitan Police Service therefore have specific concerns due to issues around age verification checks and the end location of the delivery where landmarks/businesses that are not related to the customer may be used. This can lead to alcohol being consumed in open spaces, parks or in known street drinking hotspots, with an increased risk of crime and disorder, public nuisance, or a possibility that underage persons can gain access to alcohol. The personal safety of drivers when having to refuse to deliver alcohol to a customer due to intoxication or failed age verification is also a concern. Applicants should ensure the regular and comprehensive training of all delivery drivers in age verification and identifying persons who have consumed too much alcohol. A condition requiring all deliveries to be to a verifiable residential or business address and a face-to-face ID verification is also vital to mitigate some of these risks.
- D219.** The council will pay particular regard to who will be providing the delivery service. Applicants who employ their own delivery staff are likely to have far greater control over staff than where a third-party delivery company is used and can therefore more easily ensure that the licensing objectives are not negatively impacted. Applicants are expected to have robust disciplinary procedures for delivery staff who are found to generate noise, drop litter or urinate in the street. These types of operations where delivery staff are employed directly by the applicant are likely to be considered more favourably than where third-party delivery companies are used. Applicants that contract out the delivery service must still ensure that their operation will not undermine the licensing objectives and should ensure, as part of the contractual agreement, that delivery personnel working for or under the direction of that third party receive disciplinary action for causing public nuisance.
- D220.** The responsibility for ensuring that deliveries are conducted in a manner that always promotes the licensing objectives rests with the licence holder. Applicants are therefore expected to demonstrate that robust management controls and enforceable procedures are in place to govern the conduct of delivery personnel, whether employed directly or through third-party platforms. This includes clear oversight, monitoring and accountability arrangements, and the ability to take effective and timely action where issues arise. The use of third-party delivery platforms does not diminish this responsibility, and the Council will expect applicants to ensure full compliance with all relevant conditions and policies throughout the delivery process.
- D221.** While the Licensing Authority recognises this is a growing area of business, new or variation applications that include the delivery of alcohol off the premises will be subject to increased scrutiny.

VII – Conditions

- D222.** Conditions are the steps that the holder of a premises licence or club premises certificate must take when providing licensable activities. They are essentially any limitation or restriction attached to a licence or certificate.
- D223.** When granting applications, the council will apply conditions to replicate the effect of undertakings given in the application that are relevant to the premises and the promotion of the licensing objectives, as well as any mandatory conditions required under the 2003 Act. The council will not impose any other conditions unless its discretion is engaged after representations are made and the application is determined at a hearing.
- D224.** The council may impose additional conditions at a hearing where it is satisfied that it is appropriate to do so to promote one or more of the licensing objectives in view of the representations. Conditions will be focused on matters that are within the control of individual applicant or licence holder and will centre on the premises and the vicinity of that premises. The primary focus will be on the direct impact of the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The council will also consider the issues of proportionality highlighted in the s.182 Guidance.³⁹
- D225.** Where existing legislation already places certain statutory responsibilities on an employer or operator of a premises, the council will avoid attaching conditions that duplicate other statutory regimes as far as possible. However, these general duties will not always adequately cover specific issues that arise on the premises in connection with certain entertainment and in these cases, additional measures in the form of conditions will be required to promote the licensing objectives.
- D226.** The council will not impose conditions which replicate matters that constitute the offences set out in Part 7 of the 2003 Act e.g. unauthorised licensable activities; allowing disorderly conduct, sale of alcohol to any person who is drunk or is underage. Nevertheless, the Licensing Authority will take into account any breaches of conditions and offences under the Act when considering the imposition of conditions in reviews and the variation of licences.
- D227.** The council will utilise “works conditions” to the effect that the premises will not be operated until specified works are completed or measures put in place to the satisfaction of the relevant responsible authorities. This is an expedient way of resolving technical matters which cannot be readily determined at a hearing.
- D228.** The council may publish and from time to time review a set of “model conditions” which may be used either by an applicant when completing an application form or by the council when determining an application to assist in identifying condition that may be appropriate in the individual circumstances of an application. These are not standard conditions and will not be applied universally, irrespective of circumstances.
- D229.** Premises that do not open to the public are likely to have a different impact on the licensing objectives than those that do. Applications should clearly state if a premises will not open to the public and, for example, licensable activities will only be provided at genuinely private and that corporate events are for members of bona fide organisations. The conditions that are consistent with the application will then reflect this arrangement. The council recognises though that different types of corporate and private events can have varying impacts on the licensing objectives. Furthermore, promoter-led events can vary significantly in their impact, depending on the promoter. In all cases, conditions will only be imposed where they are appropriate and proportionate to promote the licensing objectives. Appropriate model conditions have been drafted to assist applicants and responsible authorities in this regard.



Temporary Event Notice

Temporary Event Notices

Standard Temporary Event Notices TEN1

- A. The council will issue a counter notice following an objection to a standard temporary event notice if it is considered appropriate for the promotion of the licensing objectives to do so.
- B. When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1. Whether allowing the temporary event to proceed in accordance with the notice will promote the licensing objectives.
- 2. Whether any premises licence or club premises certificate has effect in respect of the same premises as the temporary event notice, and whether any conditions from the licence or certificate could be imposed on the temporary event notice to satisfy the need to promote the licensing objectives.

Considerations

- i. The objection notice submitted by the police or environmental health and the reasons given for them being satisfied that allowing the premises to be used in accordance with the temporary event notice would undermine a licensing objective;
- ii. The licensable activities that will be authorised by the notice and the associated hours and the duration of the event;
- iii. The maximum number of people that will be present in the premises;
- iv. The description of the nature event, the level of detail provided by the premises user and any information provided about control measures that could promote the licensing objectives
- v. Any relevant entertainment that is proposed – this is any live performance or any live display of nudity that is of such a nature that, ignoring financial gain, it must reasonably be assumed to be

provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means);

- vi. The suitability of the location of the premises for the event, having particular regard to the proximity to residential accommodation and other properties in the vicinity;
- vii. The suitability of the premises user and where applicable, their level of compliance with any statutory requirements under the 2003 Act; and
- viii. The appropriateness of any conditions that may be imposed and if doing so would be inconsistent with the carrying out of the licensable activities under the temporary event notice.

Reasons for Policy TEN1

- E1. The 2003 Act allows licensable activities to be provided at small scale events with less than 500 people at a time (including staff and performers) and lasting no longer than 168 hours, without the need for a premises licence. However, advance notice must be given to the Licensing Authority, the Environmental Health service and the Metropolitan Police Service in the form of a Temporary Event Notice (TEN). There are two types of TEN, a standard TEN and a late TEN, which are subject to different processes. A standard TEN must be given no later than 10 working days before the proposed event and a late TEN may be given not before nine but not later than five working days before the event. In both cases, the day of submitting the notice and the day of the event are not counted included as working days within the notice period.

- E2.** Under the 2003 Act, the number of TEN that a personal licence holder can give is limited to 50 per calendar year. People who are not personal licence holders can only give notice of five TENs in any calendar year. From 1 January 2024, the number of times a premises can be used in one year is limited to 15 over a maximum of 21 calendar days. The maximum duration of any single event authorised by a TEN is 168 consecutive hours (seven days) and there must be a minimum of 24 hours between events at the same premises held by the same premises user.
- E3.** A copy of the TEN must be served on the police and environmental health. Where they are satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice. The police and environmental health must make their objection within three working days of receiving the TEN. Breach of previous notices as (i.e. allowing an event to take place otherwise than in accordance with a notice) is a crime, even if not prosecuted by the Police, and may be relevant grounds on which the Police can give an objection notice.
- E4.** The council encourages applicants to engage with the police and environmental health following an objection being made to a standard TEN and the objector seek to modify the notice. Through discussion, the parties may be able to reach a mutually acceptable compromise that would enable the event to proceed.
- E5.** If agreement cannot be reached, or if the police or environmental health consider that no amendment to the TEN would adequately address their concerns, the council is required to hold a hearing. At the hearing, the council must decide if it is appropriate for the promotion of the licensing objectives to issue a counter notice. The effect of issuing a counter notice is that the event cannot proceed.
- E6.** Where the council does not issue a counter notice but a premises licence or club premises certificate has effect in respect of the same premises as the TEN, the council may decide to impose one or more condition from the licence or certificate on the TEN. However, this will only where the council considers it appropriate for the promotion of the licensing objectives and where doing so would not be inconsistent with the carrying on of licensable activities under the TEN.
- E7.** Although the minimum notice period for giving a standard TEN to the licensing authority, environmental health and the police is ten working days, the council would prefer that organisers give a minimum one month's notice of a temporary event. This is desirable to check that the legal limits on the duration of the event, and the number of events that have been held in the premises and by the premises user are not exceeded. Additionally, it gives the opportunity to hold a hearing well in advance of the event if there are objections from the police or environmental health and it would allow the premises user to make alternative plans for the event if the council considers it appropriate for the promotion of the objectives to serve a counter notice.
- E8.** The Fire Authority will receive notice of these events from the council and even though it is not a consultee, it will give fire safety advice on request. The Fire Authority may also carry out visits to events, and take any action under the appropriate fire safety legislation.
- E9.** The council may visit a permitted temporary event held under the terms of the Temporary Event Notice and may monitor the event to ensure it is in accordance with it and with other associated legislation (e.g. pollution control, health and safety etc.) where considered necessary.
- E10.** Organisers may choose to notify the Licensing Authority and the Police of multiple events at the same time. Organisers of outdoor events are strongly advised to contact the council's Special Events Team.



Personal Licences

Personal Licences

Personal Licence Applications PLA1

- A. The council will normally reject an application for a personal licence where an objection notice or immigration objection notice has been received.
- B. When considering Clause A, the Council will apply the criteria and primarily take into account the relevant considerations set out below.

Criteria

- 1. Whether rejecting the application is appropriate for the promotion of the prevention of crime and disorder licensing objective or for the prevention of illegal working in licensed premises.

Considerations

- i. Where an objection notice is received, the reasons why the Police believe that granting the licence would undermine the crime prevention objective;
- ii. Where an immigration objection notice is received, the reasons why the Home Office believe that granting the licence would be prejudicial to the prevention of illegal working in licensed premises;
- iii. The number and type of relevant, foreign or immigration offences committed by the applicant or immigration penalties paid;
- iv. The time that has lapsed since the relevant, foreign or immigration offences were committed or the immigration penalties were paid, and the propensity for the applicant to reoffend; and
- v. Any exceptional circumstances in the individual case.

Reasons

- F1. A personal licence authorises an individual to authorise the supply of alcohol under a premises licence and they may give up to 50 temporary event notices in a calendar year. Any individual who is specified as the designated premises supervisor in respect of a premises licence must hold a personal licence if that premises licence authorises the sale by retail of alcohol.
- F2. The Council may only grant an application for a personal licence if the applicant is aged 18 or over, they are entitled to work in the United Kingdom, they possess a licensing qualification or are a person of a prescribed description,⁴⁰ and they have not previous personal licence forfeited in the previous five years. If the applicant meets these criteria and they have no convictions for any relevant, foreign or immigration offence, and they have not been required to pay an immigration penalty, the Council must grant the application. Where the criteria are met but the applicant has been convicted of a relevant, foreign or immigration offence and/or has been required to pay an immigration penalty, the Council must consult the Police and also the Home Office for immigration offences.
- F3. When consulted on such applications, the Police must give the council an objection notice within the period of 14 days if it is satisfied that granting the application would undermine the prevention of crime and disorder licensing objective. Similarly, the Home Office must give the council an immigration objection notice within the period of 14 days, if it is satisfied that granting the application would be prejudicial to preventing illegal working in licensed premises.

- F4.** If no objection or immigration objection notice is received, the council must grant the application. Where a notice is received, a hearing will normally be held to determine the application. In such cases, the council must exercise its discretion to decide whether rejecting the application is appropriate for the promotion of the prevention of crime and disorder licensing objective and/or the prevention of illegal working in licensed premises. In reaching its decision, the council will have regard to the notice received and the specific circumstances of the case, including the nature, number and timing of offences and any exceptional or mitigating factors.

Suspension and revocation of a personal licence PLA2

- A.** The council will normally suspend or revoke a personal licence where, after granting the licence, it becomes aware that the licence holder has been convicted of any relevant or foreign offence or has been required to pay an immigration penalty.
- B.** When considering Clause A, the council will apply the criteria and take into account the relevant considerations set out below.

Criteria

- 1.** Whether the temporary suspension of the licence for a period not exceeding six months or revoking the licence is appropriate to promote the prevention of crime and disorder licensing objective or to prevent illegal working in licensed premises.

Considerations:

- i.** The nature of the relevant, foreign or immigration offence and the date that it was committed, or the date that the immigration penalty was paid;
- ii.** For convictions of relevant offences, whether the licence holder complied with the requirement to notify the court that they held a personal licence and any decision made by the court in relation to the personal licence;
- iii.** Whether the licence holder notified the council of the conviction or the requirement to pay an immigration penalty as soon as reasonably practicable;

- iv.** The nature, number and timing of any other relevant, foreign or immigration offences committed by the licence holder or immigration penalties paid;
- v.** Any representations made by the licence holder;
- vi.** Any representation made by the police;
- vii.** Any other information that the council considers relevant, including the licence holder's personal circumstances and their compliance with the provisions of the 2003 Act; and
- viii.** Where action is considered appropriate, whether the licence should be revoked or whether in the circumstances of the case, a temporary suspension for up to six months should be imposed, and if so, for how long that suspension should last.

Reasons

- F5.** The 2003 Act gives the council power to suspend or revoke a personal licence after it has been granted if it becomes aware that the holder has been convicted of a relevant or foreign offence or has been required to pay an immigration penalty.
- F6.** Where the council considers that such action may be appropriate, it must provide the licence holder with an opportunity to make representations about the offence or penalty, any decision relating to the licence made by the convicting court, and any other relevant information they may wish to provide, including about their personal circumstances.
- F7.** The council must then consider any representations made by the licence holder, along with any relevant decision of the convicting court, and any other information that the council considers relevant before determining whether to suspend or revoke the licence. The type of information that will be deemed relevant will depend on the specific circumstances of the case but may include any other relevant, foreign or immigration offences committed by the licence holder and also their overall compliance with the requirements of the 2003 Act.
- F8.** Where the council is minded not to suspend or revoke the licence, it must notify the chief of police and invite representations to be made about whether such action is appropriate to promote the prevention of crime and disorder licensing objective. The council must consider any representations received from the policy before it reaches its final decision.
- F9.** Where the council determines that action is appropriate, it will decide whether the licence should be revoked to remove it entirely from the licence holder, or whether a temporary suspension is appropriate in the circumstances of the individual case. If a suspension is deemed appropriate, the council will decide how long it should be effective for but a suspension may not exceed six months. Where the council considers that a six-month suspension is insufficient, it is likely that the licence will be revoked.





Enforcement

Enforcement approach

- G1.** It is essential that licensed premises operate in accordance with the Licensing Act and to ensure the promotion of the licensing objectives. Part of the council's role is to monitor premises and take appropriate action to ensure that the licensing objectives are promoted.
- G2.** The council has an established Corporate Enforcement Policy based around consistency, transparency and proportionality which can be viewed on the council's website.⁴¹
- G3.** In accordance with s.182 Guidance,⁴² the Licensing Authority will work alongside the Metropolitan Police in promoting the licensing objectives. Protocols will be agreed as appropriate between the police and the council on the responsibilities and procedures for joint working and enforcement.
- G4.** The council will also work in partnership with the Fire Authority to promote the licensing objectives. Protocols as appropriate will be agreed between the London Fire Brigade and the council on responsibilities and procedures for joint working and enforcement.
- G7.** The council will need to be satisfied that premises are being run in accordance with the relevant provisions of the 2003 Act and any conditions that may be attached to the premises licence or club premises certificate. The frequency of inspections will be determined on risk-based criteria, with high-risk operations receiving more attention than premises carrying low public safety/nuisance risks. Premises found to be fully compliant will attract a lower risk rating and those where breaches are detected will attract a higher risk rating.
- G8.** The council will take appropriate enforcement action against those responsible for unlicensed premises/activity and those who cause persistent disturbance will face swift action. Action will be carried out in accordance with the council's Corporate Enforcement Policy.
- G9.** Any complaints received by the council about unlicensed activity or the way licensed premises may be operating will be dealt with in accordance with the council's Corporate Enforcement Policy and may result in an adjustment to the risk rating, prompting more frequent visits. The council will work with businesses and attempt to resolve issues that are of concern.

Programmed Enforcement

- G5.** Inspection and enforcement under the 2003 Act will be based on the principles of risk assessment, having a graduated response and targeting problem premises. Inspections will not be undertaken routinely. Enforcement of the legislation will be objective and transparent.
- G6.** An intelligence-led approach will be adopted and information regarding incidents of violent crime, disorder and nuisance in and around licensed premises will be collated to provide a risk assessment basis for inspection and, where appropriate, surveillance.

G10. The council is aware that problems arising from people congregating to smoke and to accompany smokers are widespread. The council will continue with its risk-based approach to enforcement, using a range of escalating informal measures, prior to review. It may encourage the management of people standing outside premises to minimise the adverse effects on the licensing objectives. On determining an application to review a licence, the council may impose conditions that prohibit customers who leave a premises to smoke from taking drinks with them. While there can be no ban on people leaving premises to smoke, conditions may also be imposed that there is no readmission after certain hours or at any time. If problems from people congregating outside premises persist, and if there are representations from the police, other responsible authorities or other persons and these are substantiated at review, the council might restrict the hours for the sale of alcohol for consumption off the premises or remove the permission entirely.

Shadow Licences

G11. Increasingly, applications have been made for premises licences at premises where a licence is already in force. Typically the applicant is the landlord of the premises where the licence holder of the licence already operating is their tenant. The landlord in many cases is seeking what they term a "shadow licence" on the same or similar terms to the licence already existing. The Act permits more than one licence to be in effect at any one time at the same premises and it has been established in law that the landlord may apply for a second or subsequent licence.

G12. The council remains concerned, however, that the holding of additional licences has the potential to undermine the sanctions available to it in response to a review application under the Act. This would be the case if action was taken in respect of one of the licences in effect at the premises, but the premises continued to operate under the authority of a second licence which had not been affected by the review proceedings.

G13. The council recognises that landlords have powers over their tenants outside of the licensing regime and would expect responsible landlords to exert that control to promote the licensing objectives. Where the landlord is also a licence holder of a premises licence in effect at the premises the council considers that the landlord has further responsibilities in respect of the operation of the premises to promote the licensing objectives.

G14. In order to promote the licensing objectives, the council will take a holistic view of the licensing circumstances at the premises. When the council makes an application to review a premises licence to promote the licensing objectives at a premises, it will also consider whether it is appropriate to review all the licences in effect at the premises in order to promote the licensing objectives. Where the applicant for the review is not the council, it will encourage the applicant to also consider whether it is appropriate to review all the licences in effect at the premises, and will consider bringing a review of any other licence in effect at those premises if it considers it appropriate to promote the licensing objectives.

G15. To support the council's approach to multiple licences for the same premises, it is the council's policy that all licences take effect when granted and continue to have effect in accordance with Section 26 of the 2003 Act, and that the imposition of a condition which purports to suspend the effect of a licence would not promote the licensing objectives.



Glossary

Adult Entertainment

This is any entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children, regardless of whether children will have access to the premises. It is not possible to give an exhaustive list of what amounts to adult entertainment but a commonsense approach should be applied. Such entertainment or services, for example, would generally include topless staff, striptease, lap dancing, table dancing or pole dancing, performances involving significant violence or horrific incidents, feigned or actual sexual acts or fetishism, gambling or entertainment involving strong and offensive language.

Alcohol

Spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any state), other than:

- alcohol that is of a strength not exceeding 0.5% at the time of the sale or supply in question;
- perfume;
- flavouring essences recognised by the Commissioners of Customs and Excise as not being intended for consumption as or with dutiable alcoholic liquor;
- the aromatic flavouring essence commonly known as Angostura bitters;
- alcohol which is, or is included in, a medicinal product or a veterinary medicinal product;
- denatured alcohol;
- methyl alcohol;
- naphtha; or
- alcohol contained in liqueur confectionery.

Children

There are several definitions in the 2003 Act:

- Section 145 of the Act defines a child as an individual aged under 16 and they are deemed to be unaccompanied if they are not in the company of an individual aged 18 or over;
- Section 146 of the Act sets out the offence of selling alcohol to children and makes it clear that the sale of alcohol to any individual under 18 is an offence; and
- Section 20 of the Act refers to film classifications and defines children as persons aged under 18.

Clipping

Obtaining money through deception by the apparent offer of sexual services or entertainment. It may involve the simple deception of receiving money and sending victims to addresses where no such offer is available, the supply of non-alcoholic drinks at inflated prices and the charging of fees for hostess services when not requested. In some instances, it is associated with luring victims to places where they are robbed.

Club premises certificate

An certificate granted under the 2003 Act by the council to a qualifying members' club that allows qualifying club activities to be provided to members of the club and their guests at a specific club premises. It sets out the permitted activities, operating hours and conditions that the club must comply with.

De-regulated entertainment

The following forms of entertainment that are no longer licensable:⁴³

- Performances of plays between 8am and 11pm, provided that the audience does not exceed 500 persons;
- Indoor sporting events between 8am and 11pm, provided that the audience does not exceed 1000 persons;
- Any contest, exhibition or display of Greco-Roman wrestling or freestyle wrestling between 8am and 11pm, provided that the audience does not exceed 1,000 persons;
- Performances of dance between 8am and 11pm, provided that they do not involve live performances or any display of nudity intended solely or principally to sexually stimulate the audience, and that the audience does not exceed 500 persons;
- 'Not-for-profit' film exhibitions held in community premises between 8am and 11pm, provided that the audience does not exceed 500 persons and the organiser gets consent for the screening from a person who is responsible for the premises, and they ensure that each such screening abides by age classification ratings;
- Performances of unamplified live music between 8am and 11pm on any premises;
- Performances of amplified live music between 8am and 11pm
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 persons,
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500 persons.
 - In a church hall, village hall, community hall, or other similar community premises that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500 persons, and the organiser gets consent for the performance from a person who is responsible for the premises,
 - At the non-residential premises of
 - » a local authority
 - » a school
 - » a hospital
 provided that:
 - A.** the audience does not exceed 500 persons
 - B.** the organiser gets consent for the performance on the relevant premises from
 - the local authority concerned
 - the school
 - the health care provider for the hospital;
- Playing of recorded music between 8am and 11pm
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 persons.
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500 persons, and the organiser gets consent for the performance from a person who is responsible for the premises.
 - At the non-residential premises of
 - » a local authority
 - » a school
 - » a hospital
 provided that:
 - A.** the audience does not exceed 500 persons
 - B.** the organiser gets consent for the performance on the relevant premises from
 - the local authority concerned
 - the school
 - the health care provider for the hospital;

- Any entertainment taking place on the premises of a local authority between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the local authority;
- Any entertainment taking place on the premises of a health care provider between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the health care provider;
- Any entertainment taking place on the premises of a school between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the school proprietor;
- Any entertainment (excluding films and boxing or wrestling entertainment) taking place at a travelling circus between 8am and 11pm, with no limit on audience size, provided that it takes place within a moveable structure that accommodates the audience, and the travelling circus has not been located on the same site for more than 28 consecutive days.

Designated premises supervisor (DPS)

An individual specified on a premises licence who usually has day-to-day responsibility for authorising the sale of alcohol at a licensed premises. The DPS must hold a valid personal licence.

Karaoke

Singing by members of the public to musical backing or accompaniment that usually involves pre-recorded music and members of the public singing in series.

Late night refreshment

The supply of hot food or hot drinks on or from any premises at any time between the hours of 11pm and 5am to members of the public, or a section of the public for consumption on or off the premises.

Food or drink is considered “hot” if it is heated to above ambient air temperature either before it is supplied or it may be heated on the premises to such a temperature after it is supplied. However, hot drinks containing alcohol or supplied via a vending machine, and hot food and hot drinks

supplied free of charge, by a registered charity or on a moving vehicle are not considered late night refreshment. There are also some exemptions including for persons admitted to a premises and supplied with hot food and drinks if they are members of a recognised club, persons staying at hotels or similar accommodation, and employees at their place of work.

Licensable Activities

Those activities under the 2003 Act that need to be authorised by a premises licence, club premises certificate or temporary event notice from the council, namely:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

Licensing Authority

In London, these are the Councils of London Boroughs and for the purposes of this statement, the City of Westminster is the licensing authority for Westminster.

On and Off sales of alcohol

An on sale is a sale of alcohol intended for consumption on the licensed premises.

An off sale is a sale of alcohol intended for consumption off the licensed premises. This may include the consumption of alcohol in an area of the highway, where that area has been appropriately authorised for the use of tables and chairs but is not covered by a premises licence or club premises certificate.

Other Persons

Any person other than a responsible authority. The 2003 Act does not restrict who may make a representation or apply for the review of a licence or certificate as any other person.

Personal licence

A licence granted under the 2003 Act to an individual by the local authority for the area in which they usually live. It allows that individual to supply alcohol, or authorise the supply of alcohol, in accordance with a premises licence. An individual may only hold one personal licence.

Premises licence

A licence granted under the 2003 Act by the council that allows the provision of licensable activities at a specific premises. It sets out the permitted activities, operating hours, conditions, and also the named Designated Premises Supervisor if the licence authorises the sale of alcohol.

Private events

Events that are not open to the general public and are limited to people who have been personally invited by the organiser, or who belong to a clearly defined group connected to the organiser. For an event to be genuinely private, those attending must have a direct connection to the organiser—for example, colleagues, friends, or family members. It would not usually include people who simply add themselves to a guest list or obtain membership mainly to gain entry to an event.

Determining whether an event is private can be important when deciding whether an activity is licensable under the 2003 Act, or whether conditions are being complied with that restrict or exclude the general public from the premises.

Public Space Protection Orders (PSPOs)

Orders made under section 59 of the Anti-social Behaviour, Crime and Police Act 2014 to deal with persistent anti-social behaviour in a local area that is detrimental to the community's quality of life. They do so by imposing conditions on the use of that area to ensure everyone can enjoy public spaces without experiencing nuisance and annoyance.

The council made a PSPO on 17 February 2026 that came into force on 25 February 2026. It requires persons throughout Westminster to cease drinking alcohol and dispose of or surrender any alcohol in their possession when asked to do so by a Police Officer, Police Community Support Officer or authorised person from the Council, unless one of the exemptions listed in the order applies.

Regulated Entertainment

Entertainment of a description set out in schedule 1 to the 2003 Act. This defines the types of regulated entertainment which may be licensable. These are:

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- A boxing or wrestling entertainment (indoors and outdoors);
- A performance of live music;
- Any playing of recorded music;
- A performance of dance; and
- Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance.

However, for entertainment to be licensable, one or more of these activities must be provided for the purpose of entertaining an audience at premises made available for that purpose. The entertainment must also be provided either to the public or a section of the public, or otherwise with a view to making a profit.

There are certain exemptions that do not require a licence though – see **De-regulated entertainment** above.

Relevant representation

A representation that concerns the likely effect of the grant of an application, or the operation of an existing licence or certificate, on the licensing objectives, and which is submitted within the specified time period for that type of application.

Responsible authorities

These include:

- The Licensing Authority;
- The Chief Officer of Police;
- The Fire Authority;
- The enforcing authority for health and safety at work;
- The Planning Authority;
- The local authority responsible for minimising or preventing the risk of pollution or harm to human health;
- The body recognised by the council as being responsible for the protection of children from harm;
- The local authority's Director of Public Health;
- The Trading Standards Authority; and
- The Greater London Authority.

The council has recognised Westminster Children's Services Safeguarding & Quality Assurance Team to be competent for the protection of children from harm.

See also under **"vessels"** for the additional responsible authorities for vessels.

Security Industry Authority (SIA)

An executive non-departmental public body, sponsored by the Home Office. It was created by the Private Security Industry Act 2001 and one of its key roles involves managing and issuing licences for people working in particular areas of the private security business, such as door supervisors

The SIA is also the official regulator responsible for overseeing and enforcing compliance with the Terrorism (Protection of Premises) Act) 2025, otherwise known as Martyn's Law, across the UK.

More details are available at www.gov.uk/government/organisations/security-industry-authority.

Sex Establishments

A sex shop, sex cinema or sexual entertainment venue ("SEV").

An SEV is any premises at which live performances or displays of nudity take place to sexually stimulate members of the audience:

- on twelve or more occasions within any 12-month period;
- with less than one month between consecutive periods of entertainment; or
- where a performance lasts for more than 24 hours.

Similar entertainment (such as performances of dance involving striptease) that is provided less frequently and for shorter durations may be authorised by a premises licence or temporary event notice.

Substantial Meal

A meal such as might be expected to be served as the main midday or main evening meal, or as a main course at such a meal.

Substantial Table Meal

A meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table but is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

Table Meal

A meal eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

Temporary Event Notice (TEN)

A notification given to the council under the 2003 Act that permits licensable activities to be provided at a premises (including an outdoor space) during a limited period not exceeding 168 hours, where the maximum number of people that will be present in the premises at any one time will not exceed 499. Only 15 temporary events may be held in the same premises per calendar year and events may not take place on more than 21 days per calendar year. There must be a minimum of 24 hours between temporary events in the same premises that are organised by the same person.

A standard TEN is one that is given at least ten working days before the first day of the event. A late TEN is one that is given no fewer than five but no more than nine working days before the first day of the event. In both cases, the day the notice is submitted and the first day of the event are excluded when calculating the notice period.

Variations

An application to materially change a premises licence or club premises certificate. These may include an increase in the capacity of a premises, a change in the hours of operation of a premises, or a request to vary a condition attached to a licence or certificate to change the way a premises operates. Policies relating to variations do not apply to applications to change the name or address of someone named in the licence or an application to vary the licence to specify a new individual as the designated premises supervisor. Where a licence holder or club wishes to make small variations to their licence or certificate that would not adversely impact the licensing objectives, a simplified "minor variation" process will apply.

Vessels

A vessel (which includes a ship or a boat or a barge) that is permanently moored or berthed is regarded as a "premises" situated at that place. The 2003 Act also applies in relation to a vessel which is not permanently moored or berthed as if it were premises situated at the place where it is usually moored or berthed. However, an activity is not a licensable if it takes place aboard a vessel engaged on an international voyage.

The Secretary of State for Transport represented by the Maritime and Coastguard Agency is the lead responsible authority for vessels with regard to public safety, including fire safety, and issues affecting passenger vessels. Merchant Shipping legislation does not, however, apply to permanently moored vessels, for example, restaurant ships moored on the Thames Embankment.

In relation to a vessel, but no other premises, responsible authorities also include the navigation authorities that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.

The council is the licensing authority for vessels that are usually moored or berthed in Westminster.

Appendices



Appendix 1: Consultation on Revision 8 of the council's Statement of Licensing Policy

- 1.1. To develop this Statement of Licensing policy the council has consulted key stakeholders and interested parties to satisfy the requirements of section 5 of the 2003 Act. Those consulted are:
- The Chief Officer of Police for Westminster;
 - The Fire Authority for Westminster;
 - The Director of Public Health in Westminster;
 - The Mayor of London;
 - Persons/bodies that are representative of holders of premises licences issued by the council;
 - Persons/bodies that are representative of holders of club premises certificates issued by the council;
 - Persons/bodies that are representative of holders of personal licences issued by the council;
 - Persons/bodies that are representative of businesses in Westminster;
 - Persons/bodies that are representative of residents in Westminster; and
 - Other relevant and interested bodies/authorities.

A summary of the other persons consulted, the engagement that takes place, the dates of the consultation period and the responses received will be included here after the consultation has been carried out.

Appendix 2: Licensing Authority Functions and Duties

- 2.1 The council has established a Licensing Committee in accordance with Section 6 of the 2003 Act. The Licensing Committee, through its Sub Committees, and the powers delegated to officers as detailed in [Appendix 3](#), is responsible for the determination of applications relating to the following:
- Premises licences.
 - Provisional statements.
 - Club premises certificates.
 - Temporary event notices.
 - Personal licences.
- 2.2 Those activities under the 2003 Act 2003 which require a licence or other authorisation include the following:
- The sale of alcohol by retail.
 - The supply of alcohol to a member of a club.
 - The provision of regulated entertainment.
 - The provision of late-night refreshment.

Applications for New or to Vary existing Premises Licence or Club Premises Certificate

- 2.3 An application for a new premises licence or club premises certificate or to vary an existing licence or certificate must be advertised in accordance with regulations and the council will expect applications to be advertised to residents and businesses in the vicinity. The applicant must send a copy of their application to the "responsible authorities" if they are not making their application via electronic means (the council's online form). If an application is made using the online form, the council will notify the responsible authorities of the application.
- 2.4 Applications must include an "Operating Schedule" setting out what licensable activities the premises will be used for and any other hours when it will be open to customers or members. The Operating Schedule should be prepared after an applicant's assessment of the effect of

the grant of the licence on the licensing objectives. Applicants are advised to consult the “responsible authorities” when they do this.

- 2.5 The council is itself the responsible authority for the purposes of the prevention of pollution of the environment including noise, for health and safety (in most cases), trading standards, as the planning authority and also as the Licensing Authority. Acting in any of these capacities, it may make representations to the Licensing Committee acting as the Licensing Authority. These can be expected to be made with reference to the Statement of Licensing Policy. These representations may reflect views of the council; acting as the Principal Litter Authority or as the Waste Collection Authority or as the Waste Disposal Authority.
- 2.6 Unless “relevant representations” are made by the responsible authorities or “other persons” (including residents and businesses in the vicinity) that are related to the licensing objectives, the application must be granted. The licence or certificate will be subject to those conditions that give effect to the Operating Schedule and the mandatory conditions that are set by statute.
- 2.7 If the relevant representations are withdrawn, possibly after mediation and revision of the Operating Schedule, the council must grant the application. If the representations stand but all parties agree that there is no need to hold a hearing, the council can determine the application without holding a hearing, but this function cannot be delegated from the Licensing Sub Committee. If representations are not withdrawn and a hearing is necessary to determine the application, it will be considered by a Licensing Sub-Committee.
- 2.8 A formal decision will be issued by the council after the application has been determined.

Minor Variations

- 2.9 Under Sections 41A to 41C of the 2003 Act, an application may be made for small variations that will not impact adversely on the licensing objectives by way of a simplified ‘minor variations’ process.
- 2.10 Under this process, the applicant is not required to advertise the variation in a newspaper or send a copy of the application to the responsible authorities. However, they must display a white notice at the premises in accordance with regulations for no less than ten working days, starting on the working day after the minor variation was given to the licensing authority.
- 2.11 Upon receipt of an application for a minor variation, the council shall consider whether the variation could adversely impact upon the licensing objectives. In considering the application, the council will consult relevant responsible authorities if there is any doubt about the impact of the variation on the licensing objectives or it requires specialist advice.
- 2.12 The council will also take into account any relevant representations received from any other person who is not a responsible authority before making a decision on the application. There is no right to a hearing under the minor variation procedure.
- 2.13 Applications must be determined no later than 15 working days, beginning on the first working day after the application was received by the council. There is no right of appeal against the decision of the council.
- 2.14 Where the council considers that the variation could adversely impact upon one or more of the licensing objectives, the application will be refused. If the application is not determined within 15 working days, the applicant will initially be offered the opportunity to treat the undetermined application as a new application.
- 2.15 Minor variations generally fall into four categories:
- Minor changes to the structure or layout of the premises.
 - The removal of out-of date, irrelevant or unenforceable conditions.
 - The addition of volunteered conditions.
 - The addition of certain licensable activities.
- 2.16 Applications to remove licensable activities will normally be approved as minor variations. However, the following changes to a licence are excluded from the minor variations process and must be treated as full variations in all cases:
- Extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am.

- Increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises.
- 2.17 The council expects the applicant to clearly set out the reasons why the proposal could not adversely impact upon the licensing objectives. Where reasons are not provided, less weight will be given to the potential of the variation to not adversely impact on the licensing objectives. Generally, applications to add conditions will be considered as an exception to this presumption.

Provisional Statement Application

- 2.18 Where premises are being or are about to be constructed, extended or otherwise altered for the purpose of being used for one or more licensable activities, investors may be unwilling to commit funds unless they have some assurance that a premises licence covering the desired licensable activities would be granted for the premises when the building work is completed.
- 2.19 Any person falling within Section 16 of the 2003 Act can apply for a premises licence before a new premises is constructed, extended or changed. This would be possible where clear plans of the proposed structure exist and the applicant is in a position to complete an operating schedule including details of:
- The activities to take place there.
 - The time at which such activities will take place.
 - The proposed hours of opening.
 - Where the applicant wishes the licence to have effect for a limited period, that period.
 - The steps to be taken to promote the licensing objectives.
 - Where the sale of alcohol is involved, whether supplies are proposed to be for consumption on or off the premises (or both) and the name of the designated premises supervisor the applicant wishes to specify.
- 2.20 In such cases, the council would include in the licence the date upon which it would come into effect. A provisional statement will normally only be required when the information described above is not available. The 2003 Act therefore provides for a person who has

an interest in the premises to apply for a provisional statement. This will not be time limited, but the longer the delay before an application for a premises licence is made, the more likely it is that there will be material changes and that the council will accept representations. Applications for a provisional statement are made in a similar manner to those for new and variation applications as set out above.

Transfer Applications

- 2.21 A premises licence can be transferred from one person to another at any time. A transfer application can be made by or on behalf of a business, partnership or individual.
- 2.22 Where the application is made in writing, the applicant must give notice of the application to the chief officer of police in all cases, and the Home Office (Immigration Enforcement) if the licence authorises the sale of alcohol or provision of late-night refreshment. Where it is made electronically via the council's online form, the council will notify the police and the Home Office (Immigration Enforcement). However, the responsibility to notify the Designated Premises Supervisor remains the responsibility of the applicant.
- 2.23 In the vast majority of cases, it is expected that a transfer will be processed without delay. However, the applicant can make it clear in their application that the transfer will take immediate effect. This will deem the transfer valid until such time as the council determines the application.
- 2.24 In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

Designated Premises Supervisor

- 2.25 Under the 2003 Act, all premises licences that authorise the sale by retail of alcohol must contain details of the designated premises supervisor (DPS). Applicants applying for a new licence should include the prescribed information in respect of the individual who they wish to have specified in the licence as the DPS. Once a premises licence has been granted, the licence holder may apply to the council to specify a new individual as the DPS. Such applications must be in the prescribed form and accompanied by the specified documents and fee.
- 2.26 Where the application is made in writing, the applicant must give notice of the application to the chief officer of police. Where it is made electronically via the council's online form, the council will notify the police. However, the responsibility to notify any existing DPS remains the responsibility of the licence holder.
- 2.27 All applications to appoint a person as the DPS, including applications for new licences, must be accompanied by a form of consent completed by the proposed DPS.
- 2.28 In exceptional circumstances, the police may object to the appointment of an individual as a DPS. Where, following an objection by the police, the council is satisfied that the appointment of a person as a DOS would undermine the crime prevention licensing objective, the policy is to refuse the appointment or to remove them as the DPS in circumstances where they are already in post.

Other applications

- 2.29 For further information on Interim authority notices and the right of the freeholder etc. to be notified of licensing matters or for further information on the above applications under the 2003 Act please visit the council's website at westminster.gov.uk/licensing.



Appendix 3: Delegation of Licensing Functions

All decisions to adopt the Council's Statement of Licensing Policy or to make an Early Morning Alcohol Restriction Order will be made by the Full Council. Other licensing functions are delegated to the Council's Licensing Committee. These functions are delegated to Sub-Committees and Officers as follows:

Matter to be dealt with	Licensing Committee or Sub-Committee	Officers
Application for a new premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for a provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary an existing premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application to vary the designated premises supervisor	If a police objection made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for a minor variation to a premises licence or club premises certificate		All cases
Determination whether to consult other responsible authorities on minor variation applications		All cases
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Application for the transfer of a premises licence	If objection made	All other cases
Application for Interim Authorities	If objection made	All other cases
Application to review a premises licence or club premises certificate, including summary reviews	All cases	
Suspension of a premises licence or club premises certificate for failure to pay an annual fee		All cases
Consideration of a Police or Environmental Health objection about a temporary event notice	All cases	
Application for personal licence	If objection made	If no objection made
Consideration to suspend or revoke a personal licence	All cases	
Application for a Notification of Interest		All cases
Decision on whether a representation is irrelevant, frivolous or vexatious		All cases
Decision to object when local authority is a consultee and not the relevant authority consider the application	All cases	
Decision to publish a cumulative impact assessment	All cases	
All other administrative and non-discretionary functions		All cases

Appendix 4: Reviews of Premises Licences or Club Premises Certificates

Working in partnership

- 4.1 The promotion of the licensing objectives and achieving common aims relies on a partnership between the licence or certificate holder, authorised persons, responsible authorities, other persons and the council. As described in the s.182 Guidance,⁴⁴ the council will aim to give licence and certificate holders early warning of any concerns about problems identified at their premises and the need for improvement, along with, where possible the steps they need to take to address the concerns.

Purpose of reviews

- 4.2 The review process is integral to the operation of the 2003 Act. The Government's intention is for a light touch regulatory regime with regard to the granting of new licences or certificates and variations. Only when there have been representations will the licensing authority have the discretion not to grant a licence or certificate. If problems arise in connection with a licensed premises, it is for the responsible authorities and other persons to apply for a review of the licence or certificate. In appropriate circumstances, the council itself – either an officer of the council as a responsible authorities or elected members of the council – may apply to review a licence or certificate. As set out in the s.182 Guidance,⁴⁵ the review provisions in the 2003 Act represent a key protection for the community, where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm occur after the grant or variation of a licence or certificate.

Initiating reviews

- 4.3 At any stage, following the grant of a premises licence or club premises certificate, any of the responsible authorities or any other person, such as a resident living near to a premises, may apply to the council to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

- 4.4 The police can take action to close premises for up to 24-hours on grounds of disorder and noise nuisance under the terms of the 2003 Act, and there are powers for the police to apply for a summary review of a premises licence where the premises selling alcohol are associated with serious crime and disorder.
- 4.5 The council also powers under section 76 of the Anti Social Behaviour, Crime and Policing Act 2014 to close premises for up to 48-hours on the grounds that the use of the premises has resulted, or is likely to soon result, in nuisance to members of the public. The council may also close premises on if there has been, or is likely to soon be, disorder near the premises associated with the use of the premises. Where the council issues such a closure notice in respect of a licensed premises, it will consider if it is appropriate to also apply to review the licence or certificate.
- 4.6 In every review case an evidential basis for the allegations made will need to be submitted to the council.
- 4.7 When an application to review a licence or certificate is made by a person other than a responsible authority, the council is required to first consider whether it is relevant to the licensing objectives or is vexatious or frivolous. The council will also consider need to consider if the application is repetitious. The Secretary of State recommends that more than one review on similar grounds originating from a person, other than a responsible authority, should not be permitted within a period of 12 months except in exceptional and compelling circumstances or where it arises following a closure order or an illegal working compliance order.⁴⁶
- 4.8 Where the council receives an application for a review or is required to review a licence following a closure order, it will arrange a hearing in accordance with the regulations made under the 2003 Act.

Powers following determination of review

- 4.9 The council, in determining a review, may exercise the range of powers given to them to promote the licensing objectives. It may take any of the following steps that are considered appropriate:
- Modify the conditions of the licence or certificate (which includes adding a new condition or any alteration or omission

of an existing condition), for example by reducing the hours of opening or by requiring door supervisors at particular times;

- Exclude a licensable activity from the scope of the licence or certificate; Remove the designated premises supervisor in the case of a premises licence;
- Suspend the licence or certificate for a period not exceeding three months; or
- Revoke the licence or certificate.

4.10 Where the council decides not to take any of the above steps, it may instead:

- Take no action;
- Issue an informal warning;
- Recommend improvements within a particular time;
- Arrange monitoring by regular inspection and invite a further review if problems persist.

4.11 However, if such warnings requiring improvement have already been provided orally or in writing by a responsible authority, such as the police or environmental health, as part of their own stepped approach but the warnings have failed to resolve the concerns, the council will not normally repeat the approach. The council will therefore consider any action that has already been taken when deciding the steps that are appropriate in an individual case.

4.12 The council will take a serious view of any review application or representation that refers to offences under the 2003 Act having occurred at the premises. Offences such as serving alcohol to unaccompanied persons under 18 that result in the consumption of alcohol by minors, can impact the health, educational attainment, employment prospects of young persons, as well as their propensity to commit crime. Similarly, the admitting or serving of persons who are intoxicated is an offence under the 2003 Act and can lead to crime and disorder, or public nuisance. The council will also have regard to other criminal activities that may arise in connection with

some types of premises, and in accordance with the s.182 Guidance,⁴⁷ will treat such activity particularly seriously. This includes:

- Sale or distribution of drugs and the laundering of the proceeds of drug crime;
- Sale or distribution of stolen or counterfeit goods or weapons;
- Sale of smuggled tobacco and alcohol;
- Prostitution, pimping or procuring;
- Use as a base for criminal activity, particularly gangs;
- Organisation of racist activity;

It will also have regard to other criminal activities which may take place in some types of licensed premises, and which will be treated particularly seriously:

- Sale or distribution of drugs and the laundering of the proceeds of drug crime.
- Sale or distribution of stolen or counterfeit goods or weapons.
- Sale of smuggled tobacco and alcohol.
- Prostitution, pimping or procuring.
- Use as a base for criminal activity, particularly gangs.
- Organisation of racist activity.
- Unlawful gaming and gambling;
- Knowingly employing a person who is unlawfully in the UK or cannot lawfully be employed; and
- Grooming children.

4.13 Where reviews arise and the council determines that the premises is being used to further crimes and thereby undermine the crime prevention objective, the revocation of the licence or certificate will be seriously considered, even in the first instance. However, revocation also remains an option if other licensing objectives are being undermined.

Appendix 5: Related Strategies

- 5.1 The council has adopted a range of strategies that contain visions, aims and objectives to promote, improve, and protect the city's businesses, residents, workers and visitors. These are outlined below. The council intends to secure proper integration with local crime prevention, planning, transport, tourism, equality schemes and cultural strategies by ensuring the Statement of Licensing Policy is consistent with the aims and objectives of these strategies and will continue to participate in partnerships and committees as appropriate.

Crime, Disorder and Antisocial Behaviour

- 5.2 The council has a statutory duty under **section 17 of the Crime and Disorder Act 1998** to prevent crime and disorder. The Safer Westminster Partnership is the statutory community safety partnership (CSP) established under the Act, bringing together the council, the Metropolitan Police Service, the London Fire Brigade, the Probation Service and the Integrated Care System. It has responsibility for formulating and delivering strategies to prevent crime and disorder, substance misuse, re-offending and serious violence in Westminster.
- 5.3 **The Safer Westminster Partnership Strategy (2024 – 2027)**⁴⁸ sets out the priorities for reducing crime and disorder across the city. A key focus is making the West End a safer place for residents, businesses and visitors, as this is recognised as having the highest level of concern in relation to antisocial behaviour (ASB), including begging, rubbish and litter.
- 5.4 **The council's Anti-Social Behaviour Strategy (2023-2028)**⁴⁹ aims to address the root causes of ASB and makes clear that the council is against any and every form of ASB. The strategy emphasises the shared responsibility of businesses, alongside the council, in preventing and responding to ASB. This includes adopting preventative measures and taking prompt action where issues arise. For example, licensed premises play an important role in refusing the sale of alcohol to persons who are drunk or underage, thereby helping to reduce the risk of ASB.

- 5.5 Licensing plays a key role in preventing crime and disorder. This can be achieved by imposing appropriate conditions, partnership working with the police and other responsible authorities, and recognising and supporting initiatives that promote safe environments. The council will work to ensure that licence holders are aware of, and comply with, their legal responsibilities to prevent crime and disorder.
- 5.6 The council encourages participation in local pubwatch, clubwatch and similar schemes that encourage venues to work together, share information and best practice, and to improve safety. These schemes encourage joint initiatives to address crime and disorder and enhance public safety, such as the collective banning of problematic customers. They also help to foster effective working relations between licence holders, the police and the council.

Equality and Inclusion

- 5.7 The council's **Community Equality Strategy 2025**⁵⁰ sets out how Westminster will advance equality of opportunity and foster good relations between communities, in line with its Public Sector Equality Duty under the Equality Act 2010.
- 5.8 The strategy includes objectives to strengthen the council's role in enabling community cohesion and belonging across communities. To encourage cohesion, the council will develop a plan to reduce hate crime, increase the provision of community spaces through partnership working with the voluntary sector and the community hubs programme, improve the accessibility of its services, and expand support to local employers to promote inclusive employment opportunities.
- 5.9 The licensing regime can support the principles of the strategy by promoting safe, inclusive and accessible environments within licensed premises and the night-time economy, supporting the creation of community spaces where licensable activities are provided, and contributing to the reduction of hate crime. This includes encouraging operators to adopt inclusive practices, minimise barriers to participation, and actively contribute to community cohesion, for example through staff training, engagement with local communities, and effective management of premises to prevent exclusion, harassment or discrimination. In doing so, the council will seek to ensure that the licensing objectives, particularly the prevention of crime and

disorder and public safety, are promoted in a way that supports an inclusive city where all communities feel welcome, respected and able to participate in Westminster's social and economic life.

Planning and Building Control

- 5.10 Planning permission, building control approval and licensing are distinct regulatory regimes involving the consideration of different, albeit related, matters. For example, planning is directed at the development of premises and their overall use, whereas licensing is specifically focused on the management of licensable activities and their impact on the licensing objectives, which may include controlling the type, number, location and hours of premises, where appropriate. As set out in the s.182 Guidance,⁵¹ the council will ensure the appropriate separation of these regimes to avoid duplication and inefficiency.
- 5.11 Licensing decisions will usually be made independently of planning decisions. The grant of planning permission, or confirmation of a lawful use, will not limit the council's ability to assess the suitability of licensable activities and to impose conditions that are appropriate to promote the licensing objectives. However, the council will seek, where possible, to ensure that licensing decisions are aligned with the council's **City Plan 2019 – 2040**,⁵² where doing so is consistent with the promotion of the licensing objectives.
- 5.12 To achieve this, licensing and planning officers will aim to work collaboratively, as described in the s.182 Guidance,⁵³ to support well-designed schemes and achieve mutually acceptable operating hours. The council will also apply the agent of change principle so that new developments are responsible for mitigating their impact on existing lawful uses, thereby helping to protect established businesses and cultural venues. The council fully recognises that licensing is an important tool in supporting the creation of successful places, but the promotion of the licensing objectives will always remain the primary consideration.

Economic Growth and Cultural Development

- 5.13 Licensed premises are integral to the city's economic success and global reputation. They make a substantial contribution to employment, tourism and the cultural vibrancy that defines Westminster.
- 5.14 In line with the council's ambitions for inclusive growth across the city and the priorities set out in its **Cultural Strategy (2026 – 2031)**,⁵⁴ which include breaking down the barriers to culture and promoting creative health and wellbeing, the council will seek to support sustainable economic development and foster a rich and diverse cultural offer across Westminster.
- 5.15 The licensing framework can play a key role in supporting these objectives by enabling a diverse mix of businesses, from small independent operators to major venues. It supports retail, hospitality, and the cultural and creative industries, including theatres, music venues, and events, while encouraging innovation, investment and long-term resilience within the hospitality sector.

Health and Wellbeing

- 5.16 The council's joint **Health and Wellbeing Strategy (2023-2033)**,⁵⁵ developed with the Royal Borough of Kensington and Chelsea, sets out the vision for improving health and wellbeing across the city. Licensing has an important role in supporting this vision, particularly in addressing alcohol-related harm, managing noise impacts, and improving community safety.
- 5.17 The council recognises that licensable activities, particularly those within the night-time economy, can have both positive and negative impacts on health outcomes. Licensing can support public health and wellbeing by promoting responsible alcohol retailing and consumption, encouraging healthier late night food options, and reducing alcohol related crime, disorder and antisocial behaviour. It can also help ensure that licensed premises provide safe, well managed environments for both customers and staff.
- 5.18 More widely, licensing can support stronger communities by enabling inclusive cultural and community led activities that enhance wellbeing and social connection. It can also contribute to wider effort to address serious youth violence and violence against women and girls.

Sustainability and Environmental Best Practice

5.19 The council is committed to creating a cleaner, greener city and is leading the way in efforts to tackle the climate emergency, improving air quality and creating better, healthier living environments. A number of strategies underpin these ambitions:

- **Emergency Action Plan 2025⁵⁶** – this sets out measures to reduce carbon emissions across the city and support Westminster’s target to become net zero by 2040.
- **Air Quality Action Plan (2025–2030)⁵⁷** – this aims to improve air quality and work towards World Health Organisation guideline levels by 2040.
- **City Plan (2019–2040)⁵⁸** – this prioritises carbon reduction by reducing traffic and congestion and aligns with the London Plan 2021 that promotes coordinated freight management, consolidation, off-peak deliveries, sustainable last-mile movements, and a shift from road transport to rail and water.
- **Freight, Servicing and Deliveries Strategy (2020–2040)⁵⁹** – this translates the City Plan policies into actions aimed at reducing delivery trips and impacts, remodelling towards sustainable and zero-emission transport, and retiming deliveries to off-peak hours to minimise congestion and environmental harm.
- **Municipal Waste Management Strategy (2016–2031)⁶⁰** – this sets out the council’s approach to waste reduction, reuse, recycling, composting, treatment and disposal, and provides a number of objectives and specific targets aimed at achieving sustainable waste management, although it does not apply to privately managed commercial or industrial waste.

5.20 The prevention of public nuisance is the licensing objective that is most relevant to creating a healthier environment. It is not narrowly defined in the 2003 Act and so public nuisance retains its broad common law meaning that can include impacts such as noise, odour, light, pollution and effects on health or amenity.

5.21 Licensed premises are a significant part of the city’s local economy and given their high density, their current and future environmental impact must be carefully managed. These venues can make as much of a contribution to a cleaner and greener city as any other business through measures such as recycling and reusing, sustainable sourcing, low-emission transport, and staff training. This is alongside energy-saving actions to improve energy efficiency such as reducing unnecessary lighting and heating, using efficient equipment and limiting outdoor heaters.

Night Safety Programme

5.22 The Council does not tolerate any form of sexual harassment, whether that's on the streets or in licensed venues. It has developed a Night Safety programme⁶¹ to tackle the highest level of sexual offences in London, with a focus on the evening and night-time economy. This is being achieved by:

- Delivering a **Women's Night Safety training** programme with courses available on anti-sexual harassment and vulnerability support.
- Recognising **Safe Havens** across the city which are businesses and other premises that will provide safe spaces for women and other vulnerable individuals to recover, charge their phones or wait for a taxi before safely making their way home;
- Creating a **Women's Night Safety Accreditation** scheme for businesses, focused on increasing safety for women in the night time economy
- Providing information on reporting sexual harassment, sexual assault or rape, and sign-posting to support that is available
- Undertaking a **Night Safety Audits** in the West End to identify areas of improvement and provide sustainable solutions to address issues relating to women's safety, particularly at night.
- Maintaining and strengthening the **Night Stars** volunteer programme, which operates across the West End in partnership with the Metropolitan Police and Business Improvement Districts through on-street engagement and a dedicated night hub to promote women's safety, support individuals who become vulnerable due to intoxication and help people get home safely – the Night Stars are recognisable at night due to their distinctive pink reflective vests.

West End Partnership Vision 2030

5.23 The West End Partnership was established in 2013 to provide stronger leadership, greater coordination and a more influential voice for the West End. It brings together public and private sector leaders, including those from the Council, the London Borough of Camden, academic experts and residents' representatives, who work collaboratively for the long-term, common good of the area.

Appendix 6: Best Practice Initiatives and Accreditation Schemes

Women's Night Safety Charter

- 6.1 The Women's Night Safety Charter forms part of the Mayor of London's Tackling Violence Against Women and Girls Strategy and reflects London's commitment to the UN Women Safe Cities and Safe Public Spaces global initiative. Licensed premises are encouraged to sign up to the charter and take practical steps to create positive change that will make London safer for women at night through staff training, clear reporting processes and safer venue design.
- 6.2 The Charter Toolkit⁶² provides practical guidance for organisations seeking to implement these measures. For further information on the Women's Night safety Charter is also available from the Greater London Authority.⁶³

Women's Night Safety Accreditation

- 6.3 This is a self-assessment accreditation for businesses in Westminster that is focused on increasing safety for women in the night time economy. Mandatory online training is required covering safeguarding and vulnerability, and anti-sexual harassment. That is followed by the submission of an online questionnaire covering the types of safety and vulnerability training provided to staff, communication approaches, and procedures for dealing with reports of sexual harassment.
- 6.4 Accreditation lasts 12 months and enables the business to use the Westminster Night Safety Accreditation logo in their communications. It will show that they have committed to meet the high standards required to help keep women safe in their premises at night.

Safe Sounds Partnership

- 6.5 The Safer Sounds Partnership⁶⁴ is an arm of the Safer Business Network and is supported by the Greater London Authority and Metropolitan Police Service. It provides a partnership focused approach to licensing across London's music and events sector, promoting consistent standards and facilitates the sharing of information and best practice to support venues, promoters and artists to deliver safer venues and events for all.

- 6.6 The partnership provides training that is designed to increase confidence in the operation of licensed premises and to improve the way they operate.

Purple Flag

- 6.7 The Purple Flag standard is a national quality standard for towns and city centres' evening and night-time economies, similar to the Green Flag award for parks and the Blue Flag for beaches. It allows members of the public to identify town and city centres that offer a safe, diverse and enjoyable night out.
- 6.8 Westminster has one area that has achieved Purple Flag accreditation which was awarded to Leicester Square and Piccadilly Circus. For more information about this accreditation, contact the Heart of London Business Alliance⁶⁵ and for information about how to achieve Purple Flag accreditation, contact the Association of Town & City Management.⁶⁶

Best Bar None

- 6.9 Best Bar None is a national accreditation scheme for licensed premises and is supported by the Home Office and drinks industry. It aims to improve standards in the evening and night-time economy, and to recognise and reward responsible premises. The scheme aims to reduce alcohol-related crime and disorder while fostering positive relationships between the licensed trade, the police, local authorities, and the wider private sector. It seeks to improve the knowledge and skills of licence holders and their staff, and to support the responsible management of licensed premises.
- 6.10 Westminster currently has one Best Bar None scheme that is operated by the Heart of London Business Alliance and covers premises within Leicester Square and Piccadilly. For more information about this scheme, contact the Heart of London Business Alliance.⁶⁷ For general information about the accreditation scheme, contact Best Bar None.⁶⁸

Appendix 7: Other relevant legislation

Gambling Act 2005

- 7.1 The council is the Licensing Authority for the City of Westminster under the Gambling Act 2005. As a licensing authority the council has powers to regulate the local provision of gambling to granting, refusing and attach conditions to premises licences and review premises licences and attaching conditions or revoking them as a result. There is a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles we propose to apply in exercising our functions under the Gambling Act 2005.

Terrorism (Protection of Premises) Act 2025

- 7.2 The Terrorism (Protection of Premises) Act 2025, commonly referred to as Martyn's Law, places duties on certain premises and events to assess the risk of terrorist activity and to implement proportionate and reasonable mitigation measures. The council recognises the importance of ensuring that public premises are prepared to respond to the threat of terrorism. These requirements sit alongside the licensing regime and are intended to improve public safety. Operators are expected to be aware of their responsibilities under this legislation, where applicable, and to take appropriate steps to protect customers, staff and the wider public.

Private Security Industry Act 2001

- 7.3 The Private Security Industry Act 2001 provides for the regulation of the private security industry, including the licensing of individuals undertaking designated activities such as door supervision. The Security Industry Authority (SIA) is responsible for issuing licences and for ensuring compliance with the statutory requirements. Where licensed premises employ door supervisors or other security staff, operators must ensure that all such personnel are properly licensed and deploy their services in a manner that supports the promotion of the licensing objectives, in particular the prevention of crime and disorder and public safety.

Sex Establishment legislation

- 7.4 The Local Government (Miscellaneous Provisions) Act 1982, as amended by the Greater London Council (General Powers) Act 1986, and the Policing and Crime Act 2009, regulates sex establishments. These are sexual entertainment venues, sex cinemas or sex shops.

Business and Planning Act 2020

- 7.5 The Business and Planning Act 2020 introduced a range of measures to support economic recovery and growth, including provisions relating to pavement licences. This is a licence to put removable furniture on part of a highway adjacent to a public house, wine bar or other drinking establishment, or premises used for the sale of food or drink for consumption on or off the premises. The furniture can be used to sell or serve food or drink, or to allow customers to consume food or drink, supplied from, or in connection with the premises. If alcohol is to be supplied and/or consumed in an area covered by a pavement licence, an authorisation under the Licensing Act 2003 will also be required,

Street trading legislation

- 7.6 The City of Westminster Act 1999 is a local Act which regulates street trading in Westminster. Consent may be needed to authorise the sale of articles (including food and drink) unless a pavement licence is in place.

Health and Safety at Work Act 1974 and associated legislation

- 7.7 The council is the administrative and enforcement authority for this legislation for almost all premises in the city. Where responsibility for health and safety administration is designated to another body, such as the Health and Safety Executive, the council will work in partnership with that body to promote health and safety improvements.

Human Rights Act 1998

- 7.8 The council has a duty under the European Convention on Human Rights to protect both the rights of a resident to privacy and family life (Article 8) and the rights of a licence holder to operate his business without undue interference (Article 1 of the First Protocol). These policies are intended to reflect the balance to be struck between these interests where they conflict.

The Anti-social Behaviour, Crime and Policing Act 2014

- 7.9 The Act introduced a wide range of powers available to the Police and local authorities to tackle anti-social behaviour, including incidents of crime, nuisance and disorder, which make people's lives a misery. This Act covers noisy neighbours, vandalism, litter and public drunkenness. It has introduced public spaces protection

orders which allows a local authority to designate areas within their Borough where certain anti-social behaviour will be prohibited, including drinking. It also gives the Police or local councils the ability to close premises where nuisance and disorder is taking place. They also allow the Police and local authorities to issue Community Protection Notices (CPN's) for a wide range of anti-social behaviour.

Environmental Protection Act 1990

- 7.10 This covers a wide range of types of pollution including noise pollution.

Fire safety legislation

- 7.11 The London Fire Brigade enforce fire safety legislation. This currently includes the Fire Precautions (Workplace) Regulations, the Fire Precautions Act, and the Regulatory Reform (Fire Safety) Order 2005.

Merchant shipping legislation

- 7.12 This applies to vessels that undertake voyages but not to those permanently moored.

Appendix 8: Metropolitan Police Servicer

Licensing Policy Statement

- 8.1 The Metropolitan Police Service are committed to reducing the levels of crime and disorder associated with premises undertaking 'Licensable Activities' and to providing active supervision of such premises. We will work in partnership with licensed premises to ensure that they are aware of the principles of good management and abide by them. Where co-operation is not forthcoming, we will enforce compliance with existing legislation by working in partnership with Westminster City Council and other Responsible Authorities. Whilst every application will be considered on its individual merits and there will be no general policy of opposing all new applications or variations, this policy seeks to allow for the fact that the City of Westminster occupies a unique position in terms of its policing challenges.
- 8.2 Premises licensed for the sale and consumption of alcohol create significant demands on resources. This Policy must balance the various competing rights of individuals and businesses whilst allowing police to focus their resources on those areas of greatest need and effectively reduce crime and disorder. Westminster Police believe that the cumulative impact on levels of crime and disorder generated by licensed premises within the West End Cumulative Impact Area is significant. Any further increase in the numbers of licensed premises within this area would lead to an increase in overall crime and disorder and should not be countenanced. Therefore, any application relating to premises within the West End Cumulative Impact Zone which is likely to add to the crime and disorder problems which already exists is likely to result in an objection by the police unless exceptional circumstances apply.
- 8.3 All applications will be considered on their individual merits. Westminster Licensing Police expect an application to clearly describe the business and activities taking place so that an informed decision can be made. Applications will only be opposed if the application does not promote the Licensing Objectives. All applicants should follow the advice contained within the relevant Appendix of this Licensing Policy.

Appendix 9: Responsible Authorities

Please note that the responsible authorities contact list was correct when this revision of the council's Statement of Licensing Policy was published. Applicants are advised that they should check the council's website at westminster.gov.uk/licensing to ensure that the addresses that are used for consulting responsible authorities within the City of Westminster are correct.

The Licensing Authority (Westminster City Council) Public Protection and Licensing (Licensing Team) Westminster City Council 15th Floor Westminster City Hall 64 Victoria Street London, SW1E 6QP 0207 641 6500 licensing@westminster.gov.uk	The Chief Officer of Police (Metropolitan Police Service) The Chief of Police Westminster Police Licensing Team 15th Floor Westminster City Hall 64 Victoria Street London, SW1E 6QP AW-licensingwestminster@met.police.uk
The Fire Authority (London Fire Brigade) South West Area Fire Safety Regulation Team London Fire Brigade 169 Union Street London, SE1 0LL FSR-adminsupport@london-fire.gov.uk	The Director of Public Health (Westminster City Council) Public Health Department Westminster City Council 12th Floor Westminster City Hall 64 Victoria Street London, SW1E 6QP publichealthdepartment@westminster.gov.uk
The enforcing authority under the Health and Safety at Work Act 1974; the body responsible for Minimising or preventing the risk of Pollution of the environment or of Harm to Human Health; and For Weights and Measures (Westminster City Council) Licensing and Regulatory Services Team Public Protection and Licensing Westminster City Council 15th Floor Westminster City Hall 64 Victoria Street SW1E 6QP ehconsultationteam@westminster.gov.uk	The Planning Authority (Westminster City Council) Development Planning Services Westminster City Council 12th Floor Westminster City Hall 64 Victoria Street SW1E 6QP planninginformation@westminster.gov.uk

The body responsible and authorised by the Licensing Authority as being competent to advise on the Protection of Children from Harm (Westminster City Council)

Westminster Children's Services
 Safeguarding and Quality Assurance Team
 4 Frampton Street
 London
 NW8 8LF
safeguarding@westminster.gov.uk

Home Office Immigration Enforcement Directorate

Licensing Compliance Team
 Home Office
 2 Ruskin Square
 Dingwall Road
 Croydon
 CR0 2WF
IE.licensing.applications@homeoffice.gov.uk

For Vessels Not Permanently Moored The Navigation Authority

Tidal Thames
 The Harbour Master
 The Port of London Authority
 London River House
 Royal Pier Road
 Gravesend
 DA12 2BG
susan.grundy@pla.co.uk

Canals
 Canal & River Trust
 1st Floor North
 Station House
 500 Elder Gate
 Milton Keynes
 MK9 1BB
customer.services@canalrivertrust.org

The Maritime and Coastguard Agency
 MCA Colchester Marine Office
 Icen Way
 Colchester
 Essex
 London, SW1E 6QP
colchestermo@mcga.gov.uk

 Main Passenger Ship Contact
matt.giacomini@mcga.gov.uk

Non-Tidal Thames
 The Environment Agency – Thames Waterways Team
 Thames Region
 Kings Meadow House
 Kings Meadow Road
 Reading
 RG1 8DQ
waterwaysthames@environment-agency.gov.uk

End notes

- 1 www.westminster.gov.uk/joint-strategic-needs-assessment/people
- 2 www.ons.gov.uk/economy/grossdomesticproductgdp/datasets/regionalgrossvalueaddedbalancedbyindustrylocalauthoritiesbyitl1region
- 3 www.london.gov.uk/programmes-strategies/arts-and-culture/space-culture/help-resources-and-guidance/cultural-infrastructure-map
- 4 www.westminster.gov.uk/media/document/economic-contribution-of-licensed-premises-in-westminster
- 5 The s.182 Guidance is available at www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003
- 6 The Framework Guidance is available at www.gov.uk/government/publications/national-licensing-policy-framework-for-the-hospitality-and-leisure-sectors
- 7 These are set out in the London Nightlife Taskforce Report 2026 that can be viewed at www.london.gov.uk/media/111792/download
- 8 [Paragraph 1.5, s.182 Guidance](#)
- 9 [Paragraph 1.18, s.182 Guidance](#)
- 10 [Paragraph 14.13, s.182 Guidance](#)
- 11 These policies are set out in Part D, sections II-VI, of the Policy.
- 12 [Paragraph 2.3-2.7 s.182 Guidance](#)
- 13 [Paragraphs 2.8-2.19, s.182 Guidance](#)
- 14 [Paragraph 2.22 – 2.26, s.182 Guidance](#)
- 15 [Paragraph 2.27 s.182 Guidance](#)
- 16 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
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- 19 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
- 20 See Part D, section IV, of the Policy
- 21 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
- 22 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
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- 25 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
- 26 See Part D, section IV, of the Policy
- 27 See Part D, section V, of the Policy for SCZ1

- 28 See Part D, section V, of the Policy for CIP1
- 29 The West End Cumulative Impact Zone is defined in the Spatial Policies section of this Policy – See Part D, section V, of the Policy
- 30 See Part D, section IV, of the Policy
- 31 [Paragraph 10.15, s.182 Guidance](#)
- 32 [Paragraph 14.51, s.182 Guidance](#)
- 33 [Paragraphs 10.13 and 14.51, s.182 Guidance](#)
- 34 The 2026 CIA can be viewed at www.westminster.gov.uk/licensing/licensing-policy-and-strategy/cumulative-impact-assessment
- 35 [Paragraph 14.40, s.182 Guidance](#)
- 36 [Paragraph 11.7, s.182 Guidance](#)
- 37 [Paragraph 14.45 s.182 Guidance](#)
- 38 This is stated in the [2026 CIA](#) and is based on the number of licensed premises in December 2024.
- 39 [Paragraph 10.10, s.182 Guidance](#)
- 40 A person who meets one of the descriptions set out in the Licensing Act 2003 (Personal Licence) Regulations 2005, and includes:
 - a member of the company of the Master, Wardens, Freemen and Commonalty of the Mystery of the Vintners of the City of London;
 - a person operating under a licence granted by the University of Cambridge; or
 - a person operating premises under a licence granted by the Board of the Green Cloth.
- 41 Westminster City Council’s Corporate Enforcement Policy can be viewed at www.westminster.gov.uk/sites/default/files/draft_corporate_enforcement_policy.pdf
- 42 Paragraph 14.16-14.17, s.182 Guidance
- 43 This is by virtue of the [Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013](#) that amended the 2003 Act on 27 June 2013 and the [Legislative Reform \(Entertainment Licensing\) Order 2014 that amended the 2003](#) Act on 6 April 2015.
- 44 [Paragraph 11.10 s.182 Guidance](#)
- 45 [Paragraph 11.1, s.182 Guidance](#)
- 46 [Paragraph 11.13, s.182 Guidance](#)
- 47 [Paragraph 11.27, s.182 Guidance](#)
- 48 The Safer Westminster Partnership Strategy (2024 – 2027) can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/SWP_strategy_2024-27_0.pdf
- 49 The Anti-Social Behaviour Strategy (2023-2028) can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/25716-WCC-ASB_Strategy_document_full DIGITAL 6.1MB.pdf
- 50 The Community Equality Strategy can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/Appendix 1 - Community Equality Strategy.pdf
- 51 [Paragraph 14.65, s.182 Guidance](#)
- 52 The City Plan 2019-2040 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/city-plan-2019-2040-january-2026.pdf

- 53 [Paragraph 9.45, s.182 Guidance](#)
- 54 The Cultural Strategy 2026-2031 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/cultural-strategy-2026-2031.pdf
- 55 The Health and Wellbeing Strategy 2023 - 2033 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/Health and Wellbeing Strategy accessible.pdf
- 56 The Climate Emergency Action Plan 2025 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/Climate Emergency Action Plan 2025.pdf
- 57 Air Quality Action Plan 2025 - 2030 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/Air Quality Action Plan 2025 - 2030 - Westminster City Council_0.pdf
- 58 City Plan 2019-2040 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/city-plan-2019-2040-january-2026.pdf
- 59 [Freight, Servicing and Deliveries Strategy and Action Plan 2020–2040](#)
- 60 Municipal Waste Management Strategy 2016-2031 can be viewed at www.westminster.gov.uk/sites/default/files/media/documents/Freight%2C Servicing and Deliveries Strategy and Action Plan 2020%E2%80%932040.pdf
- 61 Information about the Night Safety programme can be found at www.westminster.gov.uk/night-safety
- 62 The Women’s Night Safety Charter Toolkit can be found at www.london.gov.uk/sites/default/files/wnsc_toolkit_final.pdf
- 63 Information about the Women’s Night Safety Charter can found at www.london.gov.uk/programmes-strategies/arts-and-culture/24-hour-london/womens-night-safety-charter
- 64 Information about the Safer Sounds Partnership can be found at www.saferounds.org.uk
- 65 Contact details for the Heart of London Business Alliance can be found at holba.london/who-we-are/contact
- 66 Information about the Purple Flag can be found at www.atcm.org/purple-flag
- 67 Information about the Heart of London Business Alliance Best Bar None Scheme can be found at holba.london/projects-campaigns/best-bar-none
- 68 For information about Best Bar None visit bestbarnone.com



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