



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** Committee held on **Thursday 21st January, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

Members Present: Councillors Tim Mitchell (Chairman), Louise Hyams and Murad Gassanly

1 MEMBERSHIP

There were no changes to the membership.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 GODO, 90 PICCADILLY, W1

LICENSING SUB-COMMITTEE No. 1

Thursday 21st January 2016

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Murad Gassanly

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Steve Rowe

Relevant Representations: Environmental Health, Metropolitan Police, West End Ward Councillor, 4 representations on behalf of local residents by management lease companies and 2 by local residents.

Present: Mr Amin Bouafsoun (Applicant Company), Mr Dave Nevitt (Environmental Health), PC Chris Marriot (Metropolitan Police), Mr Huw Jones and Mr Leonard Walkden (on behalf of 89 Piccadilly Management Ltd), Mr Tabbah

Taymore (On behalf of 89 Piccadilly Management Ltd & the owner of flat 15, 89 Piccadilly).

Godo, 90 Piccadilly, W1 15/10762/LIPN	
1.	Late Night Refreshment (Indoors)
	Friday and Saturday: 23:00 to 00:00
	Amendments to application advised at hearing: Mr Bouafsoun informed the Sub-Committee during the hearing that Late Night Refreshment was no longer being applied for as it was now being proposed that the premises would close at 23:00 hours Monday to Saturday and 22:30 on Sundays. Late Night Refreshment is not a licensable activity prior to 23:00 hours.
	Decision (including reasons if different from those set out in report): The Sub-Committee was not required to consider this aspect of the application as it was no longer being applied for.
2.	Sale by Retail of Alcohol (On)
	Monday to Saturday: 12:00 to 23:00 Sunday: 12:00 to 22:30
	Amendments to application advised at hearing: The hours set out in the report were clarified and amended to reflect the actual hours as set out in the application form. Later in the hearing, Mr Bouafsoun made the point that he would not be averse to a terminal hour for alcohol of 22:30 hours Monday to Sunday.
	Decision (including reasons if different from those set out in report): This was an application for a new premises licence. Mr Bouafsoun, the owner of the Applicant Company, explained that he was intending to run the premises as an Italian restaurant for a time limited period until 31 March 2016 only. This would assist his company in advertising the brand online which was the main focus of the business. He advised that there were amendments to the application including that the proposed terminal hour for the sale of alcohol (on sales only) and closing time would be 23:00 hours Monday to Saturday and 22:30 on Sunday. Late night refreshment was no longer being applied for and recorded music was also no longer sought.

Mr Nevitt on behalf of Environmental Health stated that he had visited the premises at 90 Piccadilly on a couple of occasions. He advised that most of his concerns had now been addressed. The proposed hours for the application had been revised so that they were now within the Council's Core Hours policy. The Applicant had agreed the Council's model restaurant condition so that alcohol was ancillary to substantial table meals and customers would be seated and served by waiter or waitress. There were no off-sales and the Applicant intended to play background music only. 90 Piccadilly is not located in the cumulative impact areas.

Mr Nevitt did have some concerns that no customer toilets were provided onsite. He made the point that normally he would recommend that this was not suitable for a restaurant. However, he was of the view that the fact this was a time limited licence needed to be taken into account. The two cubicles that the Applicant was putting forward for public use were approximately 20 yards away in Half Moon Street. They were in a vacant building and required keypad entry. He requested that a works condition was attached to the licence as refurbishment of the toilet was needed as there was currently poor lighting and a lack of ventilation. He also recommended that a condition required customers to be accompanied to the toilet by a member of staff. The restaurant itself was in good condition. Mr Nevitt commented that he appreciated residents' concerns regarding the history of the premises that had been located in the area, particularly Vendome. However, he believed Godo was relatively low risk. The Applicant did need to make sure that any deliveries from the premises as part of the online business did not adversely affect residents.

PC Marriot addressed the Sub-Committee on behalf of the Police. He confirmed that the Police had been concerned regarding the opening hours that had originally been applied for, particularly a terminal hour of 05:00 Friday and Saturday. However, this had now been amended to within Core Hours. The fact that there were no off sales and the application was time limited also reduced the Police's concerns. The Police were not urging that CCTV conditions were attached to the licence as the application was time limited.

Mr Jones, Mr Taymore and Mr Walkden are company directors of 89 Piccadilly Management Ltd which holds the management lease for the building. Mr Jones stated that the apartment block comprises 16 flats which is the same number as 85 Piccadilly. He referred to there being a long history of difficult premises in the locality and these problems had been resolved. However, he was now concerned that this particular part of Piccadilly would once again become a destination area. The Forecourt at Cambridge House, 94 Piccadilly had been granted a premises licence until 22:00 and he stated that it was proposed that the biggest restaurant in the West End would also be in the vicinity of the premises. Mr Jones expressed his disappointment that the landlords had said that the ground floor of 94 Piccadilly would be an art gallery. The Godo restaurant raised issues in terms of any late night drinking which took place there. He believed that having the toilets 20 yards away in Half Moon Street would potentially cause serious problems including urination in the streets or other public places.

Mr Jones also wished to inform Members that the Applicant had kept two mopeds on the pavement and a car where there was a double yellow line. He referred to a party being held at the premises the previous Saturday when a loud speaker was audible outside playing 'drum and base' music. Mr Jones recommended that the application was refused but if Members were minded to grant then it should be permitted for the time limited period the same terminal hour as The Forecourt, 22:00. Children at 89 Piccadilly would be disturbed by late night activity. Mr Taymore added his concerns regarding smokers outside on the corner. In addition to raising the issues of the parking of the motorbikes and the car and what he considered to be the unacceptable requirement for customers to be escorted to the toilet, Mr Walkden also expressed concerns that customers would increase their alcohol purchases just prior to closing time.

The Sub-Committee asked Mr Bouafsoun whether he wished to respond to any of the comments made by the objectors. He apologised for any nuisance caused by the event held the previous Saturday. It had been by invite only and he added that the car was parked there for media photographs (Mr Jones commented that the car had been parked on the double yellow line on a number of occasions). Mr Bouafsoun added there was generally only one Vespa advertising the business. He wished to emphasise that alcohol would only be sold ancillary to food and there would not be significant consumption of alcohol by customers. In response to questions from the Sub-Committee, Mr Bouafsoun stated that the toilet was under the same landlord's ownership as the restaurant premises and he recognised the need for the works to be undertaken in the toilet area so that Godo would not be able to trade at 90 Piccadilly until they were completed.

Mr Nevitt in response to questions from Mr Panto replied that one of the reasons for requesting that customers were escorted to the toilet was to avoid any urination elsewhere. The onus was on the Applicant to be flexible in terms of accompanying customers to the toilet as ladies might only want to be accompanied by someone of the same gender. He had taken into account in terms of public toilets not being at 90 Piccadilly that the dwell time for customers was not likely to be as long as at a formal three course restaurant. Mr Bouafsoun stated there were four options on the menu and the average sit down time per customer was twenty minutes. When asked about Mr Jones' request that if the application was granted, the terminal hour should not go beyond 22:00, Mr Bouafsoun made the point that he would not be averse to a terminal hour for alcohol of 22:30 hours Monday to Sunday. He wished to be able to accommodate demand from customers who worked late in offices in the Berkeley Square area.

The Sub-Committee decided to grant a terminal hour for on-sales and a closing time of 22:30 at the pop-up restaurant Monday to Sunday for the time limited period sought (until 31 March 2016). There would be no 'drinking up time' permitted. Members wished to emphasise to any concerned local residents that granting the application for a time limited period was not a precedent for any future applications at this premises. The proposed hours were within the Council's Core Hours policy and Godo is not located in the cumulative impact areas. The application involved on sales of alcohol only and the take-away delivery service did not require to be licensed until 23.00. The Applicant had

	<p>agreed the Council's model restaurant condition. The Sub-Committee attached a number of conditions including Environmental Health's suggestions that an appropriate member of staff would be available to accompany customers to the toilets provided at all times and that no licensable activities would take place until the premises and the associated toilet provision was assessed as satisfactory by Environmental Health.</p> <p>The Sub-Committee made the point that whilst parking matters were not in their remit, the Applicant should be aware that the Council took a dim view of any vehicles being parked illegally. The Sub-Committee had noted the residents' reference to The Forecourt at 94 Piccadilly only being granted a premises licence until 22:00 but it was relevant that this involved alcohol sold outside the premises which was not the case for the current restaurant application.</p>
3.	Opening Hours
	<p>Monday to Thursday: 09:00 to 00:00 Friday and Saturday: 09:00 to 05:00 Sunday: 09:00 to 00:00</p>
	<p>Amendments to application advised at hearing:</p> <p>Mr Bouafsoun informed the Sub-Committee during the hearing that the proposed hours had been amended to the following:</p> <p>Monday to Saturday: 09:00 to 23:00 Sunday: 12:00 to 22:30.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee decided to grant a closing time of 22:30 Monday to Sunday at the pop-up restaurant for the time limited period sought (until 31 March 2016). See reasons for decision in Section 2.</p>

Conditions attached to the Licence	
<u>Mandatory Conditions</u>	
1.	No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2.	No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3.	Every supply of alcohol under this licence must be made or authorised by a

person who holds a personal licence.

4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

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

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

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Additional Conditions

- 9. Children will only be allowed on the premises when accompanying adult diners.
- 10. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 12. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the

following day.

13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
15. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
18. No licensable activities shall take place at the premises until the premises and the associated toilet provision has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
19. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
20. A member of staff shall be available to accompany customers to the toilets provided at all times the premises are open.

4 SHEPHERDS TAVERN, 50 HERTFORD STREET, W1

LICENSING SUB-COMMITTEE No. 1

Thursday 21st January 2016

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Murad Gassanly

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Steve Rowe

Relevant Representations: 1 business and 1 representation on behalf of local residents by management lease company.

Present: Mr Piers Warne (Solicitor, representing the Applicant), Mr Steve Broughton (Applicant Company) and Veronica Toff (Shepherds Tavern).

Shepherds Tavern, 50 Hertford Street, W1 15/10185/LIPV	
1.	Layout alteration
	To vary the layout and design of the premises in accordance with the submitted plan to show a bar on the first floor.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): This was an application for a variation of the premises licence. The Applicant was seeking to change the layout of the first floor so as to add a bar and remove the restrictions on trading hours on the first floor so they could operate the same hours on Good Friday and Christmas Day as on other days (10:00 to 23:00 on Good Friday and Christmas Day for the sale of alcohol unless Christmas Day was on a Sunday which would mean the hours were 12:00 to 22:30). Mr Warne, representing the Applicant, addressed the Sub-Committee. He stated that Shepherds Tavern is not located in a cumulative impact area and there was therefore no presumption against the application. It was necessary to demonstrate that the proposals set out in the application would meet the relevant criteria in Policies CD1, PS1, PN1 and CH1. Mr Warne also confirmed that his client had withdrawn the live music aspect of the application. Premises are exempt from having to apply for this under the Live Music Act legislation provided it is played to an audience of less than 500 people prior to 23:00 hours. Mr Warne added that it would be rare that live music was played at the Shepherds Tavern. Mr Warne advised that four conditions had been agreed with Environmental

Health prior to the withdrawal of their representation. The Sub-Committee noted that one of these included that the premises licence holder would ensure that any patrons drinking and/or smoking outside the premises would do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. The representation of Global Invest Consult Limited at 45 Hertford Street had referred to patrons spilling over the pavement into the road. Mr Warne made the point that his client had a management plan to address this and took the matter seriously. However, this was not directly relevant to what the Applicant was applying for. The representation also referred to parking on double yellow lines which was not a matter which the Sub-Committee could take into consideration. Mr Warne disputed that it was the customers of the pub that were parking there. Most customers tended to walk to the Shepherds Tavern.

Responding to the Orbiton Estates representation, Mr Warne informed Members that the first floor of the Shepherds Tavern was already used by patrons. The first floor would be better managed with staff present there once a bar was installed. There was also an improvement in public safety as patrons had previously taken their drinks up the stairs from the ground floor bar to the first floor which was no longer necessary. There would be a slight reduction in the area used on the first floor if the varied layout was granted. Mr Warne also made the point that it was of note that the Police had withdrawn their representation and did not have concerns about crime or disorder at the premises.

In order to enable the Applicant to operate the same hours for Good Friday and Christmas Day as non-Bank Holidays, amendments to section c) and d) of condition 9 on the existing licence were sought. Mr Broughton informed Members that the aim of the revised hours on the Bank Holidays was to offer food and beers and if the demand was there, provide two sittings during the hours of operation for customers. The Sub-Committee noted that condition 9 on the existing licence also permitted an extra 'supper hour' when alcohol was ancillary to a meal but this did not include Good Friday and Christmas Day. Mr Warne clarified in response to a question from Mr Panto that his client also was looking for the 'supper hour' to apply on the Bank Holidays.

The Sub-Committee granted the application, considering that the Shepherds Tavern is not located in a cumulative impact area. There was no reason to believe that the proposals would suddenly lead to the licensing objectives being undermined at the premises. The first floor of the pub was already in use and no extension of hours was being applied for apart from Christmas Day and Boxing Day. The only period beyond the Council's Core Hours policy on Christmas Day would be the 'supper hour' when alcohol would be ancillary to food. It was considered that the application had been drafted in sufficiently wide terms to include these hours. Whilst the Sub-Committee noted the concerns expressed by Orbiton Estates, it was not considered that these marginal increases for the hours when alcohol could be sold would undermine any of the licensing objectives, especially as the existing restrictions for Christmas Day were based on the licensing regime that was in place before the Licensing Act 2003 came into force. The Sub-Committee was not able to take parking matters or live music up until 23:00 into account. Live music could already be played to less

	<p>than 500 people at Shepherds Tavern up until 23:00 without having to be licensed by the Licensing Authority. Environmental Health's and the Police's concerns had been addressed and they had not maintained their objections. Should there be instances of public nuisance then local residents or the Responsible Authorities had the option to review the premises licence.</p> <p>The Applicants had also agreed four conditions proposed by Environmental Health that had been designed to promote the licensing objectives. In addition to monitoring outside drinking and smoking, these included providing a direct telephone number for the manager at the premises to local residents and businesses, prominently displaying notices at the premises requesting patrons to respect the needs of local residents and businesses to leave quietly and deal with any litter or waste immediately outside the premises during the hours of operation.</p> <p>Mr Wroe drew the Members' and the Applicants' attention to the fact that condition 15 on the existing licence was incorrect. It had been clear from the minutes when the decision had been taken to include that condition that this should be corrected from the 'performance of live music and anything of a similar description to include Karaoke only' to the 'performance of live music and anything of a similar description shall be limited to Karaoke only'. This was accepted by the Applicant. For clarification purposes, it was agreed that as suggested by Mr Panto it should be set out in the conditions that Condition 11, on the existing and the varied licence granted by the Sub-Committee, referred to the Ground Floor only.</p>
<p>2.</p>	<p>Variation to condition</p>
	<p>To amend condition 9 (c) and 9 (d) removing the restrictions on trading hours for Good Friday and Christmas Day (for the 1st Floor only) so that the hours on that day reflect what is permitted on the licence for a Friday (10:00 to 23:00) and whatever Christmas Day falls on (Monday to Saturday 10:00 to 23:00 or Sunday 12:00 to 22:30).</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below. 9 (ii) was also amended to permit the additional 'supper hour' when alcohol was ancillary to food on Christmas Day (see reasons for decision in Section 1).</p>

Conditions attached to the Licence
<u>Mandatory Conditions</u>

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

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

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

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Additional Conditions

First Floor Only – condition 9

9. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays 10.00 to 23.00.
- (b) On Sundays 12.00 noon to 22.30.
- (c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

(ii) Alcohol may be sold or supplied for one hour following the hours set out above to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

10. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Ground Floor only – condition 11

11. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

(a) On Mondays to Thursdays, 10.00 to 23.30.

(b) On Fridays and Saturdays, 10.00 to 00.00.

(c) On Sundays, 12.00 noon to 22.30.

(d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

(a) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(e) the taking of alcohol from the premises by a person residing there;

(f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

12. This licence permits the premises to extend the sale/supply of alcohol, regulated entertainment and late night refreshment by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, with ten days notice and agreement with the police to be given
13. This licence permits the premises to extend the sale/supply of alcohol, regulated entertainment and late night refreshment by one hour on statutory bank holiday weekends, the Thursday before Good Friday and for Christmas Eve, to exclude bank holiday Mondays.
14. Children under 16 to be off the premises by 21:30.
15. Performance of live music and anything of a similar description shall be limited to Karaoke only.
16. When payment is made with credit or debit card customers is to be presented with itemised billing showing details of alcoholic drinks purchased.
17. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
18. Notices shall be prominently displayed at the exit/entrance and in the external area requesting patrons to respect the needs of local residents and businesses and when leaving to do so quietly.
19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.