



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 3rd November, 2016**

Time: **10.00 am**

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

Members: **Councillors:**

Jean Paul Floru (Chairman)
Susie Burbridge
Murad Gassanly

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

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



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
Corporate Website: www.westminster.gov.uk**

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. YO! SUSHI, GROUND FLOOR LEFT, ST ALBANS HOUSE, 57-60 HAYMARKET, SW1

(Pages 1 - 22)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / West End Cumulative Impact Area	Yo! Sushi, Ground Floor Left, St Albans House, 57-60 Haymarket , SW1	Variation	16/09315/LIPV

Charlie Parker
Chief Executive
27 October 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.



City of Westminster

Licensing Sub-Committee Report

Agenda Item 1

Item No:	
Date:	3 November 2016
Licensing Ref No:	16/09315/LIPV - Premises Licence Variation
Title of Report:	Yo! Sushi Ground Floor Left St Albans House 57 - 60 Haymarket London SW1Y 4QX
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 Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	2 September 2016		
Applicant:	Shawa Haymarket Limited		
Premises:	Yo! Sushi		
Premises address:	Ground Floor Left St Albans House 57 - 60 Haymarket London SW1Y 4QX	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises operates as a Japanese sushi-style restaurant over the basement and ground floors.		
Variation description:	<p>The application is to:</p> <ol style="list-style-type: none"> 1. Change the existing layout of the premises; 2. Vary the extent of the licensable area to include the external private forecourt as showed edged red on the attached plan; 3. Vary the hours for the sale of alcohol on Mondays to Saturdays 11:00 to 01:00 and Sunday 12:00 to 00:00; 4. Add late night refreshment Mondays to Saturdays 23:00 to 01:30 and Sundays 23:00 to 00:30; 5. Vary the opening hours Monday to Saturdays 11:00 to 01:30 and Sundays 11:00 to 00:30. <p>Please note, although not specifically mentioned in the application form, the plans provided with this variation include the basement within the varied licensable area.</p>		
Premises licence history:	The premises has held a premises licence since 2005. The applicant became the licence holder in August 2016. The premises has continuously operated under the Yo! Sushi name since 2005.		
Applicant submissions:	The applicant has indicated in the operating schedule that the existing licence conditions are sufficient to promote the licensing objectives.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Tuesday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Wednesday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Thursday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Friday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Saturday	12:00	23:00	No change		Ground floor	Ground floor, basement & forecourt
Sunday	12:00	22:30	No change		Ground floor	Ground floor, basement & forecourt
Seasonal variations:	Current:					Proposed:
	From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					No change.
Non-standard timings:	Current:					Proposed:
	None.					No change.

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		None			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	None		23:00	01:30	None	Ground floor, basement & forecourt
Tuesday	None		23:00	01:30	None	Ground floor, basement & forecourt
Wednesday	None		23:00	01:30	None	Ground floor, basement & forecourt
Thursday	None		23:00	01:30	None	Ground floor, basement & forecourt
Friday	None		23:00	01:30	None	Ground floor, basement & forecourt
Saturday	None		23:00	01:30	None	Ground floor, basement & forecourt
Sunday	None		23:00	00:30	None	Ground floor, basement & forecourt
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	None.		From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.			
	None.		No change.			

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	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Tuesday	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Wednesday	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Thursday	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Friday	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Saturday	12:00	23:00	11:00	01:00	Ground floor	Ground floor, basement & forecourt
Sunday	12:00	22:30	12:00	00:00	Ground floor	Ground floor, basement & forecourt
Seasonal variations/ Non-standard timings:	Current:					Proposed:
	From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					No change.
	None.					No change.

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Tuesday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Wednesday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Thursday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Friday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Saturday	12:00	23:30	11:00	01:30	Ground floor	Ground floor, basement & forecourt
Sunday	12:00	23:00	11:00	00:30	Ground floor	Ground floor, basement & forecourt
Seasonal variations/ Non-standard timings:	Current:					Proposed:
	From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					No change.
	None.					No change.

1-C Layout alteration

The current plans depict the area for licensable activities with a red line around the ground floor only. The plans provided with this application extend this line to include the forecourt on the ground floor and the basement.

The layout of the ground floor will alter to remove the show-kitchen, add a sales counter and re-arrange the seating area (see **Appendix 1**).

2. Representations

2-A Responsible Authorities

Responsible Authority:	Environmental Health
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Representative:	Mr Maxwell Koduah
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Received:	23 September 2016
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I wish to make the following representation:

1. Changing the existing layout of the premises will have the likely effect of impacting Public Safety within the West End Cumulative Impact area;
2. Varying the licensable area to include a private forecourt will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact area;
3. The hours requested to extend the sale of alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area;
4. The hours requested to provide late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area.

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

The applicant has made reference to the existing Premises licence (15/03856/LIDPS) conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

On 26 October 2016, Environmental Health proposed 17 conditions (see **Appendix 4**).

Responsible Authority:	Metropolitan Police
Representative:	PC Toby Janes
Received:	20 September 2016
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>The Police have proposed nine conditions (see Appendix 4).</p>	

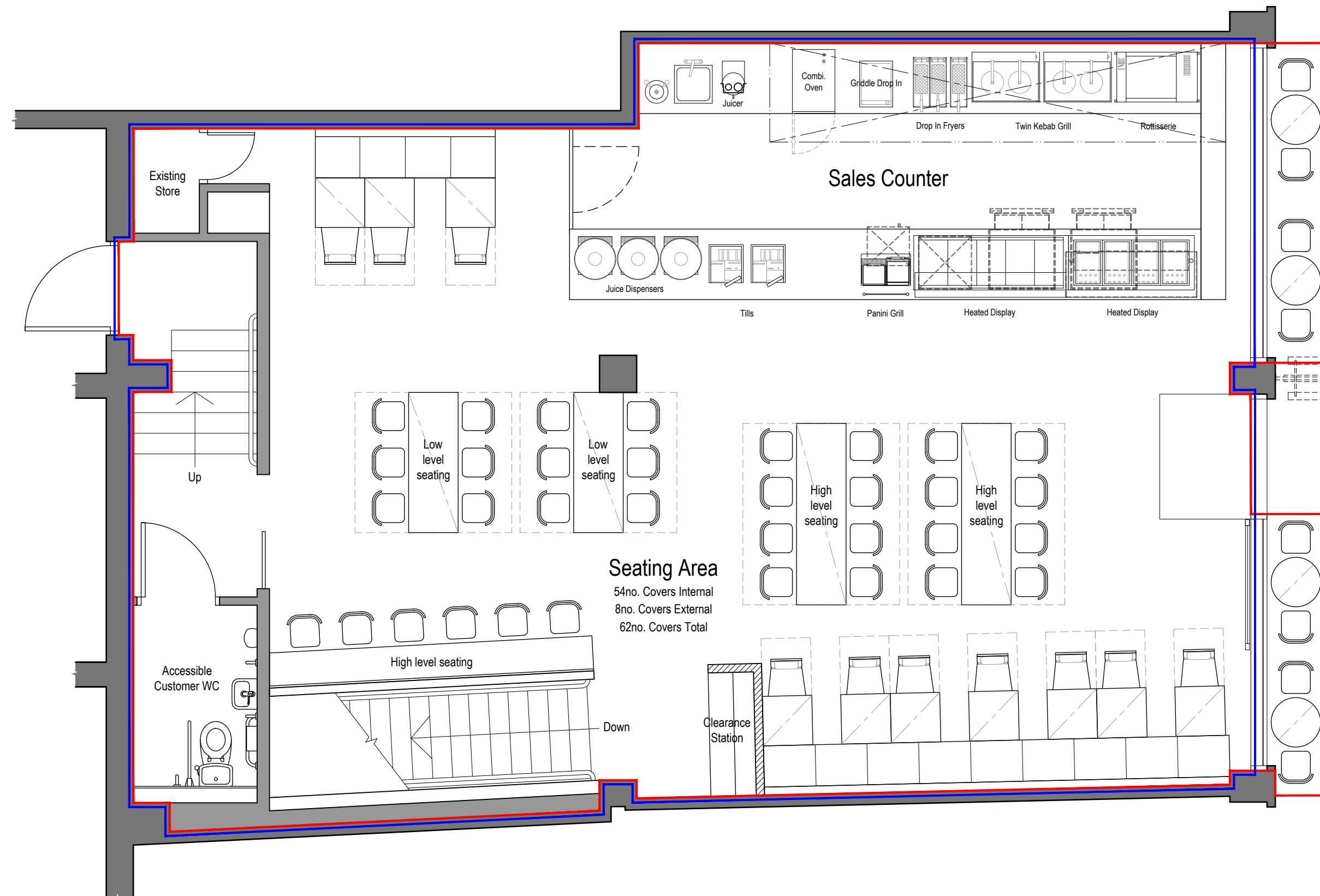
3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.</p>
Policy CIP1 applies	<p>(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.</p> <p>(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.</p>
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1. □

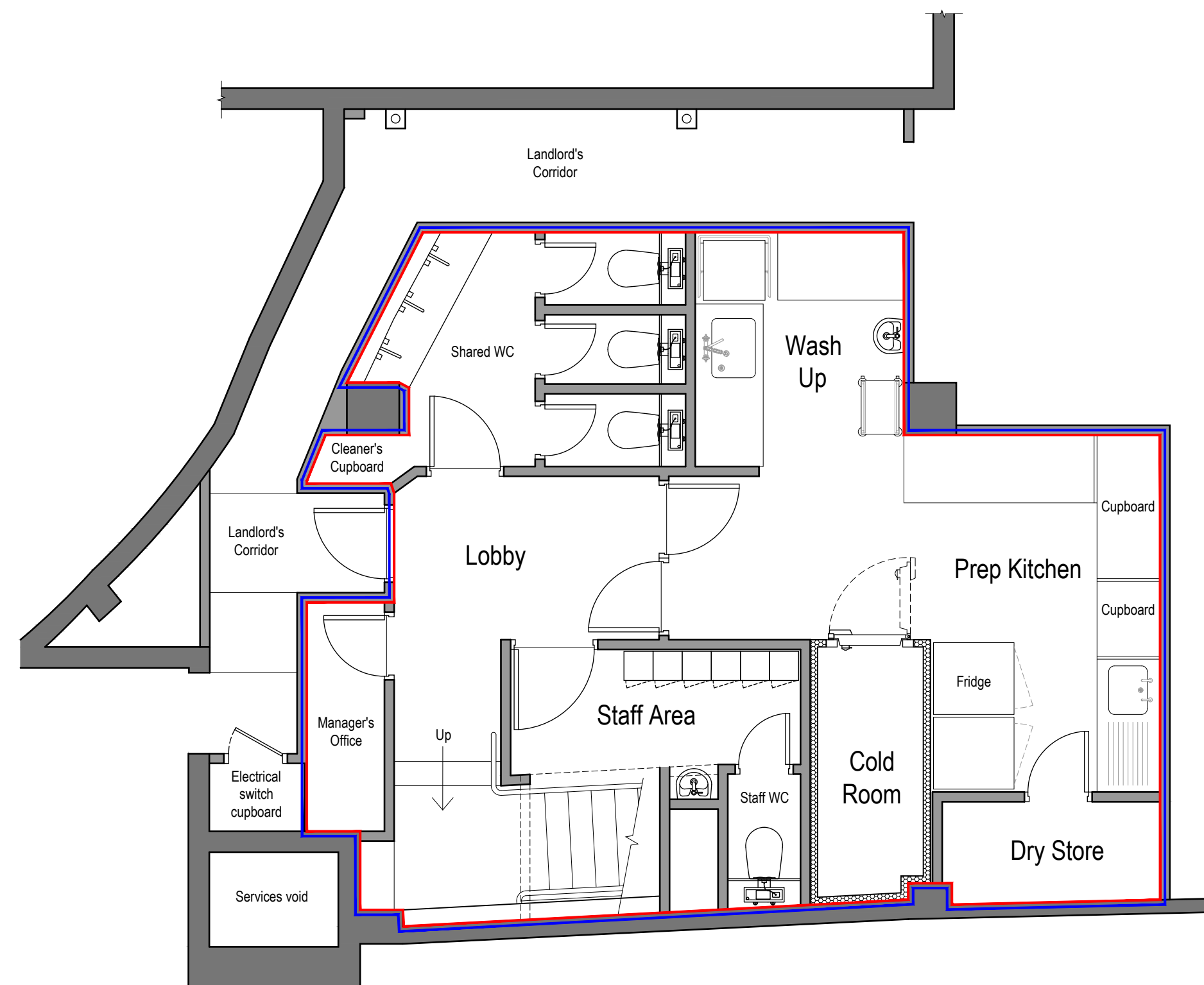
4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents - none
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Mr Nick Nelson Senior Licensing Officer
Contact:	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk



Proposed Ground Floor Licensing Plan



Proposed Basement Level Licensing Plan

Legend

- Indicates area to be used for licensable activities
- Indicates extents of site boundary

NOTE: All Fire Safety features comply fully with the relevant British Standards and Building Control regulations. Details are set out in the premises Fire Risk Assessment

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REV	DESCRIPTION	DATE	BY

HAYMARKET

0mm 100mm

PRINTED SIZE @ A1

CLIENT



PROJECT
SHAWA HAYMARKET
 57 HAYMARKET
 LONDON
 SW1Y 4QX

DRAWING TITLE
**SKETCH TO SHOW AMBIT OF
 LICENSED PREMESIS**

PROJECT No. 4502 DRAWN BY RML

SCALE 1:50 @ A1 / 1:100 @ A3 DATE JULY '16

DRAWING NO. 4502-SKETCH-01 REVISION -

DRAWING STATUS
TENDER

RMLArchitecture

12 Albion Street Brighton BN2 9NE
 07973 151 494

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/09798/LIPN New application	Application for a new premises licence for recorded music and sale by retail of alcohol	23.11.2005	Granted by Licensing Sub-Committee
06/02442/LIPT Transfer application	Transfer premises licence from Ms Madan Daswaney & Mr Gary John Thomas to Yo Sushi UK Ltd	31.03.2006	Granted under delegated authority
07/08492/LIPDPS DPS variation	Application to vary the designated premises supervisor	29.10.2007	Granted under delegated authority
08/06739/LIPDPS DPS variation	Application to vary the designated premises supervisor	25.07.2008	Granted under delegated authority
08/10956/LIPDPS DPS variation	Application to vary the designated premises supervisor	04.02.2009	Granted under delegated authority
10/05652/LIPDPS DPS variation	Application to vary the designated premises supervisor	07.09.2010	Granted under delegated authority
11/09811/LIPDPS DPS variation	Application to vary the designated premises supervisor	04.11.2011	Granted under delegated authority
13/04225/LIPDPS DPS variation	Application to vary the designated premises supervisor	11.07.2013	Granted under delegated authority
13/07254/LIPDPS DPS variation	Application to vary the designated premises supervisor	23.10.2013	Granted under delegated authority
14/05824/LIPDPS DPS variation	Application to vary the designated premises supervisor	14.08.2014	Granted under delegated authority
15/03856/LIPDPS DPS variation	Application to vary the designated premises supervisor	28.05.2015	Granted under delegated authority

16/08953/LIPT Transfer application	Transfer premises licence from Yo Sushi UK Ltd to Shawa Haymarket Limited	22.08.2016	Granted under delegated authority
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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 new 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

None

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

- 9. Children under the age of 18 shall be admitted when accompanied by an adult only.
- 10. Recorded music shall be background music only.
- 11. A person trained in First Aid shall be on the premises.
- 12. Risk assessments in respect of staff who handle cash or work alone shall be carried out and action that is needed shall be implemented. Risk assessments shall be carried out at regular intervals and revised if there is any change in methods used at the premises for both fire safety, general hazards and food safety.
- 13. Risk assessment shall take account of current legislation, including The Health and Safety at Work Act 1974 and its associated regulations, RIDDOR, and The Disability Discrimination Act.
- 14. Noise shall not emanate from the premises so as to cause a disturbance to local residents.
- 15. The licensee shall actively participate in the local pub watch or equivalent scheme.
- 16. The licensee shall conform with all existing legislation required to satisfy the public safety licensing objective.
- 17. Notices shall be displayed in a prominent position asking for customers to respect the needs of local residents and to leave the premises and the area quietly.

18. A kitchen extractor fan shall be installed on the premises.
19. The premises may be open to the public and for licensable activities from the end of standard permitted hours on New Year's Eve until the start of standard permitted hours on New Year's Day.
20. Substantial food and non-intoxicating beverages including drinking water shall be available throughout the permitted hours.
21. The supply of alcohol shall only be to persons seated at tables.
22. The supply of alcohol shall be by way of waiter/waitress service only.
23. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours' notice. (Subject to the Data Protection Act 1998).
24. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation, which would come within the definition of a sex encounter establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986, (whether or not locally adopted), shall not be provided. This condition does not apply to any entertainment that is an integral part of a licensed performance or play.

Conditions proposed by the Police and Environmental Health:

26. All tables and chairs shall be removed from the outside area by 2300 each day.
27. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
28. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.

Conditions proposed by the Police:

29. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

30. 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 entire 31 day period.
31. 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.
32. 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
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system.
 - (f) any visit by a relevant authority or emergency service.
33. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to take away meals.
34. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

Conditions proposed by Environmental Health:

35. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
36. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption after midnight (00:00),
 - (v) which do not provide any take away service of food or drink after midnight (00:00), and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide

taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding the above, customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

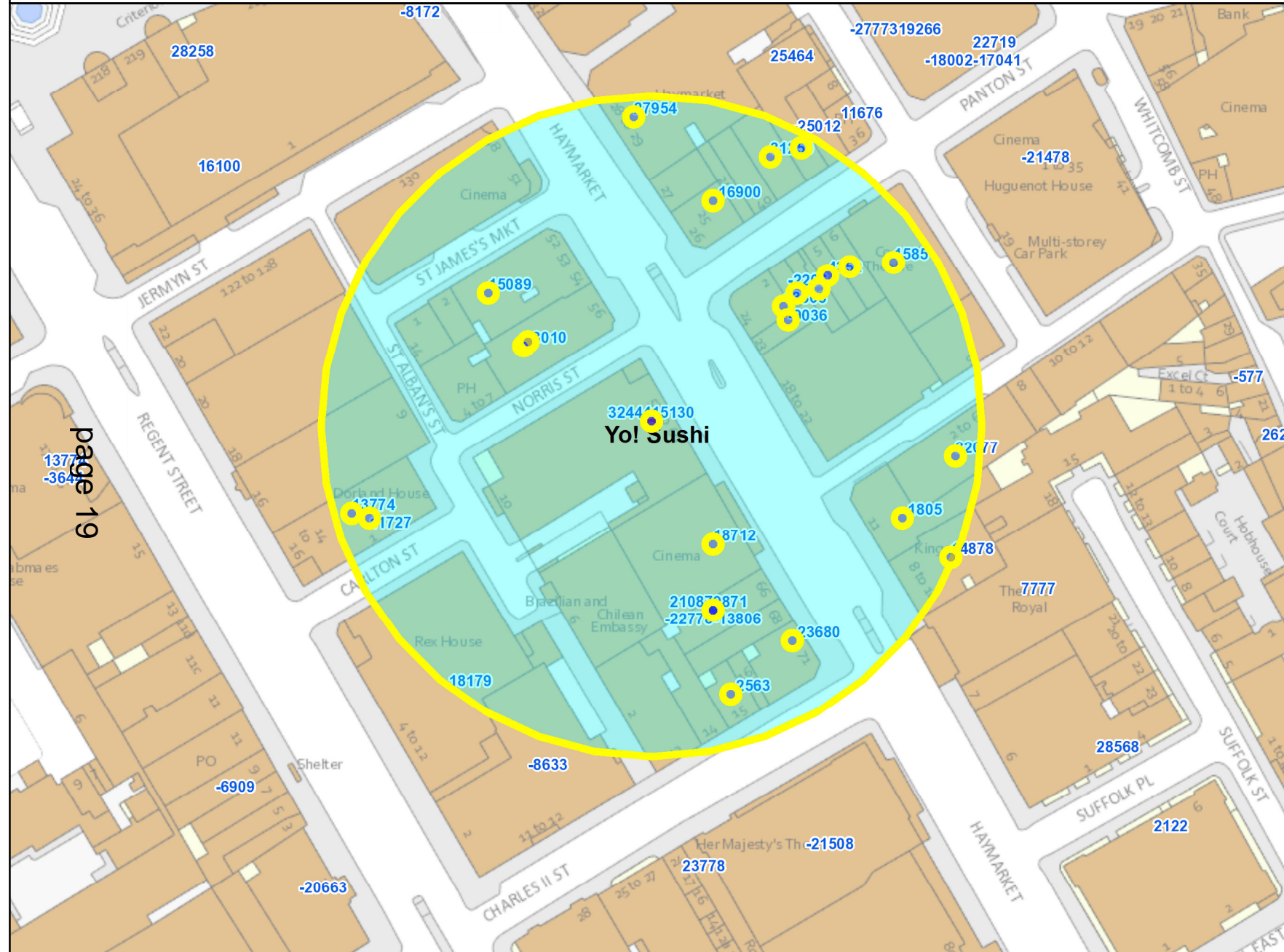
37. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
38. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
39. After 23:00 hours, the number of persons permitted to use the outside licensed area for the purpose of smoking shall be no more than 5 at any one time and shall not carry drinks with them.
40. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 45 persons.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
42. 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.
43. 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.
44. 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.
45. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
46. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
47. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team

at which time this condition shall be removed from the Licence by the Licensing Authority.

48. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.



Yo! Sushi 57 - 60 Haymarket



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Residential Properties	1
Under Construction	None
Other Uses	None
Proportion Residential of all Uses	None

10

Meters

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Data Source: Uniform Database

Date: 19/10/2016

Premises within 75 metres of: Yo! Sushi 57 - 60 Haymarket			
p / n	Name of Premises	Premises Address	Licensed Hours
11194	Kanada-Ya	3 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
21087	Spaghetti House	Basement South And Ground Floor South Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
32077	Z Hotel	Grove House 2 Orange Street London WC2H 7DF	Monday to Sunday 00:01 - 00:00
18519	Salt Yard	1 - 3 Norris Street London SW1Y 4RJ	Sundays before Bank Holidays 07:00 - 00:00 Monday to Saturday 07:00 - 01:00 Sunday 07:00 - 23:30
18712	Cineworld Cinemas	62 - 65 Haymarket London SW1Y 4QX	Monday to Sunday 09:00 - 03:00
-22778	Chop Shop	Basement Nth And Ground Floor North Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:30
9871	Miso Noodle Bar	Ground Floor East Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:30
15130	Planet Hollywood (UK) Ltd	Ground Floor Right St Albans House 57-60 Haymarket London SW1Y 4QX	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:30
-2266	Andalucia Tapas Restaurant	Basement And Ground Floor Front 4 Panton Street London SW1Y 4DL	Monday to Sunday 11:00 - 00:00
4352	Bloom	5 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15089	Unit 2 St Jame's Market	52 Haymarket London SW1Y 4RP	Monday to Saturday 07:00 - 01:00 Sunday 07:00 - 23:30
13774	Japan Centre	Basement To Ground Floor Dorland House 14 - 16 Regent Street London SW1Y 4PH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
31259	Strada	39 Panton Street London SW1Y 4EA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-23680	Assaggetti	69-71 Haymarket London SW1Y 4RW	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
14878	Prezzo Ltd	Basement And Ground Floor Kings House 10 Haymarket London SW1Y 4BP	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
32444	Yo! Sushi	Ground Floor Left St Albans House 57 - 60 Haymarket London SW1Y 4QX	Sunday 12:00 - 23:00 Monday to Saturday 12:00 - 23:30
-16900	Pizza Express	Ground Floor Panton House 25 Haymarket London SW1Y 4EN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
27954	Tiger Tiger	Haymarket House 28-29 Haymarket London SW1Y 4SP	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
11727	Aquavit	1 Carlton Street London SW1Y 4QQ	Monday to Saturday 07:30 - 01:00 Sunday 07:30 - 22:30
-13806	Spaghetti House	Basement South And Ground Floor South Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-12420	Nonna's Kitchen	Ground Floor 38 Panton Street London SW1Y 4EA	Monday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 00:30 Sunday 09:00 - 23:00
-7214	Jindalle Restaurant	Basement And Ground Floor 6 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-2563	The Borough Barista	15 Charles II Street London SW1Y 4QU	Friday 07:30 - 00:00 Monday to Thursday 07:30 - 23:30 Saturday 08:00 - 00:00 Sunday 08:00 - 22:30
13806	Angus Steak House	Basement To First Floor 24 Haymarket London SW1Y 4DG	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 10:00 - 01:00

28010	Wagamama	8 Norris Street London SW1Y 4RJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-9036	VietCafe	Ground Floor And Basement 23 Haymarket London SW1Y 4DG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-29896	Anzu	1 - 3 Norris Street London SW1Y 4RJ	Monday to Thursday 11:00 - 00:00 Friday to Saturday 11:00 - 00:30 Sunday 11:00 - 23:00
-1805	Byron	Basement And Ground Floor 11-12 Haymarket London SW1Y 4BP	Monday to Sunday 00:00 - 00:00
1585	The Harold Pinter Theatre	Harold Pinter Theatre Panton Street London SW1Y 4DN	Monday to Saturday 09:00 - 00:00 Sunday 12:00 - 00:00

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	2 September 2016
5	Current licence	29 July 2015
6	Representation – Environmental Health	23 September 2016
7	Representation - Police	20 September 2016