

Licensing Act 2003

Premises Licence



Premises Licence Number: 2019/02017/LAPR

Part 1 – Premises details

Postal address of premises, or if none, OS map reference or description of the premises

The Hawks Nest
190 Railway Arches
Shepherd's Bush Market

Post town: London

Post code: W12 8DF

Telephone: 075 9044 0222

Where the licence is time limited the dates:

Not Applicable

Licensable activities authorised by the licence:

Performance of Live Music -Both Indoors and Outdoors
Playing of Recorded Music -Both Indoors and Outdoors
Sale of Alcohol On the Premises -Both Indoors and Outdoors

The licence authorises the carrying out of the following licensable activities on the days and at the times specified below:

Performance of Live Music -Both Indoors and Outdoors
Monday to Sunday 23:00 - 00:00 (Indoors)
Monday to Sunday 12:00 - 22:30 (Outdoors)

Playing of Recorded Music -Both Indoors and Outdoors
Monday to Sunday 23:00 - 00:00 (Indoors)
Monday to Sunday 12:00 - 22:30 (Outdoors)

Sale of Alcohol On the Premises
Monday to Sunday 12:00 - 00:00 (Indoors Archway 190)
Monday to Sunday 12:00 - 22:00 (Outdoors Outdoor Area)

The opening hours of the premises:

Monday to Sunday 12:00 - 00:30 (Archway 190)
Monday to Sunday 12:00 - 22:30 (Outdoor Area)

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

On the premises only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Frazer Timmerman

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

Not Applicable

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

Mr Frazer Timmerman

Licensing Authority
Personal Licence No

Annex 1 – Mandatory Conditions

1. Mandatory Condition

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or

discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. Mandatory Condition

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

3. Mandatory Condition

1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. Mandatory Condition

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5. Mandatory Condition

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V) \text{ Where—}$$

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

6. Mandatory Condition

(1) No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised

by a person who holds a personal licence.

7. Mandatory Condition

Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

- a) premises where the premises licence authorises plays or films
- b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001.

Annex 2 – Conditions consistent with the operating Schedule

8. Where the premises are let to individuals or groups for private hire, a named person shall be responsible for ensuring that conditions on the Premises Licence are adhered to. This person shall provide their details to the Licence Holder or DPS in writing in advance of the event and their details shall be retained for a period of at least 31 days after the event.

9. A daily incident log shall be kept at the Premises and made available on request to an authorised officer of the Council or the Police or the Fire services which shall record the following:- all crimes reported to the venue, all ejection of patrons, any complaints received, any incidents of disorder, seizures of drugs or offensive weapons, any refusal of sale of alcohol and any visit by a relevant authority or emergency service, any faults in the CCTV system.

10. The premises shall operate a zero tolerance policy to drug use and posters shall be prominently displayed to this effect.

11. High Definition CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities and;

- a) shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;
- b) one camera shall show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
- c) shall cover any internal or external area of the premises where licensable activities take place;
- d) recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping;
- e) footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request; and
- f) a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open for licensable activities. This staff member shall be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested.

This data or footage reproduction shall be almost instantaneous.

12. Policy and procedures for door staff shall be in place around dispersal techniques for customers and procedures for dealing with incidents that occur in or around the vicinity of the premises. These shall be provided to the police and authorised officers of the Licensing Authority upon request.

13. Signs shall be prominently displayed in the outside area reminding patrons there are residents living nearby and instructing them to respect the neighbours and to conduct their behaviour accordingly.

14. Signs shall be prominently displayed at the exits from the premises asking patrons to dispose of their waste in litter bins.

15. Waste bottles or other glass shall not be disposed of or transported in bulk through any external area between the hours of 22:00 and 08:00 the following day.

16. Where customers are permitted to drink alcohol outside regular litter and glass collection shall be carried out in all areas where customers are congregating.

17. The Premises shall operate a Challenge 25 age restricted sales policy and shall display appropriate signage advising customers of this policy.

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.

19. There shall be a minimum of one personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

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.

22. The premises shall employ SIA Registered Door Supervisors on Fridays and Saturdays from at least 8pm until the premises has closed and all patrons have left the premises and immediate area. The number of door supervisors shall be in accordance with the following ratios: 0-75 (Minimum of 1), 75-225 (Minimum of 2). The premises shall risk assess the need for door supervisors on any other day. This risk assessment shall be in writing and made available to Police or Licensing Authority officers upon request.

23. When door supervisors are on duty 'Clickers' or other recognised counting devices shall be used. An accurate log of patron numbers shall be maintained by door supervisors.

24. The Licence Holder/Designated Premises Supervisor shall organise and

accommodate meetings to discuss the operation of the premises with residents at least two times per calendar year. The meeting shall be advertised at least 14 days before its due date by letter to residents and residents' associations in the locality as well as to the Licensing Authority.

25. Management shall actively monitor noise levels to avoid disturbing neighbours and surrounding areas and restrict noise to a minimum after 22:00.

26. Ambient music shall be played at a low volume in the outdoor area.

27. The sound system shall be designed to minimise noise breakout by directing sound inwards other than outwards and capping the maximum volume possible.

28. All deliveries shall arrive and leave via a dedicated delivery point at the front of the venue entrance on Goldhawk Road.

29. Deliveries shall not take place prior to 08:00 or after 22:00 to prevent disturbing local residents.

Annex 3 Conditions attached after a hearing by the licensing authority

30. Where customers are permitted to smoke immediately outside the premises, smoking bins/ashtrays/receptacles shall be provided.

31. Signage shall be prominently displayed advising customers that drinks or glass containers are not permitted to be taken away from the premises, outside the licensed area.

32. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. All members of staff shall have training in age restricted sales including regular refresher training. Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request.

33. All staff shall be trained in how to identify drunk or drug impaired customers. This training shall be repeated at least biannually and written records of the training kept and made available to police and authorised officers of the Licensing Authority on request.

34. All staff shall be trained in how to manage a crime scene and crime scene preservation. This training shall be repeated at least once a year and written records of the training kept on the premise and made available to Police and authorised officers of the Licensing Authority on request.

35. A record of complaints shall be maintained on the premises to record details of any complaints received. The information to be recorded shall include the date and time of complaint and subsequent remedial action undertaken and (where disclosed) the complainant's name and location.

36. The record of complaints shall be kept for 12 months from the date of the last

record made and shall be available for inspection on demand by the police or an authorised officer of the Licensing Authority at all times the premises are open.

37. 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.

38. No smells generated from the cooking processes at the Premises, shall give rise to nuisance to occupiers of neighbouring properties.

39. A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised council officers at all times the premises are open.

40. A responsible member of staff shall carry out proactive litter patrols outside the premises at least twice throughout the premises' opening hours and specifically at the end of trading hours to ensure that there is no litter associated with the premises in the immediate vicinity and any such litter found shall be collected and returned to the premises for disposal with the premises' normal waste/refuse collection.

41. A written record of proactive external litter patrols shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on request by authorised officers of the Licensing Authority at all times the premises are open.

42. A check of anybody who appears to be under the age of 25 years shall be made by examining either a passport, photographic driving licence, PASS approved proof of age card, current UK armed forces ID card or any other ID recognised by the Council's statement of licensing policy. No other forms of ID shall be accepted.

43. Posters shall be displayed in prominent positions around the premises advising customers of the Proof of Age policy in force at the premises.

Signed: 
Authorised Officer

Date: 11.03.2020

Annex 4- Plans:

Please insert plan at page 9

Licensing Act 2003

Premises Licence



Premises Licence Summary

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The opening hours of the premises:

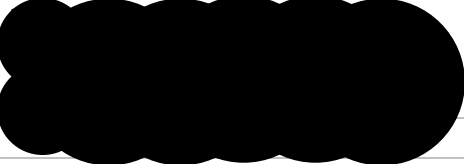
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Name, (registered) address, of holder of premises licence:

Mr Frazer Timmerman



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

Not Applicable

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

Mr Frazer Timmerman

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

See Annex 2

Signed: 
Authorised Officer

Date: 11.03.2020