



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 24th March, 2016**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP**

Members: **Councillors:**

Melvyn Caplan (Chairman)
Nick Evans
Rita Begum



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

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An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
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Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. TAO TAO JU, 15 LISLE STREET, WC2

(Pages 1 - 40)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / West End Cumulative Impact Area	Tao Tao Ju, 15 Lisle Street, WC2	Variation	16/00812/LIPV

2. SUPER STAR CHINESE RESTAURANT, 17 LISLE STREET, WC2

(Pages 41 - 76)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End Cumulative Impact Area	Super Star Chinese Restaurant , 17 Lisle Street, WC2	Variation	16/00834/LIPV

Charlie Parker
Chief Executive
18 March 2016

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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City of Westminster

Agenda Item 1 Licensing Sub-Committee Report

Item No:	
Date:	24 March 2016
Licensing Ref No:	16/00812/LIPV - Premises Licence Variation
Title of Report:	Tao Tao Ju 15 Lisle Street London WC2H 7BE
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

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 January 2016		
Applicant:	Mrs Lai Mei Tang		
Premises:	Tao Tao Ju		
Premises address:	15 Lisle Street London WC2H 7BE	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises operate as a Chinese restaurant in the basement ground and first floors.		
Variation description:	<p>The variation application is seeking the following:-</p> <ul style="list-style-type: none"> • To remove Condition 32 of the premises licence which states that "Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there." • Vary the plan to the premises licence to reflect changes to the layout of the premises, in particular: <ul style="list-style-type: none"> -The change of location of the main entrance -The movement of the bar at the front of the ground floor -The removal of the bar at the rear of the ground floor -The WC area at the rear of the ground floor has been changed to a dining area where licensable activity is carried out 		
Premises licence history:	The premises licence history can be found at Appendix 5 of the report		
Applicant submissions:	The lease of the premises is held by a company of which Mr Tang is the de-facto owner. The restaurant business is run by Mr Tang and his wife Mrs Lai Mei Tang (the premises licence holder and applicant) through their company. As the de-facto owner of the business, it is natural for Mr Tang to be at the premises and be involved in the management of the venue or the staff working there and as such Condition 32 is unreasonably restricting him from running his business and in breach his human rights to earn his living.		

The Condition was added to the premises licence pursuant to a minor variation application by the premises licence holder on 17 September 2015 following a discussion with the Westminster Licensing Inspectorate Francis Keegan. However, at the time of the application the premises licence holder had not fully appreciated the true effect of the Condition. Further, at the time of the application the licence holder had been pressured into agreeing the Condition and being threatened with a formal review and revocation of the premises licence. She had not been advised properly that there is no genuine requirement for the imposition of the Condition which, it is submitted, is a disproportionate suggestion by the Westminster Licensing Inspectorate in response to his site inspection.

It is now apparent to the premises licence holder that the Condition is very draconian and restrictive indeed as it prohibits Mr Tang from being in the premises at all, or even to make any decisions concerning his restaurant business. The effect of the Condition is that Mr Tang could not even have a meal in his own restaurant, or from making trivial decisions concerning the business, for example to change the menu, or to order stocks for his restaurants etc.

It is submitted that the removal of Condition 32 will not have any adverse impact on the four licensing objectives. There is no evidence that restricting Mr Tang from accessing the premises or be involved in the running of the business will promote the licensing objectives. Mr Tang has acknowledged the previous oversight in the management of the premises and is committed to ensuring his premises operates in accordance with the licensing conditions in future. This can be seen by him agreeing to remove himself as the DPS of the premises. The premises licence holder have also agreed for additional Conditions 33-37 to be added unto the premises licence in the minor variation application of 17 September 2015, including agreeing for a duty manager (who will be a personal licence holder) to be at the premises at all times. Mr Tang is an experienced restaurateur with many years of experience in the business. By removing Condition 32 this will enable Mr Tang to devote his time, effort and energy into ensuring the premises is run in accordance with the relevant legislations and regulations.

1-B Current and proposed licensable activities, areas and hours						
Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area:	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Tuesday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Wednesday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Thursday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Friday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Saturday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Sunday	00:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Seasonal variations:	Current:			Proposed:		
	N/A			N/A		
Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30				
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				
Saturday	23:00	00:30				
Sunday	23:00	00:00				
Seasonal variations:	Current:			Proposed:		
	N/A			N/A		
Non-standard	Current:			Proposed:		

timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day	No change
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Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Tuesday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Wednesday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Thursday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Friday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Saturday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Sunday	12:00	23:30	No change	No change	Basement, Ground Floor, First Floor	No change
Seasonal variations:	Current:				Proposed:	
	N/A				N/A	
Non-standard timings:	Current:				Proposed:	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Tuesday	10:00	00:00	No change	No change	Basement,	No change

					Ground Floor, First Floor	
Wednesday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Thursday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Friday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Saturday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Sunday	12:00	23:30	No change	No change	Basement, Ground Floor, First Floor	No change
Seasonal variations:	Current:			Proposed:		
Non-standard timings:	Current:			Proposed:		

1-C Layout alteration

There has been some layout changes of the premises which include the following:

- The change of location of the main entrance
- The movement of the bar at the front of the ground floor
- The removal of the bar at the rear of the ground floor
- The WC area at the rear of the ground floor has been changed to a dining area where licensable activity is carried out

1-D Conditions being varied, added or removed

Condition	Proposed variation
32. Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there.	To remove Condition 32 from the current premises licence

Adult entertainment:	Current position:	Proposed position:
	N/A	N/A

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Metropolitan Police
Representative:	Toby Janes
Received:	18.02.2016
<p>Dear Sir</p> <p>Application 16/00812/LIPV – TAO TAO JU, 15 Lisle Street, WC2.</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority make a representation in regard to this application. I wish to provide additional information to the committee in order to assist them with their decision. Please see (Appendix 3).</p>	
Responsible Authority:	The Environmental Service
Representative:	Ian Watson
Received:	18.02.2016
<p>I refer to the application for variation of the Premises Licence.</p> <p>The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>This representation is based on the plan reference 003249 dated 20/01/2016 and the operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To remove condition 32 that states Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there. 2. Vary the licence plan with the plan attached to this application. 	

I wish to make the following representation

1. The removal of condition 32 will impact on Crime and Disorder and have the likely effect of causing an increase in Public Nuisance within the West End CI Area.
2. The applicant has not stated the alterations that have or are likely to be made to the premises which may impact on Public Safety or have the likely effect of an increase in public nuisance within the West End CI Area.

The applicant has provided information in support of the application but this does not fully address the concerns of Environmental Health.

Should you wish to discuss the matter further please do not hesitate to contact me.

I will be representing Environmental Health at the forthcoming licensing sub-committee hearing on the 24th March. In support of my representation I will be calling Francis Keegan and Siv Kumar to give evidence. A Witness Statement and emails from Mr Francis Keegan can be found in **Appendix 4** of the report.

The Environmental Health Service has withdrawn their representation to the change of layout at the premises but will be maintaining their representation against the removal of Condition 32 on the licence.

3. Policy & Guidance

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

Policy CIP1 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 RNT2 applies:	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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Police summary of incident on Thursday 22 nd July 2015 at 17 Lisle Street and investigation
Appendix 4	The Environmental Health Service supporting documents namely, <ul style="list-style-type: none"> • Mr Francis Keegan's Witness Statement • Email exchanges between Mr Francis Keegan and Mr P H Yeung. • Email exchanges between Mr Francis Keegan and Mr Andrew Wong
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity

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

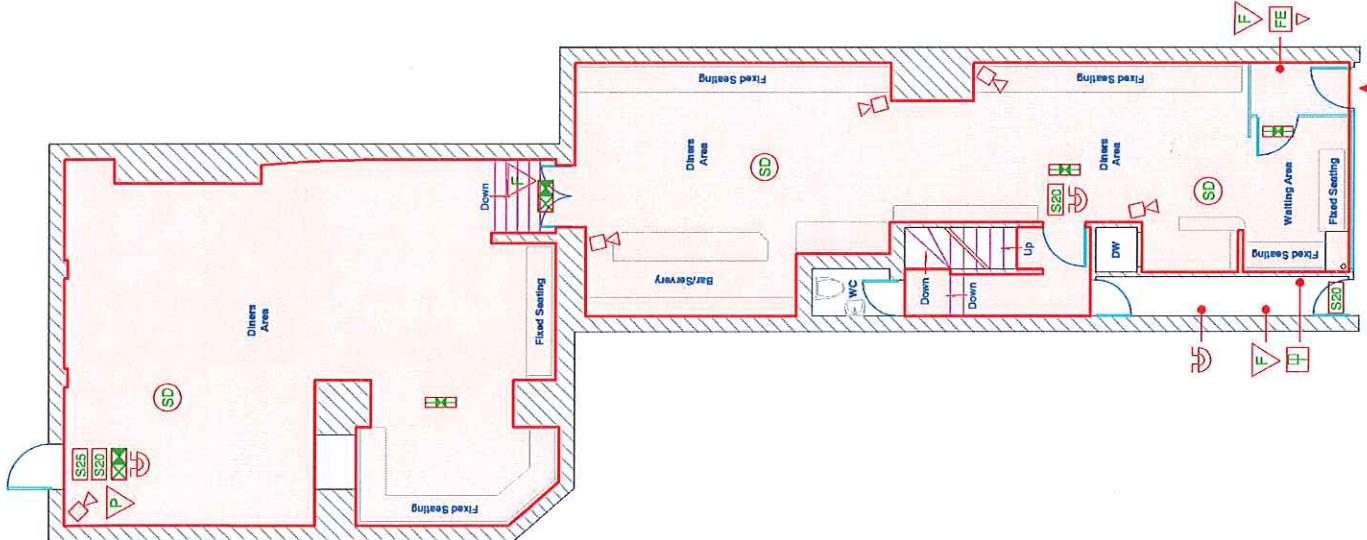
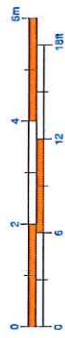
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.		
Background Documents – Local Government (Access to Information) Act 1972		
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015

APPENDIX 1

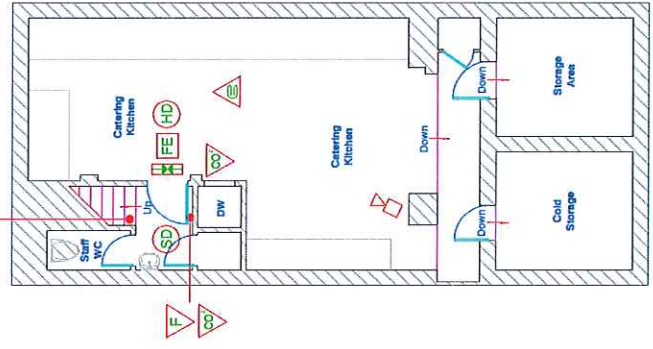
Drawing No: 003249	Drawing Title: Premises Licensing Plan	Property: Tao Tao Ju Restaurant 15 Lisie Street London WC2H 7BE	Date: 20/01/2016	Sheet: 1 of 1
UK Surveyors Ltd <small>CAD Drafting - Planning - Building Regulations Building Surveying - Alcohol Licensing</small>		Phone: 0808 168 9059 Email: enquiries@uksurveyors.net Website: www.uksurveyors.net	Do not scale off this plan	
		Drawn By: BC & DJR Scale: 1:100 @ A3		

Drawing Symbols

- : Heat Detector
- : Smoke Detector
- : Manual Glass Point
- : Fire Exit Sign Directional
- : Sounder
- : Push Bar To Open
- : Emergency Lighting Linear Enclosed
- : Exit Sign Internally Illuminated
- : Fire Escape, Keep Clear
- : Fire extinguisher - Powder
- : Fire extinguisher - Foam
- : Fire extinguisher - CO2
- : CCTV
- : Fire Blanket
- : Licensed Area



Ground Floor Plan



Basement Floor Plan

Notes:
This drawings have been produced to the standards set out within the Licensing Act 2003. No deviation may be made from the details shown without the prior written permission of UK Surveyors Ltd. Any discrepancy found between this drawing and any other document should be referred immediately to UK Surveyors.
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Licensed Floor Area
Licensed Ground Floor Area: 126.2sm
Licensed First Floor Area: 23.4sm
Total Licensed Floor Area: 149.6sm

No supporting documentation received

Wade, Yolanda

From: Janes, Toby
Sent: 16 March 2016 14:38
To: Wade, Yolanda
Subject: 17 Lisle Street - investigation summary

Hi Yolanda

Below is a summary of the investigation will this be sufficient?

Thanks

Toby

Summary of incident and investigation.

On Thursday 2nd July 2015 Francis KEEGAN and Siva KUMAR were in plain clothes and on duty as Licensing inspectors from Westminster Council. At approximately 0220 hours they attempted to enter 17 Lisle street as they believed licensed activity was taking place after hours. They both showed their council ID to a male at the entrance who claimed that he did not work there. They waited for a short while before proceeding up the stairs unaccompanied. They walked into a room of about 30 people. Francis was suddenly approached by Mr TANG and before he had chance to formally introduce himself and his colleague Mr TANG started shouting at him in Chinese and poked him in the ribs and pushed him. Francis KEEGAN protested and asked him to not touch him, saying clearly that he was on 'official business' and that he should not touch him. MR TANG did not understand and grabbed his right arm and pulled him towards the door in order to eject him. At this point MR TANGS wife pushed in between them both and released MR KEEGANS arm from MR TANGS GRIP. Mr KEEGANS bag fell on the floor and as KUMAR tried to pick it up MR TANG grabbed his shirt. MR TANG eventually let go and was dragged away by his wife who then dealt with the inspectors. Francis did not sustain any visible injury.

The venue was visited by myself two days after the incident and CCTV footage was requested as they had cameras fitted in the venue. At the time the staff member was unable to operate the CCTV so was unable to show me any footage (this was not a condition on the licence at the time). I returned the following day and met with Mr TANG who was able to operate the CCTV but informed me it had not been recording as he was unable to find any footage. I looked at the system and observed that no data was being stored on the Hard drive. I was unable to tell if data on the hard drive had been recently deleted.

Mr Tang was interviewed under caution and during interview MR TANG denied assault and poking Francis in the ribs stating that he was at a staff party which was not open to the public and no licensable activity was taking place. He had been drinking and when he saw the two males enter he did not know who they were as they were not in uniform and were not displaying any ID. As he was in charge of the party he did not want anyone he did not know entering and so attempted to stop them using his arms to block them. He stated he then tried to lead them to the door so they could leave. He states that as soon as they identified themselves properly he stopped and walked away and let his wife deal with the situation. He states he put out his arm to block Francis and Siva to stop them coming further into the room, but made no attempt to assault them.

CCTV was checked however the footage had been not recorded.
There are no known independent witnesses
No visible injuries.

The evidence was passed to the Evidence review officer who reviewed the case and made the decision of no further action due to insufficient evidence.

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MG11C

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Francis KEEGAN

Age if under 18: OVER 18 18 insert 'over 18' Occupation: City Inspector

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Francis Keegan Date: 18.7.15

I am the above named person and am employed by the City of Westminster as a City Inspector. Part of my role is to monitor licensed venues, and I am authorised to enter and inspect such venues.

On Thursday 2nd July 2015 I was on duty in the West End with my colleague, Mr S Kumar

At approximately 0220 hours we were in Lisle Street when we were passing the venue known as Super Star Restaurant at 17 Lisle Street, London WC2.

I noticed the entrance door of the venue was open, and a number of Chinese looking ladies left the venue. I noticed that the door to the venue was being held open for the ladies in question by a young Chinese man dressed in black. Suddenly the door closed and I witnessed the man lock the door shut.

Mr Kumar and I approached the venue, the ground floor of which was in darkness. I saw the first page of the Part B/Summary of a premises licence displayed in the window, which suggested that the venue should have ceased trading at 1am.

I knocked firmly on the venue's glass door and held my Council issued identification/photocard to the glass. The young man approached and I called out "Westminster Council, Licensing visit, open up please". There was some delay but the young man eventually opened the door using a key and I explained who I was and that I wanted to see the manager. I could hear very loud music coming from upstairs. The man asked me to wait at the entrance, but we said we preferred to come in (which we did).

I saw an elderly man at the rear of the venue's ground floor, sitting at a table and using a laptop, and he announced that there was a staff party taking place upstairs. I thanked him for volunteering this information.

I asked the younger man where the manager was, but no useful answer was given. I then noticed that (what I believed to be) a fire door between the room I was in and the stairwell was wedged fully open by a chair. Both men claimed that they did not work at the venue (even the younger man, who had the key to the entrance door) I announced that I had waited long enough, and was going upstairs. This seemed to upset the young man and he stepped

Witness Signature: Francis Keegan

Signature Witnessed by Signature:

Continuation of Statement of: FRANCIS KEEGAN
forward. I told him that I was an authorised Council Officer, and I asked him to step back as he was invading my space.

In the stairwell I saw, and pointed out to my colleague, that not only was a fire door (?) wedged open, but that numerous items (mainly cardboard boxes) were being stored in the emergency escape route.

We ascended the stairs and I entered a large room. I saw many Chinese people (30 or more) sitting and standing. There were many plates and platters with food on them, and many opened bottles of "Tiger" beer. I asked a few people who looked like they worked there (as they were dressed as waiting staff), but they all claimed that they did not. I walked slowly around the room to ascertain exactly what was going on, when suddenly a man who I recognized approached me. Before I had a chance to formally introduce my colleague and I, the man started shouting at me in Chinese, and poking me in the ribs and pushing me. I protested, asking him not to touch me, saying clearly that I was on official business, and that he should not touch me. He did not seem to listen, and then suddenly he grabbed my right arm firmly and started to pull me towards the door leading to the stairs.

I heard a scream from behind me, and looked to see an older Chinese lady (who I also recognized) who was clearly in distress. She rushed forward, as did a younger man, and they (and others) got between me and the man who had grabbed my arm, and they struggled with him.

I was concerned that I may fall over because of his actions and /or that he would get me to the stairs and throw me down them. I resisted his efforts to pull me forward, and used my free arm to push against the door frame

I could see my colleague to my right, who was obviously concerned but who (quite rightly, I feel) stood back from the "action"

Suddenly the group before me seemed to stumble, and the man released my arm, and I suddenly lost my back-pack, which had been slung over my right shoulder. I did not worry about this, being merely happy that I was now in less danger. However, Mr Kumar stepped forward to get my bag, and before I could tell him not to bother the assailant grabbed his shirt collar. There was a great deal of shouting by now from the attacker, the older lady, and others, but after a few moments I could see that my colleague was free and I indicated that he should join me at a vacant table some distance from the continuing violent scene, which involved a great deal of shouting and struggling

Suddenly the man who had grabbed me was nowhere to be seen, and the older lady mentioned above (who was clearly distraught) gave some instructions to a number of people, one of whom came forward eventually and spoke to us, confirming that he was a member of staff. He was unable to produce the full licence (Part A) when requested to do so. Whilst waiting for him to find the document, my colleague and I checked the upper floors which were by then empty but were laid out as private / karaoke rooms. During this time my colleague mentioned that he had seen people playing cards when he first entered the first floor, and that he saw money on the table, but I did not see this myself.

Witness Signature: *Francis Keegan*

Signature Witnessed by Signature:

Continuation of Statement of: FRANCIS KEEGAN

However, I felt that what the staff member (and others) said to us was unhelpful and (I am sure) untruthful. However, he confirmed that the venue had a good CCTV system and I said that he should ensure that all CCTV images relating to our visit should be retained as potential evidence.

By now the music had died down considerably, and I pointed out a few matters of concern to the members of staff already mentioned, and soon after this my colleague and I left the venue having issued some strong words of advice to those who would listen

I was quite shaken by the incident and on reflection I had cause to think that my personal safety had been put at risk. What concerned me most was the totally unreasonable behaviour of the man who attacked me. He simply refused to listen to anything I said, and he grabbed hold of my arm very firmly and would not let go until he was forced to do so. I believe he would have thrown me down the stairs if he had been able/allowed to do so

Upon my return to the office I submitted a brief report by email about what had happened to my line manager (Andrew Ralph) which I now see contains a number of typing error On 6 July I returned to the venue with another colleague (Tony Miah) and we also visited another venue (at 15 Lisle Street). Eventually, Mr Desmond Sai Loi Tang (the licensee for both venues) came forward. I recognised him as the man who had attacked me, and he agreed that he was the person in question, and that the lady who had screamed (and come to my aid) was the other licensee (and his wife), Mrs Tang

On 6 and 7 July 2015 I told the Westminster Police Licensing team that I wanted to bring a formal complaint against Mr Desmond Sai Loi Tang , and asked them to secure the CCTV images from the venue's system which I feel will fully confirm my version of events

I asked them to also deliver to the venue a copy of a letter I had already sent to Mrs Tang, and which has now been acknowledged by Mr P H Yeung (of 3 Rupert Court, London. W1) who says he has been instructed by her in relation to the "unfortunate incident".

I would describe Mr TANG as a Chinese looking male, Late 50's, overweight and approximately 5'6" tall. He has dark straight short hair and was wearing a dark jacket.

The assault on me lasted about 2 minutes, at all times I had a clear and unobstructed view of Mr TANG and the visibility was good due to the room being well lit. I do recognise Mr TANG as I have met him on a previous occasion at his other restaurant.

At no time did I give anyone permission to assault me in this way. I am happy to attend court if needed.

Witness Signature: *Francis Keegan*

Signature Witnessed by Signature:

From: Andrew Wong [mailto:AWW@jgrlaw.co.uk]
Sent: 15 September 2015 13:10
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Thanks Francis
Yes two applications

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
Direct Tel: ++44 - (0)20 7339 7067
Direct Fax: ++44 - (0)20 7307 0279
www.jgrweb.com

"Leading Individual" and "Recommended Individual" 2015 by Legal 500
"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [mailto:fkeegan@westminster.gov.uk]
Sent: 15 September 2015 13:07
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Noted, and thanks

You mention "the application", but I assume you mean the (2) applications to vary the two licences ?

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

From: Andrew Wong [mailto:AWW@jgrlaw.co.uk]
Sent: 14 September 2015 18:46
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Francis

As discussed today, I will ensure an application is submitted before you return to work this Saturday. I have completed the drafting and I am awaiting the fund to come through to submit the application so it will be in before Friday as agreed. I will make sure you are copied in.

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
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Direct Fax: ++44 - (0)20 7307 0279
www.jgrweb.com

"Leading Individual" and "Recommended Individual" 2015 by Legal 500
"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]
Sent: 14 September 2015 13:16
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Sir,

I have discussed your proposal with my colleagues, and I regret to advise you that I am not minded to accept the suggested applications.

My stance remains that the applications as suggested by myself should be submitted, or else formal Reviews of both licences will be sought.

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Andrew Wong [<mailto:AWW@jgrlaw.co.uk>]
Sent: 14 September 2015 12:33
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Francis
Yes this is confirmed as what I will present to the client.
CCTV conditions agreed and I will be making two applications.

Best wishes

Andrew Wong

Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
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"Leading Individual" and "Recommended Individual" 2015 by Legal 500
"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]
Sent: 14 September 2015 12:29
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Sir,

I have just got your email, and before I respond more fully can you please confirm that an application along the lines you have suggested will be submitted for both venues, and that the additional 2 (CCTV related) conditions will also go on the licence for No 17 Lisle Street ?

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Keegan, Francis
Sent: 14 September 2015 10:39
To: 'Andrew Wong'
Subject: FW: 15 Lisle St and 17 Lisle Street

On Friday, 21 August 2015, 1:39, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Dear Sir,

Thank you for your email.

I note you say that you did not request a further meeting , so it seems I misunderstood your earlier comments (i.e. Once I have your proposed conditions, I **should be able to discuss the matter further with you.**). My apologies.

In any event, the new conditions I would ask for are as follows:

In respect of No 17 Lisle Street, I would ask your client to consider seeking a variation of the licence so as to add CCTV-related conditions similar to those listed as condition Nos 29 and 30 on the licence issued for No 15 Lisle Street dated 27 July 2015.

In addition, for both venues, I would ask your client to consider seeking a variation of the licences so as to add the following conditions:

Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there

If the premises licence holder is not present, there shall be a duty manager upon and in charge of the venue whenever it is open and trading, and whenever any person (other than staff members) are still present *. This duty manager shall be the holder of a personal licence, evidence of which shall be produced to authorised persons upon request. The licensee or duty manager shall make themselves known promptly to any authorised persons who visit or inspect the venue and s/he shall assist them in their duties.

In the absence of the premises licence holder, a letter of delegations specifically naming the duty manager(s) shall be prominently displayed near the entrance of the venue.

The licensee or duty manager shall ensure that the venue is operated safely and that no unlawful activities are permitted to take place within the venue, and shall also ensure that all licensable activities are strictly limited to those areas covered by the licence and to the permitted hours.

The entrance to the venue shall not be locked whenever any persons (other than staff members) are still present, and authorised officers shall be given prompt access to all parts of the premises at any reasonable time.

***The effect of this condition is that a duty manager cannot leave the venue at relevant times (even temporarily) unless there is another properly nominated manager also upon the venue to take his/her place.**

Please submit the suggested applications within the next 7 days or submit to me a written explanation as to why the applications (as suggested) are not to be submitted, in which case I will have to consider my options.

Also, within the next 7 days, I should like to receive further information about your other comments (i.e. "I have been asked by my clients to consider the trading activities of 17 Lisle Street, and how the premises should be better used particularly in compliance with licensing regulations.")

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]
Sent: 18 August 2015 05:35
To: Keegan, Francis
Cc: Janes, Toby
Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,
As a matter of fact, I did not request a further meeting, but if a meeting is necessary to progress matter, I am more than happy to attend with Mrs Tang. Please let me know in due course.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile 07973 279 283

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On Monday, 17 August 2015, 18:09, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Thank you, Sir.

I am glad that the potential misunderstanding has been resolved, and I note your request for a further meeting to be arranged after I have sent you the proposed new conditions, which I hope to send to you soon after discussing the matter with my line manager.

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]
Sent: 17 August 2015 17:35
To: Keegan, Francis
Cc: Janes, Toby
Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,

It was the incorrect impression I gained from your email. There was a small delay in replying, and you re-stated the situation as if you were not aware the applications were prompted by you, and it was not an easy decision to make and my clients were complying with what you had stated in your email dated 21.7.2015 "for a more open/honest and more mature relationship" (very impressive on paper). I trust the application would be eventually accepted and approved by the Council without further ado.

I have been asked by my clients to consider the trading activities of 17 Lisle Street, and how the premises should be better used particularly in compliance with licensing regulations.

Once I have your proposed conditions, I should be able to discuss the matter further with you.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile 07973 279 283

Authorized and regulated by the Solicitors Regulation Authority SRA 78999

On Monday, 17 August 2015, 10:15, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Dear Sir,

I am aware that the applications already submitted were done so at my request.

But I see nothing in my recent emails suggesting that I now want those applications withdrawn or that they are not necessary.

May I ask what has made you think this is the case ?

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]

Sent: 16 August 2015 19:51

To: Keegan, Francis

Cc: Janes, Toby

Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,

The applications were made at your request by my clients. If you do not believe those applications are necessary, my clients can withdraw the applications.

I look forward to hearing you further on this.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0 0888 Fax: 0207 681 3123 Mobile 07973 279 283

Authorised and regulated by the Solicitors Regulation Authority SRA 7899

On Sunday, 16 August 2015, 19:47, Pinghang Yeung <bphyeung@yahoo.co.uk> wrote:

Dear Mr Keegan,

London Borough of Barnet.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile
07973 279 283

Authorised and regulated by the Solicitors Regulation Authority SRA 78999

On Sunday, 16 August 2015, 13:12, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

By the way, which Local Authority issued the personal licence held by your client,
Mrs Tang ?

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

From: Keegan, Francis

Sent: 16 August 2015 12:43

To: 'bphyeung@yahoo.co.uk'

Cc: 'jspiegler@landtp.com'; Janes, Toby

Subject: 15 Lisle St and 17 Lisle Street

To ; Mr P H Yeung

Dear Sir,

I write further to my email of 6 August.

On 27 July the new premises licence for 15 Lisle Street was sent to Messrs Tomas and Thomas (see below) and now your client (Mrs Tang) has now applied to transfer the licence and to nominate herself as the DPS.

Similar applications have been submitted in respect of 17 Lisle Street.

I shall advise you shortly of what additional licence conditions I will be inviting your client to attach to each licence by way of variation applications.

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster
4th Floor Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 4429
Fax: 020 7641 3436
fkeegan@westminster.gov.uk
www.westminster.gov.uk

Please don't print this e-mail unless you really need to.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/04373/LIPC	Application to convert and vary existing justice on licence	20.06.2005	Conversion and variation granted under delegated authority
06/08012/WCCMAP	Application for a new premises licence	20.06.2005	Granted under delegated authority
11/00399/LIPT	Transfer of premises licence from You Fook Jim and Yuk Keung Lam to Shaftesbury Chinatown Ltd	31.01.2011	Granted under delegated authority
11/11469/LIPT	Transfer of premises licence from Shaftesbury Chinatown Ltd to Tang and Yan Limited	07.12.2011	Granted under delegated authority
11/11480/LIPDPS	Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor	07.12.2011	Granted under delegated authority
14/11401/LITENP	Temporary Event Notice	30.01.2015	Notice allowed
14/11410/LIPN	Application for a new premises licence	06.03.2015	Granted under delegated authority
14/11446/LITENP	Temporary Event Notice	24.07.2015	Notice allowed
15/06493/LIPT	Transfer of premises licence from Desmond Soi Loi Tang to Mrs Lai Mei Tang	19.08.2015	Granted under delegated authority
15/06517/LIPDPS	Application to Vary a Premises Licence to Specify an Individual	19.08.2015	Granted under delegated authority

	as Designated Premises Supervisor		
	Application for a Minor Variation	02.10.2015	Granted under delegated authority

There is no appeal history

*CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND
CONDITIONS PROPOSED BY A PARTY TO THE HEARING*

When determining an application for a variation premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Conditions: On Current Licence -

Mandatory:

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.

Annex 2 – Conditions consistent with the operating Schedule

- 9. The premises shall only operate as a restaurant:
 - a. in which customers are shown to their table;
 - b. where the supply of alcohol is by waiter or waitress service only;
 - c. 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;
 - d. which do not provide any take away service of food or drink for immediate consumption;
 - e. which do not provide any take away service of food or drink after 23.00, and
 - f. 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.
- 10. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
- 11. 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.
- 12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 13. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:

Ground Floor	90 persons
First Floor	20 persons
19. 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.
20. A Challenge 21 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.
21. The licence holder shall ensure that all relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
22. All relevant staff will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
23. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
24. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

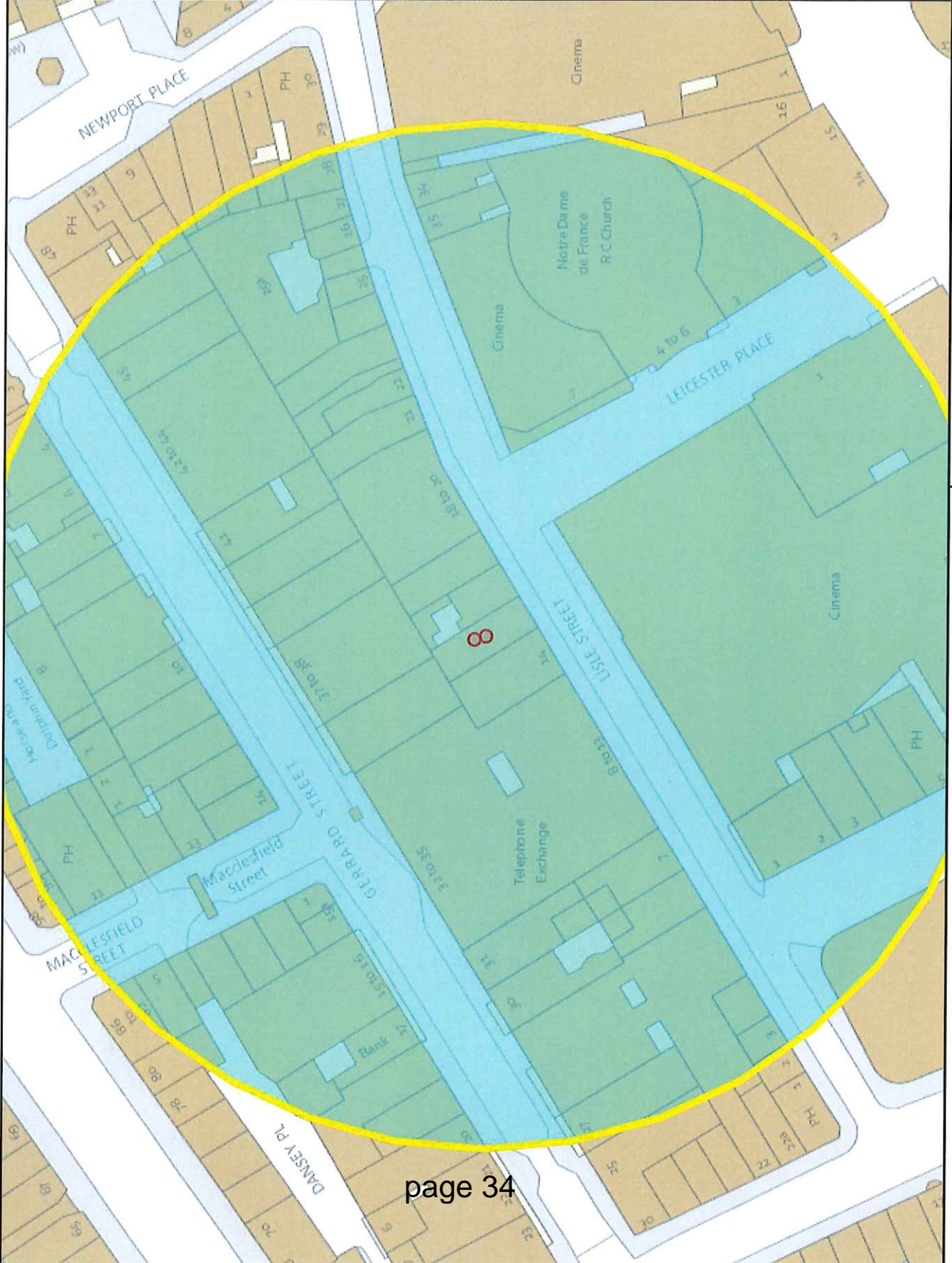
25. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
26. There shall be no self service of alcohol on the premises.
27. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so 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.
28. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
29. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
30. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
31. 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, which 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 or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service.
32. Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there.
33. If the premises licence holder is not present, there shall be a duty manager upon and in charge of the venue whenever it is open and trading, and whenever any person (other than staff members) are still present. The effect of this condition is that a duty manager cannot leave the venue at relevant times (even temporarily)

unless there is another properly nominated manager also upon the venue to take his/her place.

34. This duty manager shall be the holder of a personal licence, evidence of which shall be produced to authorised persons upon request. The licensee or duty manager shall make themselves known promptly to any authorised persons who visit or inspect the venue and s/he shall assist them in their duties.
35. In the absence of the premises licence holder, a letter of delegations specifically naming the duty manager(s) shall be prominently displayed near the entrance of the venue.
36. The licensee or duty manager shall ensure that the venue is operated safely and that no unlawful activities are permitted to take place within the venue, and shall also ensure that all licensable activities are strictly limited to those areas covered by the licence and to the permitted hours.
37. The entrance to the venue shall not be locked whenever any persons (other than staff members) are still present, and authorised officers shall be given prompt access to all parts of the premises at any reasonable time.

Annex 3 – Conditions attached after a hearing by the licensing authority

None



APPENDIX 7

Residential / Proposed Residential	108
Under Construction	
Other Uses	
Proportion Residential of all Uses	

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Data Source: Uniform Database
Date: 08/03/2016

Premises within 75 metres of: Tao Tao Ju 15 Lisle Street London			
p / n	Name of Premises	Premises Address	Licensed Hours
30436	See Wco Supermarket	Ground Floor 18-20 Lisle Street London WC2H 7BA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
30894	Leong's Legend II	26-27 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
27874	Little Four Seasons	Basement To First Floor 11 Gerrard Street London W1D 5PP	Monday to Saturday 11:00 - 00:00 Sunday 11:00 - 01:00
-26015	Prince Charles Cinema	Ground Floor And Basement Charles House 7 Leicester Place London WC2H 7BP	Sunday to Thursday 09:00 - 03:00 Friday to Saturday 09:00 - 07:00
-81	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
28187	Haozhan	Basement To First Floor 8 Gerrard Street London W1D 5PJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
20526	New Loon Fung Chinese Restaurant	Above Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-17224	Manchurian Legends	15 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14803	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	Monday to Sunday 00:01 - 00:00
-3855	Dumplings' Legend	Basement To First Floor 15 - 16 Gerrard Street London W1D 6JB	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 00:00
-32104	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	Monday to Sunday 00:01 - 00:00
6200	Leong's Legend	4 Macclesfield Street London W1D 6AX	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
12067	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13033	New Loon Moon	9 Gerrard Street London W1D 5PN	Monday to Sunday 10:30 - 20:00
16056	Tao Tao Ju	15 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

15355	Rasa Sayang Restaurant	5 Macclesfield Street London W1D 6AY	Monday to Saturday 11:00 - 00:00 Sunday 11:00 - 23:30
24981	Experimental Cocktail Club	First Floor And Second Floor 13 Gerrard Street London W1D 5PS	Sunday 09:00 - 02:00 Sundays before Bank Holidays 09:00 - 02:30 Monday to Saturday 09:00 - 03:30
8613	Er Mei	Basement And Ground Floor 6-7 Lisle Street London WC2H 7BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
18315	China Exchange	Gerrard Building 32-35 Gerrard Street London W1D 6JA	Monday to Sunday 10:00 - 22:00
-26443	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BG	Thursday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Wednesday 07:00 - 23:20
22547	Hong Kong Buffet	Ground Floor To First Floor 14 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 03:30 Sunday 11:00 - 03:00
27263	Loon Tao Chinese Restaurant	31 Gerrard Street London W1D 6JT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
22545	Mao Tai Kitchen	Basement And Ground Floor 12 Macclesfield Street London W1D 5BP	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 01:00
21380	Royal Dragon Chinese Restaurant	30 Gerrard Street London W1D 6JS	Monday to Sunday 09:00 - 03:00 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-17134	New Fook Lam Moon	Basement And Ground Floor 10 Gerrard Street London W1D 5PW	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-13929	Beijing Dumplings	Basement And Ground Floor 23 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 08:00
23605	Golden Phoenix	37-38 Gerrard Street London W1D 5QB	Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
-31641	Little Penang	Ground Floor 18 Gerrard Street London W1D 6JF	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-21888	Ku Bar	29 - 30 Lisle Street London WC2H 7BA	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30 Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
15987	De Hems Public House	11 Macclesfield Street London W1D 5BW	Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30
-19421	Opium Dim Sum Parlour	Ground Floor Entrance And Second Floor To Fourth Floor 15 - 16 Gerrard Street London W1D 6JB	Sunday 12:00 - 00:00 Monday to Saturday 12:00 - 03:00
30784	Lotus Garden	1-2 Macclesfield Street London W1D 5BP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

3495	Jinli Chinese Restaurant	Ground 4, Leicester Street London WC2H 7BL	Friday to Saturday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00
31675	Four Seasons	12 Gerrard Street London W1D 5PR	Monday to Sunday 09:00 - 03:30
26398	Young Cheng Restaurant	22 Lisie Street London WC2H 7BA	Sunday 10:00 - 00:00 Monday to Thursday 10:00 - 01:00 00:30 Friday to Saturday 10:00 - 01:00
-9609	Harbour City Restaurant	Ground Floor 4B Gerrard Street London W1D 5QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
31050	Super Star Chinese Restaurant	17 Lisie Street London WC2H 7BE	Monday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
14181	London Chinatown Restaurant	27 Gerrard Street London W1D 6JN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
11690	Pepper Lime	Basement To First Floor 25 Lisie Street London WC2H 7BA	Friday to Saturday 11:30 - 00:00 Sunday 11:30 - 22:30 Monday to Thursday 11:30 - 23:30
-3859	Leicester Square Theatre	Whole Building 5 Leicester Place London WC2H 7BP	Monday to Saturday 09:00 - 02:30 Sunday 09:00 - 23:00
-23808	The Imperial	5 Leicester Street London WC2H 7BL	Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 22:50 Monday to Thursday 07:00 - 23:30
18045	Loon Fung Supermarket	Ground Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 06:00 - 23:00 Sunday 10:00 - 22:30
12477	Joy King Lau Restaurant	3 Leicester Street London WC2H 7BL	Monday to Sunday 12:00 - 00:00
7715	Suki	39 Gerrard Street London W1D 5QD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-5559	Oriental Delight	14 Gerrard Street London W1D 5PT	Sunday 11:00 - 22:30 Monday to Saturday 11:00 - 23:00
-7981	Far East Restaurant	Ground Floor 13 Gerrard Street London W1D 5PS	Monday to Sunday 23:00 - 05:00
-5026	Imperial China	Wheeler House 25A Lisie Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-13492	Mr Kong Chinese Restaurant	21 Lisie Street London WC2H 7BA	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 03:00
-18514	Lido Chinese Restaurant	41 Gerrard Street London W1D 5QF	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 00:00









City of Westminster

Agenda Item 2 Licensing Sub-Committee Report

Item No:	
Date:	24 March 2016
Licensing Ref No:	16/00834/LIPV - Premises Licence Variation
Title of Report:	Super Star Chinese Restaurant 17 Lisle Street London WC2H 7BE
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:	Mr Ola Owojori Senior Licensing Officer
Contact details	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 January 2016		
Applicant:	Mrs Lai Mei Tang		
Premises:	Super Star Chinese Restaurant		
Premises address:	17 Lisle Street London WC2H 7BE	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises operate as a Chinese restaurant in the basement ground and first floors.		
Variation description:	To remove Condition 11 of the premises licence which states that "Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there."		
Premises licence history:	The premises licence history can be found at Appendix 5 of the report		
Preliminary Note:	<p>The premises licence has been subjected to a quality check. The current licence issued on 6 November 2015 contains a number of errors. The errors relate to the standard conditions relating to the converted Night Café licence and the conditions of the Justice Restaurant licence. The correct licensing position is as follows:</p> <p>Alcohol is supplied for consumption on the premises</p> <p>Conditions relating to the provision of late night refreshment</p> <p>This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.</p> <p>The premises maybe kept open for the purposes of this licence from midnight on each of the days Sunday to Thursday to 1:00 am on the day following and from midnight on the days Friday and Saturday to 2:00am on the day following:</p> <p>The number of persons that can be accommodated shall not exceed: Ground floor – 60, First floor 60 (excluding staff)</p> <p>Conditions reproducing the effect of conditions</p>		

	<p>subject to which the relevant existing licences have effect</p> <p>Conditions for Sale of Alcohol</p> <p>Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.</p> <p>Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.</p> <p>Alcohol may be sold or supplied:</p> <p>(d) On New Year's Eve, except on a Sunday, 10:00 to 00:00</p> <p>(e) On New Year's Eve on a Sunday, 12:00 to 23:30</p> <p>Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment</p> <p>The terminal hour for Late Night Refreshment on New Year's Eve is extended to 05:00 on New Year's Day.</p>
<p>Applicant submissions:</p>	<p>The restaurant business is run by Mr Tang and his wife Mrs Lai Mei Tang (the premises licence holder and applicant) through their company. As the de-facto owner of the business, it is natural for Mr Tang to be at the premises and be involved in the management of the venue or the staff working there and as such Condition 11 is unreasonably restricting him from running his business and in breach his human rights to earn his living.</p> <p>The Condition was added to the premises licence pursuant to a minor variation application by the premises licence holder on 17 September 2015 following a discussion with the Westminster Licensing Inspectorate Francis Keegan.</p> <p>However, at the time of the application the premises licence holder had not fully appreciated the true effect of the Condition. Further, at the time of the application the licence holder had been pressured into agreeing the Condition and being threatened with a formal review and revocation of the premises licence. She had not been</p>

advised properly that there is no genuine requirement for the imposition of the Condition which, it is submitted, is a disproportionate suggestion by the Westminster Licensing Inspectorate in response to his site inspection.

It is now apparent to the premises licence holder that the Condition is very draconian and restrictive indeed as it prohibits Mr Tang from being in the premises at all, or even to make any decisions concerning his restaurant business. The effect of the Condition is that Mr Tang could not even have a meal in his own restaurant, or from making trivial decisions concerning the business, for example to change the menu, or to order stocks for his restaurants etc.

It is submitted that the removal of Condition 11 will not have any adverse impact on the four licensing objectives. There is no evidence that restricting Mr Tang from accessing the premises or be involved in the running of the business will promote the licensing objectives.

Mr Tang has acknowledged the previous oversight in the management of the premises and is committed to ensuring his premises operate in accordance with the licensing conditions in future. This can be seen by him agreeing to remove himself as the DPS of the premises. The premises licence holder have also agreed for additional Conditions 12-18 to be added unto the premises licence in the minor variation application of 17 September 2015, including agreeing for a duty manager (who will be a personal licence holder) to be at the premises at all times and also agreeing for CCTV to be installed at the premises.

Mr Tang is an experienced restaurateur with many years of experience in the business. By removing Condition 11 this will enable Mr Tang to devote his time, effort and energy into ensuring the premises is run in accordance with the relevant legislations and regulations.

1-B Current and proposed licensable activities, areas and hours					
Regulated Entertainment					
Recorded Music and Private Entertainment					
	Current Hours		Proposed Hours		Licensable Area:
	Start:	End:	Start:	End:	Current: Proposed:

Monday	Unrestricted	Unrestricted	No change	No change		
Tuesday	Unrestricted	Unrestricted	No change	No change		
Wednesday	Unrestricted	Unrestricted	No change	No change		
Thursday	Unrestricted	Unrestricted	No change	No change		
Friday	Unrestricted	Unrestricted	No change	No change		
Saturday	Unrestricted	Unrestricted	No change	No change		
Sunday	Unrestricted	Unrestricted	No change	No change		
Seasonal variations:	Current:			Proposed:		
	N/A			N/A		
Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:00	No change	No change	Basement, ground and first floors	No change
Tuesday	23:00	01:00	No change	No change	Basement, ground and first floors	No change
Wednesday	23:00	01:00	No change	No change	Basement, ground and first floors	No change
Thursday	23:00	01:00	No change	No change	Basement, ground and first floors	No change
Friday	23:00	02:00	No change	No change	Basement, ground and first floors	No change
Saturday	23:00	02:00	No change	No change	Basement, ground and first floors	No change
Sunday	23:00	01:00	No change	No change	Basement, ground and first floors	No change
Seasonal variations:	Current:			Proposed:		
	On New Year's Eve 23:00 – 05:00			No change		
Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

Sale by Retail of Alcohol					
On or off sales		Current :		Proposed:	
		Both		No change	
	Current	Proposed		Licensable Area	

	Hours		Hours		Current:	Proposed:
	Start:	End:	Start:	End:		
Monday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Tuesday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Wednesday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Thursday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Friday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Saturday	10:00	00:00	No change	No change	Basement, Ground Floor, First Floor	No change
Sunday	12:00	23:30	No change	No change	Basement, Ground Floor, First Floor	No change
Seasonal variations:	Current:				Proposed:	
	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 (or, if there are no permitted hours on the following day, midnight on 31 st December)				No change	
Non-standard timings:	Current:				Proposed:	
	Good Friday 12:00- 23:30				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change	No change	Basement, Ground Floor, First Floor	No change
Tuesday	10:00	01:00	No change	No change	Basement, Ground Floor, First Floor	No change
Wednesday	10:00	01:00	No change	No change	Basement, Ground Floor, First Floor	No change

Thursday	10:00	01:00	No change	No change	Basement, Ground Floor, First Floor	No change
Friday	10:00	02:00	No change	No change	Basement, Ground Floor, First Floor	No change
Saturday	10:00	02:00	No change	No change	Basement, Ground Floor, First Floor	No change
Sunday	12:00	01:00	No change	No change	Basement, Ground Floor, First Floor	No change
Seasonal variations:	Current:			Proposed:		
	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 (or, if there are no permitted hours on the following day, midnight on 31 st December)			No change		
Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

1-C Conditions being varied, added or removed		
Condition	Proposed variation	
11. Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there.	Proposed to be removed	
Adult entertainment:	Current position:	Proposed position:
	N/A	N/A

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Metropolitan Police
Representative:	Toby Janes
Received:	17.02.2016

Dear Sir

Application 16/00834/LIPV – Super Star Restaurant, 17 Lisle Street, WC2.

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority make a representation in regard to this application. I wish to provide additional information to the committee in order to assist them with their decision. Please see **(Appendix 3)**.

Responsible Authority:	The Environmental Service
Representative:	Ian Watson
Received:	18.02.2016

I refer to the application for a variation of the Premises Licence.

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 operating schedule submitted.

The applicant is seeking the following

1. To remove condition 11 that states Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises.

I wish to make the following representation

1. The removal of condition 11 will impact on Crime and Disorder and have the likely effect of causing an increase in Public Nuisance within the West End CI Area.

The applicant has provided information in support of the application but this does not fully address the concerns of Environmental Health.

Should you wish to discuss the matter further please do not hesitate to contact me.

I will be representing Environmental Health at the forthcoming licensing sub-committee hearing on the 24th March. In support of my representation I will be calling Francis Keegan and Siv Kumar to give evidence. A Witness Statement and emails from Mr Francis Keegan can be found in **Appendix 4** of the report.

3. Policy & Guidance

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

Policy CIP1 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 RNT2 applies:

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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Police summary of incident on Thursday 22 nd July 2015 at 17 Lisle Street and investigation
Appendix 4	The Environmental Health Service supporting documents namely, <ul style="list-style-type: none"> • Mr Francis Keegan's Witness Statement • Email exchanges between Mr Francis Keegan and Mr P H Yeung. • Email exchanges between Mr Francis Keegan and Mr Andrew Wong
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity

Report author: Mr Ola Owojori

	Senior Licensing Officer
Contact:	Telephone: 020 7641 7830 Email: owojori@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

No supporting documentation received

Wade, Yolanda

From: Janes, Toby
Sent: 16 March 2016 14:38
To: Wade, Yolanda
Subject: 17 Lisle Street - investigation summary

Hi Yolanda

Below is a summary of the investigation will this be sufficient?

Thanks

Toby

Summary of incident and investigation.

On Thursday 2nd July 2015 Francis KEEGAN and Siva KUMAR were in plain clothes and on duty as Licensing inspectors from Westminster Council. At approximately 0220 hours they attempted to enter 17 Lisle street as they believed licensed activity was taking place after hours. They both showed their council ID to a male at the entrance who claimed that he did not work there. They waited for a short while before proceeding up the stairs unaccompanied. They walked into a room of about 30 people. Francis was suddenly approached by Mr TANG and before he had chance to formally introduce himself and his colleague Mr TANG started shouting at him in Chinese and poked him in the ribs and pushed him. Francis KEEGAN protested and asked him to not touch him, saying clearly that he was on 'official business' and that he should not touch him. MR TANG did not understand and grabbed his right arm and pulled him towards the door in order to eject him. At this point MR TANGS wife pushed in between them both and released MR KEEGANS arm from MR TANGS GRIP. Mr KEEGANS bag fell on the floor and as KUMAR tried to pick it up MR TANG grabbed his shirt. MR TANG eventually let go and was dragged away by his wife who then dealt with the inspectors. Francis did not sustain any visible injury.

The venue was visited by myself two days after the incident and CCTV footage was requested as they had cameras fitted in the venue. At the time the staff member was unable to operate the CCTV so was unable to show me any footage (this was not a condition on the licence at the time). I returned the following day and met with Mr TANG who was able to operate the CCTV but informed me it had not been recording as he was unable to find any footage. I looked at the system and observed that no data was being stored on the Hard drive. I was unable to tell if data on the hard drive had been recently deleted.

Mr Tang was interviewed under caution and during interview MR TANG denied assault and poking Francis in the ribs stating that he was at a staff party which was not open to the public and no licensable activity was taking place. He had been drinking and when he saw the two males enter he did not know who they were as they were not in uniform and were not displaying any ID. As he was in charge of the party he did not want anyone he did not know entering and so attempted to stop them using his arms to block them. He stated he then tried to lead them to the door so they could leave. He states that as soon as they identified themselves properly he stopped and walked away and let his wife deal with the situation. He states he put out his arm to block Francis and Siva to stop them coming further into the room, but made no attempt to assault them.

CCTV was checked however the footage had been not recorded.
There are no known independent witnesses
No visible injuries.

The evidence was passed to the Evidence review officer who reviewed the case and made the decision of no further action due to insufficient evidence.

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MG11C

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: Francis KEEGAN

Age if under 18: OVER 18 *18 insert 'over 18'* Occupation: City Inspector

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Francis Keegan Date: 16.7.15

I am the above named person and am employed by the City of Westminster as a City Inspector. Part of my role is to monitor licensed venues, and I am authorised to enter and inspect such venues.

On Thursday 2nd July 2015 I was on duty in the West End with my colleague, Mr S Kumar

At approximately 0220 hours we were in Lisle Street when we were passing the venue known as Super Star Restaurant at 17 Lisle Street, London WC2.

I noticed the entrance door of the venue was open, and a number of Chinese looking ladies left the venue. I noticed that the door to the venue was being held open for the ladies in question by a young Chinese man dressed in black. Suddenly the door closed and I witnessed the man lock the door shut.

Mr Kumar and I approached the venue, the ground floor of which was in darkness. I saw the first page of the Part B/Summary of a premises licence displayed in the window, which suggested that the venue should have ceased trading at 1am.

I knocked firmly on the venue's glass door and held my Council issued identification/photocard to the glass. The young man approached and I called out "Westminster Council, Licensing visit, open up please". There was some delay but the young man eventually opened the door using a key and I explained who I was and that I wanted to see the manager. I could hear very loud music coming from upstairs. The man asked me to wait at the entrance, but we said we preferred to come in (which we did).

I saw an elderly man at the rear of the venue's ground floor, sitting at a table and using a laptop, and he announced that there was a staff party taking place upstairs. I thanked him for volunteering this information.

I asked the younger man where the manager was, but no useful answer was given. I then noticed that (what I believed to be) a fire door between the room I was in and the stairwell was wedged fully open by a chair. Both men claimed that they did not work at the venue (even the younger man, who had the key to the entrance door) I announced that I had waited long enough, and was going upstairs. This seemed to upset the young man and he stepped

Witness Signature: Francis Keegan

Signature Witnessed by Signature:

Continuation of Statement of: FRANCIS KEEGAN
forward. I told him that I was an authorised Council Officer, and I asked him to step back as he was invading my space.

In the stairwell I saw, and pointed out to my colleague, that not only was a fire door (?) wedged open, but that numerous items (mainly cardboard boxes) were being stored in the emergency escape route.

We ascended the stairs and I entered a large room. I saw many Chinese people (30 or more) sitting and standing. There were many plates and platters with food on them, and many opened bottles of "Tiger" beer. I asked a few people who looked like they worked there (as they were dressed as waiting staff), but they all claimed that they did not. I walked slowly around the room to ascertain exactly what was going on, when suddenly a man who I recognized approached me. Before I had a chance to formally introduce my colleague and I, the man started shouting at me in Chinese, and poking me in the ribs and pushing me. I protested, asking him not to touch me, saying clearly that I was on official business, and that he should not touch me. He did not seem to listen, and then suddenly he grabbed my right arm firmly and started to pull me towards the door leading to the stairs.

I heard a scream from behind me, and looked to see an older Chinese lady (who I also recognized) who was clearly in distress. She rushed forward, as did a younger man, and they (and others) got between me and the man who had grabbed my arm, and they struggled with him.

I was concerned that I may fall over because of his actions and /or that he would get me to the stairs and throw me down them. I resisted his efforts to pull me forward, and used my free arm to push against the door frame

I could see my colleague to my right, who was obviously concerned but who (quite rightly, I feel) stood back from the "action"

Suddenly the group before me seemed to stumble, and the man released my arm, and I suddenly lost my back-pack, which had been slung over my right shoulder. I did not worry about this, being merely happy that I was now in less danger. However, Mr Kumar stepped forward to get my bag, and before I could tell him not to bother the assailant grabbed his shirt collar. There was a great deal of shouting by now from the attacker, the older lady, and others, but after a few moments I could see that my colleague was free and I indicated that he should join me at a vacant table some distance from the continuing violent scene, which involved a great deal of shouting and struggling

Suddenly the man who had grabbed me was nowhere to be seen, and the older lady mentioned above (who was clearly distraught) gave some instructions to a number of people, one of whom came forward eventually and spoke to us, confirming that he was a member of staff. He was unable to produce the full licence (Part A) when requested to do so. Whilst waiting for him to find the document, my colleague and I checked the upper floors which were by then empty but were laid out as private / karaoke rooms. During this time my colleague mentioned that he had seen people playing cards when he first entered the first floor, and that he saw money on the table, but I did not see this myself.

Witness Signature: *Francis Keegan*

Signature Witnessed by Signature:

Continuation of Statement of: FRANCIS KEEGAN

However, I felt that what the staff member (and others) said to us was unhelpful and (I am sure) untruthful. However, he confirmed that the venue had a good CCTV system and I said that he should ensure that all CCTV images relating to our visit should be retained as potential evidence.

By now the music had died down considerably, and I pointed out a few matters of concern to the members of staff already mentioned, and soon after this my colleague and I left the venue having issued some strong words of advice to those who would listen

I was quite shaken by the incident and on reflection I had cause to think that my personal safety had been put at risk. What concerned me most was the totally unreasonable behaviour of the man who attacked me. He simply refused to listen to anything I said, and he grabbed hold of my arm very firmly and would not let go until he was forced to do so. I believe he would have thrown me down the stairs if he had been able/allowed to do so

Upon my return to the office I submitted a brief report by email about what had happened to my line manager (Andrew Ralph) which I now see contains a number of typing error On 6 July I returned to the venue with another colleague (Tony Miah) and we also visited another venue (at 15 Lisle Street). Eventually, Mr Desmond Sai Loi Tang (the licensee for both venues) came forward. I recognised him as the man who had attacked me, and he agreed that he was the person in question, and that the lady who had screamed (and come to my aid) was the other licensee (and his wife), Mrs Tang

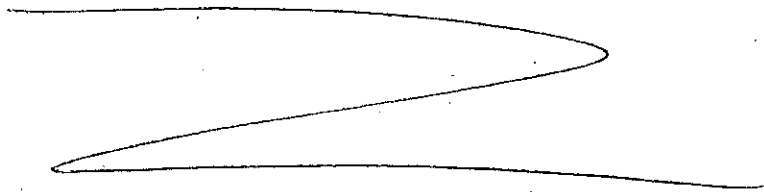
On 6 and 7 July 2015 I told the Westminster Police Licensing team that I wanted to bring a formal complaint against Mr Desmond Sai Loi Tang , and asked them to secure the CCTV images from the venue's system which I feel will fully confirm my version of events

I asked them to also deliver to the venue a copy of a letter I had already sent to Mrs Tang, and which has now been acknowledged by Mr P H Yeung (of 3 Rupert Court, London. W1) who says he has been instructed by her in relation to the "unfortunate incident".

I would describe Mr TANG as a Chinese looking male, Late 50's, overweight and approximately 5'6" tall. He has dark straight short hair and was wearing a dark jacket.

The assault on me lasted about 2 minutes, at all times I had a clear and unobstructed view of Mr TANG and the visibility was good due to the room being well lit. I do recognise Mr TANG as I have met him on a previous occasion at his other restaurant.

At no time did I give anyone permission to assault me in this way. I am happy to attend court if needed.



Witness Signature: *Francis Keegan*

Signature Witnessed by Signature:

From: Andrew Wong [mailto:AWW@jgrlaw.co.uk]
Sent: 15 September 2015 13:10
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Thanks Francis
Yes two applications

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
Direct Tel: ++44 - (0)20 7339 7067
Direct Fax: ++44 - (0)20 7307 0279
www.jgrweb.com

"Leading Individual" and "Recommended Individual" 2015 by Legal 500
"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [mailto:fkeegan@westminster.gov.uk]
Sent: 15 September 2015 13:07
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Noted, and thanks

You mention "the application", but I assume you mean the (2) applications to vary the two licences ?

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

From: Andrew Wong [mailto:AWW@jgrlaw.co.uk]
Sent: 14 September 2015 18:46
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Francis

As discussed today, I will ensure an application is submitted before you return to work this Saturday. I have completed the drafting and I am awaiting the fund to come through to submit the application so it will be in before Friday as agreed. I will make sure you are copied in.

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
Direct Tel: ++44 - (0)20 7339 7067
Direct Fax: ++44 - (0)20 7307 0279
www.jgrweb.com

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"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]
Sent: 14 September 2015 13:16
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Sir,

I have discussed your proposal with my colleagues, and I regret to advise you that I am not minded to accept the suggested applications.

My stance remains that the applications as suggested by myself should be submitted, or else formal Reviews of both licences will be sought.

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Andrew Wong [<mailto:AWW@jgrlaw.co.uk>]
Sent: 14 September 2015 12:33
To: Keegan, Francis
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Francis
Yes this is confirmed as what I will present to the client.
CCTV conditions agreed and I will be making two applications.

Best wishes

Andrew Wong

Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
Direct Tel: ++44 - (0)20 7339 7067
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"Leading Individual" and "Recommended Individual" 2015 by Legal 500
"Top Tier" and "Recommended Law Firm" 2015 by Legal 500

From: Keegan, Francis [<mailto:fkeegan@westminster.gov.uk>]
Sent: 14 September 2015 12:29
To: Andrew Wong
Subject: RE: 15 Lisle St and 17 Lisle Street

Dear Sir,

I have just got your email, and before I respond more fully can you please confirm that an application along the lines you have suggested will be submitted for both venues, and that the additional 2 (CCTV related) conditions will also go on the licence for No 17 Lisle Street ?

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Keegan, Francis
Sent: 14 September 2015 10:39
To: 'Andrew Wong'
Subject: FW: 15 Lisle St and 17 Lisle Street

On Friday, 21 August 2015, 1:39, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Dear Sir,

Thank you for your email.

I note you say that you did not request a further meeting , so it seems I misunderstood your earlier comments (i.e. Once I have your proposed conditions, **I should be able to discuss the matter further with you.**) My apologies.

In any event, the new conditions I would ask for are as follows:

In respect of No 17 Lisle Street, I would ask your client to consider seeking a variation of the licence so as to add CCTV-related conditions similar to those listed as condition Nos 29 and 30 on the licence issued for No 15 Lisle Street dated 27 July 2015.

In addition, for both venues, I would ask your client to consider seeking a variation of the licences so as to add the following conditions:

Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there

If the premises licence holder is not present, there shall be a duty manager upon and in charge of the venue whenever it is open and trading, and whenever any person (other than staff members) are still present *. This duty manager shall be the holder of a personal licence, evidence of which shall be produced to authorised persons upon request. The licensee or duty manager shall make themselves known promptly to any authorised persons who visit or inspect the venue and s/he shall assist them in their duties.

In the absence of the premises licence holder, a letter of delegations specifically naming the duty manager(s) shall be prominently displayed near the entrance of the venue.

The licensee or duty manager shall ensure that the venue is operated safely and that no unlawful activities are permitted to take place within the venue, and shall also ensure that all licensable activities are strictly limited to those areas covered by the licence and to the permitted hours.

The entrance to the venue shall not be locked whenever any persons (other than staff members) are still present, and authorised officers shall be given prompt access to all parts of the premises at any reasonable time.

***The effect of this condition is that a duty manager cannot leave the venue at relevant times (even temporarily) unless there is another properly nominated manager also upon the venue to take his/her place.**

Please submit the suggested applications within the next 7 days or submit to me a written explanation as to why the applications (as suggested) are not to be submitted, in which case I will have to consider my options.

Also, within the next 7 days, I should like to receive further information about your other comments (i.e. "I have been asked by my clients to consider the trading activities of 17 Lisle Street, and how the premises should be better used particularly in compliance with licensing regulations.")

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]
Sent: 18 August 2015 05:35
To: Keegan, Francis
Cc: Janes, Toby
Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,
As a matter of fact, I did not request a further meeting, but if a meeting is necessary to progress matter, I am more than happy to attend with Mrs Tang. Please let me know in due course.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile 07973 279 283

Authorised and regulated by the Solicitors Regulation Authority SRA 78999

On Monday, 17 August 2015, 18:09, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Thank you, Sir.

I am glad that the potential misunderstanding has been resolved, and I note your request for a further meeting to be arranged after I have sent you the proposed new conditions, which I hope to send to you soon after discussing the matter with my line manager.

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]
Sent: 17 August 2015 17:35
To: Keegan, Francis
Cc: Janes, Toby
Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,

It was the incorrect impression I gained from your email. There was a small delay in replying, and you re-stated the situation as if you were not aware the applications were prompted by you, and it was not an easy decision to make and my clients were complying with what you had stated in your email dated 21.7.2015 "for a more open/honest and more mature relationship" (very impressive on paper). I trust the application would be eventually accepted and approved by the Council without further ado.

I have been asked by my clients to consider the trading activities of 17 Lisle Street, and how the premises should be better used particularly in compliance with licensing regulations.

Once I have your proposed conditions, I should be able to discuss the matter further with you.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile 07973 279 283

Authorized and regulated by the Solicitors Regulation Authority SRA 78999

On Monday, 17 August 2015, 10:15, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

Dear Sir,

I am aware that the applications already submitted were done so at my request.

But I see nothing in my recent emails suggesting that I now want those applications withdrawn or that they are not necessary.

May I ask what has made you think this is the case ?

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

Tel: 020 7641 4429

From: Pinghang Yeung [<mailto:bphyeung@yahoo.co.uk>]

Sent: 16 August 2015 19:51

To: Keegan, Francis

Cc: Janes, Toby

Subject: Re: 15 Lisle St and 17 Lisle Street

Dear Mr Keegan,

The applications were made at your request by my clients. If you do not believe those applications are necessary, my clients can withdraw the applications.

I look forward to hearing you further on this.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0 0888 Fax: 0207 681 3123 Mobile 07973 279 283

Authorised and regulated by the Solicitors Regulation Authority SRA 7899

On Sunday, 16 August 2015, 19:47, Pinghang Yeung <bphyeung@yahoo.co.uk> wrote:

Dear Mr Keegan,

London Borough of Barnet.

Yours sincerely,

P H Yeung

3 Rupert Court, London. W1D 6DX Tel: 0208 800 0888 Fax: 0207 681 3123 Mobile
07973 279 283

Authorised and regulated by the Solicitors Regulation Authority SRA 78999

On Sunday, 16 August 2015, 13:12, "Keegan, Francis" <fkeegan@westminster.gov.uk> wrote:

By the way, which Local Authority issued the personal licence held by your client,
Mrs Tang ?

Francis Keegan

City Inspector Team Manager – City Operations
Public Protection and Licensing
City of Westminster

From: Keegan, Francis

Sent: 16 August 2015 12:43

To: 'bphyeung@yahoo.co.uk'

Cc: 'jspiegler@tandtp.com'; Janes, Toby

Subject: 15 Lisle St and 17 Lisle Street

To ; Mr P H Yeung

Dear Sir,

I write further to my email of 6 August.

On 27 July the new premises licence for 15 Lisle Street was sent to Messrs Tomas and Thomas (see below) and now your client (Mrs Tang) has now applied to transfer the licence and to nominate herself as the DPS.

Similar applications have been submitted in respect of 17 Lisle Street.

I shall advise you shortly of what additional licence conditions I will be inviting your client to attach to each licence by way of variation applications.

Francis Keegan

City Inspector Team Manager – City Operations

Public Protection and Licensing

City of Westminster

4th Floor Westminster City Hall

64 Victoria Street

London

SW1E 6QP

Tel: 020 7641 4429

Fax: 020 7641 3436

fkeegan@westminster.gov.uk

www.westminster.gov.uk

Please don't print this e-mail unless you really need to.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
Conversion	Application to convert existing Restaurant Justices on Licence	13.07.2005	Granted under delegated authority
Transfer	Transfer of premises licence from Desmond Sai Loi Tang to Mrs Lai Mei Tang to Mrs Lai Mei Tang	26.08.2015	Granted under delegated authority
Vary DPS	Application to change the Designated Premises Supervisor from Mr Desmond Sai Loi Tang to Mrs Lai Mei Tang	26.08.2015	Granted under delegated authority
Minor Variation	Application to add eight conditions to the premises licence	02.10.2015	Granted under delegated authority

There is no appeal history

*CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND
CONDITIONS PROPOSED BY A PARTY TO THE HEARING*

When determining an application for a variation premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Conditions: On Current Licence -

Mandatory:

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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

9. Alcohol may be sold or supplied:

(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10.00 to 00.00;

(b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12.00 to 23:30;

(c) On Christmas Day: 12.00 to 22.30;

(d) On New Year's Eve, except on a Sunday, 11.00 to 23.00;

(e) On New Year's Eve on a Sunday, 12.00 to 22.30;

(f) 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 (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

(a) 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;

(b) 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;

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

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

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

(f) 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;

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

(h) 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;

(i) 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. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.

Annex 2 – Conditions consistent with the operating Schedule

11. Mr Desmond Sai Loi Tang shall not be permitted to be upon the licensed premises at any time, and he shall not be involved in the management of the venue or the staff working there.
12. If the premises licence holder is not present, there shall be a duty manager upon and in charge of the venue whenever it is open and trading, and whenever any person (other than staff members) are still present. The effect of this condition is that a duty manager cannot leave the venue at relevant times (even temporarily) unless there is another properly nominated manager also upon the venue to take his/her place.
13. This duty manager shall be the holder of a personal licence, evidence of which shall be produced to authorised persons upon request. The licensee or duty manager shall make themselves known promptly to any authorised persons who visit or inspect the venue and s/he shall assist them in their duties.
14. In the absence of the premises licence holder, a letter of delegations specifically naming the duty manager(s) shall be prominently displayed near the entrance of the venue.
15. The licensee or duty manager shall ensure that the venue is operated safely and that no unlawful activities are permitted to take place within the venue, and shall also ensure that all licensable activities are strictly limited to those areas covered by the licence and to the permitted hours.
16. The entrance to the venue shall not be locked whenever any persons (other than staff members) are still present, and authorised officers shall be given prompt access to all parts of the premises at any reasonable time.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
18. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Conditions to be attached which has been omitted in error from the licence

Conditions relating to the provision of late night refreshment

19. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.
20. The premises maybe kept open for the purposes of this licence from midnight on each of the days Sunday to Thursday to 1:00 am on the day following and from midnight on the days Friday and Saturday to 2:00am on the day following:
21. The number of persons that can be accommodated shall not exceed: Ground floor – 60, First floor 60 (excluding staff)

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Sale of Alcohol

22. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
23. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.

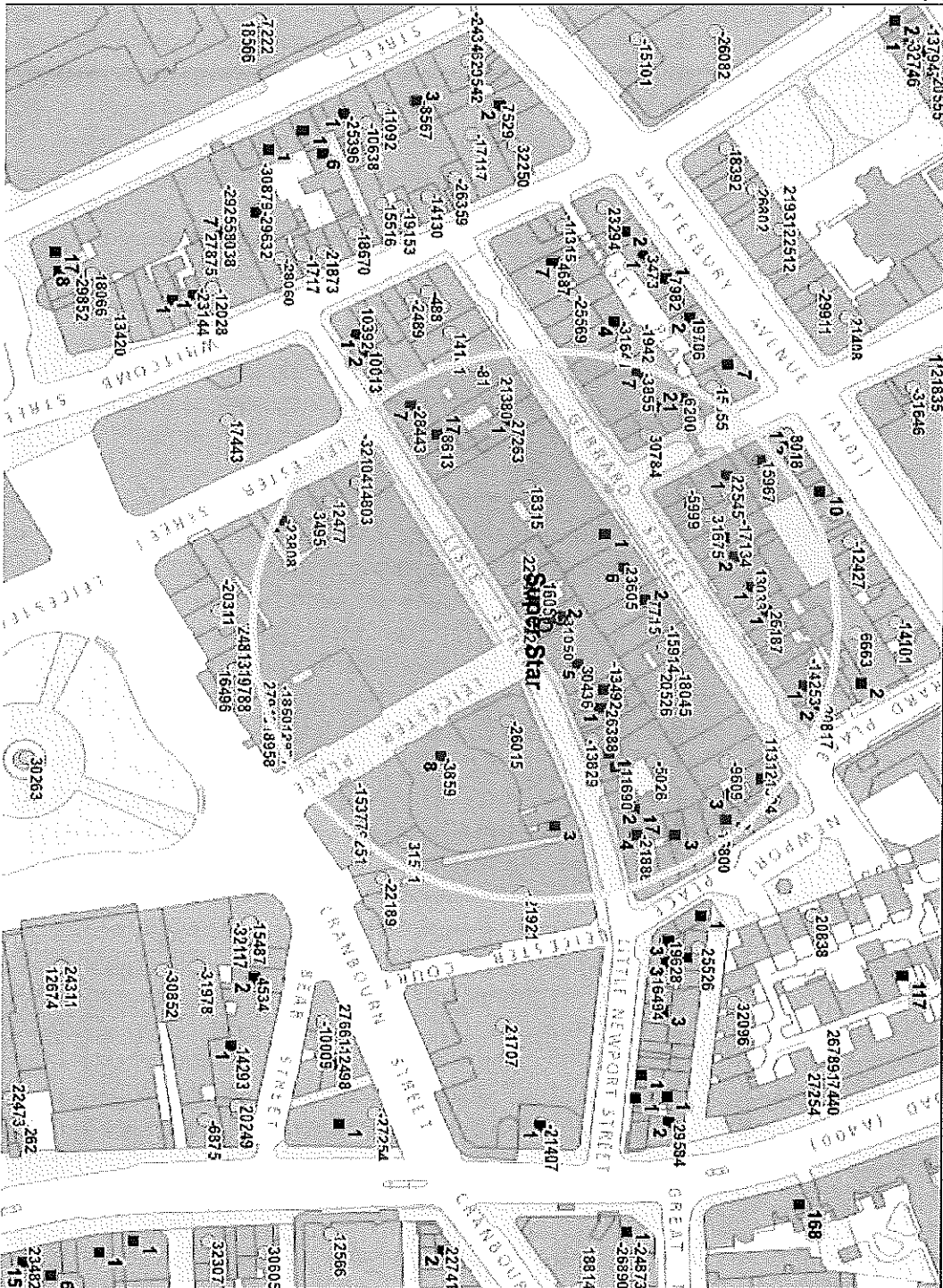
Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

24. The terminal hour for Late Night Refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

APPENDIX 7

City of Westminster

Super Star Chinese Restaurant



Residential / Proposed Residential	117
Under Construction	0
Other Uses	Not known
Proportion Residential	Not known

Premises within 75 metres of Super Star Chinese Restaurant 17 Lisle Street			
p / n	Name of Premises	Premises Address	Opening Hours
11312	Not Recorded	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Sunday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00
14803	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	Monday to Sunday 00:01 - 00:00
-15914	Lido Chinese Restaurant	41 Gerrard Street London W1D 5QF	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 00:00
-13492	Mr Kong Chinese Restaurant	21 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 03:00
-3855	Dumplings' Legend	Basement To First Floor 15 - 16 Gerrard Street London W1D 6JB	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 00:00
9251	14	Basement Victory House 14 Leicester Square London WC2H 7NG	Sunday 20:00 - 03:00 Monday to Wednesday 20:00 - 03:30 Thursday to Saturday 20:00 - 06:00 Sundays before Bank Holidays 20:00 - 06:00
31511	American Fried Chicken	10A Leicester Square London WC2H 7NG	Monday to Thursday 23:00 - 00:00 Friday to Sunday 23:00 - 02:30
-23808	The Imperial	5 Leicester Street London WC2H 7BL	Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 22:50 Monday to Thursday 07:00 - 23:30
-7931	Far East Restaurant	Ground Floor 13 Gerrard Street London W1D 5PS	Monday to Sunday 23:00 - 05:00
20528	New Loon Fung Chinese Restaurant	Above Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-21921	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Monday to Sunday 00:00 - 00:00
-17224	Manchurian Legends	18 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-16386	Napoleon's Casino And Restaurant	Basement Queens House 1 Leicester Place London WC2H 7BP	Saturday 10:00 - 04:30 Monday to Friday 10:00 - 00:30 Sunday 12:00 - 00:30
12877	Premier Inn	Queens House 1 Leicester Place London WC2H 7BP	Monday to Sunday 00:00 - 00:00 Monday to Sunday 00:00 - 01:00
11690	Pepper Lime	Basement To First Floor 25 Lisle Street London WC2H 7BA	Friday to Saturday 11:30 - 00:00 Sunday 11:30 - 22:30 Monday to Thursday 11:30 - 23:30
30784	Lotus Garden	1-2 Macclesfield Street London W1D 5BP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
3495	Jinli Chinese Restaurant	Ground 4 Leicester Street London WC2H 7BL	Friday to Saturday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 22:30
31050	Super Star Chinese Restaurant	17 Lisle Street London WC2H 7BE	Monday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
31875	Four Seasons	12 Gerrard Street London W1D 5PR	Monday to Sunday 00:00 - 03:30
27940	Angus Steakhouse	Queens House 7-9 Leicester Square London WC2H 7NA	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 01:00
-32104	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	Monday to Sunday 00:01 - 00:00
-5026	Imperial China	Wheeler House 25A Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
6200	Leong's Legend	4 Macclesfield Street London W1D 6AX	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00

22547	Hong Kong Buffet	Ground Floor To First Floor 14 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 03:30 Sunday 11:00 - 03:00
-5999	Oriental Delight	14 Gerrard Street London W1D 5PT	Sunday 11:00 - 22:30 Monday to Saturday 11:00 - 23:00
7715	Suki	39 Gerrard Street London W1D 5QD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
12477	Joy King Lau Restaurant	3 Leicester Street London WC2H 7BL	Monday to Sunday 12:00 - 00:00
18045	Loon Fung Supermarket	Ground Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
12067	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13033	New Loon Moon	9 Gerrard Street London W1D 5PN	Monday to Sunday 10:30 - 20:00
18056	Tao Tao Ju	15 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-9609	Harbour City Restaurant	Ground Floor 48 Gerrard Street London W1D 5QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
28388	Young Cheng Restaurant	22 Lisle Street London WC2H 7BA	Sunday 10:00 - 00:00 Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00
18800	China Buffet Restaurant	Ground Floor 7-9 Newport Place London WC2H 7JR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
21380	Royal Dragon Chinese Restaurant	30 Gerrard Street London W1D 6JS	Monday to Sunday 09:00 - 03:00 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
27263	Loon Tao Chinese Restaurant	31 Gerrard Street London W1D 6JT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-28443	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BG	Thursday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Wednesday 07:00 - 23:20
-26015	Prince Charles Cinema	Ground Floor And Basement Charles House 7 Leicester Place London WC2H 7BP	Sunday to Thursday 09:00 - 03:00 Friday to Saturday 09:00 - 07:00
-81	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
18315	China Exchange	Gerrard Building 32-35 Gerrard Street London W1D 6JA	Monday to Sunday 10:00 - 22:00
22545	Maotai Kitchen	Basement And Ground Floor 12 Macclesfield Street London W1D 5BP	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 01:00
26187	Haozhan	Basement To First Floor 8 Gerrard Street London W1D 5PJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
30436	See Woo Supermarket	Ground Floor 18-20 Lisle Street London WC2H 7BA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
30894	Leong's Legend II	26-27 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-19421	Opium Dim Sum Parlour	Ground Floor Entrance And Second Floor To Fourth Floor 15 - 18 Gerrard Street London W1D 6JB	Sunday 12:00 - 00:00 Monday to Saturday 12:00 - 03:00
-15377	Haagen Dazs UK Ltd	Ground Floor Victory House 14 Leicester Square London WC2H 7NG	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 01:00
15967	De Hems Public House	11 Macclesfield Street London W1D 5BW	Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30
1304	Joy Luck	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Sunday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00
-8887	The Canton Chinese Restaurant	11 Newport Place London WC2H 7JR	Monday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
-3859	Leicester Square Theatre	Whole Building 5 Leicester Place London WC2H 7BP	Monday to Saturday 09:00 - 02:30 Sunday 09:00 - 23:00

