

Licensing Sub-Committee Report

Item No:	
Date:	16 th June 2017
Licensing Ref No:	17/03551/LIPN - New Premises Licence
Title of Report:	Urban Tea Rooms St James's 2A St James's Market London SW1Y 4SB
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:	N/A						
Adult Entertainment:	N/A						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Mr Steve Rowe
Received:	2 nd May 2017

I write in relation to the application submitted for a new Premises Licence for the above premises.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, HRS1, and RNT2.

The applicant has advised that the premises will operate as an all-day cafe with sandwiches, salads, quiche, homemade cakes and British/International snacks, a small selection of alcoholic beverages, and an external seating area.

The application is to permit the sale of alcohol and late night refreshment during the Council's core hours.

The premises is located inside the Cumulative Impact Area.

Policy CIP1 states (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. However part (ii) states: Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.

Policy HRS1 states at paragraph 2.3.2: "It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the 'core hours' as set out in Policy HRS1. This is not a policy to refuse applications for longer hours than the core

hours and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out in paragraph (ii) (of Policy HRS1)".

Policy RNT2 which relates to restaurants within the CIA states 'Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

The applicant has advised that alcohol will only be supplied to person seated taking a table meal.

The capacity of the premises over two floors and an external area is 34. Therefore if the application were granted it will add 34 persons in the cumulative impact area.

Please therefore accept this as a formal representation, further details will be provided in due course including a discussion relating to conditions. In the meantime please provide me with your submissions on how the granting of this application will not add to cumulative impact in the Cumulative Impact Area.

Responsible Authority:	The Metropolitan Police
Representative:	PC Reaz Guerra
Received:	27 th April 2017

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the West End Cumulative Impact, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

It is for these reasons that we are objecting to the application.

Responsible Authority:	The Environmental Health Service
Representative:	Ayesha Bolton
Received:	2 nd May 2017

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted plans for Ground Floor and Mezzanine Floor of the premises.

The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following:

1. To permit Supply of Alcohol both 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday to Saturday 10.00 to 00.00 hours and Sunday 12.00 to 22.30 hours.
2. To permit Late Night Refreshment 'Indoors' only Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 to 00.00 hours.

I wish to make the following representation.

1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety within the area.
2. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

3. Policy & Guidance

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

Policy CIA1 applies:	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

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4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Photograph of premises

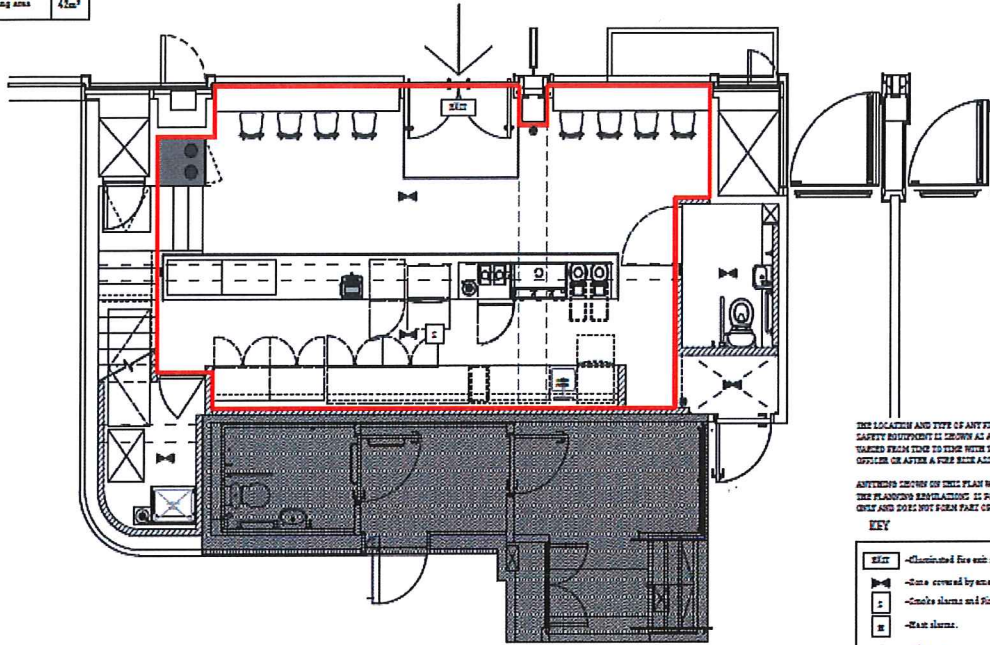
Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	4 th April 2017
5	The Licensing Authority-Representation	2 nd May 2017
6	The Environmental Health Service- Representation	27 th April 2017
7	The Metropolitan Police- Representation	2 nd May 2017

Proposed seats	8
Gross floor	21m ²
Effective dining area	4.1m ²



THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS APPLICABLE. THIS MAY BE VARYED FROM TIME TO TIME WITH THE AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.

APPOINTED CHECKS OF THIS PLAN WHICH IS NOT REQUIRED BY THE PLANNING REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT FORM PART OF THE LICENSE.

KEY

- Classified fire exit sign
- Area covered by emergency lighting.
- Smoke alarm and fire alarm sounder.
- Heat alarm.
- Call point.
- Area where licensable activities take place

1 Proposed Ground Floor Plan
1:50

Name	Role	Date	Description	Drawn By	Checked By	Scale	Sheet No	Total No
Andy Doble	Architect	14/01/11	Proposed Ground Floor Plan	Andy Doble	Andy Doble	1:50	1	1

SCALE: AS SHOWN ON DRAWING
DATE: 14/01/11

