



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 10th 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:**

Tim Mitchell (Chairman)  
Louise Hyams  
Aziz Toki

**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](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://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. BURJ ALARAB ARABESQUE, 13C CRAWFORD STREET, W1**

(Pages 1 - 16)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Marylebone High Street Ward / not in cumulative impact area	Burj Alarab Arabesque , 13C Crawford Street, W1	New	16/09099/LIPN

**2. ROSE CAFE, 57 PRAED STREET, W2**

**(Pages 17 - 40)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Hyde Park Ward / not in cumulative impact area	Rose Cafe, 57 Praed Street, W2	Variation	16/06061/LIPV

**3. TOMMI'S BURGER JOINT, 37 BERWICK STREET, W1**

**(Pages 41 - 58)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	Tommi's Burger Joint, 37 Berwick Street, W1	New	16/09268/LIPN

**4. LOBOS MEAT & TAPAS, BASEMENT AND GROUND FLOOR, 48 FRITH STREET, W1**

**(Pages 59 - 84)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	Lobos Meat & Tapas, Basement and Ground Floor, 48 Frith Street, W1	Variation	16/09901/LIPV

**5. PEPE ITALIAN STREET FOOD, BASEMENT AND GROUND FLOOR, 27 OLD COMPTON STREET, W1**

**(Pages 85 - 106)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
5.	West End Ward / West End Cumulative Impact Area	Pepe Italian Street Food, Basement and Ground Floor, 27 Old Compton Street, W1	Variation	16/09678/LIPV

**Charlie Parker  
Chief Executive  
4 November 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.

Item No:	
Date:	10 November 2016
Licensing Ref No:	16/09099/LIPN - New Premises Licence
Title of Report:	Burj Alarab Arabesque 13C Crawford Street London W1U 6BZ
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
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			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	23 August 2016		
<b>Applicant:</b>	Burj Alarab Arabesque Ltd		
<b>Premises:</b>	Burj Alarab Arabesque		
<b>Premises address:</b>	13C Crawford Street London W1U 6BZ	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	<p>The premises already operates as a restaurant primarily offering food of a Middle Eastern theme to customers seated at tables within the restaurant and to customers seated at tables on the private forecourt to the front of the restaurant. It is situated in a row of commercial premises, including other cafes and restaurants.</p>		
<b>Premises licence history:</b>	The premises has not previously held a premises licence.		
<b>Applicant submissions:</b>	<p>The application is to permit the serving of hot food and drink after 23:00. No licence for retail sale of alcohol nor regulated entertainment is sought as part of this application.</p> <p>Background music only will be played inside the venue - which is not licensable.</p> <p>In addition to the interior of the premises, it is proposed to serve hot food and hot drink to customers seated at the outside tables, which are located on a private forecourt.</p> <p>Mr Abbas (director of the applicant company) has previously managed a restaurant / cafe in Westminster, and it is noted that he is conversant with both the Licensing Act 2003 and promotion of the Licensing Objectives.</p> <p>The applicant has proposed four model conditions in order to promote the licensing objectives (see <b>Appendix 4</b>). In addition, the applicant has agreed seven conditions with the Police and a further two from Environmental Health (see <b>Appendix 4</b>).</p>		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	03:00	03:00	03:00	03:00	03:00	03:00	03:00
<b>Seasonal variations/ Non-standard timings:</b>			During the Holy month of Ramadan it is requested that the provision of Late Night Refreshments continues until 5am, to cater for the large majority of Muslim customers who can only eat between sunset and sunrise.				

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	03:30	03:30	03:30	03:30	03:30	03:30	03:30
<b>Seasonal variations/ Non-standard timings:</b>			Premises to remain open until 06:00 hours during the Holy month of Ramadan.				
<b>Adult Entertainment:</b>			None.				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Anil Drayan
<b>Received:</b>	26 September 2016
<p>I wish to make the following representation:</p> <p>1. Provision of Late Night Refreshment and for the hours requested may have the likely effect of increasing Public Nuisance in the area</p> <p>The applicant has provided some conditions which are under consideration.</p> <p>Clarification is sought as to whether the whole of the ground floor (including external private forecourt) or only the private forecourt is to be used for licensable activities. There is also no indication of the proposed capacity for the premises particularly for any proposed use of the external area.</p> <p>Environmental Health will also need to be satisfied that any plant and machinery employed should have appropriate mitigation measures to prevent Public Nuisance from odour and/or noise from the proposed extended hours of use. Such information should be provided as part of a comprehensive Appendix 11 (as stated in Westminster's Statement of Licensing policy) assessment to prevent Public Nuisance in the area.</p>	

The Environmental Health officer has proposed two conditions which have been accepted by the applicant (see **Appendix 4**).

<b>Responsible Authority:</b>	Metropolitan Police
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<b>Representative:</b>	PC Sandy Russell
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<b>Received:</b>	9 September 2016
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With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

There are concerns that this application will cause further policing problems in an already demanding area. It is for these reasons that we are objecting to the application at this stage in the application process.

The Police have proposed seven conditions which have been accepted by the applicant (see **Appendix 4**).

## 2-B Other Persons

<b>Name:</b>	Mr Paul Stapley-Tovey
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<b>Address and/or Residents Association:</b>	10-12 Crawford Street London W1U 6AZ
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<b>Received:</b>	25 September 2016
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Licence period is too late for this residential area.

<b>Name:</b>	Mr James Hancock
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<b>Address and/or Residents Association:</b>	Flat 1 96 Gloucester Place London W1U6HT
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<b>Received:</b>	26 September 2016
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I object to this application for the following reasons:

A late night licence such as this is inappropriate for the residential area in which the premises are located. It should be noted that the café is already operating as late as 12am, serving food and drinks to customers seated both inside and on the street. I have also witnessed shisha smoking at this late hour.

There is no adequate ventilation installed in the premises. Foul cooking smells permeate the street via a non filtered fresh air duct located on the shop front.

The premises was granted a certificate of lawful use or development by Westminster council on 19.12.2012, ref: 12/03302/CLEUD. At the time the premises were operating as a sandwich bar, which also served cooked breakfasts and light lunches. This

sandwich bar closed at 5pm in the afternoon.

The lawful development certificate relates to the sandwich bar and therefore the current use is materially different from that described in both the application and the development certificate. As there have been material changes to the activities at these premises, I would suggest that the café is now already operating without an appropriate licence.

Because of this point, the lack of ventilation and the fact that the premises already operates late into the night without a licence to do so, I find it difficult to imagine that the owners or operators of this café will comply with any future licence that may be granted or restrictions imposed on the hours of operation. Therefore the application should be refused.

<b>Name:</b>	Mr Shaun Opperman
<b>Address and/or Residents Association:</b>	Flat 1 98 Gloucester Place London W1u 6ht
<b>Received:</b>	28 September 2016

There was a sandwich/breakfast bar here before so I would imagine this is already a change of use.

The licence being applied for is far too late for a residential area. The previous café used to close at 5 in the afternoon whereas customers now are already seated outside until midnight.

Cooking smells are vented directly out onto the street, which is unpleasant.

I feel that the application should be refused.

<b>Name:</b>	Mr Neil Taylor
<b>Address and/or Residents Association:</b>	3 Spring Mews Crawford Street London W1U 6AS
<b>Received:</b>	6 September 2016

I am concerned at the amount of noise there will be through the night, despite the fact that alcohol is not served in this restaurant. Late-night visitors tend to be younger and more boisterous and as they are not drinking, will come by car, so starting, leaving and parking plus slamming doors will add to the regular noise that a restaurant inevitably generates. It is unlikely that residents here will be a regular clientele during the night so it will only be people coming from elsewhere who will take advantage of such a facility.

The Council has turned down previous applications for late-night opening in this area and I hope that such a policy will continue. Were one restaurant now be granted such a licence, it will immediately generate further applications from others and Marylebone will totally lose its appeal as a residential area.

<b>Name:</b>	Mr P Vlad
<b>Address and/or Residents Association:</b>	Gloucester place London W1
<b>Received:</b>	5 September 2016
<p>I live with my family very near this cafe, it used to be a nice sandwich shop that closes at 5 or 6 and closed on Sundays, now they are open late, it has a smoking den feeling and they operate shisha indoors illegally.</p> <p>They do not have the right planning permission to apply for this licence, please check with planning and with the smoking enforcement team as they have just opened.</p> <p>Should they have a late licence, they will operate outside till very late causing a lot of noise to the neighbourhood.</p> <p>If you look at the drawings, they have included the outside as part of the licence, this is a sneaky way to try to start serving shisha outside late at night.</p>	
<b>Name:</b>	Mrs Giulia Aschieri
<b>Address and/or Residents Association:</b>	10-12 Crawford Street Flat 5 London W1U6AZ
<b>Received:</b>	14 September 2016
<p>I am writing as a neighbour to Burj Alarab Arabesque and I do not wish the licence to be extended until 3am. I feel this is too late especially because it will result in a lot of noise and disruption to our sleep. I find this unreasonable especially on weekdays. This is a residential area and as such I am against this extension of licence.</p>	
<b>Name:</b>	Ms Helen Kwok
<b>Address and/or Residents Association:</b>	10-12 Crawford Street London W1U 6AZ
<b>Received:</b>	28 September 2016
<p>I am writing to register my objection to the above application for a premises licence. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, in particular the prevention of public nuisance and advancement of public safety.</p> <p>I neighbour the restaurant and live on the second floor above it at 10-12 Crawford Street. There are already tables positioned outside the restaurants downstairs and noise invariably filters up to my flat.</p> <p>I appreciate that nearby restaurants in the street generally close towards midnight, and the noise and crowds on the footpath at closing time creates a noise nuisance – in particular as guests make arrangements to leave. This is generally tolerable, however, if</p>	



the premises were allowed to stay open any longer, this would go on until an unacceptably late time.

I note that Section 14 of the application proposes late night refreshments between the hours of 11pm to 3am (7 days). This would create a second wave of noise and traffic in the middle of the night which would further disrupt peace and quiet, when I am trying to sleep. I am also particularly concerned that this is not in character with our street and existing establishments which respect the peace and quiet which neighbours currently enjoy.

With respect to public safety, I often come home after midnight on weekends and currently feel safe in approaching my residence. I would not feel as safe coming home knowing that visitors leaving the restaurant will be either leaving or hanging around on the street.

<b>Name:</b>	Mr Engin Servi
<b>Address and/or Residents Association:</b>	10-12 Crawford Street London W1U 6AZ
<b>Received:</b>	14 September 2016

I am responding to your letter concerning application Ref: 16/09099 for Burj Al arab Arabesque, 13C Crawford Street, London, W1U 6AZ.

As the owner of neighbouring Ishtar Restaurant my objections are as follows:

1) As an established restaurant of last 12 years, we always did our best to maintain considerate relationship with our neighbours and always responded positively to occasional objections in the past to eliminate any disturbance may occur due our own fault. We do believe that the residential neighbours are satisfied with our attitude as they are also vocal about it.

Especially around our restaurant's closure hours we do show great effort for our customers to leave our premises quietly. However since the above mentioned restaurant started to operate their business on our street and keeping it open until early hour of the morning, our neighbours rightly getting confused as if the noise is coming from our restaurant. We contacted each resident to explain ourselves and we believe that they are satisfied with our argument which we are not responsible of late noise level.

2) I am not satisfied that the above restaurant has appropriate food cooking licence since their ventilation system is almost non-existent. The smell of the food cooking reaches our restaurant at full strength and our neighbours were also surprised at first because we did not have this food smell issue prior to opening of Burj Al arab Arabesque.

I do strongly believe that if the proposed application is granted by yourself, this issues going to get difficult to control. There for I am writing this letter to request my written opposition for this application. I would also like to add that my opposition has no relevance with trade competition. I am a firm believer that more of the same type of business gets more trade traffic.

I am confident that you will consider my objection within your guidelines.	
<b>Name:</b>	Mrs Beverley St John Aubin
<b>Address and/or Residents Association:</b>	2 Spring Mews Crawford Street London W1U 6AS
<b>Received:</b>	17 September 2016
I am worried about excessive noise, which is already a problem most nights around midnight. Cars parking and leaving, banging doors, cars blocking the entrance to Spring Mews are a constant issue, which can only get worse if the licence is granted for an opening until 03.00. I would hope that all cafes/restaurants could close at 23.00 which would give residents a decent night's sleep whilst still allowing customers to enjoy themselves before then. Other similar applications have been turned down in the past, so I hope this one is as well. Previously the premises closed at 17.00 so never gave any problem to residents.	

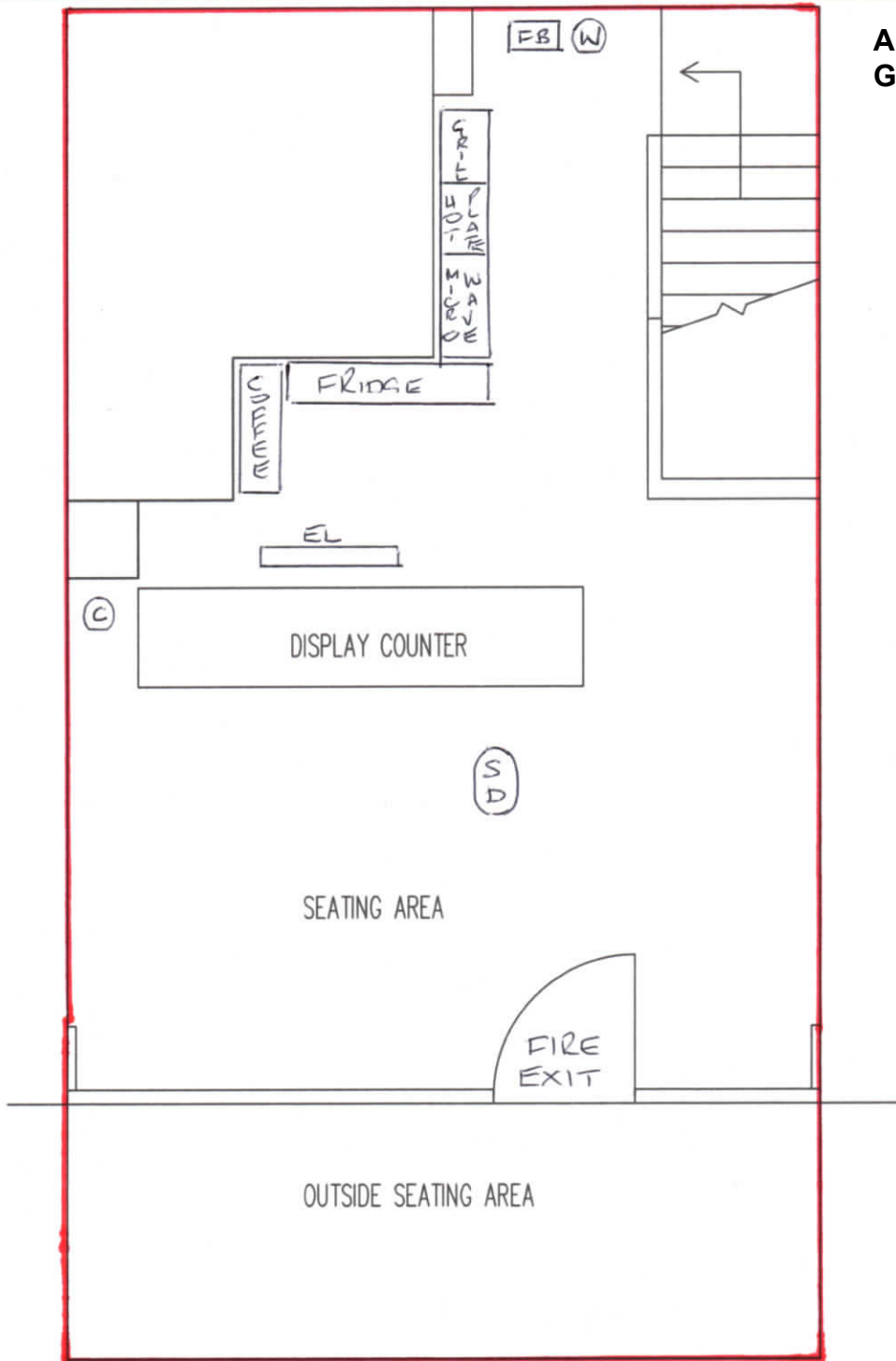
### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	(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.  (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.
<b>Policy FFP1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 4. Appendices

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

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

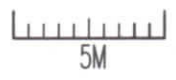


- EMERGENCY LIGHTING
- EXTINGUISHER (WATER)
- EXTINGUISHER (CO2)
- SMOKE DETECTOR
- FIRE BLANKET

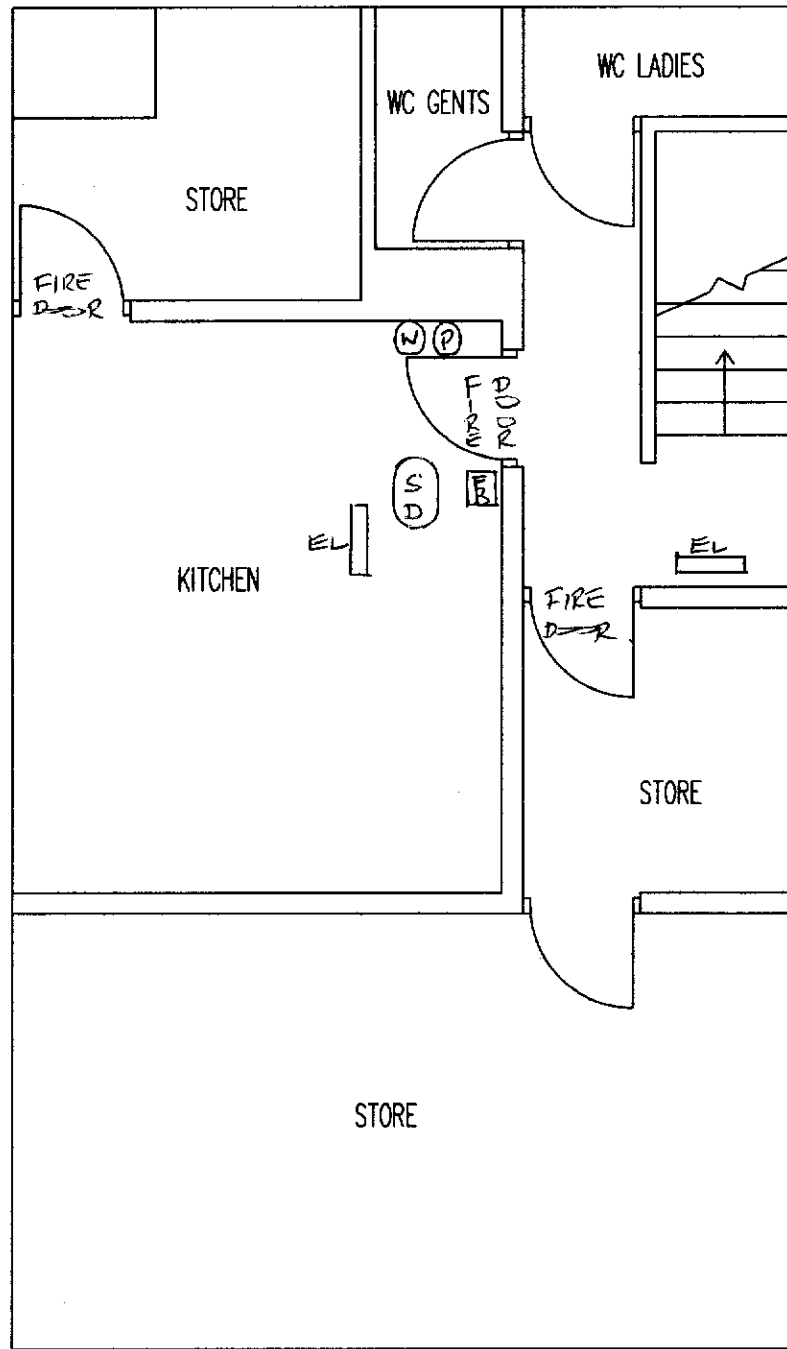
**LICENSENSABLE  
AREA**

CRAWFORD STREET

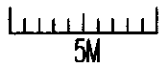
GROUND FLOOR PLAN AND SITE PLAN



RESTURANT  
13C CRAWFORD STREET  
LONDON  
W1U 6BZ



BASEMENT PLAN



- EMERGENCY LIGHTING
- EXTINGUISHER (WATER)
- EXTINGUISHER (POWDER)
- SMOKE DETECTOR
- FIRE BLANKET

## **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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

### **Mandatory Conditions**

None

### **Conditions consistent with the operating schedule**

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
2. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. 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.

### **Conditions proposed by Environmental Health & agreed by the applicant**

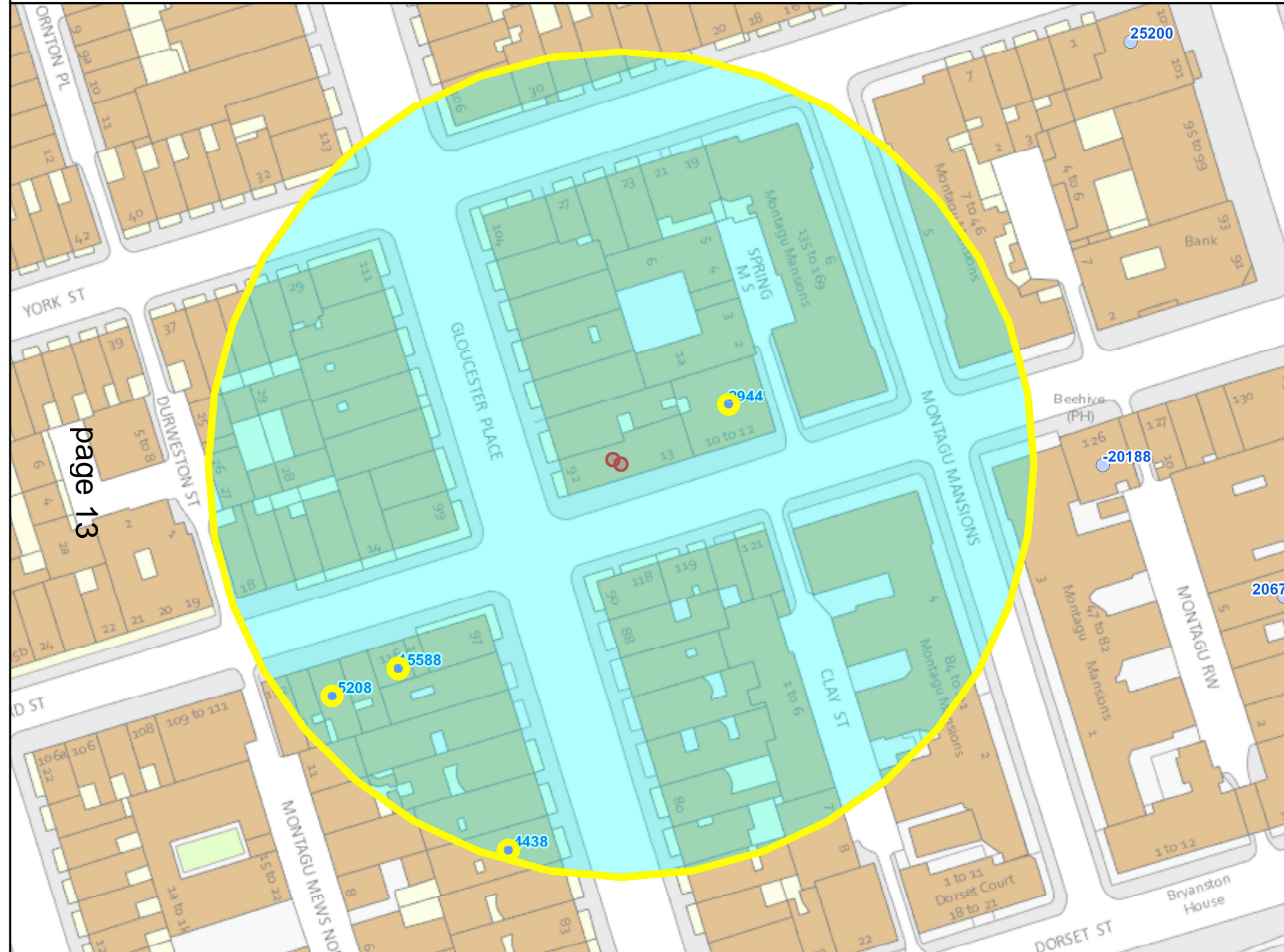
5. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

### **Conditions proposed by the Police & agreed by the applicant**

7. 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.
8. 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 are 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.
9. All outside tables and chairs shall be rendered unusable by 23.00hrs each day.
10. Sales of hot food and drink consumed on the premises shall cease at 01.00hrs
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. The premises shall only operate as a restaurant (a) in which customers are shown to their table, b) 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, c) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00hrs.
13. During the month of Ramadan sales of hot food and drink are permitted inside the premises only until 05.00hrs.




# Burj Alarab Arabesque



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Residential Properties	295
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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## Appendix 5 - Data List

<b>Premises within 75m of: Burj Alarab Arabesque, 13C Crawford Street</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
10/05714/LIPV	Ishtar Restaurant	10C Crawford Street London W1U 6AZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 22:50
07/01520/WCCMAP	Monkey And Me	Basement And Ground Floor 115 Crawford Street London W1H 2JF	Friday to Saturday 10:00 - 00:00 Monday to Saturday 10:00 - 01:00 Monday to Wednesday 10:00 - 23:30 Sunday 12:00 - 01:00 Sunday 12:00 - 22:30
16/01463/LIPN	Z At Gloucester Place	87 Gloucester Place London W1U 6JF	
14/07886/LIPT	Savoy Market	Ground Floor 116 Crawford Street London W1H 2JJ	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30



**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	23 August 2016

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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 2

Item No:	
Date:	10 November 2016
Licensing Ref No:	16/06061/LIPV - Premises Licence Variation
Title of Report:	Rose Cafe 57 Praed Street London W2 1NS
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
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			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	14 June 2016		
<b>Applicant:</b>	Mr Hassan Kadhim Ali		
<b>Premises:</b>	Rose Cafe		
<b>Premises address:</b>	57 Praed Street London W2 1NS	<b>Ward:</b>	Hyde Park
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises operates as a café over the ground floor and basement.		
<b>Variation description:</b>	To increase the hours of late night refreshment (and opening hours accordingly) until 02:00 Monday to Saturday and 01:00 on Sundays.		
	To increase the hours of late night refreshment (and opening hours accordingly) until 03:00 Monday to Sunday in June, July, December and for the month of Ramadan each year.		
<b>Premises licence history:</b>	The premises has held a premises licence since 27 March 2014. The current licence holder has been the single licence holder for the duration of the licence.		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both	Current :				Proposed:	
	Indoors				Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00	23:30	23:00	02:00	Ground floor and basement	No change
<b>Tuesday</b>	23:00	23:30	23:00	02:00	Ground floor and basement	No change
<b>Wednesday</b>	23:00	23:30	23:00	02:00	Ground floor and basement	No change
<b>Thursday</b>	23:00	23:30	23:00	02:00	Ground floor and basement	No change
<b>Friday</b>	23:00	00:00	23:00	02:00	Ground floor and basement	No change
<b>Saturday</b>	23:00	00:00	23:00	02:00	Ground floor	No change

					and basement	
<b>Sunday</b>	N/A	N/A	23:00	01:00	Ground floor and basement	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				23:00 to 03:00 Monday to Sunday in June, July, December and for the month of Ramadan each year.	
	None				No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	07:00	23:30	07:00	02:00	Ground floor and basement	No change
<b>Tuesday</b>	07:00	23:30	07:00	02:00	Ground floor and basement	No change
<b>Wednesday</b>	07:00	23:30	07:00	02:00	Ground floor and basement	No change
<b>Thursday</b>	07:00	23:30	07:00	02:00	Ground floor and basement	No change
<b>Friday</b>	07:00	00:00	07:00	02:00	Ground floor and basement	No change
<b>Saturday</b>	07:00	00:00	07:00	02:00	Ground floor and basement	No change
<b>Sunday</b>	07:00	23:00	07:00	01:00	Ground floor and basement	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				07:00 to 03:00 Monday to Sunday in June, July, December and for the month of Ramadan each year.	
	None				No change	

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Maxwell Koduah
<b>Received:</b>	21 July 2016
I wish to make the following representation	
1. Provision of late night refreshment and hours requested to permit the Provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the Area.	
The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the Area.	

The original application made in 2014 (ref. 14/00915/LIPN) was for Late Night Refreshment Indoors Monday to Thursday 23:00 to 01:00 and Friday to Saturday 23:00 to 00:30. The Licensing Sub-Committee on 27th March 2014 reduced the requested hours to core terminal hours because of the particularly residential area and the risk of public nuisance. There is no information within this application to allay the concerns of the Licensing Sub-Committee of 27th March 2014.

In the last 12 months, two public nuisance complaints have been received from two local residents. Details will be provided later.

The applicant has provided no supporting conditions and Environmental Health have concerns with the application.

Environmental Health have provided additional documentation in the form of:

- Licensing Sub-Committee minutes from 27 March 2014; and
- A complaint history for the premises.

Please refer to **Appendix 2**.

In addition, Environmental Health has proposed amendments to conditions 11 and 14 on the current premises licence (see **Appendix 4**).

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Michael Day
<b>Received:</b>	27 July 2016

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated close to the Edgware Road Cumulative Impact Area, a locality where this is traditionally high crime and disorder but I believe this application will cause further policing problems in the area.

<b>2-B Other Persons</b>			
<b>Name:</b>	Dr David Humphreys		
<b>Address and/or Residents Association:</b>	18 St Michael's Street, London		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	1 August 2016		

The Rose Café is adjacent to a number of residential properties, including mine. Activity within the Café is not generally a problem for us. However, the Café acts as a focal point for a number of more informal gatherings around about it, and there are frequent issues with parking on Junction Place (which is very narrow) and on the ramp of the car park which serves the hotel and houses on St Michael's Street, as well as loud

discussions late at night which reverberate around the space between Tune Hotel and the St Michael's Street houses. I appreciate that these more informal gatherings are hard for the café owners to control but the potential for these to become more bothersome to those of us trying to sleep would increase significantly if the licensing hours were to be extended to 2.00am on weekdays – or indeed to 3.00 am for four months of the year as is being proposed.

<b>Name:</b>		Mrs Elizabeth Virgo	
<b>Address and/or Residents Association:</b>		Paddington Waterways & Maida Vale Society	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	30 July 2016		

Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents, including those who live in the vicinity of Paddington Station and those who use the station either for travel or for passing through.

We recognise that this proposal is designed to provide services for locals as well as people who are not residents in this area. However, the application extending hours for Late Night Refreshment raises the issue that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance. It could also impair the prevention of crime and disorder.

We are concerned about the impact of noise on residents and, particularly, on children living in the locale. There has been a plethora of licensing applications to our knowledge lately in this area and we are very concerned that the impact of yet another one should be weighed up.

However, this application is seeking to extend hours well beyond its current 'core' hours, which were granted in 2014. We do not see any justification in the application for extending the hours beyond those currently permitted.

The following points are relevant:

- The application suggests that the current licence permits late night refreshment midnight. It does, but only on Fri-Sat, in line with core hours. The application seeks to extend late night refreshment to 2am Mon-Sat, 1am Sun. We consider that this is highly likely to impact adversely on the licensing objectives.
- The premises is situated on the corner of Praed Street and Junction Place, which is a quiet residential street. The premises has frontages on Praed Street and Junction Street. Beyond Junction Street, there are more residential streets. Residents could therefore be impacted by noise from outside the premises and by customers dispersing. People can be attracted to late opening premises which look like they may provide hot food and drink to take away.

- The hours sought are therefore well beyond 'core hours' and what is reasonable in this locality. We also note that there has been a spate of applications in recent weeks for very late licences on this stretch of Praed Street. This is a concerning development for us, coming as it does after the extension of hours in 2014 for 28 Praed Street. We are concerned that the grant of that application is now being used as a precedent by others.

- We note that the formal decision notice following the application for a new licence in 2014 (ref: 14/00915/LIPN) states that core hours were acceptable but 'the Sub-Committee was concerned that this was a particularly residential area and that there was a greater potential for public nuisance if Rose Café was granted the terminal hours applied for in full.' We endorse this.

- We are also concerned that this application, when seen in the context of other recent applications, will result in issues of 'cumulative impact' as seen in the designated 'cumulative impact areas'. The Edgware Road cumulative impact area (CIA) is a short distance away, and we are wary of the problems which led to the designation of Edgware Road as a CIA spreading to Praed Street.

- We note that the s182 Guidance recognizes that this is a relevant issue to raise even when outside a designated area: 'The absence of a [cumulative impact area] policy does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives' (para 13.33).

- The hours sought mean that customers will be coming to and leaving the premises very late at night. This could disturb residents in the area. Customers will also be leaving at times when public transport is less easy to obtain, which could lead to customers walking to Edgware Road, which is in a designated cumulative impact area. This is entirely contrary to the purpose of Edgware Road's designation as a cumulative impact area.

For these reasons we consider that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impair the prevention of crime and disorder.

We are concerned about the impact of noise on residents and, particularly, on children living in this locale.

We would ask that the application is refused.

We consider that there should be no use of outside tables after 22.00.

We would ask that the licence be confirmed as it stands and the variation in hours not be approved, leaving the operation to work with Core Hours.

<b>Name:</b>		Mr John Zamit	
<b>Address and/or Residents Association</b>		South East Bayswater Residents' Association	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	30 July 2016		



We object to this variation application and support representation from PW&MV Society.

We consider if variation granted it would cause loss of amenity and nuisance to residents in area and also there is potential of crime and disorder.

Longer hours if granted would set a precedent in area and other applications to open later would follow.

### 3. Policy & Guidance

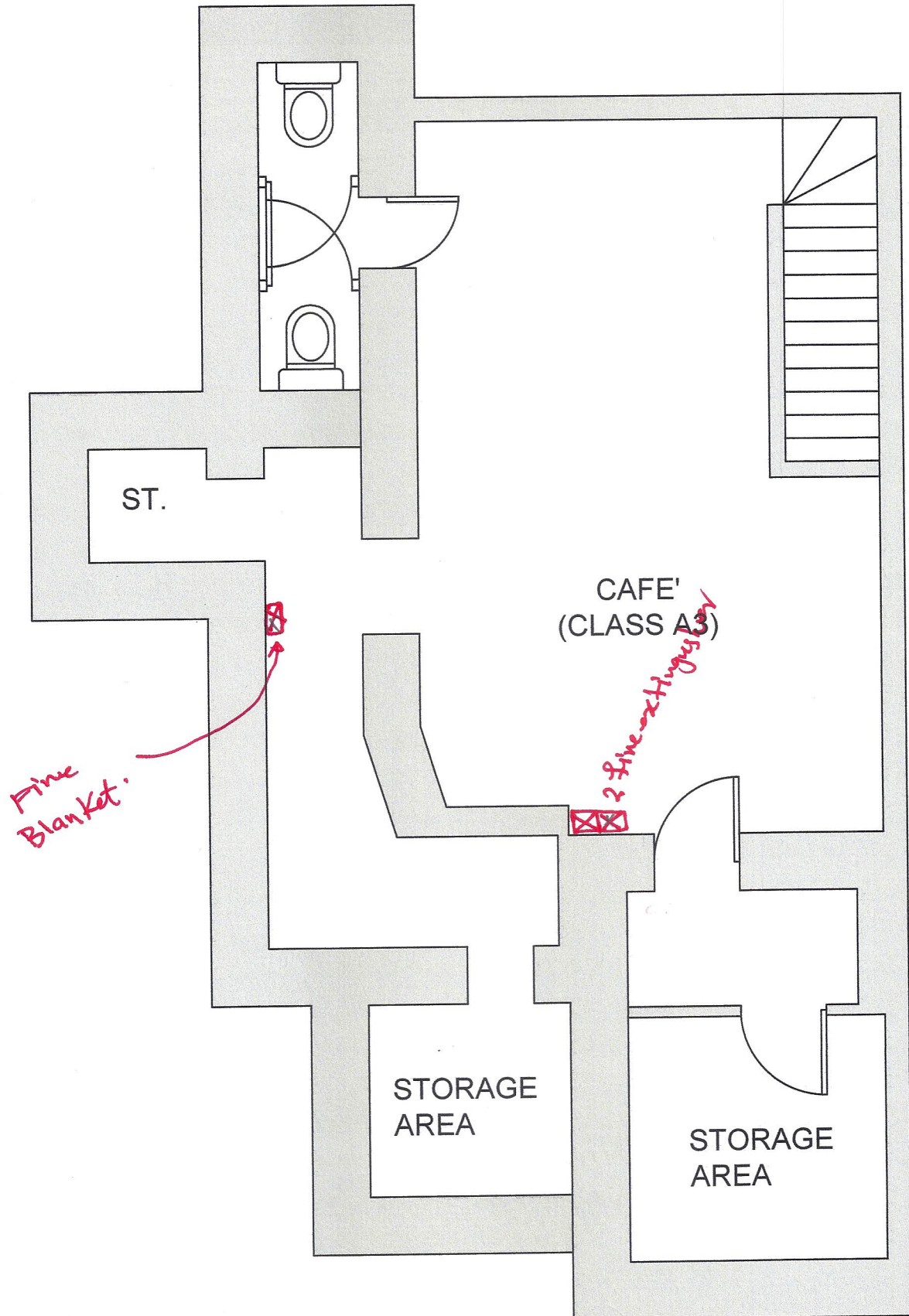
The following policies within the City Of Westminster Statement of Licensing Policy apply:

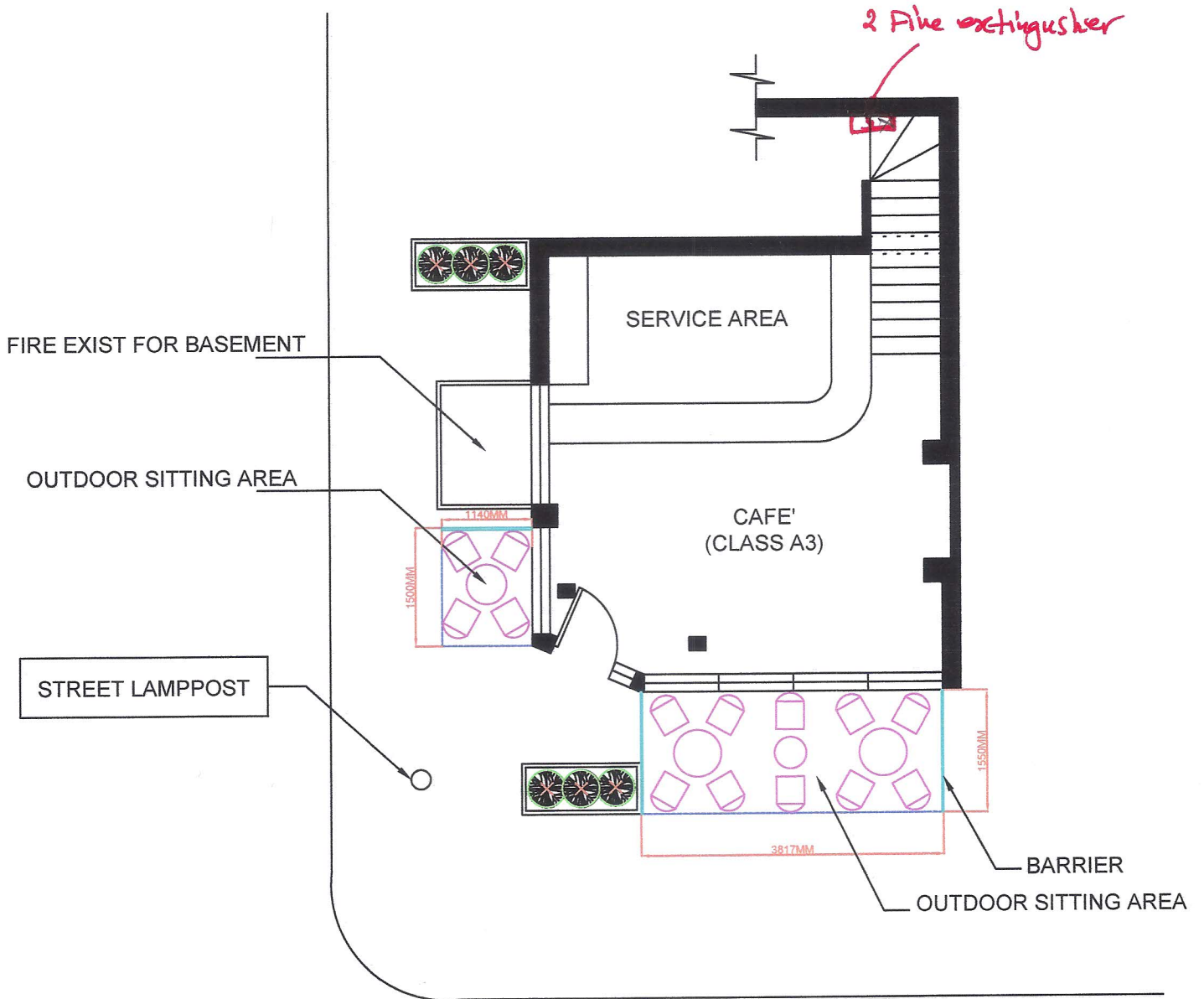
<b>Policy HRS1 applies</b>	(i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
<b>Policy FFP1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1. □

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Environmental Health supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

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





Ground Floor

**LICENSING SUB-COMMITTEE No.5***Thursday 27<sup>th</sup> March 2014*

Membership: Councillor Tim Mitchell (Chairman), Councillor Andrew Havery and Councillor Ahmed Abdel-Hamid

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

Relevant Representations: Objecting to application - Environmental Health, Metropolitan Police, Ward Councillor, 3 residents' associations, 3 local residents and  
 In support of application - 1 local resident.

Present: Mr Nicholas Kingsley-Smith (Solicitor, representing the Applicant), Mr Hassan Kadhim Ali (Applicant), Mr Dave Nevitt (Environmental Health), Ms Kay Cummings (Licensing Inspector), Ms Karen Scarborough (Hyde Park Estate Association and also representing Paddington Waterways and Maida Vale Society), Mr John Zamit (South East Bayswater Residents' Association) and Ms Valerie Dyson (local resident).

<b>Rose Café, 57 Praed Street, W2</b>	
<b>14/00915/LIPN</b>	
<b>1.</b>	<b>Late Night Refreshment: Indoors</b>
	Monday to Friday: 23:00 to 01:00 Saturday to Sunday: 23:00 to 00:30.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  The Sub-Committee granted core terminal hours for late night refreshment (indoors) - Monday to Thursday until 23:30 and Friday to Saturday until midnight, subject to conditions as set out below. The Council's policy for premises supplying fast food outside the Stress Areas (Policy FFP1) is that 'applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1'. The Sub-Committee considered that the licensing objectives were likely to be promoted in the event that the premises operated until the core terminal hours. However, the Sub-Committee considered that this was a particularly residential area and that there was a greater potential for public nuisance if Rose Café was granted the terminal hours applied for in full.

In granting core terminal hours Monday to Saturday and requiring the premises to close at 23:00 on Sunday, the Sub-Committee took into account that the café did not sell alcohol. The Applicant had addressed the Police's original concerns regarding the potential for crime and disorder having agreed their proposed conditions including that there would be no food or drink consumed outside the premises. The Applicant was not proposing any takeaway of hot food or drink. The Applicant had also agreed a number of conditions proposed by Environmental Health to promote the licensing objectives, apart from one which was that 'there shall be no new entry of patrons after 23:00 hours'. Mr Kingsley-Smith had requested that this condition was not imposed as the proposed capacity of 25 people would not tend to stay very long on the premises and there was not likely to be any trading after 23:00 hours if customers were not allowed to enter after that time. Mr Nevitt for Environmental Health advised that the premises had in the past had a history of complaints but that since shisha smoking had ceased this had cured many of the problems. Ms Cummings informed Members of the Sub-Committee that she had visited the premises at the weekend and no issues had been raised. In those circumstances, the Sub-Committee decided not to impose this condition.

In deciding not to grant the hours applied for in full, the Sub-Committee took into account Mr Nevitt's comments that the reason he maintained his representation was that the Applicant was applying until 01:00 for late night refreshment most evenings and there was an increased likelihood of public nuisance at this hour. Rose Café was in close proximity to residents.

The Sub-Committee heard from Ms Dyson, a local resident who lives immediately adjacent to Rose Cafe. In addition to describing the difficulties for residents when the premises had been open until late into the night when shisha smoking had taken place, she stated that even when customers were eating on the premises and not taking hot food or drink off the premises, they still congregated, smoked and created noise into the early hours of the morning. She had been required to stop using the front bedroom and use a room at the back in order to avoid being disturbed. She believed it was unreasonable for this kind of activity to take place at 01:00 or 02:00 including the sweeping of the pavement and the noise of vehicles. Ms Dyson commented that there were still some issues at the premises but that she had not complained to the Council's Noise Team due to the time it takes for officers to visit. She had additional concerns about additional people using the pavement which she stated is narrow and resulted in wheelchairs and pushchairs being blocked.

Ms Scarborough added that hot food did attract customers to stay in the area for longer. Mr Zamit made the point that the area was very quiet, the road was very narrow and it could be seen how nuisance was able to occur.

The Sub-Committee noted that the premises had previously been able to operate until the early hours of the morning if it sold cold food and drink which could potentially inconvenience local residents. However, with core hours being granted at the premises, staff would be required to close Rose Cafe at the permitted terminal hours. Mr Kingsley-Smith stated during the hearing that the

	<p>premises had not been operating after 23:00 hours for approximately a year.</p> <p>A number of conditions were attached by the Sub-Committee to the licence including deliveries only taking place between 08:00 and 20:00 as requested by the Amenity Societies to prevent public nuisance which was acceptable to the applicant. The Amenity Societies had no objection to the Applicant operating until 23:00 hours on Sundays.</p>
<b>2.</b>	<b>Opening Hours:</b>
	<p>Monday to Friday: 07:00 to 01:00  Saturday to Sunday: 07:00 to 00:30.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee granted core terminal hours Monday to Saturday (Monday to Thursday 07:00 to 23:30 and Friday and Saturday 07:00 to 00:00). The Sub-Committee also granted a terminal hour of 23:00 on Sunday.</p> <p>See reasons for decision in Section 1.</p>

<b>Conditions attached to the Licence</b>	
Mandatory conditions – None	
1.	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.
2.	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.

3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. 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.
- 4b.No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
5. No deliveries to the premises shall take place between 20.00 and 08.00 on the following day.
6. Food and drink shall not be consumed in the external areas after 23.00 hours.
7. Children shall not be allowed at the premises after 23:00
8. All outside tables and chairs shall be removed or rendered unusable by 23.00 each day.
9. 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) any complaints received regarding crime disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
- 10.All customers shall be off the premises by 23:30 hours Monday to Thursday, midnight Friday to Saturday and 23:00 on Sunday.
11. There shall be no take-away of hot food or hot drink after 23:00 hours.
12. After 23:00 hours the number of persons (including staff) permitted in the premises at any one time shall not exceed 25 persons
13. After 23:00 hours patrons temporarily leaving the premises, such as for the purposes of smoking, shall only use the Praed Street forecourt and will be limited to a maximum of 4 persons at any one time.
14. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
15. At closing time staff shall encourage patrons to disperse quietly away from the premises and not congregate outside.
16. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

17. No fumes, steam or odours shall be emitted from the licensed premises so as to
18. 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.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
22. 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.
23. 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.
24. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.



## Recent complaint history - Rose Café, 57 Praed Street

	<b>Date &amp; time</b>	<b>Complaint</b>	<b>Action</b>
1	07.08.2016 @ 01:20	Visit to premises as customers sat outside, door open and hot tea being provided	Two officers attended and spoke to male members of staff whose details were not provided. Visit carried out to the premises as it was open and trading. There were 2 persons seated at a table in Junction Place and 5 persons sat at outside tables and chairs in Praed Street. The front door was wide open. A male member of staff took a teapot and cup from the premises to an outside table. A male behind the counter who had a poor command of English was spoken to. He initially denied that the premises was supplying any hot drinks but then admitted that the premises were open until 02:00 hrs on the orders of the owner.
2	24.01.2016 @ 00:06	Noise from the terrace outside the cafe - people talking loudly (shouting). Cafe doesn't have a license for the terrace	24.01.2016 @ 01:33 No activity in area at time of drive-by.
3	25.08.2015	Noise coming from commercial property with people leaving loudly and leaving car engine on early on in the morning	An officer called complainant twice but he didn't answer & no facility to leave a message. Details to be passed to the relevant Licensing Team to follow up

## Pre-licence complaint history

	<b>Date</b>	<b>Complaint</b>	<b>Action</b>
	24.10.2012	@ 22:43 Loud voices and shouting goes on through the evening and until 3 in the morning	p c didnt want a visit. drive by @ 00:21 noise not snn. 12 people o/s talking quietly.
	03.10.2012	@ 00:15 Loud talking and shouting from Rose Cafe since 7pm	No visit done
	12.09.2012	@ 00:39 noise coming from Rose Cafe	@ 02:04 Officer visited and observed that Café was closed.
	06.09.2012	@ 00:53 loud noises from cafe on 57 Praed Street customer advised cafe open to 3am 4 am every night	@ 02:11 officers visited and observed 8 people seated o/s no noise audible.

	05.09.2012	@ 00:31 Loud noise coming from Rose Cafe at 57 Praed Street.	@ 01:00 left msg on ansaphone, to drive by
	21.08.2012	@ 00:16 Loud noise coming from Rose Cafe - 57 Praed Street. Ongoing issue - caller is stressed and needs a long term solution. Caller has advised that his physical and mental health has been affected due to this issue	@ 04:13 Visit premises closed unable to visit earlier busy night.
	06.07.2012	four TENs application	17.07.2012 All four TENs withdrawn due to objection from EH and referral to LSC
	05.08.2012	@ 22:30 people at 57 Praed street, rose cafe up until 2am or later making lots of noise on mobile phones, out in the street and very loud even when indoors. On-going issue.	@ 23:45 S80 notice ref. 12/01407/EP80NC served on premises and handed to person who is applicant of application in issue.
	31.05.2012	00:18 Large group of people outside Rose cafe Praed street	@ 01:55 an officer visited but premises was closed at time of visit, no tables & chairs outside. No activity noted.
	23.05.2012	@ 23:44 Loud talking shouting on-going problem	00:14 Call back and complainant confirmed noise had reduced
	18.04.2012	@ 21:42 Noise from the rose cafe.57 Praed street, on-going issue but particularly loud tonight	Officer visited and observed 11 people smoking shisha outside, not unreasonably loud (customer confirms it has quietened down. No further action
	08.02.12	@ 15.33 an officer attended premises and spoke to a member who admitted to be in charge regarding customers smoking in substantially enclosed area on forecourt. Person in charge apologised.	20.06.12 person in charge attended interview regarding breach of Health Act. He signed a file note. He was warned that further breaches will result in immediate prosecution

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/00915/LIPN New application	Application for a new premises licence	27.03.2014	Granted by Licensing Sub-Committee

**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:**

None

**Annex 2 – Conditions consistent with the operating Schedule**

None

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

1. 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.
2. 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.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

4. 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.
5. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
6. No deliveries to the premises shall take place between 20.00 and 08.00 on the following day.
7. Food and drink shall not be consumed in the external areas after 23.00 hours.
8. Children shall not be allowed at the premises after 23:00
9. All outside tables and chairs shall be removed or rendered unusable by 23.00 each day.
10. 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) any complaints received regarding crime disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
11. All customers shall be off the premises by 23:30 hours Monday to Thursday, midnight Friday to Saturday and 23:00 on Sunday.

*Proposed amendment by Environmental Health to read:*

*All customers shall be off the premises by 02:00 hours Monday to Saturday, and 01:00 on Sunday save for Ramadan Month(s) and 20th to 31st December when customers shall be off the premises by 03:00 Monday to Sunday.*

12. There shall be no take-away of hot food or hot drink after 23:00 hours.
13. After 23:00 hours the number of persons (including staff) permitted in the premises at any one time shall not exceed 25 persons
14. After 23:00 hours patrons temporarily leaving the premises, such as for the purposes of smoking, shall only use the Praed Street forecourt and will be limited to a maximum of 4 persons at any one time.

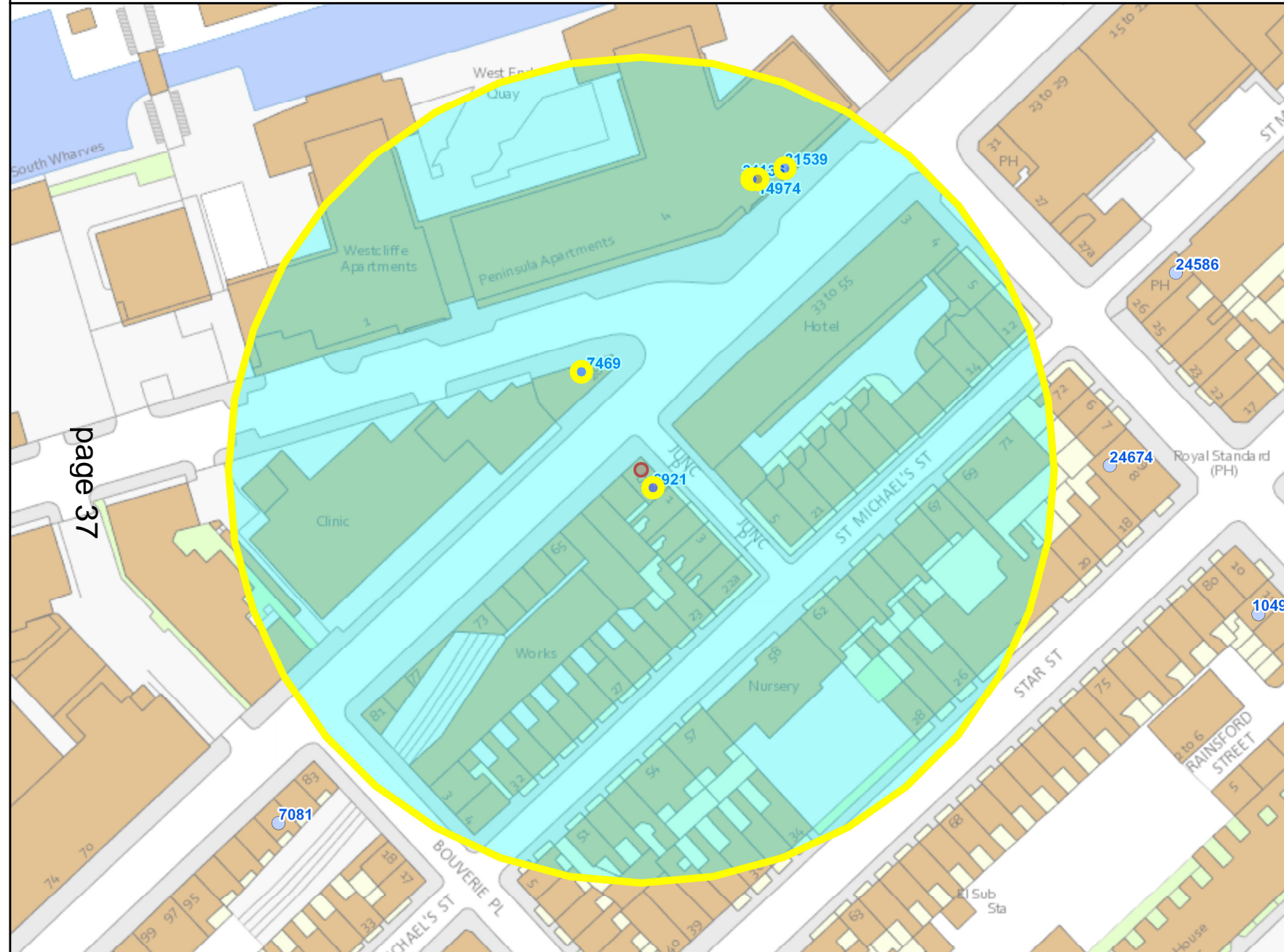
*Proposed amendment by Environmental Health to read:*

*After 23:00 hours patrons who temporarily leave the premises and then re-enter, such as for the purposes of smoking, shall be limited to a maximum of 4 persons at any one time; shall not take drinks and glass containers with them and shall only use the Praed Street forecourt*

15. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
16. At closing time staff shall encourage patrons to disperse quietly away from the premises and not congregate outside.
17. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. No fumes, steam or odours shall be emitted from the licensed premises so as to
19. 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.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. 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.
22. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
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. 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.
25. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.

**Condition proposed by the Paddington Waterways & Maida Vale Society**

26. There shall be no use of outside tables after 22.00.



page 37

Residential Properties	243
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10 Meters

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Data Source: Uniform Database  
Date: 26/10/2016

## Appendix 5 - Data List

Premises within 75m of: Rose Café, 57 Praed Street			
p / n	Name of Premises	Premises Address	Opening Hours
13/00300/LIPT	See Cafe	4D Praed Street London W2 1XJ	Monday to Saturday 09:00 - 23:00 Sunday 10:00 - 22:30
16/00557/LIPCH	Tesco - Paddington Express	Unit 8 West End Quay South Wharf Road London W2 1LA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
16/02746/LIPDPS	Grand Union	Unit 1 West End Quay South Wharf Road London W2 1LA	Friday to Saturday 09:00 - 00:00 Sunday 09:00 - 22:30 Monday to Thursday 09:00 - 23:30
14/09849/LIPV	Fantasia	28 Praed Street London W2 1NH	Monday to Wednesday 10:00 - 01:00 Thursday to Saturday 10:00 - 01:30 Sundays before Bank Holidays 12:00 - 00:15 Sunday 12:00 - 23:00
14/00915/LIPN	Rose Cafe	57 Praed Street London W2 1NS	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30



**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	14 June 2016
<b>5</b>	Current licence	6 May 2014

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Item No:	
Date:	10 November 2016
Licensing Ref No:	16/09268/LIPN - New Premises Licence
Title of Report:	Tommi's Burger Joint 37 Berwick Street London W1F 8RS
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
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			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	31 August 2016		
<b>Applicant:</b>	Tommi's Burger Joint Limited		
<b>Premises:</b>	Tommi's Burger Joint		
<b>Premises address:</b>	37 Berwick Street London W1F 8RS	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises is to operate as a restaurant on the ground floor only.		
<b>Premises licence history:</b>	The premises has not previously held a premises licence.		
<b>Applicant submissions:</b>	<p>The applicant has offered eleven conditions in the operating schedule (see <b>Appendix 4</b>).</p> <p>The applicant has amended the original application to bring the commencement hour for the sale by retail of alcohol and opening hours in line with core hours (12 noon).</p> <p>Following a representation from Environmental Health, the applicant has confirmed the maximum capacity at the premises will be 20 persons.</p>		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>			None				

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Maxwell Koduah
<b>Received:</b>	21 September 2016
<p>I wish to make the following representation:</p> <ol style="list-style-type: none"> <li>1. Provision of late night refreshment and the hours requested will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area.</li> <li>2. The provision and hours requested for the Supply 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.</li> </ol> <p>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.</p> <p>The plan submitted shows only one public WC and no staff toilet. The applicant is required to indicate what capacity is being sought in order to make assessment regarding compliance British Standard 6465 -1:2006 + A1:2009; Table 10.</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.</p>	
<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	16 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</p>	

relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

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.

Police have proposed two further conditions (see **Appendix 4**).

<b>2-B Other Persons</b>	
<b>Name:</b>	Dr Wendy Monkhouse
<b>Address and/or Residents Association:</b>	3 D'Arblay St London W1F 8DH
<b>Received:</b>	20 September 2016
<p>I would like to object to the extended hours of the licensing application, on the grounds of proliferation of new licensed premises in a residential area which is recognized as part of the West End Stress Area. There is already a large new licensed restaurant recently opened at 10 D'Arblay St which has increased noise levels on the street late at night. This is a small corner site and surely contravenes Westminster's policy not to allow endless proliferation in this already overcrowded area. There is also an ominous note about tables and chairs outside - please can this not happen, so another corner becomes impassable.</p>	
<b>Name:</b>	Paul Gisbourne
<b>Address and/or Residents Association:</b>	Flat 2 28 D'Arblay Street W1F 8EW
<b>Received:</b>	20 September 2016
<p>I would like to make a representation on the grounds of Public Nuisance regarding the above application. Although the address is 37 Berwick Street the building is on the corner of Berwick and D'Arblay Street and the entrance is effectively on D'Arblay Street, only seconds from other establishments serving alcohol. There have been serious noise (music and people) problems from such establishments over the last several years and my belief is that having another establishment serving alcohol just metres away will make the problem worse. This new establishment is in a tiny space with no basement and people will spill out on to the pavement, or hang around, which is already happening with other premises very close by. This venue will create a "cluster" of venues serving alcohol in very close proximity which will certainly make living here worse. I know of several residents on this street in the last few years who felt they had no choice to leave because of the changing environment. I also hear from third parties that this company has a habit of playing loud music at their other establishments. This is simply not appropriate for this location and alcohol will make it worse.</p> <p>There are already 9 places serving alcohol on this small street, including two that serve burgers daily! There is no reason for a third and every reason why there should not be. I</p>	

would be extremely grateful if you would turn down this application.

<b>Name:</b>	Mr David Gleeson
<b>Address and/or Residents Association:</b>	The Soho Society St Anne's Tower 55 Dean Street London W1D 6AF
<b>Received:</b>	28 September 2016

I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area.

#### New licensed premises in the West End Cumulative Impact Area

The proposal is for a new licensed premises situated in the West End Cumulative Impact Area. The new Sale by Retail of Alcohol licensable activity is of particular concern, with reference to Westminster City Council cumulative impact policy. Such new licences should be prohibited. These venues destroy residential amenity over a wide area through noise nuisance as patrons disperse.

#### Hours of operation

The proposal includes licensable activities, including sale of alcohol, outside of Westminster core hours. The premises are in the West End Cumulative Impact Area. There are private homes in nearby buildings, and residents in the immediate area are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to keep the operating hours within defined core hours, namely Monday to Thursday 10am – 11.30pm, Friday and Saturday 10 am – 12 midnight and Sunday 12 noon – 10.30 pm.

#### Licensing policy and cumulative impact

The Licensing Authority recognises in its Statement of Licensing Policy 2016 that Westminster has a substantial residential population and that the Council has a duty to protect it from nuisance (Policy 2.2.10).

This area has been identified by the City Council (Policy 2.4.1)) as a cumulative impact area because the cumulative effect of the concentration of late night and drink led premises and/or night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Policy states that the extent of crime and disorder and public nuisance...arises from the number of people there late at night; a particular number of them being intoxicated, especially in the West End Cumulative Impact Area (Policy 2.4.1).

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (Policy 2.4.5). The policies are intended to be strict and will only be overridden in 'genuinely exceptional circumstances' (Policy 2.4.2).

The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the

sustainability of the community. Soho has a substantial residential community and many of these residents suffer from the problems identified in the 'Characteristics of Cumulative Impact Areas' (Policy Appendix 14). These include, but are not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

Conclusion

Para 9.37 of the s182 Guidance requires the licensing authority to determine the application with a view to promoting the licensing objectives in the overall interests of the local community.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

### 3. Policy & Guidance

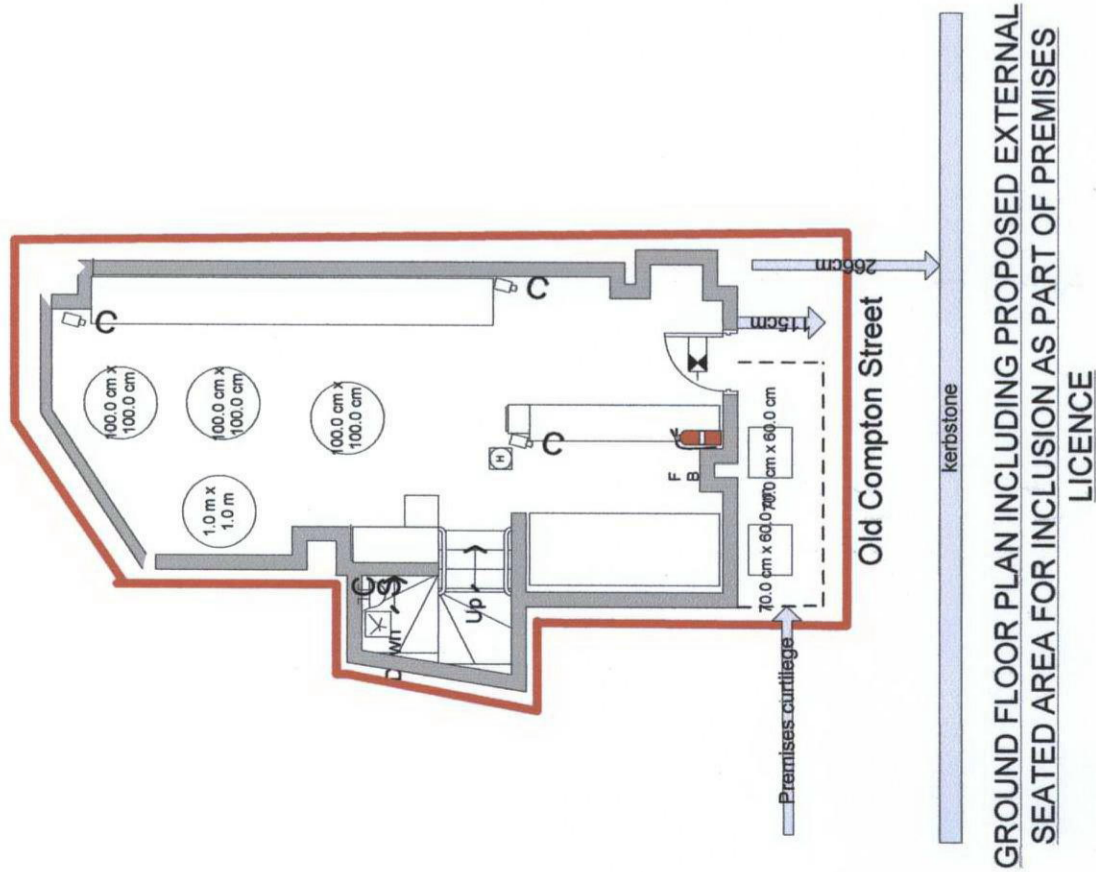
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and 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.
<b>Policy RNT2 applies</b>	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

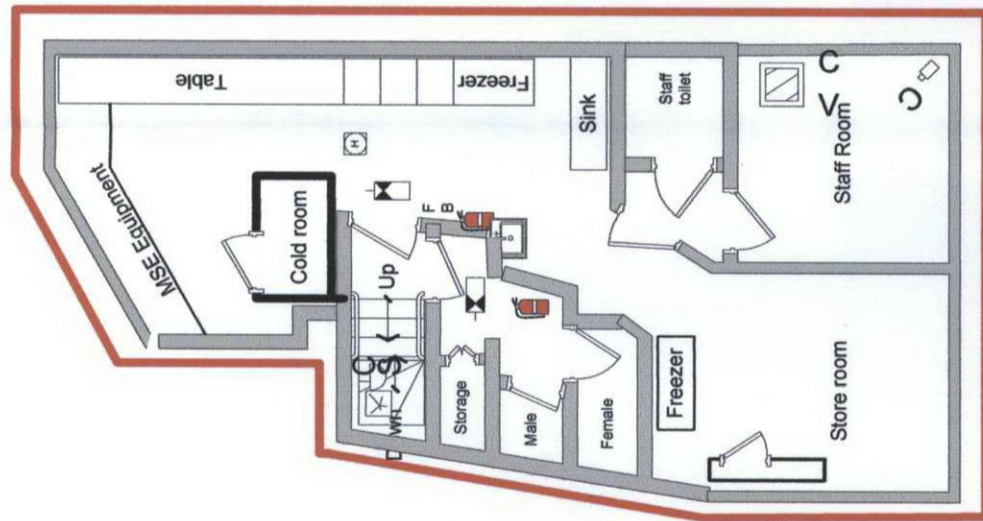
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents - none
<b>Appendix 3</b>	Premises history - none
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

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





GROUND FLOOR PLAN INCLUDING PROPOSED EXTERNAL SEATED AREA FOR INCLUSION AS PART OF PREMISES LICENCE



BASEMENT FLOOR PLAN

**Key**

Fire alarm call point

Fire exit signage

Mechanical smoke extraction

Fire extinguisher

Fire blanket

Smoke detector

CCTV Camera

CCTV Monitor

Ambit of licensed area

Proposed area for inclusion as part of premises licence  
(Denotes two tables 4 chairs)



MSE Equipment



F B



SCALE: 1:100

**Anthony O'Connell**  
**A&R Consultants**  
**07843 555827**  
**10.06.2010**  
**Ref: A&R/OPUZK/1**

**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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

**Mandatory Conditions**

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 consistent with the operating schedule**

9. 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.

10. The supply of alcohol for consumption on the premises shall be by waiter and waitress service only.
11. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to a take away meal when delivered to the customer's home or business address, by delivery drivers trained in licensing procedures.
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. 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.
14. 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.
15. All tables and chairs shall be removed from the outside area by 23.00 each day.
16. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
17. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to a take away meal when delivered to the customer's home or business address, by delivery drivers trained in licensing procedures.
18. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
19. 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.

### **Conditions proposed by the Police**

20. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate

- consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

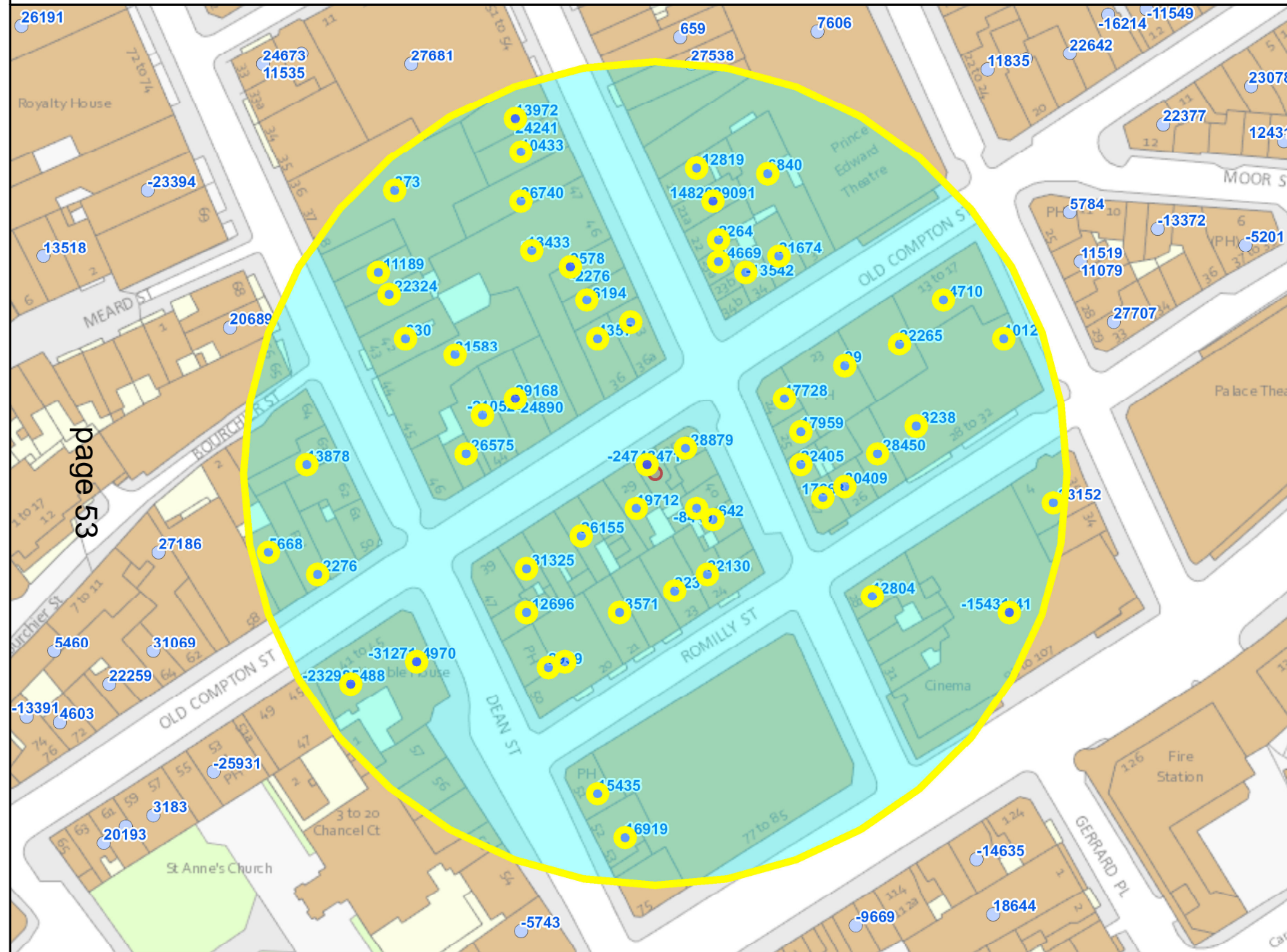
Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

21. 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





# 27 Old Compton Street



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Residential Properties	165
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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Data Source: Uniform Database  
 Date: 26/10/2016

Premises within 75m of: 27 Old Compton Street			
p / n	Name of Premises	Premises Address	Opening Hours
16/00627/LIPDPS	Bar Soho	23 Old Compton Street London W1D 5JL	Sunday 09:00 - 01:00 Monday to Thursday 09:00 - 01:30 Friday to Saturday 09:00 - 03:30
15/09992/LIPT	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30 Sunday 12:00 - 23:00
12/03369/LIPVM	Soho House	40 Greek Street London W1D 5JJ	Sundays before Bank Holidays 09:00 - 00:00 Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 23:00
13/07402/LIPT	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
06/05786/WCCMAP	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
09/01147/LIPV	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4TP	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:30
16/08550/LIPCCT	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LE	Monday to Saturday 10:00 - 22:00 Sunday 12:00 - 20:00
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Monday to Saturday 07:00 - 01:00 Sunday 08:00 - 22:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4TX	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
06/06018/WCCMAP	Y Ming	35-36 Greek Street London W1D 5DN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/09939/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Monday to Sunday 00:00 - 23:59
15/08372/LIPRW	Balans Cafe	34 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4SE	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
12/07791/LIPVM	Rosa's	Ground Floor And Basement 48 Dean Street London W1D 5BF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/04050/LIPDPS	Dozo	Basement And Ground Floor 40 Frith Street London W1D 5LN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/04626/LIPDPS	Cafe Boheme	Basement And Ground Floor 13 - 17 Old Compton Street London W1D 5JH	Monday to Saturday 09:00 - 05:00 Sunday 12:00 - 00:00
16/00056/LIPCCH	&Pasta	60 Dean Street London W1D 6AW	Monday to Thursday 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00
15/08418/LIPT	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
12/00868/LIPVM	Assa	23 Romilly Street London W1D 5AQ	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/08715/LIPCCT	Wok On Fire	43 Old Compton Street London W1D 6HG	Sunday 11:00 - 00:00 Monday to Thursday 11:00 - 01:00 Friday to Saturday 11:00 - 02:00



16/03145/LIPDPS	Opuz Kitchen	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
16/03642/LIPCHT	Hoppers	49 Frith Street London W1D 4SG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:30
08/11517/LIPD	Gerry's Club	Basement 52-53 Dean Street London W1D 5BJ	Monday to Saturday 10:00 - 03:30 Sunday 12:00 - 23:00
15/11650/LIPDPS	Belgo	29-31 Old Compton Street London W1D 5JR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 23:00
13/04926/LIPDPS	Herman Ze German	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Friday to Saturday 11:00 - 00:00 Sunday 11:00 - 22:30 Monday to Thursday 11:00 - 23:30
16/03521/LIPDPS	Top Dog Eats	Basement And Ground Floor 48 Frith Street London W1D 4SF	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
12/06841/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:00 Monday to Thursday 10:00 - 23:00
13/07476/LIPDPS	The Groucho Club	44-45 Dean Street London W1D 4QB	Monday to Saturday 09:00 - 02:30 Sunday 12:00 - 00:00
14/00825/LIPDPS	Pulcinella Restaurant	Basement To First Floor 37 Old Compton Street London W1D 5JY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/03523/LIPN	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Monday to Saturday 12:00 - 22:00
16/00621/LIPDPS	Hotel Chocolat	25 Old Compton Street London W1D 5JN	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:00
06/07048/WCCMAP	Cho Won Korean Restaurant	27 Romilly Street London W1D 5AL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Monday to Saturday 12:00 - 01:00 Sunday 12:00 - 23:00
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/11265/LIPRW	Le Relais De Venise L'Entrecote	50 Dean Street London W1D 5BQ	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Monday to Sunday 09:00 - 05:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
11/06536/LIPDPS	Kettners	29 Romilly Street London W1D 5HP	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
15/01004/LIPDPS	Buffo	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/01285/LIPDPS	Buen Gusto Cafe	39 Frith Street London W1D 5LL	Monday to Sunday 06:00 - 03:00
15/05952/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 02:30
11/00852/LIPDPS	Cay Tre (Soho)	42-43 Dean Street London W1D 4QA	Monday to Sunday 09:30 - 01:30
15/05523/LIPDPS	Muriel's Kitchen	36 Old Compton Street London W1D 4TT	Monday to Sunday 07:00 - 01:30
16/06874/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 00:30

12/03653/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/03570/LIPV	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
15/03256/LIPCHT	Muse Soho	Basement 23 Frith Street London W1D 4RR	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 04:00
13/07404/LIPT	Little Italy	21A Frith Street London W1D 4RW	Monday to Sunday 09:00 - 05:30
16/07026/LIPCH	Golden Lion Public House	51 Dean Street London W1D 5BH	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 01:00
06/05092/WCCMAP	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Monday to Thursday 08:00 - 01:00 Friday to Saturday 08:00 - 03:00 Sunday 10:00 - 22:30
16/03879/LIPDPS	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
13/04738/LIPVM	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
13/07472/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Monday to Saturday 12:00 - 00:00 Sunday 12:00 - 23:30
15/04634/LIPDPS	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Monday to Sunday 00:00 - 00:00
06/06245/WCCMAP	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
13/00218/LIPN	Kyoto	26 Romilly Street London W1D 5AJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/06241/WCCMAP	Caffe Nero	Ground Floor 43 Frith Street London W1D 4SA	Sunday to Wednesday 23:00 - 02:00 Thursday to Saturday 23:00 - 04:00

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	23 August 2016

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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 4

Item No:	
Date:	10 November 2016
Licensing Ref No:	16/09901/LIPV - Premises Licence Variation
Title of Report:	Lobos Meat & Tapas Basement and Ground Floor 48 Frith Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
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			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	13 September 2016		
<b>Applicant:</b>	First Cup Limited		
<b>Premises:</b>	Lobos Meat & Tapas		
<b>Premises address:</b>	Basement and Ground Floor 48 Frith Street London W1D 4SF	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises operates as a restaurant over the basement, ground and first floors.		
<b>Variation description:</b>	<p>A variation is sought primarily to change the plan at the premises, to reflect the newly refurbished premises.</p> <p>The variation also seeks some minor changes to the conditions attached to the premises licence removing two which seem unnecessary and replacing two others with slightly adjusted versions to enable operational dexterity.</p> <p>This variation also seeks to change the name of the premises to Lobos Meat &amp; Tapas.</p> <p>The applicant originally requested to change the conditions to allow a small number of people to consume alcohol without food on the ground floor and basement, while they wait for a table to become available. However, following consultation with the Responsible Authorities, this element of the application was withdrawn.</p>		
<b>Premises licence history:</b>	The premises has held a licence since at least 2005 and originally operated as The Chiang Mai Restaurant. In 2014, the premises was taken over and ran as Siam Thai Restaurant, changing again to Top Dog Eats in 2015. The current licence holder took control of the premises on 4 August 2016.		
<b>Applicant submissions:</b>	<p>Lobos Meat and Tapas is a modern contemporary Spanish tapas restaurant serving a variety of traditional dishes with a modern slant.</p> <p>Open for both lunch and dinner, the restaurant will focus on prime cuts of meats and will deliver speciality dishes in a comfortable intimate atmosphere.</p> <p>Based over three floors, the premises will be able to offer</p>		

	<p>a variety of environments. The First Floor with its open kitchen is expected to be the premium space and table will primarily be booked in advance with a more formal experience offered.</p> <p>The Ground floor where tables can also be booked in advance will offer a more open atmosphere, with the basement by its nature being more intimate.</p> <p>Following discussions with the Environmental Health service and the Police, the applicant has agreed to amend the application to reduce the capacity and remove the bar element. As a result of this agreement, Environmental Health and the Police withdrew their representations.</p>
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<b>1-B Current and proposed licensable activities, areas and hours</b>						
<b>Regulated Entertainment</b>						
<b>Playing of recorded music</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Tuesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Wednesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Thursday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Friday</b>	10:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Saturday</b>	10:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Sunday</b>	12:00	22:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				No change	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays: 12:00 to 00:00				No change	

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Tuesday</b>	23:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Wednesday</b>	23:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Thursday</b>	23:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Friday</b>	23:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Saturday</b>	23:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Sunday</b>	N/A	N/A	No change		Basement, ground and first floor	Extended area on each floor
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None			No change		
	Sundays before Bank Holidays: 23:00 to 00:00			No change		

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			On sales			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Tuesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Wednesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Thursday</b>	10:00	23:30	No change		Basement,	Extended area on



				ground and first floor	each floor
<b>Friday</b>	10:00	00:00	No change	Basement, ground and first floor	Extended area on each floor
<b>Saturday</b>	10:00	00:00	No change	Basement, ground and first floor	Extended area on each floor
<b>Sunday</b>	12:00	22:30	No change	Basement, ground and first floor	Extended area on each floor
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	None			No change	
	Sundays before Bank Holidays: 12:00 to 00:00			No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Tuesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Wednesday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Thursday</b>	10:00	23:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Friday</b>	10:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Saturday</b>	10:00	00:00	No change		Basement, ground and first floor	Extended area on each floor
<b>Sunday</b>	12:00	22:30	No change		Basement, ground and first floor	Extended area on each floor
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None			No change		
	Sundays before Bank Holidays: 12:00 to 00:00			No change		

<b>1-C Layout alteration</b>
The area for licensable activities has been extended on each of the three floors, basement, ground and first floors (see <b>Appendix 1</b> ).

<b>1-D Conditions being varied, added or removed</b>		
<b>Condition</b>	<b>Proposed variation</b>	
10. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed: <ul style="list-style-type: none"> <li>• Basement 18 persons</li> <li>• Ground Floor 42 persons (including 12 in the outside area)</li> <li>• First Floor 30 persons</li> </ul>	To be <b>replaced</b> with:  The maximum number of persons accommodated at any one time (excluding staff) shall not exceed: a. Basement – 24 persons b. Ground Floor – 38 persons inside the premises and 12 in the external area to the front of the premises c. First Floor – 28 persons	
21. Children under the age of 14 will not be permitted to remain in the premises after 21:00 hours.	To be <b>removed</b> from the licence	
29. All tables and benches shall be removed from the outside area by 23:00 hours each day.	To be <b>replaced</b> with:  All external tables, chairs and benches shall be rendered unusable by 23:00 hours each day.	
30. 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.	To be <b>removed</b> from the licence (this condition is duplicated at condition 17 on the current licence)	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No change

## 2. Representations

2-B Other Persons			
<b>Name:</b>		Mr David Gleeson	
<b>Address and/or Residents Association:</b>		The Soho Society St Anne's Tower 55 Dean Street London W1D 6AF	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	12 October 2016		
<p>I write to make a relevant representation to the above application on behalf of The Soho Society.</p> <p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area.</p> <p><u>Removal of restaurant conditions</u> The application seeks to increase the capacity for problematic vertical drinking, that is not ancillary to food, in the West End Cumulative Impact Area. This application therefore fails to promote the licensing objectives of prevention of crime and disorder, and public nuisance. Recent Metropolitan Police crime statistics show high levels of theft, theft from person, anti-social behaviour, drugs and sexual offenses in the area. There are private homes in nearby buildings, and residents in the immediate area are subject to noise and general nuisance every night of the week. It is therefore felt necessary that these conditions must be applied to the whole premises.</p> <p><u>Licensing policy and cumulative impact</u> The Licensing Authority recognises in its Statement of Licensing Policy 2016 that Westminster has a substantial residential population and that the Council has a duty to protect it from nuisance (Policy 2.2.10).</p> <p>This area has been identified by the City Council (Policy 2.4.1)) as a cumulative impact area because the cumulative effect of the concentration of late night and drink led premises and/or night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Policy states that the extent of crime and disorder and public nuisance...arises from the number of people there late at night; a particular number of them being intoxicated, especially in the West End Cumulative Impact Area (Policy 2.4.1).</p> <p>The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (Policy 2.4.5). The policies are intended to be strict and will only be overridden in 'genuinely exceptional circumstances' (Policy 2.4.2).</p> <p>The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from the problems identified in the 'Characteristics of</p>			

Cumulative Impact Areas' (Policy Appendix 14). These include, but are not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

Conclusion

Para 9.37 of the s182 Guidance requires the licensing authority to determine the application with a view to promoting the licensing objectives in the overall interests of the local community.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

### 3. Policy & Guidance

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

<b>Policy CIP1 applies</b>	<ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> </ul>
<b>Policy RNT2 applies</b>	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.

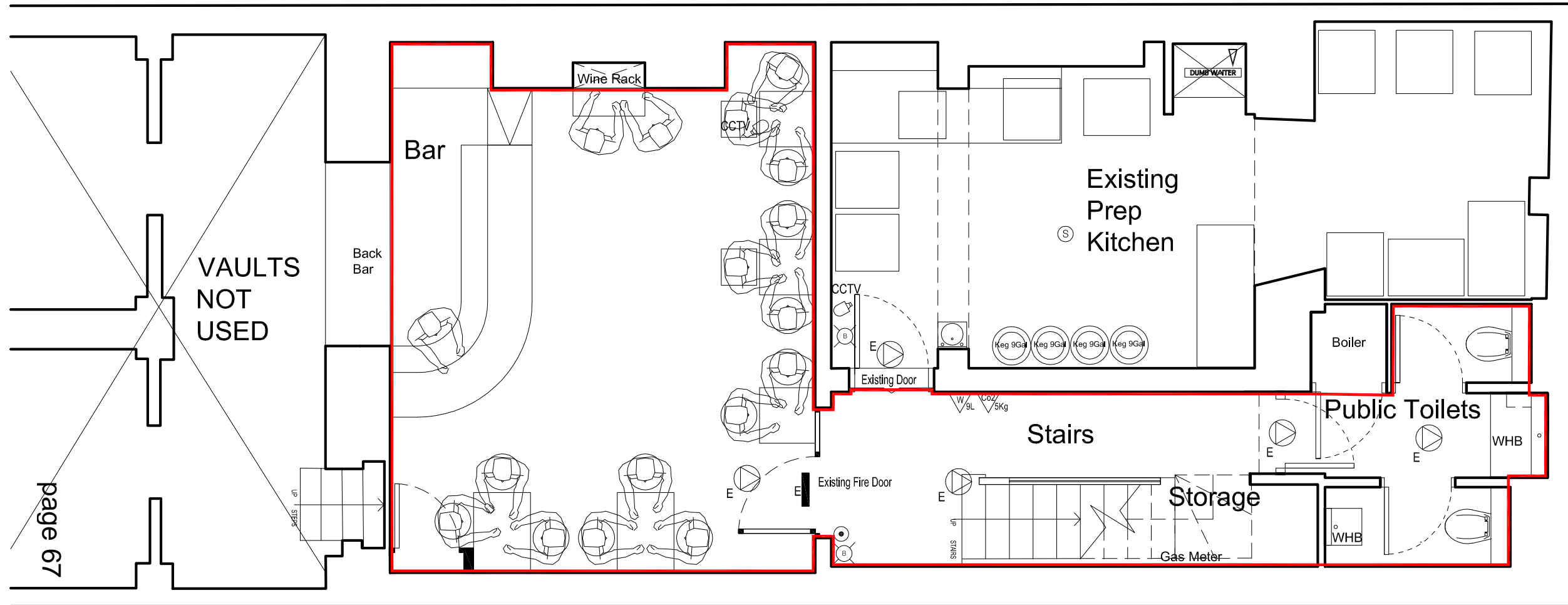
### 4. Appendices

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

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

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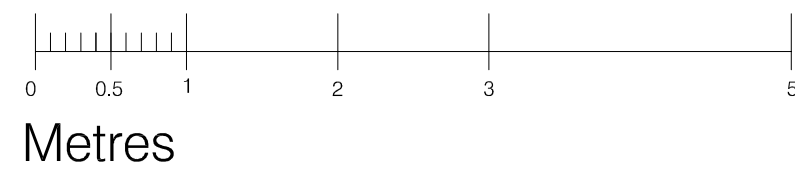


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Appendix 1 - Proposed Plans

**PROPOSED BASEMENT  
GA PLAN**  
1:50 @ A3

- Key**
- Licensed area
  - Illuminated running man sign
  - E Emergency lighting
  - Ⓢ Smoke detector
  - Ⓜ Heat detector
  - ⓑ Fire alarm sounder
  - Break glass call point
  - FAP Fire alarm panel
  - CCTV CCTV camera
  - W 9L Water Extinguisher
  - Co2 5Kg Co2 Extinguisher
  - FB Fire blanket



Rev	Date	Notes
-	-	-



St. Margaret's House  
Second Floor  
18-20 Southwark Street  
London, SE1 1TJ  
Tel +44(0) 207 403 4429

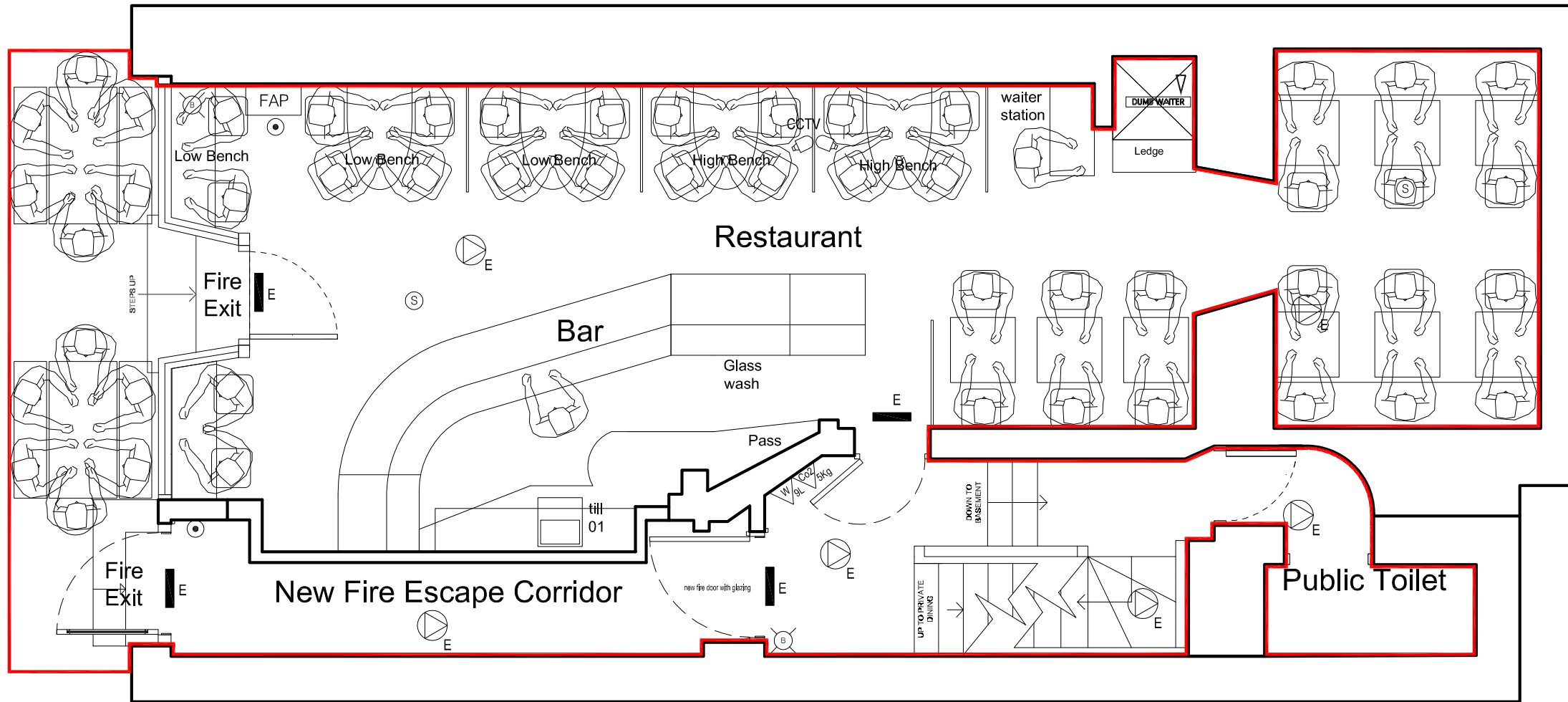
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PROJECT	LOBOS SOHO	
TITLE	PROPOSED BASEMENT LICENSING PLAN	
ISSUED FOR	INFORMATION	
DATE	SEPT 2016	SCALE 1:50@ A3
PROJECT No	DRAWING No	REVISION
1055	L-001	A

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







page 68



# PROPOSED GROUND FLOOR GA PLAN

1:50 @ A3

## Key

- Licensed area
-  Illuminated running man sign
-  Emergency lighting
-  Smoke detector
-  Heat detector
-  Fire alarm sounder
-  Break glass call point
-  Fire alarm panel
-  CCTV camera
-  Water Extinguisher
-  Co2 Extinguisher
-  Fire blanket



Metres

Rev	Date	Notes
-	-	-

**design MAD**

St. Margaret's House  
Second Floor  
18-20 Southwark Street  
London, SE1 1TJ  
Tel +44(0) 207 403 4429

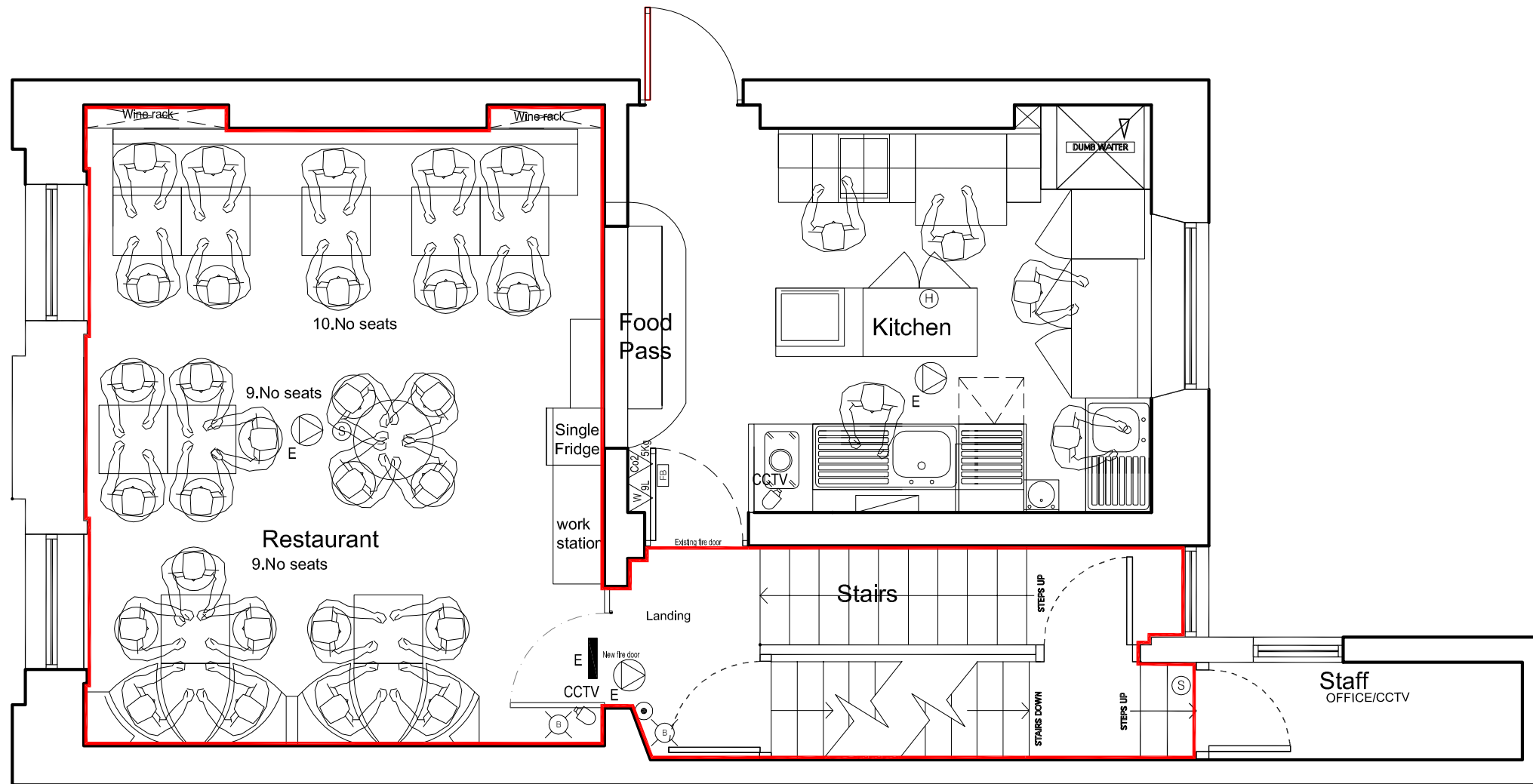
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PROJECT	LOBOS SOHO	
TITLE	PROPOSED GROUND FLOOR LICENSING PLAN	
ISSUED FOR	INFORMATION	
DATE	SEPT 2016	SCALE 1:50@ A3
PROJECT No	DRAWING No	REVISION
1055	L-002	A

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These details are confidential to illustrate the architectural services only for the purpose intended.

- | Ref | Notes  |
|-----|--|
| 1.  | THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTATION E.G. SPECIFICATIONS, LATEST EQUIPMENT SCHEDULE AND DESIGN DRAWINGS. |
| 2.  | DO NOT SCALE FROM THIS DRAWING.  |
| 3.  | ANY DISCREPANCIES TO BE RAISED TO THE AUTHOR   |

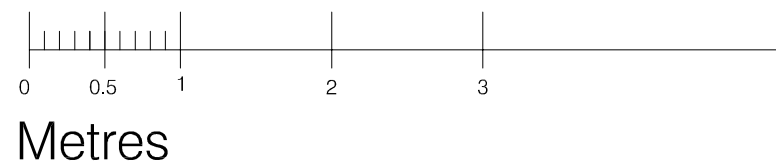
page 69



# PROPOSED FIRST FLOOR GA PLAN

1:50 @ A3

- Key**
- Licensed area
  - E Illuminated running man sign
  - E Emergency lighting
  - (S) Smoke detector
  - (H) Heat detector
  - (B) Fire alarm sounder
  - Break glass call point
  - FAP Fire alarm panel
  - CCTV CCTV camera
  - W<sub>9L</sub> Water Extinguisher
  - Co<sub>2</sub> 5Kg Co2 Extinguisher
  - FB Fire blanket



Rev	Date	Notes
-	-	-



St. Margaret's House  
Second Floor  
18-20 Southwark Street  
London, SE1 1TJ  
Tel +44(0) 207 403 4429

CLIENT LOBOS

PROJECT LOBOS SOHO

TITLE PROPOSED FIRST FLOOR LICENSING PLAN

ISSUED FOR INFORMATION

DATE SEPT 2016 SCALE 1:50@ A3

PROJECT No 1055 DRAWING No L-003 REVISION A

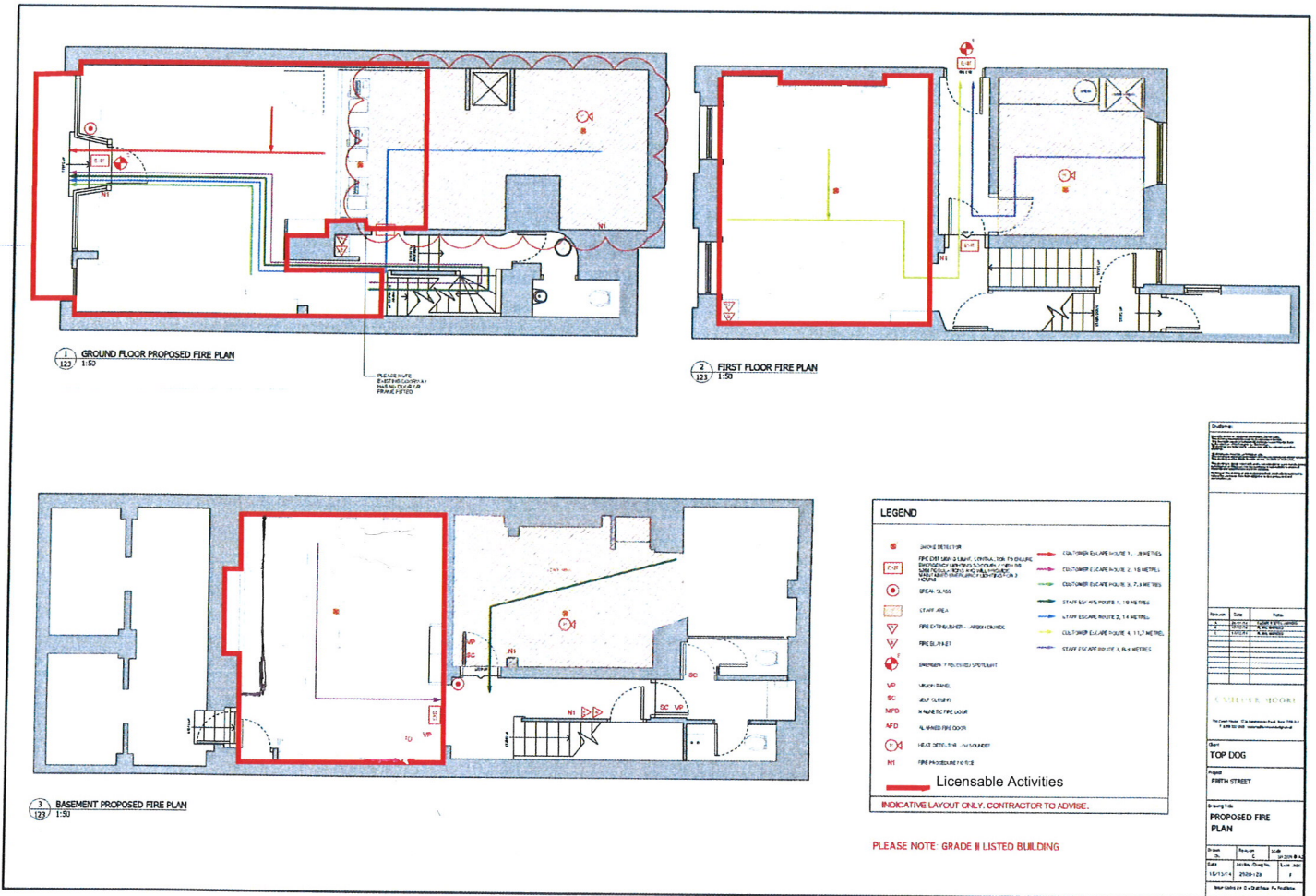
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AMENDED 16/12/15.

# Appendix 1 - Current Plans





### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/11072/LIPC Conversion application	Application to convert the Justices Licence under the Licensing Act 2003	29.09.2005	Granted under delegated authority  Licence surrendered 24.08.2012
14/03927/LIPN New premises application	Application for a new premises licence	10.07.2014	Granted under delegated authority
15/01149/LIPT Transfer application	Application to transfer the licence from Tipanda Limited to Top Dog Eats Ltd	29.04.2015	Granted under delegated authority
15/01288/LIPV Variation application	Application to vary the layout of the premises	07.04.2015	Granted under delegated authority
15/01790/LIPV Variation application	Application to vary the conditions on the premises licence	14.05.2015	Granted by Licensing Sub-Committee
15/03985/LIPDPS DPS variation	Application to vary the designated premises supervisor	04.11.2015	Granted under delegated authority
15/05492/LIPV Variation application	Application to vary the layout of the premises	04.11.2015	Granted by Licensing Sub-Committee
15/05977/LIPDPS DPS variation	Application to vary the designated premises supervisor	04.11.2015	Granted under delegated authority
15/11817/LIPVM Minor variation	Application to vary the layout of the premises	13.01.2016	Granted under delegated authority
15/12074/LIPDPS DPS variation	Application to vary the designated premises supervisor	14.01.2016	Granted under delegated authority
16/03521/LIPDPS DPS variation	Application to vary the designated premises supervisor	14.06.2016	Granted under delegated authority
16/08283/LIPT Transfer application	Application to transfer the licence from Top Dog Eats Ltd to First Cup Limited	04.08.2016	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 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. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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 this condition (a) customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal and (b) alcohol may be supplied to and/or consumed prior to their meal by customers in the basement up to a maximum, at any one time, of 16 persons dining at the premises.

10. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:
- o Basement 18 persons
  - o Ground Floor 42 persons (including 12 in the outside area)
  - o First Floor 30 persons.

*Applicant's proposal to be replaced with:*

*The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:*

*a. Basement – 24 persons*

*b. Ground Floor – 38 persons inside the premises and 12 in the external area to the front of the premises*

*c. First Floor – 28 persons*

11. After 22:00 hours the entrance door shall be kept closed except for immediate access and egress of persons or at any time that regulated entertainment is provided.
12. 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.
13. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
14. 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.
15. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 and 08:00 hours.
16. No deliveries to the premises shall take place between 23:00 and 08:00 hours.
17. 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.
18. 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.
19. 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.
20. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
21. Children under the age of 14 will not be permitted to remain in the premises after 21:00 hours.

*Applicant's proposal to remove this condition from the licence.*

22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Loudspeakers shall not be located in the entrance lobby or outside the building of which the Premises form part.
24. Hours for licensable activities and opening may be extended from the end of trade on New Year's Eve to the beginning of trade on New Year's Day.
25. 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.
26. 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.
27. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
28. The maximum number of tables and benches permitted outside at the front of the premises shall not exceed two tables and 4 benches.
29. All tables and benches shall be removed from the outside area by 23:00 hours each day.

*Applicant's proposal to replace this condition with:*

*All external tables, chairs and benches shall be rendered unusable by 23:00 hours each day.*

30. 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

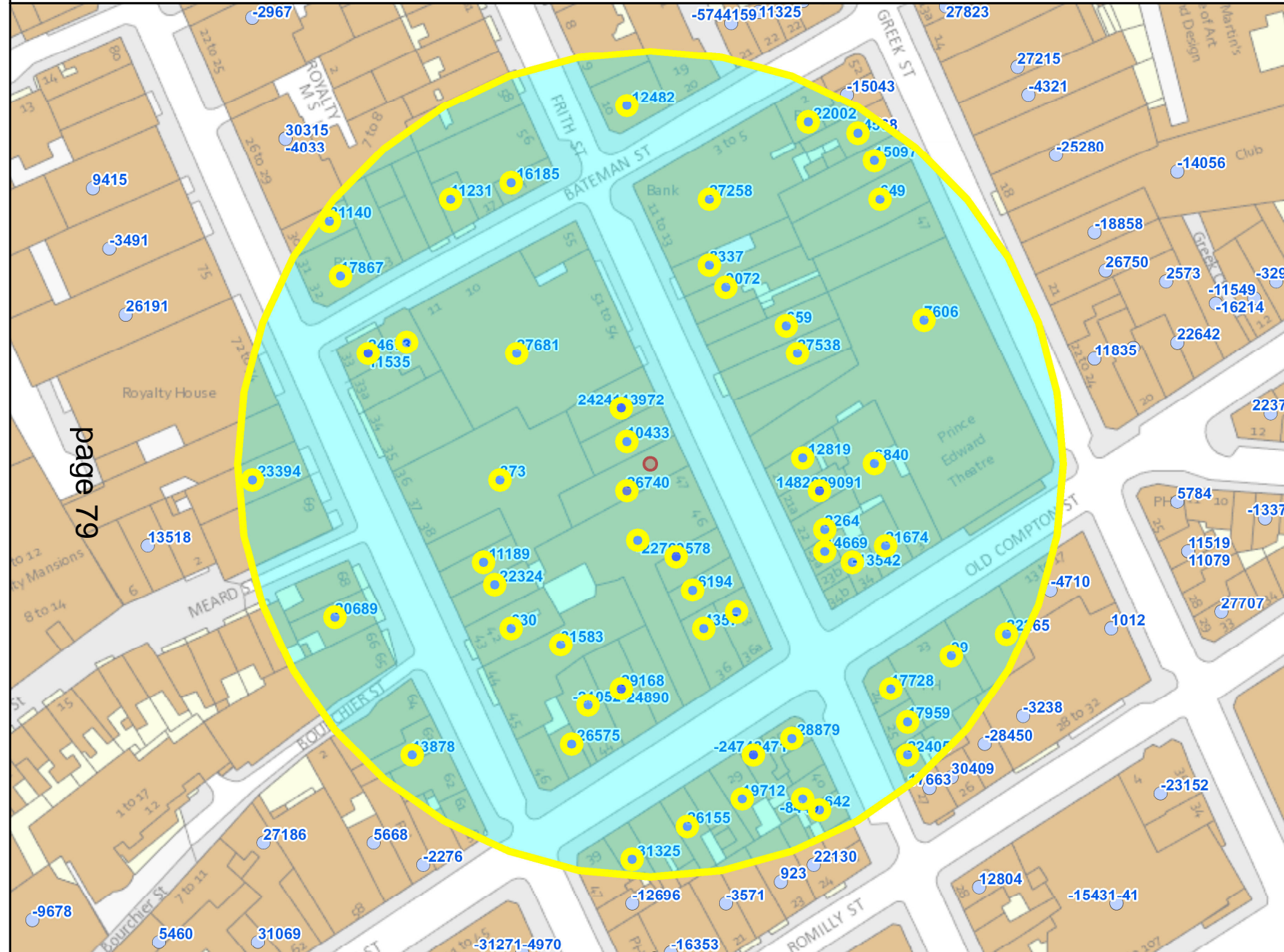
and stored in accordance with the approved refuse storage arrangements by close of business.

*Applicant's proposal to remove this condition from the licence.*






# Lobos Meat & Tapas, 48 Frith Street



page 79

Residential Properties	133
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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Data Source: Uniform Database  
 Date: 26/10/2016

## Appendix 5 - Data List

<b>Premises within 75m of: Lobos Meat &amp; Tapas, 48 Frith Street</b>			
p / n	Name of Premises	Premises Address	Opening Hours
16/00627/LIPDPS	Bar Soho	23 Old Compton Street London W1D 5JL	Sunday 09:00 - 01:00 Monday to Thursday 09:00 - 01:30 Friday to Saturday 09:00 - 03:30
15/09992/LIPT	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30 Sunday 12:00 - 23:00
14/03450/LIPDPS	L'Escargot	48 Greek Street London W1D 4EF	Monday to Sunday 10:00 - 01:00
13/07402/LIPT	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
09/01147/LIPV	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4TP	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:30
16/08550/LIPCCT	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/05202/LIPV	Pix	16 Bateman Street London W1D 3AH	Friday to Saturday 11:00 - 00:00 Monday to Thursday 11:00 - 23:30 New Year's Eve 12:00 - 00:00 Sunday 12:00 - 22:30
15/11819/LIPDPS	Oliver Maki 9	33 Dean Street London W1D 4PW	Friday to Saturday 09:00 - 00:00 Monday to Thursday 09:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LE	Monday to Saturday 10:00 - 22:00 Sunday 12:00 - 20:00
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Monday to Saturday 07:00 - 01:00 Sunday 08:00 - 22:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4TX	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
15/09738/LIPVM	Simmons	2 Bateman Street London W1D 4AE	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
13/09939/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/00361/LIPVM	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
15/08372/LIPRW	Balans Cafe	34 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4SE	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
14/01953/LIPDPS	Nando's	Ground Floor 10 Frith Street London W1D 3JF	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/04050/LIPDPS	Dozo	Basement And Ground Floor 40 Frith Street London W1D 5LN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
10/02599/LIPV	Union Club	50 Greek Street London W1D 4EQ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
11/12180/LIPVM	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
16/03145/LIPDPS	Opuz Kitchen	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
16/03007/LIPDPS	Gourmet Burger Kitchen	15 Frith Street London W1D 4RE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/03642/LIPCCT	Hoppers	49 Frith Street London W1D 4SG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:30

15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Monday to Saturday 10:00 - 03:30 Sunday 12:00 - 23:00
15/03854/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	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
15/11650/LIPDPS	Belgo	29-31 Old Compton Street London W1D 5JR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 23:00
13/04926/LIPDPS	Herman Ze German	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Friday to Saturday 11:00 - 00:00 Sunday 11:00 - 22:30 Monday to Thursday 11:00 - 23:30
16/03521/LIPDPS	Top Dog Eats	Basement And Ground Floor 48 Frith Street London W1D 4SF	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
16/05330/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:30
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Monday to Wednesday 09:00 - 02:00 Thursday to Saturday 09:00 - 05:00 Sunday 09:00 - 23:00
12/06841/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:00 Monday to Thursday 10:00 - 23:00
13/07476/LIPDPS	The Groucho Club	44-45 Dean Street London W1D 4QB	Monday to Saturday 09:00 - 02:30 Sunday 12:00 - 00:00
14/00825/LIPDPS	Pulcinella Restaurant	Basement To First Floor 37 Old Compton Street London W1D 5JY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/00621/LIPDPS	Hotel Chocolat	25 Old Compton Street London W1D 5JN	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:00
16/01920/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Monday to Sunday 00:00 - 00:00
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Monday to Sunday 09:00 - 05:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
15/01004/LIPDPS	Buffo	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/01285/LIPDPS	Buen Gusto Cafe	39 Frith Street London W1D 5LL	Monday to Sunday 06:00 - 03:00
11/00852/LIPDPS	Cay Tre (Soho)	42-43 Dean Street London W1D 4QA	Monday to Sunday 09:30 - 01:30
15/05523/LIPDPS	Muriel's Kitchen	36 Old Compton Street London W1D 4TT	Monday to Sunday 07:00 - 01:30
14/02151/LIPV	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Monday to Sunday 09:00 - 01:00
06/07744/WCCMAP	Garlic & Shots	Basement And Ground Floor 14 Frith Street London W1D 4RD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 23:30
12/03653/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/03570/LIPV	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
15/03256/LIPCHT	Muse Soho	Basement 23 Frith Street London W1D 4RR	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 04:00

13/07404/LIPT	Little Italy	21A Frith Street London W1D 4RW	Monday to Sunday 09:00 - 05:30
06/05092/WCCMAP	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Monday to Thursday 08:00 - 01:00 Friday to Saturday 08:00 - 03:00 Sunday 10:00 - 22:30
16/03879/LIPDPS	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
16/07437/LIPVM	Black's	Basement To First Floor 67 Dean Street London W1D 4QH	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
09/07575/LIPV	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 01:30
13/04738/LIPVM	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
15/04634/LIPDPS	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Monday to Sunday 00:00 - 00:00
14/10993/LIPN	Cookhouse Joe	33 Dean Street London W1D 4PW	Friday to Saturday 09:00 - 00:00 Monday to Thursday 09:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
06/07293/WCCMAP	Barrafina	54 Frith Street London W1D 4SL	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
06/06245/WCCMAP	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
06/06241/WCCMAP	Caffe Nero	Ground Floor 43 Frith Street London W1D 4SA	Sunday to Wednesday 23:00 - 02:00 Thursday to Saturday 23:00 - 04:00

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	13 September 2016
<b>5</b>	Current licence	14 June 2016

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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 5

Item No:	
Date:	10 November 2016
Licensing Ref No:	16/09678/LIPV - Premises Licence Variation
Title of Report:	Pepe Italian Street Food Basement and Ground Floor 27 Old Compton Street London W1D 5JP
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
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			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	13 September 2016		
<b>Applicant:</b>	La Trebbia Ltd		
<b>Premises:</b>	Pepe Italian Street Food		
<b>Premises address:</b>	Basement and Ground Floor 27 Old Compton Street London W1D 5JP	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises operates as a restaurant over the ground floor and basement.		
<b>Variation description:</b>	To extend the hours for recorded music, late night refreshment and the closing hours from Thursday to Saturday until 03.00am.		
<b>Premises licence history:</b>	The premises has held a licence under the Licensing Act 2003 since at least 2005 and was previously known as Opuz Kitchen. The current licence holder has held the licence since 25 January 2016.		

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:
<b>Monday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Tuesday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Wednesday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Thursday</b>	10:00	00:00	No change	03:00	Ground floor and basement	No change
<b>Friday</b>	10:00	00:00	No change	03:00	Ground floor and basement	No change
<b>Saturday</b>	10:00	00:00	No change	03:00	Ground floor and basement	No change
<b>Sunday</b>	12:00	23:30	No change	00:00	Ground floor and basement	No change



<b>Seasonal variations:</b>	<b>Current:</b>	<b>Proposed:</b>
	None	No change
<b>Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	New Year's Eve from 10:00 hours to the commencement of permitted hours New Year's Day	No change

<b>Late night refreshment</b>						
<b>Indoors, outdoors or both</b>		<b>Current :</b>			<b>Proposed:</b>	
		Both			No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	23:00	00:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	23:00	00:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	23:00	00:30	No change		Ground floor and basement	No change
<b>Thursday</b>	23:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Friday</b>	23:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Saturday</b>	23:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Sunday</b>	23:00	00:00	No change		Ground floor and basement	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None			No change		
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.			No change		

<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>		<b>Current :</b>			<b>Proposed:</b>	
		Both			No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Tuesday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Wednesday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Thursday</b>	10:00	00:00	No change		Ground floor and basement	No change

<b>Friday</b>	10:00	00:00	No change	Ground floor and basement	No change
<b>Saturday</b>	10:00	00:00	No change	Ground floor and basement	No change
<b>Sunday</b>	12:00	23:30	No change	Ground floor and basement	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	None			No change	
	New Year's Eve from end of permitted hours to the start of permitted hours on the following day			No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	00:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	08:00	00:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	08:00	00:30	No change		Ground floor and basement	No change
<b>Thursday</b>	08:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Friday</b>	08:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Saturday</b>	08:00	01:00	No change	03:00	Ground floor and basement	No change
<b>Sunday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None			No change		
	None			No change		

<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No change

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mrs Nicola Curtis
<b>Received:</b>	4 October 2016
I wish to make the following representations in relation to the above application:	

1. The proposed extension of the terminal hour for the Provision of Recorded Music 'indoors' is outside of Westminster Licensing Policy, and will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact area.

2. The proposed extension of the terminal hour for the Provision of Late Night Refreshment both 'indoors' and 'outdoors' is outside of Westminster Licensing Policy, and will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact area.

The granting of the variation where representation is made would have the likely effect of causing an increase of Public Nuisance in the West End Cumulative Impact Area.

Environmental Health have proposed one additional condition, as well as the replacement of two existing conditions and the removal of one condition from the licence (see **Appendix 4**).

<b>Responsible Authority:</b>	Metropolitan Police
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<b>Representative:</b>	PC Sandy Russell
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<b>Received:</b>	23 September 2016
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With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives. The premises are situated within the West Cumulative Impact area.

Following a site visit to the premises, the Police have proposed four conditions (see **Appendix 4**).

<b>Responsible Authority:</b>	Licensing Authority
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<b>Representative:</b>	Mr Steven Rowe
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<b>Received:</b>	10 October 2016
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As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

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

The application currently contains insufficient information to enable the Licensing Authority to make a suitable assessment. However, as it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, RNT2 and HRS1. The application is requesting to increase the terminal hour for recorded music inside the premises from 00:00 to 03:00 on each of the days Thursday to Saturday and from 23:30 to 00:00 on Sunday and also increase the terminal hour for Late Night Refreshment

from 01:00 to 03:00 on each of the days Thursday to Saturday. The premises is located inside the Cumulative Impact Area.

Policy CIP1 states (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.

However part (ii) states: Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.

Policy HRS1 states at paragraph 2.3.2: "It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the 'core hours' as set out in Policy HRS1. This is not a policy to refuse applications for longer hours than the core hours and consideration will in all cases be given to the individual merits of an application.

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

The current application for the extension of hours further departs from core hours:

Late Night Refreshment:

Thursday to Saturday a proposed extension of 2 hours resulting in 3 ½ hours beyond 'core hours' on Thursday and 3 hours beyond 'core hours' on Friday and Saturday

Recorded Music:

Thursday to Saturday a proposed extension of 3 hours resulting in 3 ½ hours beyond 'core hours' on Thursday and 3 hours beyond 'core hours' on Friday and Saturday and on Sunday a proposed extension of 30 minutes resulting in 1 ½ hours beyond 'core hours'.

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

Please therefore accept this as a formal representation, further details will be provided in due course including a discussion relating to conditions.

### 3. Policy & Guidance

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

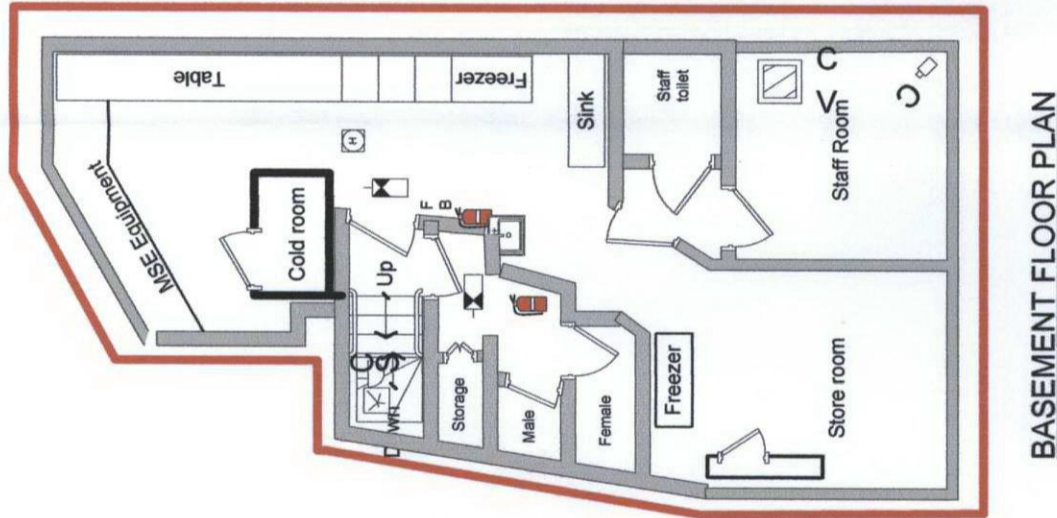
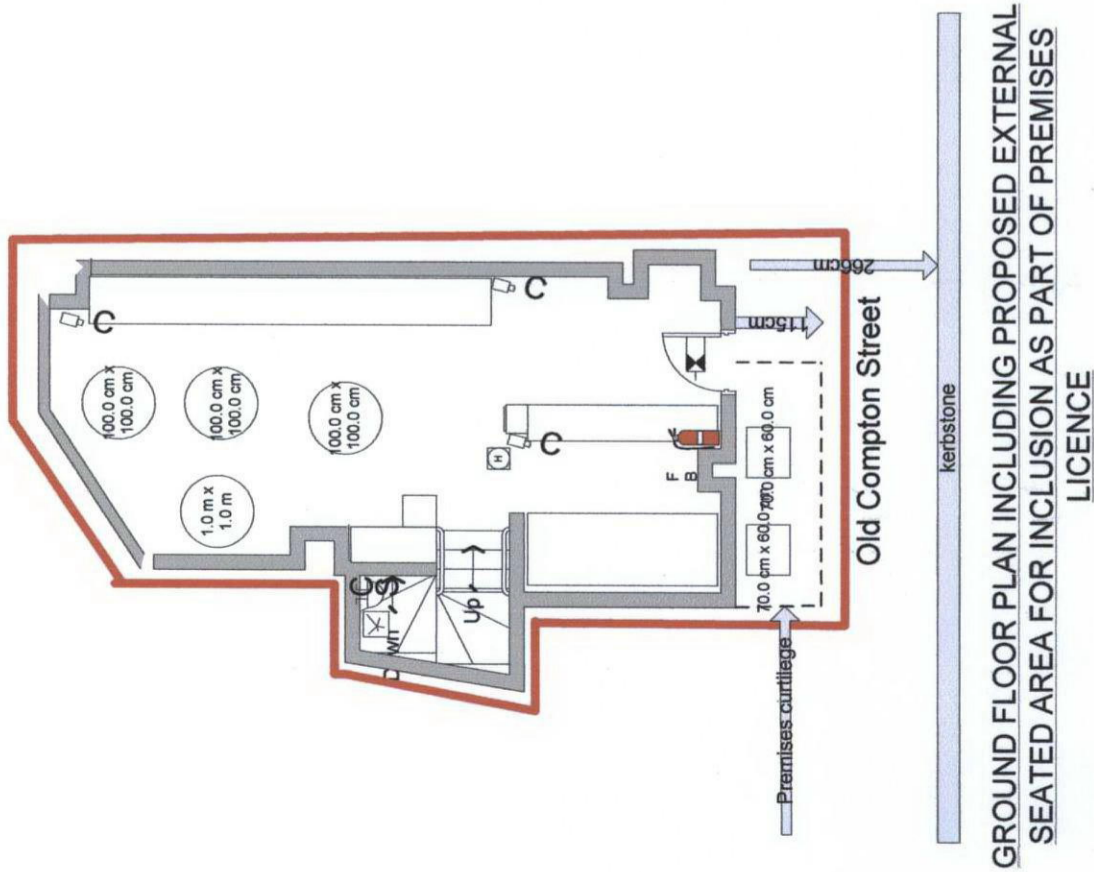
<b>Policy HRS1 applies</b>	(i) Applications for hours within the core hours in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
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	(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
<b>Policy CIP1 applies</b>	<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>
<b>Policy RNT2 applies</b>	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

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

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



**Key**

Fire alarm call point

Fire exit signage

Mechanical smoke extraction

Fire extinguisher

Fire blanket

Smoke detector

CCTV Camera

CCTV Monitor

Ambit of licensed area

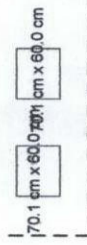
Proposed area for inclusion  
As part of premises licence  
(Denotes two tables 4 chairs)



MSE Equipment



F B



SCALE: 1:100

**Anthony O'Connell**  
**A&R Consultants**  
**07843 555827**  
**10.06.2010**  
**Ref: A&R/OPUZK/1**

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/07044/LIPCV Conversion application	Application to convert the Justices licence under the Licensing Act 2003	30.09.2005	Granted under delegated authority  Licence surrendered on 10.03.2009
09/09421/LIPN New application	Application for a new premises licence	21.01.2010	Granted by Licensing Sub-Committee
10/05723/LIPV Variation application	Application to vary the licensable area of the premises licence	07.09.2010	Granted under delegated authority
16/00887/LIPT Transfer application	Application to transfer the premises licence from Mr Ibrahim Opuz to La Trebbia Ltd	19.02.2016	Granted under delegated authority
16/03145/LIPDPS DPS variation	Application to change the designated premises supervisor	15.04.2016	Granted under delegated authority
16/04918/LIPCHT Change of details	Application to change the trading name of the premises	16.05.2016	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 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**

9. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables and as an ancillary to their meal.
10. Outside tables and chairs shall be removed at 23.00hrs.
11. 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.
12. Chelsea clips (bag security hooks) shall be attached underneath each outside table.
13. There shall be no vertical drinking outside the premises.

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

14. 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.

*Environmental Health have proposed this condition be removed from the licence as it is no longer relevant.*

15. The number of persons accommodated at any one time (excluding staff) shall not exceed 20.
16. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
19. The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
20. There shall be no sales of alcohol for consumption off the premises.
21. Challenge 21 signage shall be displayed in a prominent position upon entering the premises.
22. 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.
23. The supply of alcohol shall be by waiter or waitress service only.
24. No draft beers or lagers shall be sold.
25. There shall be no self-service of alcohol on the premises.
26. Patrons temporarily leaving the premises shall not take drinks with them.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

*Environmental Health have proposed this condition be replaced with the following:*

*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.*

28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
29. 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.
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. The entrance door 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.

32. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
33. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
34. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

*Environmental Health have proposed this condition be replaced with the following:*

*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.*

35. No deliveries of stock are to be received between 23:00 and 08:00.

#### **Conditions proposed by the Police**

36. A minimum of 1 SIA licensed door supervisor shall be on duty at the premises from 23.00hrs until close on Thursday, Friday and Saturday evenings.
37. 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
38. There shall be no sales of hot food or hot drink for consumption off the premises after:
  - 00.30hrs Monday - Wednesday
  - 01.00hrs Thursday - Saturday
  - 00.00hrs on Sunday

*Environmental Health have proposed the following alternative:*

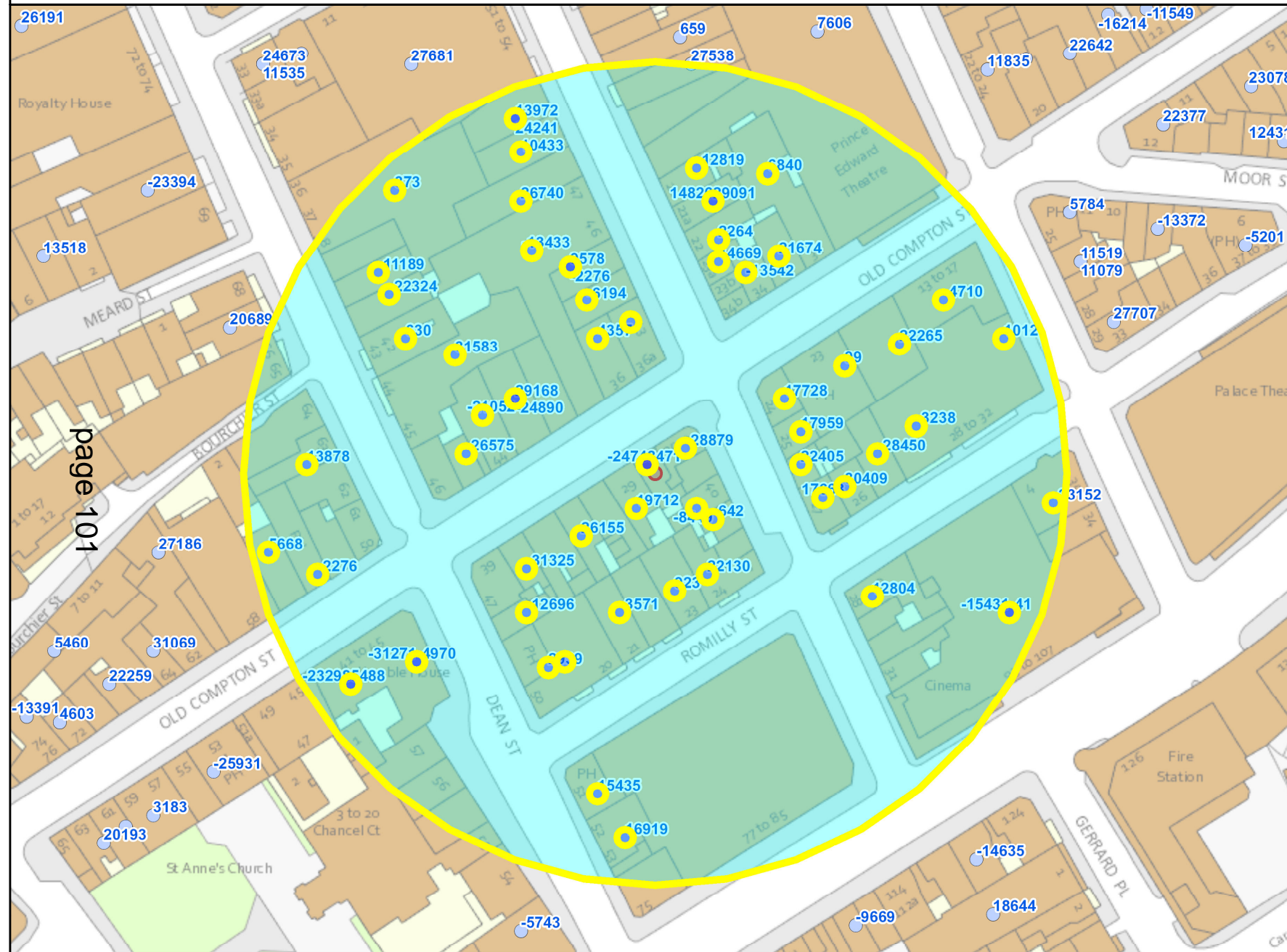
*There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.*

39. A direct telephone number for the manager at the premises shall be publicly

available at all times the premises is open. This telephone number is to be made available to residents, relevant authority and businesses in the vicinity if requested.



# 27 Old Compton Street



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Residential Properties	165
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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Data Source: Uniform Database  
 Date: 26/10/2016

## Appendix 5 - Data List

<b>Premises within 75m of: 27 Old Compton Street</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
16/00627/LIPDPS	Bar Soho	23 Old Compton Street London W1D 5JL	Sunday 09:00 - 01:00 Monday to Thursday 09:00 - 01:30 Friday to Saturday 09:00 - 03:30
15/09992/LIPT	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:30 Sunday 12:00 - 23:00
12/03369/LIPVM	Soho House	40 Greek Street London W1D 5JJ	Sundays before Bank Holidays 09:00 - 00:00 Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 23:00
13/07402/LIPT	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
06/05786/WCCMAP	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
09/01147/LIPV	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4TP	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:30
16/08550/LIPCCT	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LE	Monday to Saturday 10:00 - 22:00 Sunday 12:00 - 20:00
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Monday to Saturday 07:00 - 01:00 Sunday 08:00 - 22:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4TX	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
06/06018/WCCMAP	Y Ming	35-36 Greek Street London W1D 5DN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/09939/LIPDPS	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Monday to Sunday 00:00 - 23:59
15/08372/LIPRW	Balans Cafe	34 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4SE	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
12/07791/LIPVM	Rosa's	Ground Floor And Basement 48 Dean Street London W1D 5BF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
13/04147/LIPDPS	40 Dean Street	40 Dean Street London W1D 4PX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/04050/LIPDPS	Dozo	Basement And Ground Floor 40 Frith Street London W1D 5LN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/04626/LIPDPS	Cafe Boheme	Basement And Ground Floor 13 - 17 Old Compton Street London W1D 5JH	Monday to Saturday 09:00 - 05:00 Sunday 12:00 - 00:00
16/00056/LIPCCH	&Pasta	60 Dean Street London W1D 6AW	Monday to Thursday 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00
15/08418/LIPT	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
12/00868/LIPVM	Assa	23 Romilly Street London W1D 5AQ	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/08715/LIPCCT	Wok On Fire	43 Old Compton Street London W1D 6HG	Sunday 11:00 - 00:00 Monday to Thursday 11:00 - 01:00 Friday to Saturday 11:00 - 02:00



16/03145/LIPDPS	Opuz Kitchen	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
16/03642/LIPCCT	Hoppers	49 Frith Street London W1D 4SG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:30
08/11517/LIPD	Gerry's Club	Basement 52-53 Dean Street London W1D 5BJ	Monday to Saturday 10:00 - 03:30 Sunday 12:00 - 23:00
15/11650/LIPDPS	Belgo	29-31 Old Compton Street London W1D 5JR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
08/06508/LIPDPS	The Arts Theatre Club	Ground Floor West 50 Frith Street London W1D 4SQ	Monday to Saturday 09:00 - 03:30 Sunday 09:00 - 23:00
13/04926/LIPDPS	Herman Ze German	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Friday to Saturday 11:00 - 00:00 Sunday 11:00 - 22:30 Monday to Thursday 11:00 - 23:30
16/03521/LIPDPS	Top Dog Eats	Basement And Ground Floor 48 Frith Street London W1D 4SF	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
12/06841/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:00 Monday to Thursday 10:00 - 23:00
13/07476/LIPDPS	The Groucho Club	44-45 Dean Street London W1D 4QB	Monday to Saturday 09:00 - 02:30 Sunday 12:00 - 00:00
14/00825/LIPDPS	Pulcinella Restaurant	Basement To First Floor 37 Old Compton Street London W1D 5JY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
16/03523/LIPN	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Monday to Saturday 12:00 - 22:00
16/00621/LIPDPS	Hotel Chocolat	25 Old Compton Street London W1D 5JN	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:00
06/07048/WCCMAP	Cho Won Korean Restaurant	27 Romilly Street London W1D 5AL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Monday to Saturday 12:00 - 01:00 Sunday 12:00 - 23:00
11/08882/LIPDPS	Duck Soup	Basement And Ground Floor 41 Dean Street London W1D 4PY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/11265/LIPRW	Le Relais De Venise L'Entrecote	50 Dean Street London W1D 5BQ	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00
06/06142/WCCMAP	Little Italy	21 Frith Street London W1D 4RN	Monday to Sunday 09:00 - 05:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
11/06536/LIPDPS	Kettners	29 Romilly Street London W1D 5HP	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
16/04918/LIPCCT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Monday to Wednesday 08:00 - 00:30 Thursday to Saturday 08:00 - 01:00 Sunday 10:00 - 00:00
15/01004/LIPDPS	Buffo	45 Frith Street London W1D 4SD	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
15/01285/LIPDPS	Buen Gusto Cafe	39 Frith Street London W1D 5LL	Monday to Sunday 06:00 - 03:00
15/05952/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 02:30
11/00852/LIPDPS	Cay Tre (Soho)	42-43 Dean Street London W1D 4QA	Monday to Sunday 09:30 - 01:30
15/05523/LIPDPS	Muriel's Kitchen	36 Old Compton Street London W1D 4TT	Monday to Sunday 07:00 - 01:30
16/06874/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 00:30

12/03653/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/03570/LIPV	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
15/03256/LIPCHT	Muse Soho	Basement 23 Frith Street London W1D 4RR	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 04:00
13/07404/LIPT	Little Italy	21A Frith Street London W1D 4RW	Monday to Sunday 09:00 - 05:30
16/07026/LIPCH	Golden Lion Public House	51 Dean Street London W1D 5BH	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 01:00
06/05092/WCCMAP	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Monday to Thursday 08:00 - 01:00 Friday to Saturday 08:00 - 03:00 Sunday 10:00 - 22:30
16/03879/LIPDPS	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Friday to Saturday 10:00 - 00:00 Sundays before Bank Holidays 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
13/04738/LIPVM	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
13/07472/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Monday to Saturday 12:00 - 00:00 Sunday 12:00 - 23:30
15/04634/LIPDPS	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Monday to Sunday 00:00 - 00:00
06/06245/WCCMAP	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
13/00218/LIPN	Kyoto	26 Romilly Street London W1D 5AJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/06241/WCCMAP	Caffe Nero	Ground Floor 43 Frith Street London W1D 4SA	Sunday to Wednesday 23:00 - 02:00 Thursday to Saturday 23:00 - 04:00

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	13 September 2016
<b>5</b>	Current licence	16 May 2016

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