

Licensing Sub-Committee – Summary of Decision

Date of Hearing – 4 July 2022

Panel members: Councillors Paul Alexander (Vice-Chair), Florian Chevoppe-Verdier and Dominic Stanton

Apologies: None

Clerk: David Abbott (LBHF)

Legal Representatives: Jane Astbury and Emmanuel Amponsah (LBHF)

Licensing Officer(s): Maria Dimitriou (LBHF)

DAO BY DORSETT

Applicant(s):

Matthew Butt QC, (Counsel on behalf of the Applicant),
Chris Meehan, (Area Commercial Director UK, Dorsett Hospitality International),
Nick Lauezzari, (Area Chief Engineer UK, Dorsett Hospitality International),
Rebecca Kwan, (Senior Vice President and Head of Operations Europe, Dorsett Hospitality International),
Mansoor Liaqat, (Area Director of Finance (UK), Dorsett Hospitality International)
Andy Sloan, (Head of Security and Designated Premises Supervisor)
Richard Sharland, (Acoustic Consultant, Ian Sharland Ltd)
David Inzani, (Solicitor, Poppleston Allen)

Responsible Authorities:

James Rawlinson, Noise and Nuisance Team (LBHF)

Interested Parties:

None in attendance

HAWKS NEST

Applicant(s):

Frazer Timmerman, (Applicant / Business Manager)
Jon Wallsgrove, (Licensing Solicitor)

Responsible Authorities:

None

Interested Parties:

None in attendance

DAO BY DORSETT WEST LONDON, 56 SHEPHERD'S BUSH GREEN, LONDON W12 8QE (6:30 PM)

SUMMARY OF DECISION

The Committee has considered an application for the grant of a new premises licence for performance of dance, exhibition of a film, performance of live music, playing of recorded music, entertainment similar to music or dance all indoors, provision of late night refreshment both indoors and outdoors, as well as the sale of alcohol both on and off the premises as outlined below licence under the Licensing Act 2003 as follows (the Application")

Performance of Dance -Indoors Only Monday to Sunday 07:00 - 01:00

Exhibition of a Film -Indoors Only Monday to Sunday 07:00 - 01:00

Performance of Live Music -Indoors Only Monday to Sunday 07:00 - 01:00

Playing of Recorded Music -Indoors Only Monday to Sunday 07:00 - 01:00

Entertainment Similar to Music or Dance -Indoors Only Monday to Sunday 07:00 - 01:00

Provision of Late Night Refreshment -Both Indoors and Outdoors Monday to Sunday 23:00 - 01:00

Sale of Alcohol On and Off the Premises Monday to Sunday 07:00 - 01:00

Non Standard Timings and Seasonal Variations (for all the above activities) From the end of permitted hours on New Year's Eve until 03:00 hours on New Year's Day.

Permitted 24 hours a day for residents and their bona fide guests and patrons attending a private function. Hours open to public: Monday to Sunday 00:00 – 00:00

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

- a) *Grant the application in full*
- b) *Subject to conditions proposed in the Operating Schedule and the Mandatory Licensing Conditions from Annex 1 of the Council's Statement of Licensing Policy*
- c) *Subject to the following additional condition from the Council's Pool of Licensing Conditions:
A telephone number for the premises, or a responsible member of staff on duty, shall be displayed so that it is visible from the public highway for members of the public to lodge complaints*

This licence becomes operational with immediate effect.

A copy of this Committee's full decision including its reasons and the full text of the conditions added to the licence will be sent to the parties forthwith.

If the Applicant is unhappy with the decision they are entitled to appeal to the magistrates' court within 21 days from the date of notification of the full decision.

THE HAWKS NEST, 190 RAILWAY ARCHES, SHEPHERD'S BUSH MARKET, LONDON W12 8DF (8PM OR AFTER CONSIDERATION OF THE FIRST ITEM)

SUMMARY OF DECISION

The Committee has considered an application to vary the premises licence under the Licensing Act 2003 as follows (the Application")

Performance of Live Music Monday to Saturday 23:00 - 00:00 (Outdoors)

Playing of Recorded Music Monday to Saturday 23:00 - 00:00 (Outdoors)

Sale of Alcohol – Both On and Off the Premises Monday to Saturday 12:00 - 00:00 (Outdoor Area)

Sunday 12:00 - 22:30 (Outdoor Area)

The opening hours of the premises Monday to Saturday 12:00 - 00:30 (Outdoor Area)

Sunday 12:00 – 22:30 (Outdoor Area)

The licensee wishes to remove the following condition: 18. Children shall not be permitted after 19:00 and they must be accompanied by an adult if visiting the Premises prior to this point.

The licensee wishes to replace the following conditions:

20. After 22:30 where customers are permitted to temporary leave e.g. to smoke and then re-enter the premises, shall not be permitted to take drinks or glass containers with them.

21. After 22:30 customers who are smoking shall be contained within the area outside the archway bar and either a member of the management team or an SIA door supervisor shall monitor the noise levels of customers smoking or leaving the venue.

With:

20. The retractable roof over the seating area outside must be closed no later than 22:00 each day.

21. When the roof is closed customers who wish to smoke shall do so in the area between the premises and the gates on Goldhawk Road. Customers shall not be permitted to consume alcohol in that area. Noise levels of those in the smoking area shall be monitored by a member of staff.

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

d) *Grant the application in full*

e) *Subject to conditions proposed in the Operating Schedule and the Mandatory Licensing Conditions from Annex 1 of the Council's Statement of Licensing Policy*

- f) *Subject to the following additional conditions:*
- g) *The licensable activity in the Outdoor Area (as shown on the plans submitted with this application) shall only operate strictly in accordance with the hours permitted in the existing licence (granted on 11th March 2020), until such time as the retractable roof is constructed and implemented fully in accordance with the approved planning permission. This is to secure compliance with Condition 20 of the licence.*
- h) *The retractable roof shall be implemented fully in accordance with the requirements and recommendations in the acoustic report dated 5th August 2021*

This licence becomes operational with immediate effect.

A copy of this Committee's full decision including its reasons and the full text of the conditions added to the licence will be sent to the parties forthwith.

If the Applicant is unhappy with the decision they are entitled to appeal to the magistrates' court within 21 days from the date of notification of the full decision.

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