



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 20th April, 2017**

Time: **10.00 am**

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

Members: **Councillors:**

Jean Paul Floru (Chairman)  
Julia Alexander  
Murad Gassanly

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

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



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

**Email: [jdeacon@westminster.gov.uk](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. THE QUAICH WHISKY SHOP, 34 LEXINGTON STREET, W1

(Pages 1 - 20)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Cumulative Impact Area	The Quaich Whisky Shop, 34 Lexington Street, W1	New Premises Licence	17/00898/LIPN

#### 2. CARAVAN, YALDING HOUSE, 152-156 GREAT PORTLAND STREET, W1

(Pages 21 - 38)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Marylebone High Street Ward / not	Caravan, Yalding House, 152-156	New Premises Licence	17/01171/LIPN

	in cumulative impact area	Great Portland Street, W1		
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**3. WARNER STAND, LORDS CRICKET GROUND, ST JOHN'S WOOD ROAD, NW8**

**(Pages 39 - 104)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	Regent's Park Ward / not in cumulative impact area	Warner Stand, Lords Cricket Ground, St John's Wood Road, NW8	New Premises Licence	17/01651/LIPN

**4. GOURMET KITCHEN, 34 LISLE STREET, WC2**

**(Pages 105 - 124)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	St James's Ward / West End Cumulative Impact Area	Gourmet Kitchen, 34 Lisle Street, WC2	New Premises Licence	17/01541/LIPN

**Charlie Parker  
Chief Executive  
14 April 2017**

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.

### **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:	20 April 2017
Licensing Ref No:	17/00898/LIPN - New Premises Licence
Title of Report:	The Quaich Whisky Shop 34 Lexington 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:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	25 January 2017		
<b>Applicant:</b>	Lexington Street Limited		
<b>Premises:</b>	The Quaich Whisky Shop		
<b>Premises address:</b>	34 Lexington Street London	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	<p>According to the application, the premises will operate as whiskey shop retail premises.</p> <p>The applicant has withdrawn the on-sale element of the application.</p>		
<b>Premises licence history:</b>	This premises has not previously benefitted from a licence under the Licensing Act 2003.		
<b>Applicant submissions:</b>	None		

1-B Proposed licensable activities and hours							
<b>Exhibition of Films:</b>				<b>Indoors, outdoors or both</b>			Indoors
<i>NOTE:</i> For presentations, information on projection screens and DVD screens when required							
<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	09:00
<b>End:</b>	22:00	22:00	22:00	22:00	22:00	22:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None applied for.					

Sale by retail of alcohol				On or off sales or both:			Off sales
<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	09:00
<b>End:</b>	22:00	22:00	22:00	22:00	22:00	22:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None applied for.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:00
<b>End:</b>	22:00	22:00	22:00	22:00	22:00	22:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None applied for.					
<b>Adult Entertainment:</b>		Not applicable.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr Steve Rowe
<b>Received:</b>	10 <sup>th</sup> March 2017
<p>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:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of Children from Harm</li> </ul> <p>As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, HRS1, OS1 and PB2.</p> <p>The application seeks to permit:</p> <p>The Exhibition of Films 'indoors' Monday to Saturday 0800 to 2200 hours and Sunday 0900 to 2100 hours</p> <p>The Supply of Alcohol both 'on' and 'off' the premises Monday to Saturday 0800 to 2200 hours and Sunday 0900 to 2100 hours</p> <p>The applicants have stated that the premises will operate as whiskey shop retail premises. The premises is located inside the Cumulative Impact Area.</p> <p>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</p>	

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 OS1 states 'Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1, CH1 and HRS1 and other policies in this statement, provided it is demonstrated 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 application seeks to permit the hours beyond the commencement 'core hours' (for on sales):

Policy PB2 which relates to pubs and bars states 'It is the Licensing Authority's policy to refuse applications in the CIA other than applications to vary the hours within the core hours under policy HRS1'.

Please therefore accept this as a formal representation.

Please could you provide me with further details in relation to the following:

How do the applicants intend to operate the supply of alcohol (on and off sales)

Is there a bar?

Will there be vertical drinking at the premises?

How does the applicant demonstrate that they will not add to cumulative impact in the Cumulative Impact Area.

<b>Responsible Authority:</b>	The Metropolitan Police (withdrawn)
<b>Representative:</b>	Adam Deweltz
<b>Received:</b>	1 <sup>st</sup> February 2017

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.

The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

***Following the agreement of conditions the police have now withdrawn their representation.***



<b>Responsible Authority:</b>	Environmental Health Consultation Team (withdrawn)
<b>Representative:</b>	Nicola Curtis
<b>Received:</b>	1 <sup>st</sup> February 2017

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

**The premises are located within the West End Cumulative Impact Area as defined within the City of Westminster Statement of Licensing Policy.**

The applicant has submitted the following plans for the premises:

- ◆ Licensing Plans Ground Floor Whisky Shop: drawing number 1786-005, Rev A, Date 16/01/17

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. The Exhibition of Films 'indoors' Monday to Saturday 0800 to 2200 hours and Sunday 0900 to 2100 hours
2. The Supply of Alcohol both 'on' and 'off' the premises Monday to Saturday 0800 to 2200 hours and Sunday 0900 to 2100 hours

I wish to make the following representations in relation to the above application:

1. The Exhibition of Films 'indoors' will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area and may impact upon Public Safety.
2. The Supply of Alcohol both 'on' and 'off' the premises will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area and may impact upon Public Safety.

The applicant has provided additional information and conditions with the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant is advised to contact the undersigned to discuss the application.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area and may impact on Public Safety.**

***Following the agreement of conditions Environmental Health have withdrawn their representation.***

<b>2-B Other Persons</b>	
<b>Name:</b>	Ms Glenys Roberts
<b>Address and/or Residents Association:</b>	Westminster City Hall London SW 1E 6QP
<b>Received:</b>	25 <sup>th</sup> February 2017
<p>As the local councillor I would like to support nearby residents in being extremely concerned about yet another alcohol led business in a stress area where such new businesses are against policy.. I know there are residents who work from home who overlook the premises and are likely to be disturbed by alcohol fuelled activity and indeed the showing of films which it is well known can ha e very loud soundtracks. I would hope,that this aspect of the application would,not be granted without independent confirmation that the premises are complete lay soundproof to the level that even the loudest blockbuster movie would not be heard or any vibration felt outside the Premises. Whilst film going is part of the character of Soho it is important to realise the area is also home to people who must be able to live side by side with this use.</p> <p>As to the alcohol I wonder at what point the stress area will actually be implemented to that Soho can have a future as a mixed use neighbourhood where residents will not be driven out by public disorder so often fuelled by excessive alcohol. In order to live in a neighbourhood redirects require genuine amenities and these are being driven out all over the place by alcohol applications often seemingly innocently attached to other uses such as coffee shops or even toy shops yet which once granted can never be revoked and may form the basis for much more extensive licensing use in future. I wonder if any other use of this premises has been considered before going down this well worn route.</p>	
<b>Name:</b>	Mrs Liz Callingham
<b>Address and/or Residents Association:</b>	Flat 2 6 Upper John Street London W1F 9HB
<b>Received:</b>	6 <sup>th</sup> March 2017
<p>I object to this licence application as it contravenes Westminster policy on drinking without food.</p> <p>It also adds to Cumulative Impact - particularly now when every addition, however small, exacerbates already crowded conditions.</p> <p>I also object on the grounds of Public Nuisance, Public Safety and Crime and Disorder.</p> <p>This licence requests drinking of whisky from 8am. Is this credible?</p> <p>Under 'Conditions' the serving of beer is indicated. Is this already a bar?</p> <p>Is the objective a club/bar? Residents are worried about such a confused application.</p>	

<b>Name:</b>	Dr William Montgomery
<b>Address and/or Residents Association:</b>	1B Silver Place London W1F 0JW
<b>Received:</b>	22 <sup>nd</sup> February 2017

As a near neighbour of the applicant, I object to the application on the grounds of potential noise nuisance from films being shown on site (the rear of the property is adjacent to the rear of my property), and also on the general grounds that the immediate neighbourhood is already awash with licensed premises, and another is unwelcome.

<b>Name:</b>	The Soho Society
<b>Address and/or Residents Association:</b>	St Anne's Tower 55 Dean Street London W1D 6AF
<b>Received:</b>	15 <sup>th</sup> February 2017

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.

### About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

### Application summary

Activity	Indoors/Outdoors	Alcohol Consumed	Time Period	From	To
<b>Exhibition of a Film</b>	<b>Indoors</b>		Monday to Saturday	08:00 AM	10:00 PM
<b>Exhibition of a Film</b>	<b>Indoors</b>		Sunday	09:00 AM	09:00 PM
<b>Sale by Retail of Alcohol</b>		Both	Monday to Saturday	08:00 AM	10:00 PM

<b>Sale by Retail of Alcohol</b>	Both	Sunday	09:00 AM	09:00 PM
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### **New license in cumulative impact area**

The proposal is for a new licensed premises 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 stress area and cumulative impact policy. 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. Such new licenses should be prohibited. This application 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.

### **Hours of operation**

The proposal includes licensable activities, including sale of alcohol, outside of Westminster core hours. We therefore feel it is necessary to restrict the onsite sale of alcohol to be within the 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 CIA1 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 HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy OS2 applies:</b>	<p>Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy PB2 applies:</b>	<p>It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p>

## 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant 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

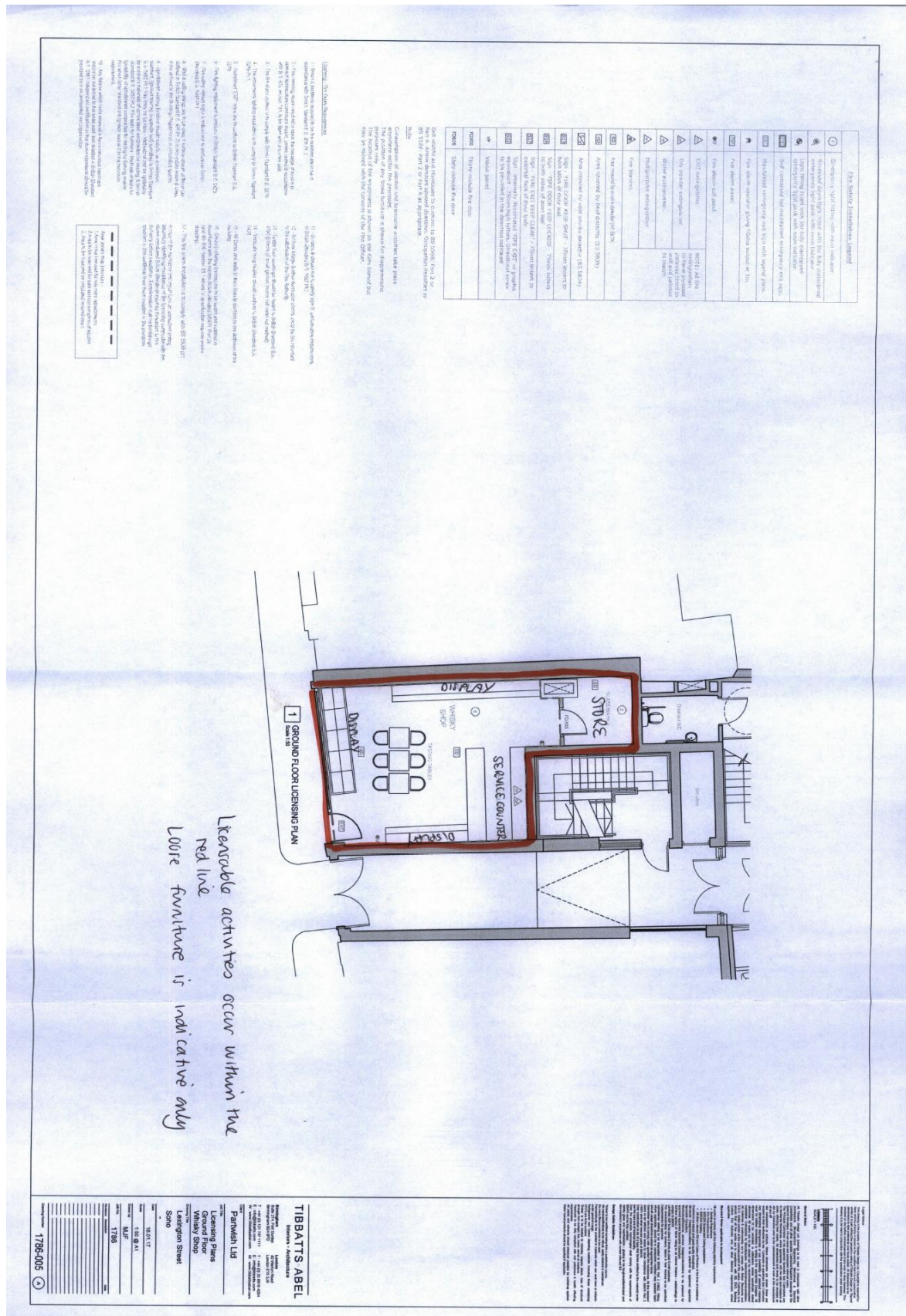
<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

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

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

<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	
<b>5</b>	The Metropolitan Police Representation	1 <sup>st</sup> February 2017
<b>6</b>	The Environmental Health Representation	1 <sup>st</sup> February 2017
<b>7</b>	The Licensing Authority Representation	10 <sup>th</sup> March 2017
<b>8</b>	Dr William Montgomery Representation	22 <sup>nd</sup> February 2017
<b>9</b>	Ms Glenys Roberts Representation	25 <sup>th</sup> February 2017
<b>10</b>	Mrs Liz Callingham Representation	6 <sup>th</sup> March 2017
<b>11</b>	The Soho Society Representation	15 <sup>th</sup> February 2017

Premises Plans



**Applicant Supporting Documents**

No submissions received from the applicant.



**Premises History**

There is no licence or appeal history for the premises.

## **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.
- 9 Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

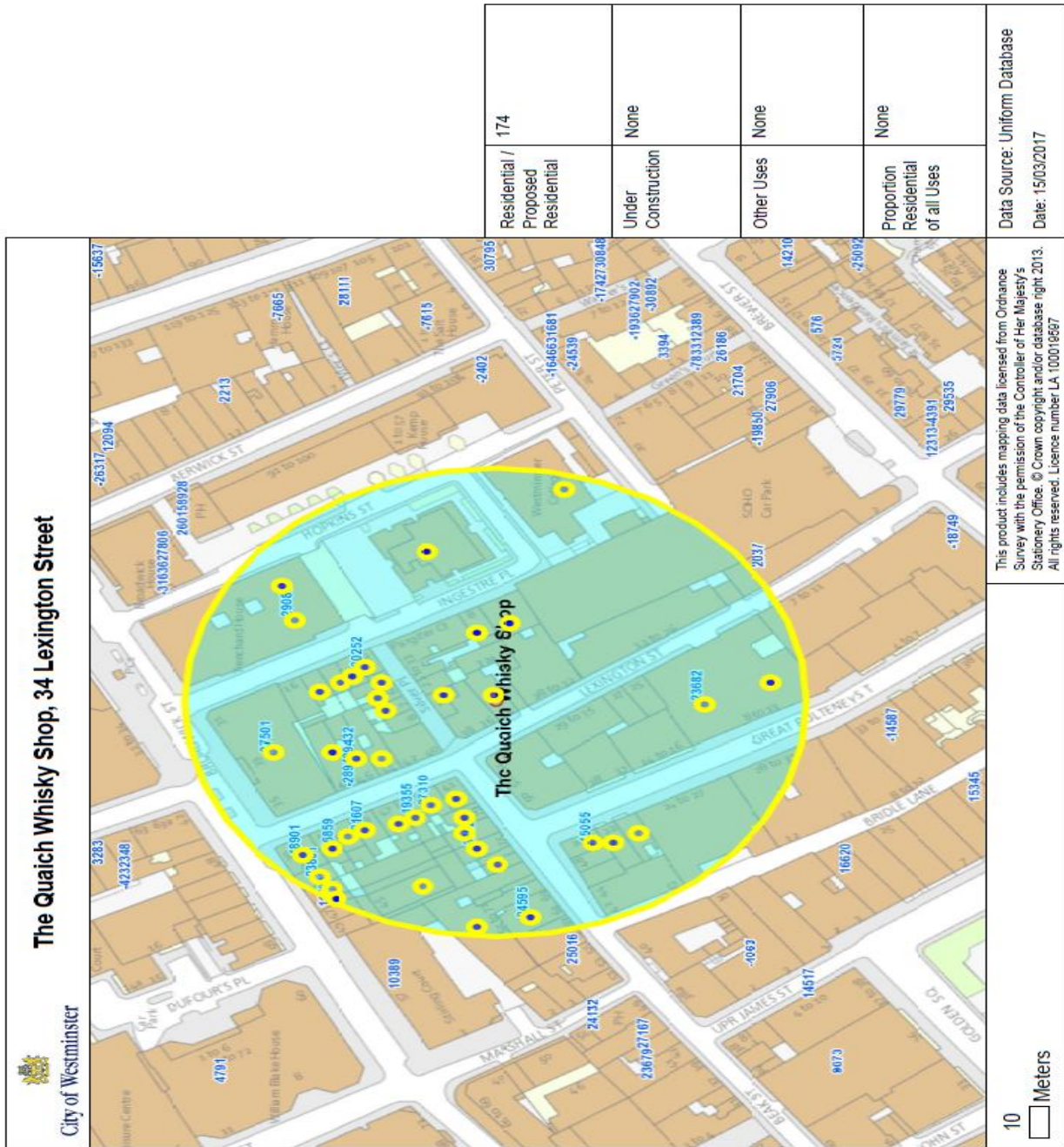
## **Proposed conditions by the Applicant consistent with the operating schedule**

10. The premises shall operate as a specialised Whisky Shop whereby its primary business shall be the sale of whiskies.
11. Individual servings of alcohol for consumption on the premises shall be limited to samples of 25ml maximum per serving.
12. The consumption of alcohol within the premises shall at all times be only by persons attending a ticketed or pre-booked event, and there shall be no self-service of alcohol for consumption on the premises **(Also proposed by EH)**
13. The maximum number of persons permitted in the premises at any one time, excluding staff, shall not exceed 40 **(Also proposed by EH)**
14. Customers consuming alcohol within the premises, who temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them **(Also proposed by EH)**
15. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles **(Also proposed by EH)**
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises. **(Also proposed by EH)**
17. There shall be no cinema style seating for the showing of films.
18. 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
19. 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 to the public. This staff member shall be able to show the Police recent data or footage with the absolute minimum of delay when requested.
20. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
21. No deliveries shall be made to the premises between 23:00 hours and 07:30 hours.
22. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. **(Also proposed by EH)**
23. Signage of the proof of age scheme shall be displayed in prominent positions on the shop floor where alcohol is on public display, at the point of sale and upon entering the premises.
24. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.

The log 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 is open.

25. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
26. Prior to the Licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority
27. 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 **(Also proposed by EH)**

**Residential Map and List of Premises in the Vicinity**



**Premises within 75 metres of: The Quaich Whisky Shop, 34  
Lexington Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
31607	Aurora Restaurant	Basement And Ground Floor 49 Lexington Street London W1F 9AP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-29089	Not Recorded	Trenchard House 19 - 25 Broadwick Street London W1F 0DF	Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 10:00 - 22:30
-2894	Andrew Edmunds	Basement And Ground Floor 46 Lexington Street London W1F 0LP	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
11592	Central Convenience Store	43 Broadwick Street London W1F 9QN	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
16859	Bao	53 Lexington Street London W1F 9AS	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
23801	Said London	41 Broadwick Street London W1F 9QL	Sunday 08:00 - 22:30 Monday to Saturday 08:00 - 23:00
24595	Kazu Restaurants 1 Limited	Basement And Ground Floor 61 - 63 Beak Street London W1F 9SL	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
30252	The Book Shop	12 Ingestre Place London W1F 0JF	Monday to Sunday 12:00 - 23:00
-23682	Creston PLC	Third Floor To Fifth Floor Creston House 10 Great Pulteney Street London W1F 9NB	Monday to Friday 00:00 - 00:00
-19355	Mildred's Restaurant	45 Lexington Street London W1F 9AN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-3792	Ma Plucker	Basement And Ground Floor 75 Beak Street London W1F 9SS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15055	Sun & Thirteen Cantons	21 Great Pulteney Street London W1F 9NG	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
18901	John Snow	39 Broadwick Street London W1F 9QJ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
27310	Fernandez And Wells	Basement And Ground Floor 43 Lexington Street London W1F 9AL	Sunday 08:00 - 22:00 Monday to Saturday 08:00 - 23:30
27501	Itsu	31 Broadwick Street London W1F 0DG	Monday to Sunday 09:00 - 21:30
29432	Academy Club	First Floor Front 46 Lexington Street London W1F 0LP	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00



Item No:	
Date:	20 <sup>th</sup> April 2017
Licensing Ref No:	17/01171/LIPN - New Premises Licence
Title of Report:	Caravan Yalding House 152 - 156 Great Portland Street London W1W 6QA
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:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@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>	3 February 2017		
<b>Applicant:</b>	Metal Box Traders Limited		
<b>Premises:</b>	Caravan		
<b>Premises address:</b>	Yalding House 152 - 156 Great Portland Street London W1W 6QA	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None.
<b>Premises description:</b>	The premises will operate as a Restaurant, Coffee Shop and Bar.		
<b>Premises licence history:</b>	This is an application for a new Premises Licence and therefore no premises history exists.		
<b>Applicant submissions:</b>	The applicant successfully operates 3 existing and highly acclaimed Caravan premises across London at Exmouth Market, King's Cross and Bankside.		

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	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>				23:00 until 00:00 on Sunday's preceding Bank Holiday Monday.  From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day.			

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			10:00 until 00:00 on Sunday's preceding Bank Holiday Monday.  From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>			08:00 until 00:30 on Sunday's preceding Bank Holiday Monday.  From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day.				
<b>Adult Entertainment:</b>			Not applicable.				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	15 <sup>th</sup> February 2017
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Would you agree to the following condition?</p> <p>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.</p>	

***Following the agreement of conditions the Metropolitan Police Service have withdrawn their representation.***

<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr Maxwell Koduah
<b>Received:</b>	21 <sup>st</sup> February 2017

This representation is based on the operating schedule and accompanying plans of basement and ground floor by Macaulay Sinclair dated 02/02/17 ref. 3671.

The applicant is seeking the following licensable activities:

1. Provision of late night refreshment "Indoors" at the following times:  
Monday to Thursday: 23:00 – 23:30  
Friday & Saturday: 23:00 - 00:00  
Sunday before bank holidays: 23:00 – 00:00  
From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day
2. Supply of Alcohol for consumption "On" and "Off" the premises at the following times:  
Monday to Thursday: 10:00 – 23:30  
Friday & Saturday: 10:00 - 00:00  
Sunday: 10:00 – 22:30  
Sundays before bank holidays: 10:00 – 00:00  
From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day

I wish to make the following representation

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 area

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 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 applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

<b>2-B Other Persons</b>	
<b>Name:</b>	Mr Linus Rees
<b>Address and/or Residents Association:</b>	Fitzrovia Neighbourhood Association 39 Tottenham Street London W1T 4RX
<b>Received:</b>	5 <sup>th</sup> March 2017
<p>We would like to see conditions to prevent public nuisance caused by the operation of these premises. We are not clear if the applicants wish to operate this as a bar (in which case we strongly object) or if drinks are to be served only for those having a meal. We are also concerned about timing of deliveries and disposal of bottles, as well as any use of the pavement outside the premises. We are sure additional conditions will address our concerns.</p>	
<b>Name:</b>	Dr Matthew Knight
<b>Address and/or Residents Association:</b>	Apartment One 146 Great Portland Street London W1W 6QB
<b>Received:</b>	2 <sup>nd</sup> March 2017
<p>We write with respect to the licensing application made by Metal Box Traders Ltd regarding the proposed restaurant Caravan. We are very concerned that the application for late night refreshment and opening hours is not in keeping with other local businesses, and incompatible with the needs of local residents.</p> <p>The proposed hours of refreshment until midnight Fridays and Saturdays (and Sundays before Bank Holidays), and of slightly earlier on other nights, with closing times half an hour later, are simply far too late, and will lead to inevitable disruption, disturbance and impaired quality of life for the local residents of this street who live adjacent to the proposed site. We are neighbours, living in a residential building of flats, predominantly of families with young children, and also those who experience physical health disability.</p> <p>Other businesses and cafes (e.g. Boots, Pret a Manger, Zena's, Portland Hardware) in this section of the street have closure times much earlier - typically between 6pm and 8pm. Indeed leasehold requirements for venues such as Zena's require closure by early evening so as to protect neighbours' quality of life. Even further, established similar brasseries such as Villandry, which is not surrounded by residential properties, has earlier licensing timings.</p> <p>We are not against Caravan in and of itself. It is a good chain of restaurants, however it encourages larger party sizes (the proposed planning documents contain large communal dining). The existing restaurants are loud. This section of Great Portland Street is quiet, with a synagogue, and many residential properties. The council has recently given planning consent for business premises to be changed to residential use (e.g. 140 GPS), and as such the residential nature of this area the street is being increased. It is thus incompatible to permit such large scale late night entertainment in a</p>	

growing residential environment.

We hope the council hears these very strong concerns.

### 3. Policy & Guidance

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

<b>Policy RNT1 applies</b>	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
<b>Policy HRS1 applies:</b>	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant 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

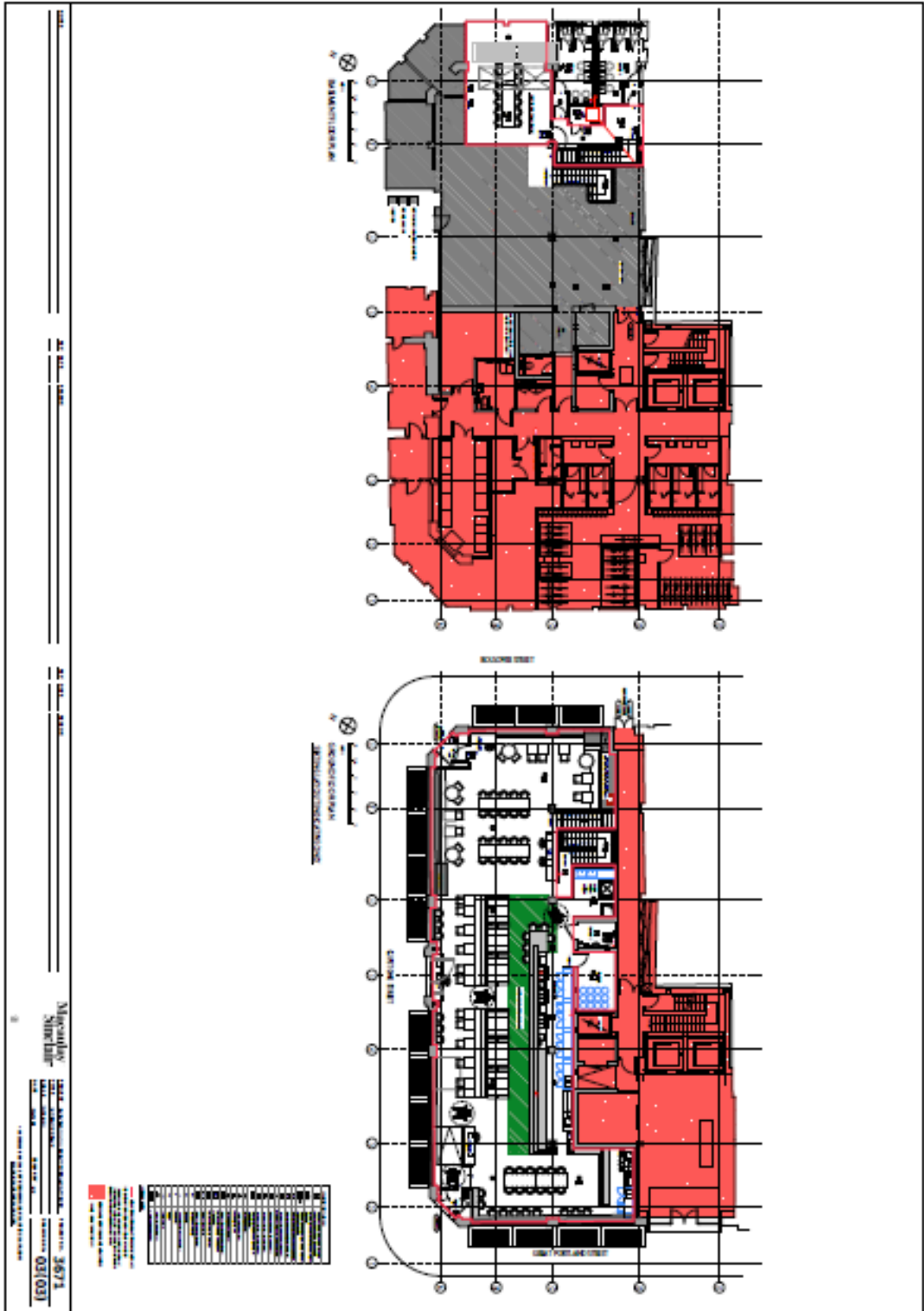
<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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

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

<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	2 <sup>nd</sup> February 2017
<b>5</b>	Representation – MET Police	15 <sup>th</sup> February 2017
<b>6</b>	Representation – Environmental Health	21 <sup>st</sup> February 2017
<b>7</b>	Representation – Mr Rees	5 <sup>th</sup> March 2017
<b>8</b>	Representation – Dr Knight	2 <sup>nd</sup> March 2017

Premises Plans





**Applicant Supporting Documents**

None submitted.

**Premises History**

There is no licence or appeal history for the premises.

## **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. Save for the area hatched on the licence plan, the consumption of alcohol on the premises shall only be by seated persons.
10. 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.
11. With the exception of any external area licensed by Westminster City Council for the placing of tables and chairs, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
12. No sales of alcohol for consumption off the premises after 23.00.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
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 sweeping 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. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry 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.

20. 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.
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 concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
22. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed [X] persons (to be determined).
23. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
24. The Licence will have no effect until the works shown on the plans appended to the application have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

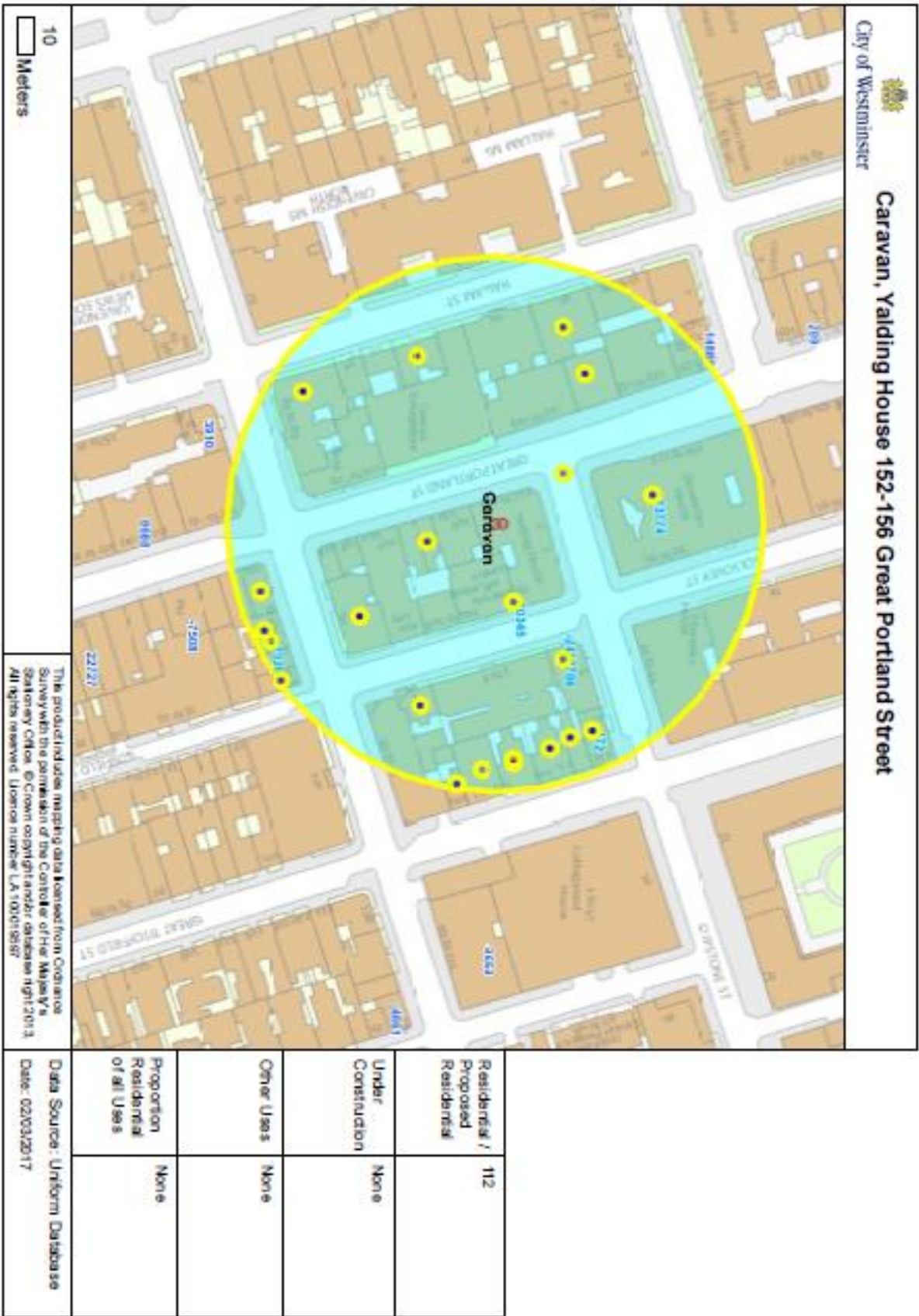
#### **Conditions proposed by the Police and agreed by applicant**

25. 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 Environmental Health**

None submitted.

**Residential Map and List of Premises in the Vicinity**





**Premises within 75 metres of: Caravan, Yalding House 152-156 Great Portland Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
-13774	13/07116/LIPDPS	Villandry	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-2329	14/02148/LIPVM	Cavendish Candy	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-241	16/04952/LIPDPS	Not Recorded	Friday to Saturday 07:00 - 00:00 Sunday to Thursday 07:00 - 23:00
172	09/05858/LIPDPS	Conchiglia	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
3786	15/00899/LIPDPS	The Lucky Pig	Monday to Wednesday 10:00 - 00:00 Thursday 10:00 - 01:30 Friday to Saturday 10:00 - 03:30 Sunday 12:00 - 23:00
30345	15/02920/LIPDPS	Bolsover Street Youth Hostel	Monday to Sunday 00:00 - 00:00

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Item No:	
Date:	20 April 2017
Licensing Ref No:	17/01651/LIPN - New Premises Licence
Title of Report:	Warner Stand Lords Cricket Ground St John's Wood Road London NW8 8QZ
Report of:	Director of Public Protection and Licensing
Wards involved:	Regent's Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@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>	14 February 2017		
<b>Applicant:</b>	Marylebone Cricket Club		
<b>Premises:</b>	Warner Stand		
<b>Premises address:</b>	Warner Stand Lords Cricket Ground St John's Wood Road London NW8 8QZ.	<b>Ward:</b>	Regent's Park
		<b>Cumulative Impact Area:</b>	None.
<b>Premises description:</b>	Sports Ground.		
<b>Premises licence history:</b>	<p>This is an application for a new stand within Lord's Cricket Ground.</p> <p>A stand within ground has been licensed since October 2006.</p>		
<b>Applicant submissions:</b>	<p>The proposed "Premises" is the new Warner Stand at Lord's Cricket Ground ("Lord's" or "the Ground").</p> <p>The existing Premises licence for the recently demolished Warner Stand (11/05894/LIPDPS) permitted the sale of alcohol, Late Night Refreshment and some Regulated Entertainment (including 'recorded music'). This licence is technically still in existence but is no longer of practical use, that Stand having been demolished to make way for the new and improved Warner Stand ("the Premises"). Under the Licensing Act 2003 it is not possible to vary the existing licence in these circumstances so a new licence has to be sought. In effect, this application is therefore to substitute a new Premises licence (which will actually be in reduced terms in the sense that permission for 'recorded music' is not being sought, and the seating capacity in the Stand will be slightly less than before) for an existing licence. If granted the existing licence will be surrendered.</p> <p>The new Stand is what you would expect of a well-designed modern Stand with excellent facilities for enjoying cricket matches and other hospitality/events (within the hospitality areas inside the Stand) on a limited number of non-match days.</p>		

	Bar (and other) facilities will be available on the Ground and Levels 1, 2 and 3 of the Premises, including a restaurant (Pelham's Restaurant) on Level 3. Further information can be obtained by considering the Summary of the application; the licensing plans and the draft conditions lodged with this application.
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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	23:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>			Late Night Refreshment may be available inside Pelham's Restaurant and other bars within the Premises particularly on a non-match day at a hospitality/other event - for example a formal dinner; wedding reception. In the half an hour prior to closure at 23:30 it is feasible that a guest will wish to order hot food/drinks for consumption in the Premises.				

<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	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>			09:00 "Start" time (with closure at the standard 23:00) on Major Match Days (as defined in the draft conditions) in relation to Pelham's Restaurant on Level 3.  In terms of proposed off sales, this is to enable those who have purchased alcohol to enjoy it anywhere within the Ground rather than being restricted to the actual Premises (i.e. the Warner Stand). In relation to the hampers (containing alcohol) - only available on Major Match Days - it is feasible that a guest will wish to take his/her hamper home - so outside of the Ground.				

<b>Provision of Films</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>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>			The primary use of the Premises will be on cricket Match Days. There will be some internal screens within the Stand showing some recorded film materials both on Match Days and on occasions, on non-match days. Note:				

	<p>the usage of the Premises' restaurant and other bar areas for hospitality and events on non-match days is separately limited/restricted by planning conditions applicable to the Premises.</p> <p>09:00 "Start" time (with closure at standard 23:00) on Major Match Days (as defined in the draft conditions) in relation to Pelham's Restaurant on Level 3.</p>
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Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>	<p>The above "opening" hours technically relate to the Lord's Cricket Ground rather than to the Premises within the Ground.</p> <p>For various issues (relating to public safety) the Ground must open early enough to assist with the safe and orderly ingress of spectators on a Match Day.</p>						
<b>Adult Entertainment:</b>	Not applicable						

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	12 <sup>th</sup> March 2017
<p>With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention Objective.</p> <p>There is insufficient detail in the operating schedule to address the Crime Prevention Objective.</p> <p>It is for this reason that we are objecting to the application</p> <p><b><i>Following on from visiting the premises and agreement of the conditions proposed by the applicant the MET Police have now withdrawn their representation.</i></b></p>	

<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr Ian Watson
<b>Received:</b>	14 <sup>th</sup> March 2017

The applicant has submitted plans of the Warner Stand and its location within the cricket ground.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday 10.00 to 23.00 hours. Monday to Sunday 09.00 to 23.00 hours for the third level restaurant.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday 23.00 to 23.30 hours.
3. Provision of Films 'Indoors' Monday to Sunday 10.00 to 23.00 hours. Monday to Sunday 09.00 to 23.00 hours for the third level restaurant.

I wish to make the following representation

1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.
3. No objection.

There are no public safety concerns with this application. The applicant has submitted conditions in support of the application which satisfy the concerns of Environmental Health.

<b>2-B Other Persons</b>	
<b>Name:</b>	Sachin Khajuria
<b>Address and/or Residents Association:</b>	12 Elm Tree Road London NW8 9JX
<b>Received:</b>	6 <sup>th</sup> March 2017
I live next door to Lord's, specifically right next to the Warner Stand, at 12 Elm Tree Road NW8 9JX. I object to the license application and suggest the following critical amendments and requirements for the benefit of residents, neighbours and the peace and safety of the area.	

Please note that the area is a residential suburb in North London, not a busy commercial district. It is populated by elderly residents and families with small children. The roads around Lords are already extremely congested due to matches, events and works at Lord's and cannot cope with any more visitor traffic whether on matchdays or otherwise.

1. The hours of operation proposed including serving food and drink including alcohol and caffeine drugs are far too long. Residents would effectively end up living next to a group of indoor pubs and nightclubs next to their homes. Not only should all guests at the venues be kept inside, without any music live or otherwise, but all windows and doors must be kept strictly shut at the venues so there is no noise pollution for neighbours. The hours of operation should end at 1830 at most or be restricted to a much earlier time than applied for - otherwise each evening's peace and quiet will be utterly ruined by revellers fuelled up with stimulants. This would be unacceptable and property values would suffer. Lord's is a cricket stadium and not a new London restaurant and nightclub set for all-year parties. Children need their sleep before school. Parents and the elderly need their rest. Do not allow this all year. Ideally the number of days events can be held should be reduced as well - to say a maximum of 30 days per year.

2. Lord's needs to provide extra security staff to police guests on each day there is an event. A hotline to a bar steward is not enough. There should be an on-site security team and their mobile phone numbers should be available for neighbours and residents in case of any disturbances by the revellers already fuelled up with alcohol and caffeine stimulants, or by garbage collection.

3. Garbage collection and tidy up should happen in the last hour before closing time, ie closing times should be shortened to take account of time needed to clean up. Otherwise neighbours and residents would have to hear this disturbance through midnight and beyond.

4. Lord's needs to provide parking for guests at events. The roads are at choking point and drivers who have had drinks and food at the venues will be a danger to other road users and themselves. Residents parking hours for residents bays should be extended until midnight on each day there is an event, not just 1830. No thought seems to have been given to the extra people and vehicle traffic that events until midnight effectively burden on the community.

With the above amendments - critically fewer days a year and shorter hours of operation so evenings are not ruined, with parking and policing provided and hotlines to security staff - the premises should be allowed. But the current plans are brash and selfish commercialism in a residential area for families and children where extra vehicles will also raise dirty diesel pollution levels for those who live here. The Mayor is tough on dirty emissions and this should extend to policing the impact of extending entertainment venue operations in leafy suburbs.



### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<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.
<b>Policy HRS1 applies:</b>	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
<b>Policy PB1 applies:</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant 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>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

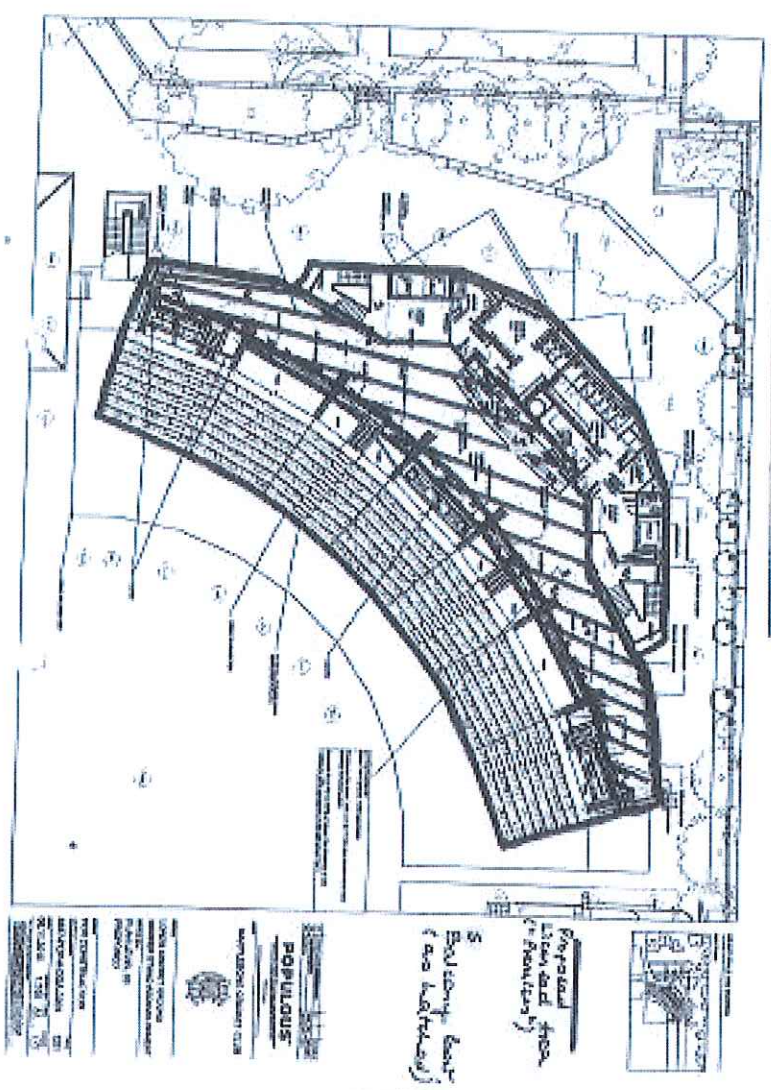
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

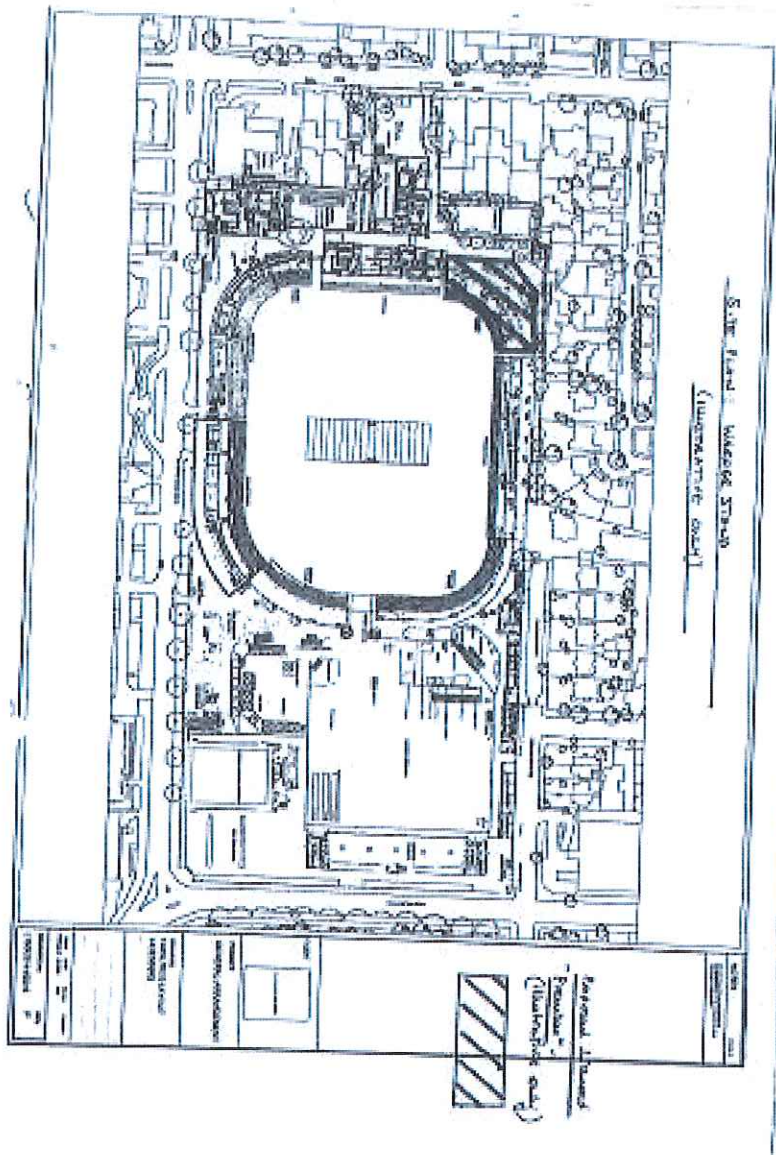
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	14 <sup>th</sup> February 2017
5	Representation – MET Police	12 <sup>th</sup> March 2017
6	Representation – Environmental Health	14 <sup>th</sup> March 2017
7	Representation – Sachin Khajuria	6 <sup>th</sup> March 2017











## Applicant Supporting Documents

### New Warner Stand, Lord's Cricket Ground Summary of Application for New Premises Licence

#### Background

Lord's Cricket Ground ("Lord's" or "the Ground") currently has the benefit of numerous Premises Licences for different buildings/areas within the Ground. The Licences are broadly similar in terms; all are historic having been 'converted over' when the 2003 licensing regime came into force in 2005.

The Premises Licence for the Warner Stand (11/05894/LIPDPS) which currently permits the sale of alcohol, Late Night Refreshment and some Regulated Entertainment (including 'recorded music'), is technically in existence but is no longer of practical use, the former Stand having been demolished to make way for the new and improved Warner Stand ("the Premises").

The new Stand is due to be handed over to the Applicant on 21<sup>st</sup> April 2017 and a new Premises Licence is consequently required to cover the new layout, and the licensable activities to be carried out therein (it not being technically possible under the Licensing Act 2003 for the existing Licence to be varied in these circumstances).

**Please note** that the new Licence (if granted) will be in **more restricted** terms than the existing Licence (for the old Stand) in terms of the categories of licensable activities to be covered – for example, the Applicant is **not** seeking any authority for Regulated Entertainment in the form of 'recorded music', which is authorised and is "unrestricted" under the existing Licence. The seating capacity of the Premises has also slightly reduced.

Accordingly, whilst a new licence application is required, **this is, in effect, an application to substitute a modern Premises Licence (for a modern Stand) for a redundant Licence due to the demolition of the old Stand.** If the new Licence is granted in the terms sought, the existing Licence (11/05894/LIPDPS) will consequently be surrendered.

#### Proposed Licensable Activities

Sale of Alcohol, Late Night Refreshment and Regulated Entertainment - indoor film exhibition only.

These licensable activities will be provided on Match Days and on some non-match days, although the latter use of the Premises (for hospitality and other events) is separately restricted by planning conditions.

#### Proposed Bars and Hospitality Areas

Reference should be made to the bar areas identified by way of hatching on the Licensing plans submitted with the Application. The area in which temporary mobile bars may be used on a Major Match Day is identified by way of cross-hatching.



Essentially, as was the case with the old Warner Stand, there will be bar and/or restaurant facilities available on each level of the Premises. The following information is provided to give a 'flavour' of what will be provided by way of licensable facilities although some details are subject to change.

### **Ground Level:**

*Definition Wine Bar* - This will be a Wine/Champagne Bar. There is also likely to be draught beer and Pimms available.

*Hamper Collections* - The hampers (which contain alcohol) are all pre-paid. This existing facility is being re-located from the Food Village within the Ground. This facility is only available on Major Match Days.

*Temporary Mobile Bars (fixed when in use)* – These will only be in use on Major Match Days, on the ground floor concourse, in the cross-hatched area on the licensing plan. They will supply beer only. Their exact position will be determined through risk assessment and other pre-match planning procedures, and may move location (within the cross-hatched area) on the Major Match Day depending on crowd flow and other operational factors.

### **Level 1**

*Terrace Bar* - This is an enclosed area and will provide a full selection of beverages including wine; beers; soft drinks etc. At one end of the bar there will be a separate food concession (which shall not be serving any alcohol).

### **Level 2**

*Balcony Bar* – This will be similar in terms of facilities/offering to the Terrace Bar on Level 1.

### **Level 3**

*Pelham's Restaurant* - This is a large restaurant area. On Match Days, the food provision will all be pre-booked and pre-paid, with alcohol being purchased on the day. Ideally the Applicant is seeking to license this Restaurant from 09:00 on Major Match days, so that those attending can, if they wish, enjoy a Champagne breakfast. This would involve the Restaurant opening before 10 am, on about 20-25 occasions per annum.

### **Proposed Regulated Entertainment**

The primary use of the Premises will be on cricket Match Days. There will be internal screens showing some recorded film materials within the Premises, which may be in use on Match and Non-Match Days.

### **Proposed Hours for Licensable Activities**

Sale of Alcohol and Regulated Entertainment (Film only): Mondays to Sundays: 10:00 to 23:00.

Late Night Refreshment: 23:00 to 23:30.

Non-standard hours: 09:00 commencement on Major Match Days, in Pelham's Restaurant only.

Please note that the Premises will not be used for licensable activities daily but when it is open for cricket Match Days and/or hospitality (or other events), which could be on any day of the week.

### **Measures to promote the Licensing Objectives:**

#### **Experienced licensed history**

Historically, licensable activities took place in the former Warner Stand for many years without difficulties arising. As was the case in the former Warner Stand, operations in the Premises (licensable or otherwise) will be part and parcel of a much larger operation on Match Days. When spectators will exceed 10,000, operations are governed by a General Safety Certificate ("GSC"), due to the whole Ground being a 'designated sports ground'. The 'umbrella' terms of the GSC always take precedence as they cover a wide range of safety measures including procedures relating to crowd management, fire safety, medical provision, traffic management and contingency plans to name but a few. The Premises on a Match Day (when spectators will exceed 10,000) will consequently fall within the terms of a revised GSC (covering the new Stand, as part of the larger Ground). At smaller matches, the policies and procedures set out in the GSC are modified to fit the smaller planned operation but at all times the safety of the spectators is paramount.

The licensable activities proposed under the terms of this Application are broadly similar to those successfully provided for many years under the existing Premises Licence (11/05894). Any changes are to ensure that the Premises Licence fits with the new structure (and improved facilities) and is also up to date in terms of appropriate, specific conditions to promote the Licensing Objectives. There is no reason to suggest that this new Licence will in any way have a negative impact on the promotion of the Licensing Objectives. Indeed, the external seating capacity of the Premises will in fact be slightly reduced and this Application does not involve any authority for 'recorded music' (permitted under the existing licence). Those attending the Premises will be able to enjoy greatly enhanced facilities.

#### **Draft proposed conditions**

To support this Application, the existing conditions (on Licence 11/05894) have been reviewed. The proposed conditions (which may be the subject of further amendment once input has been obtained from the Responsible Authorities) are volunteered to support the Application. The draft conditions include definitions for "Match Days" and "Major Match Days" as referenced above.

#### **Liaison with the community**

The Applicant also takes its relationship with local residents and businesses seriously. Local residents and businesses have been regularly informed in terms of the planning

application for the new Premises and information relating to this Application will also be provided through the 'Lord's Community Group'.

**LORD'S CRICKET GROUND  
WARNER STAND**

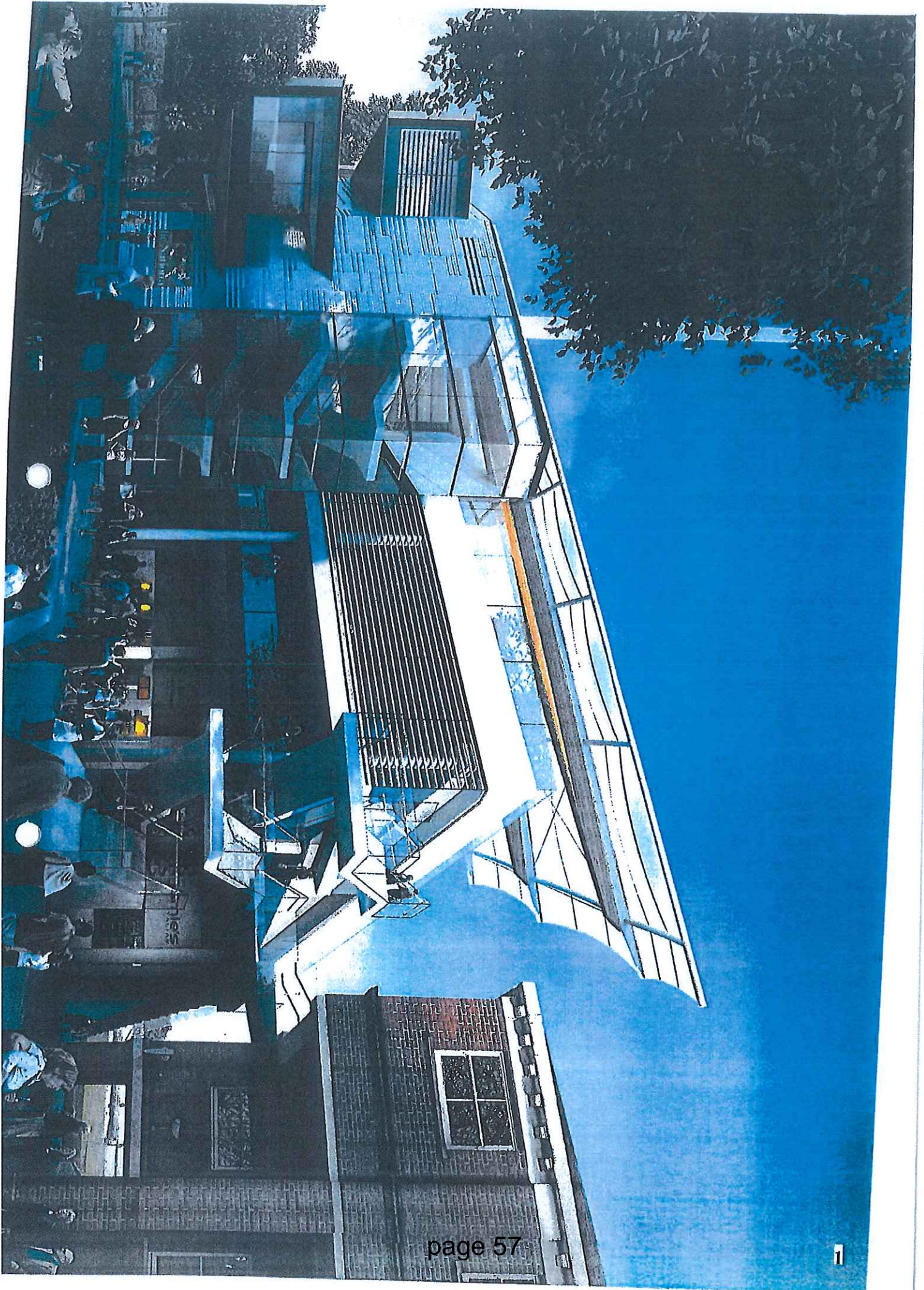
**LICENSING COMMITTEE HEARING  
20 APRIL 2017**

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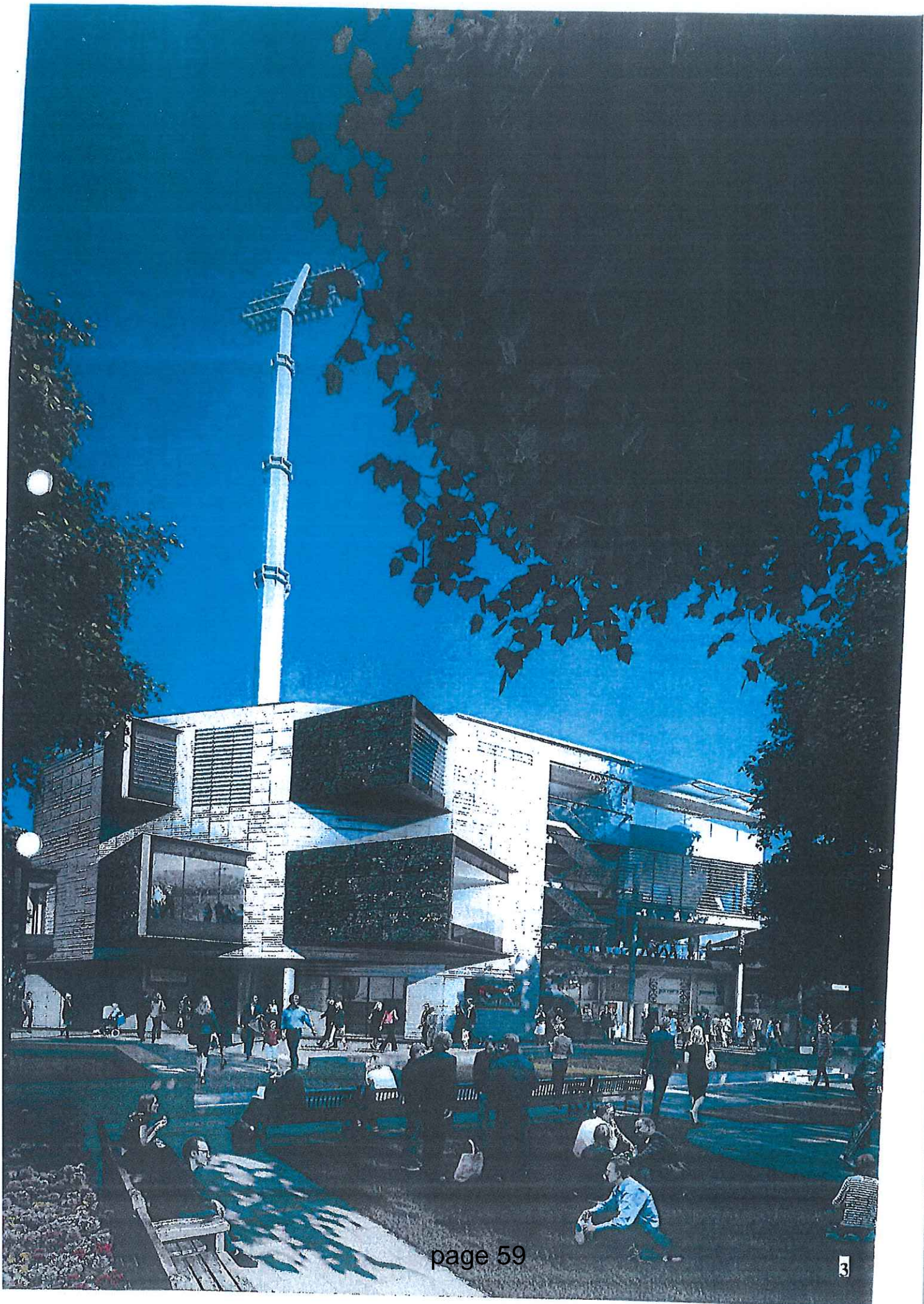
Applicant's Bundle

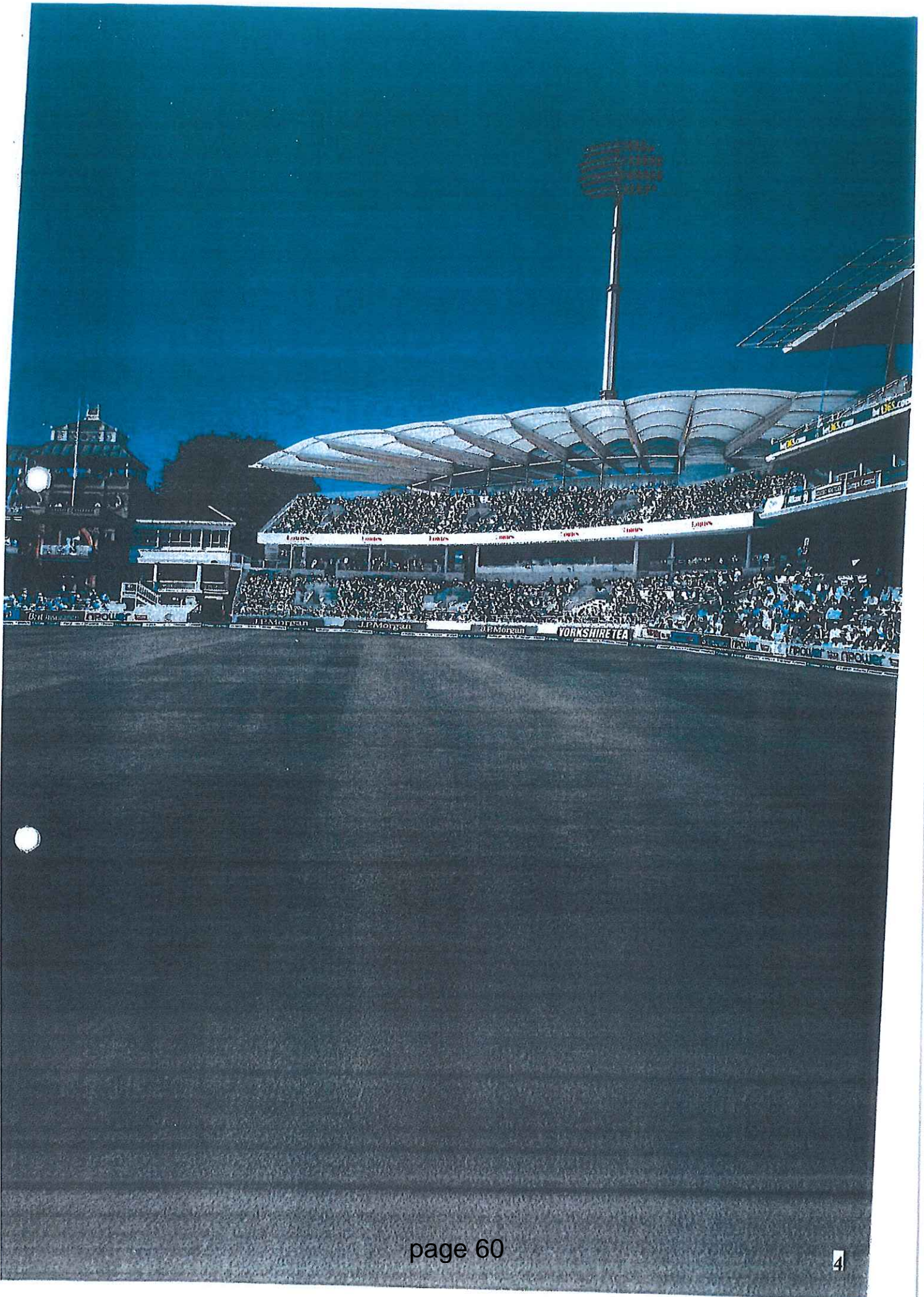
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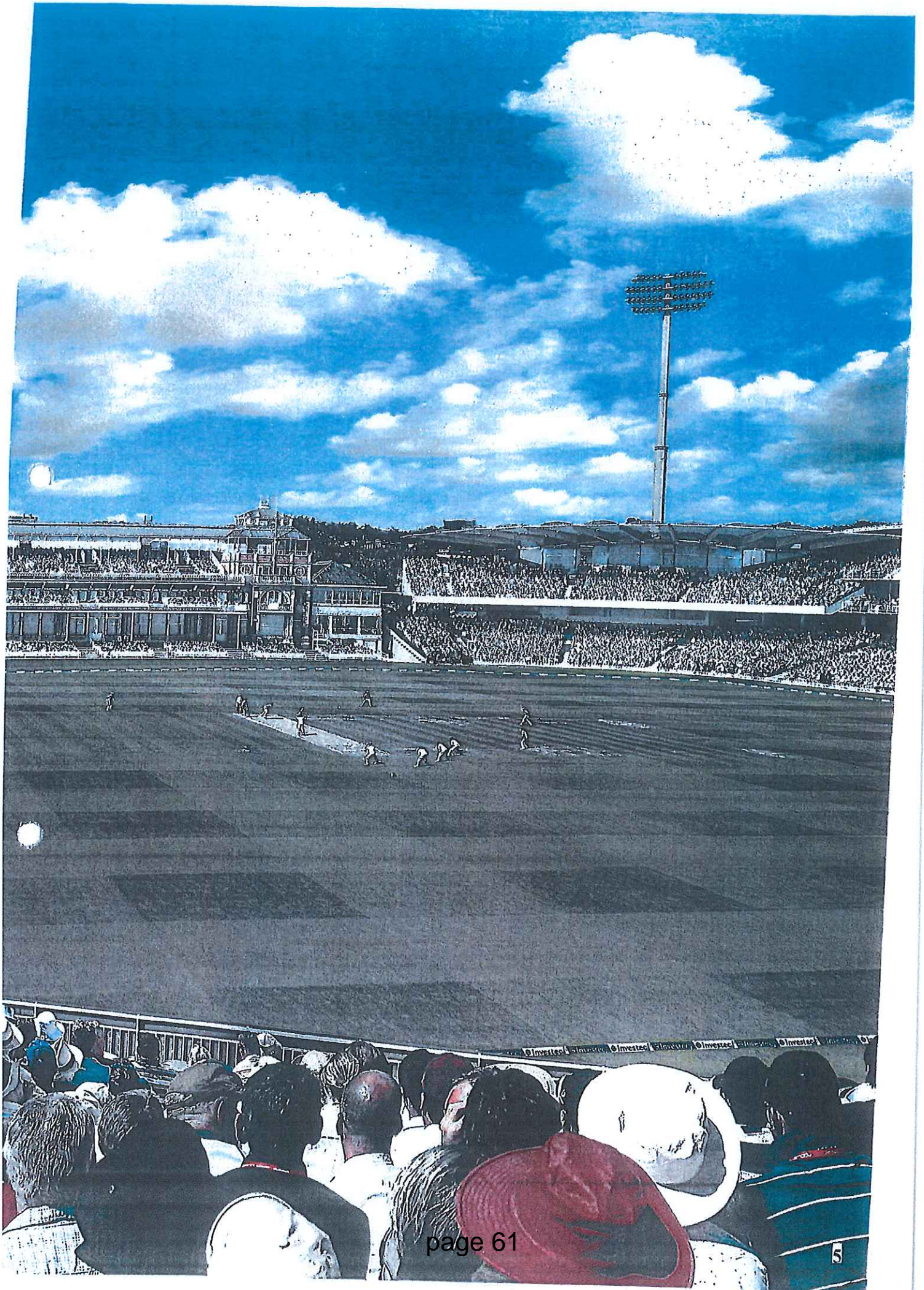












### Warner Stand Facts

- Stand designed by Populous Architects – who also designed the new Scorer's Box
- Build by BAM Construction – who were formerly Higgs & Hill Ltd – the builder of the Mound Stand in the 1980s
- Within the stand: restaurant for 135 covers, 3 bars, concessions, and kitchens
- Ground level footprint = 975sqm
- 2,656 seats
- 2 passenger lifts
- Building height = 17.8 meters
- The stand will become the first new Members' and Friends' enclosure to be built since the Tavern Stand in 1967.
- The floodlight mast has been integrated with the architecture to reduce the visual impact of the shaft.
- Access to the stand has been improved, with inclusive facilities for all spectators and greater provision of accessible seats. Wheelchair positions and amenity seating account for 4% of overall capacity, which significantly exceeds conventionally accepted best practice.
- There is an environmentally friendly water system that collects and recycles rain water.
- The "Green" or living walls to the rear elevation of the stand create a softer garden wall effect for neighbours' views.
- The cover is a 965sqm semi-translucent fabric roof called Tensotherm, supported by cantilevered oak beams – the style of the roof is the first of its kind in Europe, as is reflective both in advances in timber technology and a modern preference for the use of sustainable, replaceable materials in architecture.
- The roof structure is supported by glulam (glued laminated timber) beams made of American White Oak. The species was chosen due to its aesthetics, improved durability, strength and stiffness. The roof comprises of 50 tonnes of timber and the beam lengths are up to 24 meters and each weigh 4 tonnes. It is the first time that Oak glulam beams of this scale have been delivered in Europe, and 24 metres is the maximum length that could be delivered under the Media Centre.
- The stand structure is formed from 9,000 tonnes of in-situ cement replaced with more sustainable ground granulated blast-furnace slag. To speed up construction 1,000 tonnes of Irish pre-cast concrete was used for the tier construction.
- Ground source heat pump: Two boreholes were drilled down to 200m where ground water is at a constant 18degC; one is below the Nursery pitch the other is next to the new Warner Stand. This heat can be extracted as energy and used for heating and for cooling. The principle of how the energy is extracted depends on the 'gas laws' that relate pressure,

volume and temperature. It is basically the same technology that works a standard domestic fridge, so electricity is used, but the energy extracted is approximately four times the energy that goes in.

- Solar PV and solar thermal the roof. This is above the 'service' shaft' (the main structure of the building including the lifts etc.), not on the fabric roof. Solar PV takes light and uses it to generate electricity. Solar thermal directly takes heat from incident sunlight - basically a fluid is pumped through the panel and is warmed by the sun. This warmed liquid goes into a boiler to be heated further and used in both heating and for hot water. The energy saving comes because the water to be heated comes in at a significantly higher temperature so requires less additional heat to get to the right temperature.
- There is a dedicated waste room in the basement that will allow all of the waste generated in the stand to be managed within the stand. This will allow space to manually segregate more waste for recycling.
- White terracotta tiles have been designed into the external wall cladding to the stand – as a way of reflecting sunlight into the Coronation Garden and what is historically a darker corner of the Ground. The choice of terracotta is a compliment to the Pavilion where the use of terracotta is extensive.

**Pelham's**  
**England v. Ireland**  
**Royal London One Day International**  
**Sunday 7<sup>th</sup> May 2017**

**FIRST COURSE**

**Ham Hock and Black Pudding Terrine**  
*pea and bean salad*

**Poached Asparagus**  
*warm brown shrimp butter*

**Potato, Pea and Mint Soup**  
*goats cheese fritters*

**MAIN COURSE**

**Oyster Stout Braised Short Rib of Irish Beef**  
*roast potatoes, Yorkshire pudding*  
*horseradish cream*

**Smoked Haddock**  
*Boxty, poached egg*  
*spinach and cockle chowder*

**Sauté Wild Mushrooms,**  
*Boxty, poached egg*  
*baby leeks, spinach*  
*grain mustard cream sauce*

*All served with buttered Cornish greens and honey roast carrots*

**DESSERT**

**Bailey Cheesecake**  
*bitter chocolate sauce and chocolate clusters*

**Oatmeal Panna Cotta**  
*macerated raspberries and crunchy oats*

**Seasonal English and Irish Cheese Plate**  
*artisan biscuits, Lord's Chutney and grapes*

**Pelham's**  
**England v. South Africa**  
**Investec Test Match**  
**Thursday 6<sup>th</sup> - Saturday 8<sup>th</sup> July 2017**

**FIRST COURSE**

**Trio of Duck Terrine**  
*pine nut and raisin granola*  
*apple purée*

**Potted Beef and Pickles**  
*sour dough toast*

**Portland Shellfish Soup**  
*crab wonton, saffron rouille*

**Inverawe Smoked Salmon**  
*dark rye bread, seaweed butter*

**Heirloom Tomato and Basil Salad**  
*warm goat's cheese truffles*

**MAIN COURSE**

**Rosemary Glazed Kentish Lamb Cutlet**  
*steamed lamb pudding*  
*roast shallots*

**'Bertha' Oven Roast Norfolk Duck**  
*duck bon bon*  
*carrot and orange puree*

**Seared Yellow Fin Tuna**  
*chilli, mango, lime salsa*  
*avocado cream*

**Roast Fillet of Plaice**  
*brown shrimp and lemon burnt butter*

**Wild Mushroom Macaroni**  
*crisp duck egg*  
*truffle oil*

*All Served with Seasonal Vegetables*

**DESSERT**

**Yoghurt Panna Cotta**  
*strawberry sorbet, fresh strawberries*  
*black pepper cream*

**Chocolate Textures**  
*rich dark chocolate mousse, aerated milk chocolate,*  
*white chocolate cream, malt ice cream*

**Salt Caramel Tart**  
*praline macaroon*  
*vanilla ice cream*

**Seasonal English Cheese Plate**  
*artisan biscuits, Lord's Chutney and grapes*

**Pelham's**  
**England v. South Africa**  
**Investec Test Match**  
**Sunday 8<sup>th</sup> July 2017**

**FIRST COURSE**

**Trio of Duck Terrine**  
*pine nut and raisin granola*  
*apple purée*

**Potted Beef and Pickles**  
*sour dough toast*

**Portland Shellfish Soup**  
*crab wonton, saffron rouille*

**Inverawe Smoked Salmon**  
*dark rye bread, seaweed butter*

**Heirloom Tomato and Basil Salad**  
*warm goat's cheese truffles*

**MAIN COURSE**

**Roast Sirloin of Scottish Beef**  
*horseradish and tarragon cream*

**Roast Leg of Kentish Lamb**  
*mint sauce*

**Roast Greedy Carver Chicken**  
*bread sauce*

**Mushroom, Spinach and Butternut Squash Wellington**  
*roast pepper dressing*

*All served with Yorkshire pudding, roast potatoes, cauliflower cheese,  
Cornish greens and glazed carrots*

**DESSERT**

**Steamed St Clements Sponge**  
*orange and blueberry compote*  
*lemon sorbet*

**Chocolate Textures**  
*rich dark chocolate mousse, aerated milk chocolate*  
*white chocolate cream, malt ice cream*

**Berry Trifle**  
*Victoria sponge, vanilla crème brûlée,*  
*summer berries and raspberry jelly*

**Seasonal English Cheese Plate**  
*artisan biscuits, Lord's Chutney and grapes*

New Warner Stand, Lord's Cricket Ground  
Summary of Application for New Premises Licence

Background

Lord's Cricket Ground ("Lord's" or "the Ground") currently has the benefit of numerous Premises Licences for different buildings/areas within the Ground. The Licences are broadly similar in terms; all are historic having been 'converted over' when the 2003 licensing regime came into force in 2005.

The Premises Licence for the Warner Stand (11/05894/LIPDPS) which currently permits the sale of alcohol, Late Night Refreshment and some Regulated Entertainment (including 'recorded music'), is technically in existence but is no longer of practical use, the former Stand having been demolished to make way for the new and Improved Warner Stand ("the Premises").

The new Stand is due to be handed over to the Applicant on 21<sup>st</sup> April 2017 and a new Premises Licence is consequently required to cover the new layout, and the licensable activities to be carried out therein (it not being technically possible under the Licensing Act 2003 for the existing Licence to be varied in these circumstances).

Please note that the new Licence (if granted) will be in **more restricted terms** than the existing Licence (for the old Stand) in terms of the categories of licensable activities to be covered – for example, the Applicant is **not seeking any authority for Regulated Entertainment** in the form of 'recorded music', which is authorised and is "unrestricted" under the existing Licence. The seating capacity of the Premises has also slightly reduced.

Accordingly, whilst a new licence application is required, **this is, in effect, an application to substitute a modern Premises Licence (for a modern Stand) for a redundant Licence due to the demolition of the old Stand.** If the new Licence is granted in the terms sought, the existing Licence (11/05894/LIPDPS) will consequently be surrendered.

Proposed Licensable Activities

Sale of Alcohol, Late Night Refreshment and Regulated Entertainment - indoor film exhibition only. These licensable activities will be provided on Match Days and on some non-match days, although the latter use of the Premises (for hospitality and other events) is separately restricted by planning conditions.

Proposed Bars and Hospitality Areas

Reference should be made to the bar areas identified by way of hatching on the Licensing plans submitted with the Application. The area in which temporary mobile bars may be used on a Major Match Day is identified by way of cross-hatching.

Essentially, as was the case with the old Warner Stand, there will be bar and/or restaurant facilities available on each level of the Premises. The following information is provided to give a 'flavour' of what will be provided by way of licensable facilities although some details are subject to change.

**Ground Level:**

*Definition Wine Bar* - This will be a Wine/Champagne Bar. There is also likely to be draught beer and Pimms available.

*Hamper Collections* - The hampers (which contain alcohol) are all pre-paid. This existing facility is being re-located from the Food Village within the Ground. This facility is only available on Major Match Days.

*Temporary Mobile Bars (fixed when in use)* – These will only be in use on Major Match Days, on the ground floor concourse, in the cross-hatched area on the licensing plan. They will supply beer only. Their exact position will be determined through risk assessment and other pre-match planning procedures, and may move location (within the cross-hatched area) on the Major Match Day depending on crowd flow and other operational factors.

#### **Level 1**

*Terrace Bar* - This is an enclosed area and will provide a full selection of beverages including wine; beers; soft drinks etc. At one end of the bar there will be a separate food concession (which shall not be serving any alcohol).

#### **Level 2**

*Balcony Bar* – This will be similar in terms of facilities/offering to the Terrace Bar on Level 1.

#### **Level 3**

*Pelham's Restaurant* - This is a large restaurant area. On Match Days, the food provision will all be pre-booked and pre-paid, with alcohol being purchased on the day. Ideally the Applicant is seeking to license this Restaurant from 09:00 on Major Match days, so that those attending can, if they wish, enjoy a Champagne breakfast. This would involve the Restaurant opening before 10 am, on about 20-25 occasions per annum.

#### **Proposed Regulated Entertainment**

The primary use of the Premises will be on cricket Match Days. There will be internal screens showing some recorded film materials within the Premises, which may be in use on Match and Non-Match Days.

#### **Proposed Hours for Licensable Activities**

Sale of Alcohol and Regulated Entertainment (Film only): Mondays to Sundays: 10:00 to 23:00.

Late Night Refreshment: 23:00 to 23:30.

Non-standard hours: 09:00 commencement on Major Match Days, in Pelham's Restaurant only.

Please note that the Premises will not be used for licensable activities daily but when it is open for cricket Match Days and/or hospitality (or other events), which could be on any day of the week.

#### **Measures to promote the Licensing Objectives:**

##### **Experienced licensed history**

Historically, licensable activities took place in the former Warner Stand for many years without difficulties arising. As was the case in the former Warner Stand, operations in the Premises (licensable or otherwise) will be part and parcel of a much larger operation on Match Days. When spectators will exceed 10,000, operations are governed by a General Safety Certificate ("GSC"), due to the whole Ground being a 'designated sports ground'. The 'umbrella' terms of the GSC always take precedence as they cover a wide range of safety measures including procedures relating to crowd management, fire safety, medical provision, traffic management and contingency plans to



name but a few. The Premises on a Match Day (when spectators will exceed 10,000) will consequently fall within the terms of a revised GSC (covering the new Stand, as part of the larger Ground). At smaller matches, the policies and procedures set out in the GSC are modified to fit the smaller planned operation but at all times the safety of the spectators is paramount.

The licensable activities proposed under the terms of this Application are broadly similar to those successfully provided for many years under the existing Premises Licence (11/05894). Any changes are to ensure that the Premises Licence fits with the new structure (and improved facilities) and is also up to date in terms of appropriate, specific conditions to promote the Licensing Objectives. There is no reason to suggest that this new Licence will in any way have a negative impact on the promotion of the Licensing Objectives. Indeed, the external seating capacity of the Premises will in fact be slightly reduced and this Application does not involve any authority for 'recorded music' (permitted under the existing licence). Those attending the Premises will be able to enjoy greatly enhanced facilities.

#### **Draft proposed conditions**

To support this Application, the existing conditions (on Licence 11/05894) have been reviewed. The proposed conditions (which may be the subject of further amendment once input has been obtained from the Responsible Authorities) are volunteered to support the Application. The draft conditions include definitions for "Match Days" and "Major Match Days" as referenced above.

#### **Liaison with the community**

The Applicant also takes its relationship with local residents and businesses seriously. Local residents and businesses have been regularly informed in terms of the planning application for the new Premises and information relating to this Application will also be provided through the 'Lord's Community Group'.

Dated: 14 February 2017 final issued version

Proposed Draft Conditions for Warner Stand

Lord's Cricket Ground  
(in addition to Mandatory Conditions)

1. On Major Match Days, alcohol shall not be sold or supplied to the public after a period of one hour after close of play.
2. On all Match Days, when alcohol is sold or supplied in open drinking vessels containing half pint or multiples thereof for external consumption in Lord's Cricket Ground ("Ground"), the drinking vessels shall be made of plastic or polycarbonate.
3. A Challenge 21 'Proof of Age' scheme shall operate at the Premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence, a current passport or a PASS ID shall be treated as acceptable forms of identification.
4. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and responsible procedure of alcohol sales, prior to undertaking the sale of alcohol. This training shall cover the terms of this Licence, times of operation, licensable activities and all conditions. Training documents shall be signed and dated and training records be made available to the Police and authorised Council Officers on reasonable request. The records shall be retained for at least 12 months.
5. The Ground in which the Premises is situated shall install and maintain a comprehensive CCTV system (which includes the Premises) as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points to the Ground 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 the public 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 council officer throughout the entire 31 day period.
6. An employee at the Ground who is conversant with the operation of the CCTV system shall be at the Ground at all times when the Premises is open to the public. This employee 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.
7. An Incident Log shall be kept at the Premises (or within the Ground), and shall be made available on request to an authorised council officer or the Police. It must be completed within 24 hours of the incident and will record the following:
  - a. all crimes reported to the Premises;
  - 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; and/or
  - g. any visit by a relevant authority or emergency service.
8. A Refusals 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 (or at the Ground) by the police or an authorised officer of the City Council at all times whilst the Premises is open.
9. The supply of alcohol from temporary mobile bars is restricted to the cross-hatched area on the plan on Ground level and shall only operate on Major Match Days.
10. On non-Match Days, the Premises Licence Holder will provide a contact telephone number to those residences in the immediate vicinity of the Premises, when the Pelham Restaurant is in use, to enable contact to be made with the Deputy Head Steward.

For the purposes of the above conditions:

*"Match Days"* means all days on which cricket is played at the Ground.

*"Major Match Day"* is defined as a Test Match, a One Day International (ODI), the RL London One-Day Final (or that of any successor competition), an International T20, a domestic Cup T20, Finals of e.g. World Cups such as the final of the Women's World Cup scheduled to be played at Lord's, and any other match (including matches for charity) designated as a 'Major Match' by the MCC Committee.

14 February 2017 (draft Issued version)

Comparison table between existing Premises Licence 11/05894 and proposed Licence for the new Warner Stand

	Current Premises Licence for (demolished) Warner Stand  Licence 11/05894	Application for a new Premises Licence for the new Warner Stand  Changes to licence 11/05894 shown in bold.
"Premises"	Warner Stand, Lord's Cricket Ground	Warner Stand, Lord's Cricket Ground
Capacity of Stand	2,792	<b>2,656 seats (note- reduction)</b>
Primary Use of Premises	Cricket on match days	Cricket on match days
Premises Licence Holder	Marylebone Cricket Club	Marylebone Cricket Club
DPS	Mr Pedro Saavedra	Mr Pedro Saavedra
Consumption on/off	Yes	Yes
Regulated Licensable activities Permitted/sought	<ul style="list-style-type: none"> <li>• Playing of recorded music;</li> <li>• late night refreshment;</li> <li>• Private entertainment (dancing; music and other entertainment of a like kind...;</li> <li>• Sale of alcohol by retail</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> <li>• Late night refreshment</li> <li>• N/A</li> <li>• Sale of alcohol by retail</li> <li>• <b>Internal Film Exhibition</b></li> </ul>
Bars/Restaurant Facilities (including temporary bars)	Yes	Yes
Hours:		
Regulated Recorded music	Unrestricted	N/A
LNR	23:00 to 23:30	23:00 to 23:30
Private Entertainment	Unrestricted	N/A
Sale of alcohol	10:00 to 23:00 Mon to Sat Sundays 12:00 to 22:30	10:00 to 23:00 Mon to Sat <b>10:00 to 23:00 Sundays</b> <b>09:00 start in Pelham Restaurant on Major Match Days only.</b>
Film Exhibition (internal)	N/A	<b>10:00 to 23:00 daily</b>
Opening Hours for licensable activities	For licensable activities 10:00 to 23:30 Mon to Sat 12:00 to 23:00 Sundays	Opening hours for Lord's Cricket Ground: <b>08:00 to 23:30 Mon to Sat</b> <b>08:00 to 23:30 Sundays</b>
Conditions (not identical) relating to the sale of alcohol on match days	Yes	Yes

**Sue Dowling**

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**From:** [REDACTED]  
**Sent:** 06 March 2017 09:14  
**To:** Licensing: WCC  
**Cc:** Mayor@london.gov.uk  
**Subject:** Application Ref 17/01651/LIPN

I live next door to Lord's, specifically right next to the Warner Stand, at [REDACTED] I object to the license application and suggest the following critical amendments and requirements for the benefit of residents, neighbours and the peace and safety of the area.

Please note that the area is a residential suburb in North London, not a busy commercial district. It is populated by elderly residents and families with small children. The roads around Lords are already extremely congested due to matches, events and works at Lord's and cannot cope with any more visitor traffic whether on matchdays or otherwise.

1. The hours of operation proposed including serving food and drink including alcohol and caffeine drugs are far too long. Residents would effectively end up living next to a group of indoor pubs and nightclubs next to their homes. Not only should all guests at the venues be kept inside, without any music live or otherwise, but all windows and doors must be kept strictly shut at the venues so there is no noise pollution for neighbours. The hours of operation should end at 1830 at most or be restricted to a much earlier time than applied for - otherwise each evening's peace and quiet will be utterly ruined by revellers fuelled up with stimulants. This would be unacceptable and property values would suffer. Lord's is a cricket stadium and not a new London reataurant and nightclub set for all-year parties. Children need their sleep before school. Parents and the elderly need their rest. Do not allow this all year. Ideally the number of days events can be held should be reduced as well - to say a maximum of 30 days per year.

2. Lord's needs to provide extra security staff to police guests on each day there is an event. A hotline to a bar steward is not enough. There should be an on-site security team and their mobile phone numbers should be available for neighbours and residents in case of any disturbances by the revellers already fuelled up with alcohol and caffeine stimulants, or by garbage collection.

3. Garbage collection and tidy up should happen in the last hour before closing time, ie closing times should be shortened to take account of time needed to clean up. Otherwise neighbours and residents would have to hear this disturbance through midnight and beyond.

4. Lord's needs to provide parking for guests at events. The roads are at choking point and drivers who have had drinks and food at the venues will be a danger to other road users and themselves. Residents parking hours for residents bays should be extended until midnight on each day there is an event, not just 1830. No thought seems to have been given to the extra people and vehicle traffic that events until midnight effectively burden on the community.

With the above amendments - critically fewer days a year and shorter hours of operation so evenings are not ruined, with parking and policing provided and hotlines to security staff - the premises should be allowed. But the current plans are brash and selfish commercialism in a residential area for families and children where extra vehicles will also raise dirty diesel pollution levels for those who live here. The Mayor is tough on dirty emissions and this should extend to policing the impact of extending entertainment venue operations in leafy suburbs.

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TO	Licensing Officer
REFERENCE	17/01651/LIPN
FROM	EH Consultation Team
REFERENCE	
BEING DEALT WITH BY	Ian Watson (iwatson@westminster.gov.uk)
TELEPHONE	020 7641 3183
DATE	14th March 2017

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**The Licensing Act 2003****Warner Stand, Lords Cricket Ground, St John's Wood Road, NW8**

I refer to the application for a New Premises Licence.

The applicant has submitted plans of the Warner Stand and its location within the cricket ground.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday 10.00 to 23.00 hours. Monday to Sunday 09.00 to 23.00 hours for the third level restaurant.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday 23.00 to 23.30 hours.
3. Provision of Films 'Indoors' Monday to Sunday 10.00 to 23.00 hours. Monday to Sunday 09.00 to 23.00 hours for the third level restaurant.

I wish to make the following representation

1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.
3. No objection.

There are no public safety concerns with this application. The applicant has submitted conditions in support of the application which satisfy the concerns of Environmental Health.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

## Sue Dowling

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**From:** Sue Dowling  
**Sent:** 10 March 2017 14:55:59  
**To:** [REDACTED]  
**Cc:** 'Anand-Patel, Sumeet: WCC'  
**Subject:** RE: 17/01651/LIPN  
**Importance:** High  
**Attachments:** letter 10 March plus revised conditions and copy Summary of application.pdf, image001.jpg, image002.jpg, image003.jpg

Dear Sir

**The new Warner Stand  
Application for a new Premises Licence**

Kindly find attached letter (with supporting documents) for your kind consideration. Please do not hesitate to contact us (ref: Sue Dowling; contact details below) if you have any observations arising from the attachments.

Yours faithfully

**Blandy & Blandy LLP**

**Sue Dowling**

Partner

Head of Employment and Licensing Team

For and on behalf of Blandy & Blandy LLP

D: 0118 951 6822 | T: 0118 951 6927 or 6835 | W: [www.blandy.co.uk](http://www.blandy.co.uk)

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# BLANDY & BLANDY

solicitors

Mr S Kl [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Blandy & Blandy LLP  
One Friar Street  
Reading  
Berkshire  
RG1 1DA  
Tel: 0118 951 6800  
DX 4008 Reading  
www.blandy.co.uk

DD: 0118 951 6822  
DF: 0870 400 5689  
E: sue.dowling@blandy.co.uk

Our Ref: SED/MAR/365/1  
Your Ref:  
Date: 10 March 2017

Dear Sir

## Application for a Premises Licence for the new Warner Stand, Lord's Cricket Ground (In substitution for existing Licence relating to the former Stand).

I confirm that we act on behalf of Marylebone Cricket Club (MCC) in this matter. As encouraged in the Amended Guidance to the Licensing Act 2003, we have been forwarded by the Licensing Authority a copy of your recent representation relating to the above application, so that we can hopefully resolve your concerns, and clarify certain aspects, in case of any misunderstanding.

### **Summary of the Licensing Application**

It is not clear from your representation whether you have had the opportunity to consider the Summary of the Application which was provided – in order to give clarity concerning the proposed extent of the Premises Licence being sought and the extensive measures that will (continue to be) provided to promote the Licensing Objectives. I therefore enclose a copy of this Summary for your perusal. As you will appreciate (both from this enclosure and obviously from your personal position) the new Warner Stand has replaced the previous Warner Stand (within the larger area encompassing Lord's Cricket Ground). If a new Premises Licence is issued as sought, this will replace the existing Premises Licence, which for many years has permitted licensable activities along very similar lines those now being sought.

### **More restrictive nature of the Licence sought**

As you will note from the enclosure, the application for the new Licence is actually in more restrictive terms than the existing Licence – in particular this application does not include any authority for Regulated Entertainment in the form of "Recorded Music" which was authorised and indeed "unrestricted" under the current Licence. Further the capacity of the new Stand has been slightly reduced.

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***Conditions to promote the Licensing Objectives***

In addition to the enclosed Summary, the MCC has also volunteered extensive Licence conditions which (if adopted) will ensure that the Licensing Objectives (which have been promoted over many years) would continue to be promoted in respect of licensable activities within the new Stand.

We are aware that you have recently been in discussion with our client's Assistant Secretary (Estates), Robert Eldon, and raised your specific concern around the availability of a hotline number for immediate neighbours to use when an event is taking place on a non-match day inside the Stand. Our client has no difficulty in confirming that a hotline number to contact the Warner Stand Deputy Steward at such events will be set up and to allay your concerns we have added in an additional condition to that effect (in red) on the enclosed proposed draft conditions.

In relation to appropriate stewarding of events on match days, this typically falls within the very comprehensive provisions of the Ground's General Safety Certificate (and Operations Manual) and is not a matter which should be duplicated on the Premises Licence.

Your remaining specific concerns appear to be threefold – so we set out our response to each matter which we hope, on reflection, will give you complete confidence that the new Warner Stand will be operated to the same high degree of professionalism as has applied for many years (without any adverse risk to the promotion of the Licensing Objectives):

**Days/Hours of Operation:**

The proposed hours of operation mirror the existing Licence save that the intention is to open the Pelham Restaurant on a Major Match day at 9:00 rather than 10:00. As the Pelham Restaurant is a fully enclosed space, this slight change in operation will not feasibly have any impact on the locality outside of the Ground. In the wider context the licensing hours sought and the anticipated (Internal) use of the Stand on non-match days compliment (and are restricted by) the planning permission already granted. In overall terms, the usage of the new Stand (on match and non-match days) is unlikely to be much changed from the operation which has taken place for years at the Ground, without adverse effect on the promotion of the Licensing Objectives.

**Garbage collection:**

Whilst arguably not a matter for the Premises Licence (garbage collection obviously being relevant whether or not a substantial venue is being used for licensable activities), a condition of the planning permission granted by WCC is of relevance. This provides that post function cleaning and waste disposal associated with the Restaurant and Bars must not take place until after 10.00 the next morning on non-Match Days. Therefore, you can be satisfied that there will not be any cleaning or waste collection at the conclusion of any event, thus limiting the disruption and noise for nearby residents.

**Travel to and/or Parking at Lord's Cricket Ground:**

It is not anticipated that the position will change from the current arrangements which apply



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solicitors

to those visiting the Ground i.e. the majority of those likely to attend events in the new Stand will be either staying locally or will use public transport and/or taxi services. Consequently there is no reason to believe that the licensing of the new Stand (in place of the old Stand) will have any negative impact on the status quo.

In addition, please be assured of our client's commitment to reducing its carbon footprint in any way possible. As you may have recently seen in the news, Lord's is the first cricket ground in the UK to switch to using completely renewable energy. Further, our client is currently working on an update to its travel plan (to present to WCC within the next 12 months) which will explore additional ways in which the Club's reduction in carbon footprint may be accelerated by the new Warner Stand.

***Way forward***

I trust that the above and enclosed additional information assists you in understanding the nature of the application and satisfies your concerns. If your concerns are allayed and you are now content to withdraw your representation, perhaps you would be kind enough to notify the Licensing Authority by email.

I confirm that we have copied the Licensing Authority into this email (to ensure transparency but also to ensure that the additional condition (relating to the 'hotline') is encapsulated in any Licence issued.

Please do not hesitate to contact me directly if you would like any clarification on any aspect of the application or if you prefer, you are very welcome to contact Holly Roper-Curzon, Assistant Secretary (Legal), on 020 7616 8515 or Georgie French, Legal Advisor, on 020 7616 8764, at the Club.

Yours sincerely,

**Sue Dowling**  
Partner

For and on behalf of Blandy & Blandy LLP

17/3

**Sue Dowling**

---

**From:** [Redacted]  
**Sent:** 17 March 2017 12:19:13  
**To:** Sue Dowling  
**Cc:** Anand-Patel, Sumeet: WCC  
**Subject:** Re: 17/01651/LIPN  
**Attachments:** image003.jpg, image001.jpg, image002.jpg

Thank you. I had contacted Mrs Patel directly but failed to hear after two messages - hence the need to made the representation. If I had heard back from WCC in a timely manner, we could have discussed matters directly first. Your letter does raise concerns; what is the best way to discuss these? Mrs Patel - if you are now free to return my calls and emails, I would be happy to discuss with you in the first instance. Otherwise, I can make further objections in writing if that would be only way forward. I await your reply.

Yours sincerely

[Redacted Signature]

On Fri, Mar 10, 2017 at 2:55 PM, Sue Dowling <[Sue.Dowling@blandy.co.uk](mailto:Sue.Dowling@blandy.co.uk)> wrote:  
\*\*This message is subject to the confidentiality notice at the end of this communication\*\*

Dear Sir

**The new Warner Stand  
Application for a new Premises Licence**

Kindly find attached letter (with supporting documents) for your kind consideration. Please do not hesitate to contact us (ref: Sue Dowling; contact details below) if you have any observations arising from the attachments.

Yours faithfully

**Blandy & Blandy LLP**

Sue Dowling

Partner

Head of Employment and Licensing Team

20/3/17

Marylebone Cricket Club

Tel: 020 7616 8500

[Redacted]

Fax: 020 7616 8510

From: [Redacted] <[Redacted]@gmail.com>

Sent: 20 March 2017 22:35

To: Robert Ebdon <[Robert.Ebdon@mcc.org.uk](mailto:Robert.Ebdon@mcc.org.uk)>

Subject: Fwd: 17/01651/LIPN

Dear Robert

I had some questions and concerns about the application and emailed and called the WCC licencing officer to discuss. Unfortunately she did not reply, so I was forced to lodge an objection instead. I then received a letter from your solicitors which I have responded to asking to discuss these matters with WCC. Again, there is no response. I am trying to avoid having to make further objections and resolve the issues through dialogue but there seems to be little response; without discussion, I also cannot remove the objection. Out of courtesy I thought it best to let you know what is going on - is there some way you can clear the path so the matter can be discussed with the right decision-makers at MCC? I am not sure how to get WCC to act/discuss.

Best

[Redacted]

----- Forwarded message -----

From: [Redacted] <[Redacted]@gmail.com>

Date: Fri, Mar 17, 2017 at 12:19 PM

Subject: Re: 17/01651/LIPN

Tel: 020 7616 8500

[REDACTED]  
Fax: 020 7616 8510

From: [REDACTED]  
Sent: 21 March 2017 18:12  
To: Robert Ebdon <[Robert.Ebdon@mcc.org.uk](mailto:Robert.Ebdon@mcc.org.uk)>  
Cc: Zoe Blackman <[Zoe.Blackman@mcc.org.uk](mailto:Zoe.Blackman@mcc.org.uk)>  
Subject: Re: 17/01651/LIPN

21/3

Thanks. That would be good. Where should we meet?

On Tue, Mar 21, 2017 at 9:06 AM, Robert Ebdon <[Robert.Ebdon@mcc.org.uk](mailto:Robert.Ebdon@mcc.org.uk)> wrote:

21/3

Dear [REDACTED]

I am afraid I do not know why Westminster's licencing officer has not got back to you. I would be very happy to meet with you to discuss your concerns; would you like to have breakfast here with me at Lord's this Thursday morning at 8.00am Hopefully that will work for you before heading off to the City?

Let me know.

Best wishes

Robert

Robert Ebdon

Assistant Secretary (Estates)

From: Robert Ebdon  
Sent: 21 March 2017 20:14

[REDACTED]  
Cc: Zoe Blackman <Zoe.Blackman@mcc.org.uk>  
Subject: RE: 17/01651/LIPN

21/3

Dear [REDACTED]

If you would come to the Grace Gates for 8am the Stewards will direct you to the Pavilion and I will meet you there. We will have breakfast in the Committee Dining Room.

Look forward to catching up then.

Best wishes

Robert

Robert Ebdon

Assistant Secretary (Estates)

Marylebone Cricket Club

4

On Wednesday, March 22, 2017, Robert Ebdon <[Robert.Ebdon@mcc.org.uk](mailto:Robert.Ebdon@mcc.org.uk)> wrote:

Dear [REDACTED]

It would be helpful ahead of our meeting in the morning if you would kindly confirm what the issues are that you wish to discuss with us in the morning regarding your objection to our licence application.

My understanding is that your issues are:

- 1) Hours of operation
- 2) No live music
- 3) Windows and doors to be kept shut
- 4) Days of use throughout the year
- 5) Extra security to cover events
- 6) Rubbish collection/ tidying up after an event
- 7) Parking for guests

Could you confirm that this list covers it or are there others?

I look forward to seeing you at 8am in the morning. We will be joined by Holly Roper-Curzon who has put the licencing application together.

Kind regards

Robert

[REDACTED]  
Sent: 22 March 2017 19:29  
To: Robert Ebdon <Robert.Ebdon@mcc.org.uk>  
Subject: Re: 17/01651/LIPN

02/3

Thanks.

The overriding point is we do not live next to a dining/entertainment/club venue and adding, through these commercial plans, many days a year where Lords is no longer a purist's cricket ground but a multi purpose venue open nearly all waking hours until effectively midnight makes living here rather unpalatable.

Reducing sunlight through the recent build was bad enough and we now get far less natural light than when we bought the property - the report done at the time of works was completely inaccurate and vastly understated the light loss we get (as we predicted at the time but were ignored).

The proposed changes will further lower property values, destroy the peace and mean we have the near-constant din of drinking and dining with the associated traffic and noise/other pollution.

Works have resulted in (I) more darkness and through these plans will result in (II) more noise/pollution/congestion.

The council should think of people's lives and the impact of these ever-encroaching plans on what is currently a quiet residential street and neighbourhood where you can hear a pin drop at nearly any hour of the day.

When you live somewhere as quiet and tidy as a library, you are not keen to see it turned into somewhere loud, busy and commercial - all very human considerations.

See you at 8am. Good evening.



From: Robert Ebdon

Sent: 23 March 2017 23:27

To: S [REDACTED]

Cc: Holly Roper-curzon <Holly.Roper-curzon@mcc.org.uk>; Georgie French <Georgie.French@mcc.org.uk>

Subject: Warner Stand

23/3/17

Dear [REDACTED]

Thank you for your time this morning. It was good to catch up and take you through the plans for the Warner Stand and explain a bit more about the proposed operation of the Stand.

As requested, I have prepared the following summary of our discussion for your consideration. While the Club completely respects your decision to take your objection to Committee Hearing at Westminster on 4<sup>th</sup> April, we hope that upon further consideration and reflection you might consider withdrawing your objection:

- MCC undertakes to send you a calendar of proposed events scheduled to be held in the Warner Stand (outside of Match days) at the beginning of each month.
- MCC will ensure that the windows at the front of the Pelham Restaurant (looking onto the Ground) are closed on non-Match day functions.
- MCC will ensure that all events on Match and non-Match days are appropriately stewarded. On non-Match days, all guests entering the Ground shall do so via the Grace Gate and be directed to an appropriately positioned Steward at the entrance to the Stand (as marked on the attached plans) who shall escort them to the Level 1 Bar or Level 3 Pelham Restaurant as the case may be. There shall be no guests 'milling' around the bottom of the stairs either before or after an event.
- Unless there is a Match scheduled to be played at Lord's or a function in the stand on the following day, any clear up after an event on a non-Match day shall not take place until 10am the next morning thereby limiting any noise or disruption to neighbours.
- MCC shall promote and encourage the use of public transport and taxis to travel to the Ground on Match and non-Match days.
- MCC will actively support your campaign to Westminster City Council to increase parking restrictions in [REDACTED] Road.

- With regard to the closing of Bars on Match Days, all public bars, which includes the Wine Bar at the bottom of the Warner Stand, cease operation before the close of play. All the other Members' bars in the Warner Stand will close half an hour after the close of play, and patrons are then given a further half hour to finish their drinks before they are asked to leave the Ground. For the avoidance of doubt, no patrons will be drinking in the Warner Stand for longer than 1 hour after the close of play.

Attached to this email are plans of each level of the stand which I have marked up to show the external solid walls or glazed components – as I explained when we met today. I hope this helps to reassure you.

Please let me know if you have any further questions or comments.

As always, I am available to you via telephone and email at all times if you wish to discuss anything further. My colleagues, Holly Roper-Curzon and Georgie French are also available if, for any reason, you cannot contact me in the first instance. Their contact details are:

Holly Roper-Curzon: tel :07792 251981 and email: [holly.roper-curzon@mcc.org.uk](mailto:holly.roper-curzon@mcc.org.uk)

Georgie French : tel : 020 7616 8764 and email : [georgie.french@mcc.org.uk](mailto:georgie.french@mcc.org.uk)

I look forward to hearing from you

Yours sincerely

Robert

Robert Ebdon  
Assistant Secretary (Estates)  
Marylebone Cricket Club

Tel: 020 7616 8500

~~020 7616 8500~~  
Fax: 020 7616 8510

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<http://www.lords.org>

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## Sue Dowling

---

**From:** Sue Dowling  
**Sent:** 03 April 2017 12:11  
**To:** [REDACTED]  
**Cc:** Wade, Yolanda: WCC (ywade@westminster.gov.uk); Sycamore, David: WCC (dsycamore@westminster.gov.uk); Lawrance, Heidi: WCC (hlawrance@westminster.gov.uk); Robert Ebdon (Robert.Ebdon@mcc.org.uk); 'Holly Roper-curzon'; Georgie French (Georgie.French@mcc.org.uk)  
**Subject:** FW: Warner Stand  
**Attachments:** SHRIMP\_Canon Secrerariat\_3881\_001.pdf

Dear Mr [REDACTED]

### The Warner Stand

Thank you for your email this morning.

It is unfortunate that Ms Anand-Patel has now left WCC and that your efforts to speak to her to clarify your position have not proved fruitful. Thank you for trying to make contact with her. I have copied in the various officers who have been in touch with us about this application so that they can progress matters, now that Ms Anand-Patel has left.

If you don't mind – perhaps it is best to respond directly to us with your views and we can then relay any response to WCC? Hopefully that way the officer now dealing with this matter will take on board your response.

Our understanding is that the details below have been agreed between you and the MCC (acting by Mr Ebdon), and that you are content to withdraw your objection on this basis. Is our understanding correct? If so, the Hearing on 20 April should be avoidable.

Perhaps you could kindly drop me an email confirming that you are content now to withdraw your objection to the issue of the new licence? Please do not hesitate to call or to email me if you require any further clarification.

With kind regards

Sue

Sue Dowling  
Partner  
Head of Employment and Licensing Team  
For and on behalf of Blandy & Blandy LLP  
D: 0118 951 6822 | T: 0118 951 6927 or 6835 | W: [www.blandy.co.uk](http://www.blandy.co.uk)

 Blandy & Blandy LLP  BlandyBlandyLLP



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SOLUTIONS

Excellence | Integrity | Approachability

**From:** Robert Ebdon

**Sent:** 23 March 2017 23:27

**To:** S [REDACTED]

**Cc:** Holly Roper-curzon <[Holly.Roper-curzon@mcc.org.uk](mailto:Holly.Roper-curzon@mcc.org.uk)>; Georgie French <[Georgie.French@mcc.org.uk](mailto:Georgie.French@mcc.org.uk)>

**Subject:** Warner Stand

Dear [REDACTED]

Thank you for your time this morning. It was good to catch up and take you through the plans for the Warner Stand and explain a bit more about the proposed operation of the Stand.

As requested, I have prepared the following summary of our discussion for your consideration. While the Club completely respects your decision to take your objection to Committee Hearing at Westminster on 4<sup>th</sup> April, we hope that upon further consideration and reflection you might consider withdrawing your objection:

- MCC undertakes to send you a calendar of proposed events scheduled to be held in the Warner Stand (outside of Match days) at the beginning of each month.
- MCC will ensure that the windows at the front of the Pelham Restaurant (looking onto the Ground) are closed on non-Match day functions.
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Attached to this email are plans of each level of the stand which I have marked up to show the external solid walls or glazed components – as I explained when we met today. I hope this helps to reassure you.

Please let me know if you have any further questions or comments.

As always, I am available to you via telephone and email at all times if you wish to discuss anything further. My colleagues, Holly Roper-Curzon and Georgie French are also available if, for any reason, you cannot contact me in the first instance. Their contact details are:

Holly Roper-Curzon: tel : 07792 251981 and email: [holly.roper-curzon@mcc.org.uk](mailto:holly.roper-curzon@mcc.org.uk)

Georgie French : tel : 020 7616 8764 and email : [georgie.french@mcc.org.uk](mailto:georgie.french@mcc.org.uk)

I look forward to hearing from you

Yours sincerely

Robert

**Robert Ebdon**  
**Assistant Secretary (Estates)**  
**Marylebone Cricket Club**

**Tel: 020 7616 8500**

**Fax: 020 7616 8510**

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<http://www.lords.org>

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<http://www.claranet.co.uk>

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7

DO NOT SCALE THIS DRAWING

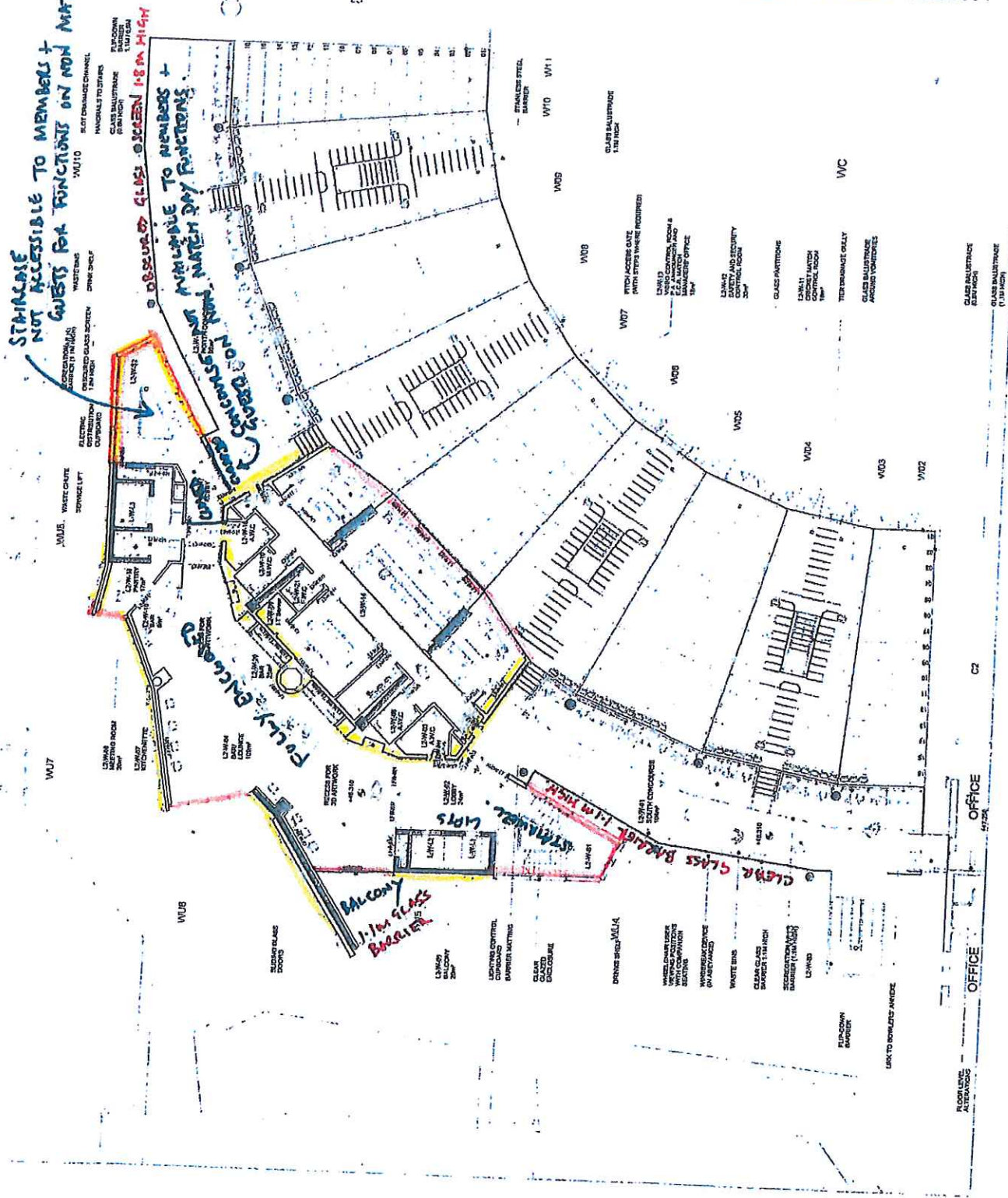
KEY PLAN:

MATCH DAYS EXCEPT EMERGENCY ACCESS

STAIRCASE NOT ACCESSIBLE TO MEMBERS + GUESTS FOR FUNCTIONS ON NON MATCH DAYS

GLAZED

SOLID WALL



NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	m <sup>2</sup>	100	10000
2	BRICKWORK	200	m <sup>2</sup>	100	20000
3	GLASS	500	m <sup>2</sup>	100	50000
4	STEEL	100	m	100	10000
5	WOOD	100	m <sup>2</sup>	100	10000
6	PAINT	100	m <sup>2</sup>	100	10000
7	ROOFING	100	m <sup>2</sup>	100	10000
8	MECHANICAL	100	m <sup>2</sup>	100	10000
9	ELECTRICAL	100	m <sup>2</sup>	100	10000
10	PLUMBING	100	m <sup>2</sup>	100	10000
11	LANDSCAPE	100	m <sup>2</sup>	100	10000
12	CONCRETE	100	m <sup>2</sup>	100	10000
13	BRICKWORK	100	m <sup>2</sup>	100	10000
14	GLASS	100	m <sup>2</sup>	100	10000
15	STEEL	100	m	100	10000
16	WOOD	100	m <sup>2</sup>	100	10000
17	PAINT	100	m <sup>2</sup>	100	10000
18	ROOFING	100	m <sup>2</sup>	100	10000
19	MECHANICAL	100	m <sup>2</sup>	100	10000
20	ELECTRICAL	100	m <sup>2</sup>	100	10000
21	PLUMBING	100	m <sup>2</sup>	100	10000
22	LANDSCAPE	100	m <sup>2</sup>	100	10000
23	CONCRETE	100	m <sup>2</sup>	100	10000
24	BRICKWORK	100	m <sup>2</sup>	100	10000
25	GLASS	100	m <sup>2</sup>	100	10000
26	STEEL	100	m	100	10000
27	WOOD	100	m <sup>2</sup>	100	10000
28	PAINT	100	m <sup>2</sup>	100	10000
29	ROOFING	100	m <sup>2</sup>	100	10000
30	MECHANICAL	100	m <sup>2</sup>	100	10000
31	ELECTRICAL	100	m <sup>2</sup>	100	10000
32	PLUMBING	100	m <sup>2</sup>	100	10000
33	LANDSCAPE	100	m <sup>2</sup>	100	10000
34	CONCRETE	100	m <sup>2</sup>	100	10000
35	BRICKWORK	100	m <sup>2</sup>	100	10000
36	GLASS	100	m <sup>2</sup>	100	10000
37	STEEL	100	m	100	10000
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39	PAINT	100	m <sup>2</sup>	100	10000
40	ROOFING	100	m <sup>2</sup>	100	10000
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42	ELECTRICAL	100	m <sup>2</sup>	100	10000
43	PLUMBING	100	m <sup>2</sup>	100	10000
44	LANDSCAPE	100	m <sup>2</sup>	100	10000
45	CONCRETE	100	m <sup>2</sup>	100	10000
46	BRICKWORK	100	m <sup>2</sup>	100	10000
47	GLASS	100	m <sup>2</sup>	100	10000
48	STEEL	100	m	100	10000
49	WOOD	100	m <sup>2</sup>	100	10000
50	PAINT	100	m <sup>2</sup>	100	10000
51	ROOFING	100	m <sup>2</sup>	100	10000
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53	ELECTRICAL	100	m <sup>2</sup>	100	10000
54	PLUMBING	100	m <sup>2</sup>	100	10000
55	LANDSCAPE	100	m <sup>2</sup>	100	10000
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57	BRICKWORK	100	m <sup>2</sup>	100	10000
58	GLASS	100	m <sup>2</sup>	100	10000
59	STEEL	100	m	100	10000
60	WOOD	100	m <sup>2</sup>	100	10000
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62	ROOFING	100	m <sup>2</sup>	100	10000
63	MECHANICAL	100	m <sup>2</sup>	100	10000
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65	PLUMBING	100	m <sup>2</sup>	100	10000
66	LANDSCAPE	100	m <sup>2</sup>	100	10000
67	CONCRETE	100	m <sup>2</sup>	100	10000
68	BRICKWORK	100	m <sup>2</sup>	100	10000
69	GLASS	100	m <sup>2</sup>	100	10000
70	STEEL	100	m	100	10000
71	WOOD	100	m <sup>2</sup>	100	10000
72	PAINT	100	m <sup>2</sup>	100	10000
73	ROOFING	100	m <sup>2</sup>	100	10000
74	MECHANICAL	100	m <sup>2</sup>	100	10000
75	ELECTRICAL	100	m <sup>2</sup>	100	10000
76	PLUMBING	100	m <sup>2</sup>	100	10000
77	LANDSCAPE	100	m <sup>2</sup>	100	10000
78	CONCRETE	100	m <sup>2</sup>	100	10000
79	BRICKWORK	100	m <sup>2</sup>	100	10000
80	GLASS	100	m <sup>2</sup>	100	10000
81	STEEL	100	m	100	10000
82	WOOD	100	m <sup>2</sup>	100	10000
83	PAINT	100	m <sup>2</sup>	100	10000
84	ROOFING	100	m <sup>2</sup>	100	10000
85	MECHANICAL	100	m <sup>2</sup>	100	10000
86	ELECTRICAL	100	m <sup>2</sup>	100	10000
87	PLUMBING	100	m <sup>2</sup>	100	10000
88	LANDSCAPE	100	m <sup>2</sup>	100	10000
89	CONCRETE	100	m <sup>2</sup>	100	10000
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# POPULOUS

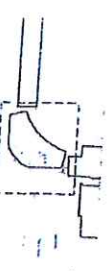
MARYLEBONE CRICKET CLUB

PROJECT: LORD'S CRICKET GROUND WARNER STAND REDEVELOPMENT  
 PLAN LEVEL: **FIRST FLOOR**  
 PROPOSED

TENDER: 4637-POP-A-DGA-0202  
 DATE: 13.06.2014  
 SCALE: 1:100  
 DRAWING NO: A1

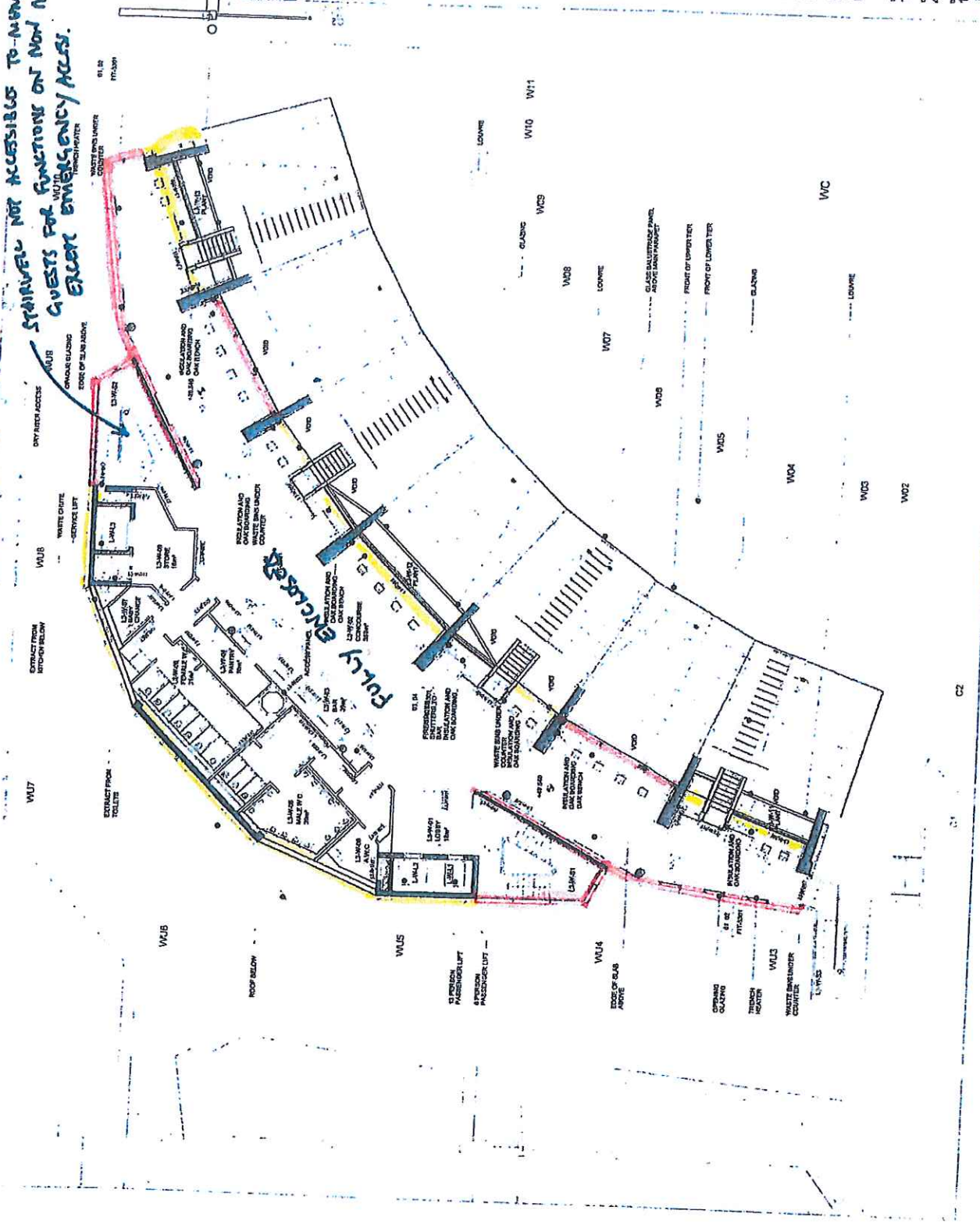
8

STAIRWELL NOT ACCESSIBLE TO MEMBERS BY SCALE THE DRAWING.  
 GUESTS FOR FUNCTIONS ON NON MATCH DAYS  
 EXCEPT EMERGENCY ACCESS.



GLAZED

SOLID WALL



NO.	DESCRIPTION	DATE	BY	CHECKED BY
1	ISSUE FOR PERMIT	13/06/2014	WJS	WJS
2	ISSUE FOR TENDER	13/06/2014	WJS	WJS
3	ISSUE FOR CONTRACT	13/06/2014	WJS	WJS
4	ISSUE FOR CONSTRUCTION	13/06/2014	WJS	WJS
5	ISSUE FOR AS-BUILT	13/06/2014	WJS	WJS
6	ISSUE FOR ARCHIVE	13/06/2014	WJS	WJS
7	ISSUE FOR RECORD	13/06/2014	WJS	WJS
8	ISSUE FOR REFERENCE	13/06/2014	WJS	WJS
9	ISSUE FOR INFORMATION	13/06/2014	WJS	WJS
10	ISSUE FOR RECORD	13/06/2014	WJS	WJS

**POPULOUS**

MARYLEBONE CRICKET CLUB

PROJECT: LORD'S CRICKET GROUND  
 WARNER STAND REDEVELOPMENT  
 DRAWING TITLE: PLAN LEVEL 02 SECOND FLOOR  
 PROPOSED

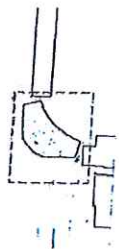
TENDER  
 DRAWING NUMBER: 4637-POP-A-DGA-0203  
 DATE: 13.06.2014  
 SCALE: 1:100  
 SHEET: A1





DO NOT SCALE THIS DRAWING.  
KEY PLAN:

15



GLAZED  
SOLID WALL

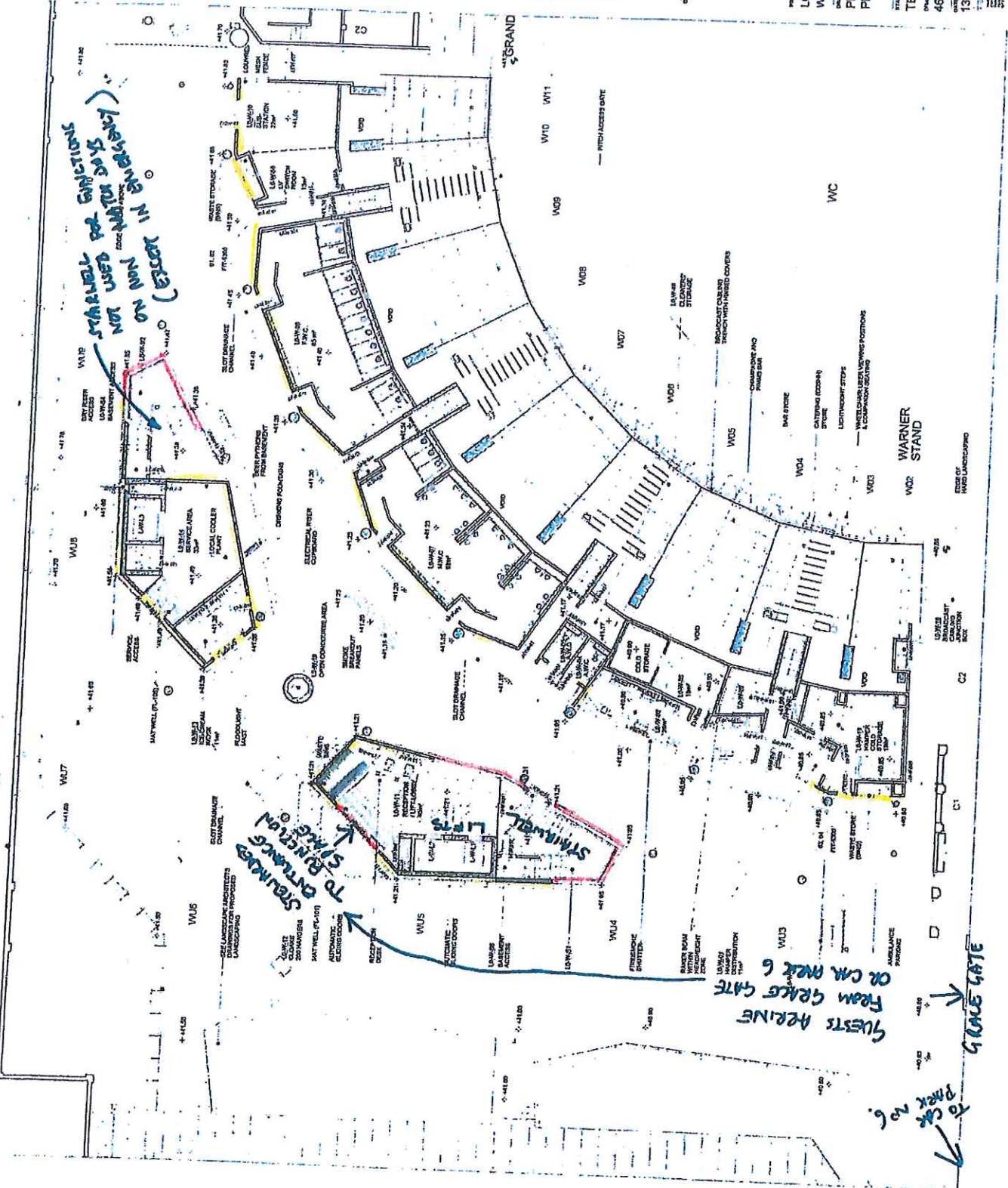
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15	...	...	...	...

**POPULOUS**

MARYLEBONE CRICKET CLUB

PROJECT: LORD'S CRICKET GROUND WARNER STAND REDEVELOPMENT  
 PLAN LEVEL 00 PROPOSED  
 9/10/14  
 FLOOR

TENDER: 4637-POP-A-DGA-0200  
 DATE: 13.06.2014  
 SCALE: 1:100  
 DRAWN BY: A1  
 CHECKED BY: A1  
 PROJECT NO: 09



STAIRS TO BRINGS STAIRS  
 NOT USED FOR GYMNASIUMS  
 ON MAIN FLOOR (ELECTRICAL)

STAIRS TO BRINGS STAIRS  
 LIFTS

GUESTS ARRIVE FROM GREAT GATE OR CAR MEET 6

GROUSE GATE

TO CAR MEET 6

**Sue Dowling**

---

**From:** Sue Dowling  
**Sent:** 03 April 2017 09:39:39  
**To:** 'Wade, Yolanda: WCC', Lawrance, Heidi: WCC, 'S [REDACTED] K [REDACTED] Sycamore, David: WCC (dsycamore@westminster.gov.uk), Watson, Ian: WCC (iwatson@westminster.gov.uk), Guerra, Reaz: WCC (rguerra@westminster.gov.uk), 'Holly Roper-curzon', Georgie French (Georgie.French@mcc.org.uk), Robert Ebdon (Robert.Ebdon@mcc.org.uk)  
**Cc:**  
**Subject:** RE: 17/01651/LIPN: WARNER STAND  
**Attachments:** image001.jpg, image002.jpg, image003.jpg

Dear Yolanda

**Warner Stand, Lord's Cricket Ground  
20 April - Committee Hearing**

Could you kindly give us an update in relation to this matter, as soon as possible?

Our understanding is that Mr K [REDACTED] who originally objected to the new licence application has now has his concerns fully addressed (through discussions with the Applicant (particularly with Mr Ebdon of the MCC), and may be content to withdraw his representation.

In our view, it should therefore be possible for this new Licence to be issued without the need for any Hearing on 20<sup>th</sup> (the other representations either having been withdrawn or being 'holding' ones by the Responsible Authorities).

We understand that your colleague Sumeet Anand-Patel intended to speak to or to email Mr K [REDACTED] last week; can you confirm the outcome of that discussion/email correspondence?



We are keen to avoid the Committee's (and other interested parties') time, as well as public funds being wasted with a Committee Hearing which, in the circumstances, should not be required.

In order to be transparent and to assist with communications, I have copied in Mr K [REDACTED] too.

Kind regards

Sue

Sue Dowling  
Partner  
Head of Employment and Licensing Team  
For and on behalf of Blandy & Blandy LLP  
D: 0118 951 6822 | T: 0118 951 6927 or 6835 | W: [www.blandy.co.uk](http://www.blandy.co.uk)

 Blandy & Blandy LLP  BlandyBlandyLLP

**Sue Dowling**

---

**From:** Lawrance, Heidi: WCC [hlawrance@westminster.gov.uk]  
**Sent:** 03 April 2017 14:18:32  
**To:** Sue Dowling, '[REDACTED]', Watson, Ian: WCC  
**Cc:** Robert Ebdon (Robert.Ebdon@mcc.org.uk), 'Holly Roper-curzon', Georgie French (Georgie.French@mcc.org.uk)  
**Subject:** RE: Warner Stand  
**Attachments:** image004.png, image005.jpg, image006.jpg, image007.jpg

Good afternoon Sue

I have spoken to Mr K [REDACTED] and discussed the matter with him. He has received your email and will consider the contents in due course.

I am preparing for the application to go to Licensing Sub-Committee unless the current situation changes. You will have all received a Notice of Hearing confirming the details.

I would be most grateful if you would provide me with your additional information as soon as possible.

Kind Regards  
Heidi

**Miss Heidi Lawrance**  
Senior Licensing Officer  
**Public Protection & Licensing**  
Westminster City Council  
4th Floor South  
64 Victoria Street  
London SW1E 6QP  
Tel: 020 7641 2751  
E-mail: [hlawrance@westminster.gov.uk](mailto:hlawrance@westminster.gov.uk)  
Team E-mail: [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



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**From:** Sue Dowling [mailto:Sue.Dowling@Blandy.co.uk]  
**Sent:** 03 April 2017 12:20  
**To:** Lawrance, Heidi: WCC; '[REDACTED]'; Watson, Ian: WCC

**Cc:** Wade, Yolanda: WCC; Sycamore, David: WCC; Robert Ebdon (Robert.Ebdon@mcc.org.uk); 'Holly Roper-curzon'; Georgie French (Georgie.French@mcc.org.uk)  
**Subject:** RE: Warner Stand

*\*\*This message is subject to the confidentiality notice at the end of this communication\*\**

Dear Heidi

Thank you very much for your email; will do!

Just to confirm that if the Committee Hearing does proceed on 20<sup>th</sup>, I will be representing the Applicant. It is likely that we shall seek to call some short evidence in support of the application and I will confirm by whom that will be given, shortly. I am also putting together a small bundle to which the Applicant will wish to refer the Committee and I will again let you have this, within the next few days.

I am however hopefully that in view of the constructive discussions which have already taken place, the Hearing will not prove to be necessary. It would be immensely helpful if you would liaise with Mr K [REDACTED] directly to check whether he is content to withdraw his objection. If so my understanding is that the representation from Environmental Health (Ian Watson) will also be withdrawn, leaving no 'live' objections.

Best regards  
Sue

Sue Dowling

Partner

Head of Employment and Licensing Team

For and on behalf of Blandly & Blandly LLP

D: 0118 951 6822 | T: 0118 951 6927 or 6835 | W: [www.blandly.co.uk](http://www.blandly.co.uk)

 Blandly & Blandly LLP  BlandlyBlandlyLLP



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**From:** Lawrance, Heidi: WCC [<mailto:hlawrance@westminster.gov.uk>]

**Sent:** 03 April 2017 12:14

**To:** Sue Dowling; [REDACTED]

**Cc:** Wade, Yolanda: WCC; Sycamore, David: WCC; Robert Ebdon (Robert.Ebdon@mcc.org.uk); 'Holly Roper-curzon'; Georgie French (Georgie.French@mcc.org.uk)

**Subject:** RE: Warner Stand

Good afternoon all

I have now taken over this application from Ms Anand-Patel and request that you copy me into any correspondence that you may have with each other so that I am aware of the position.

Regards

Miss Heidi Lawrance  
Senior Licensing Officer

**Premises History – Old Warner Stand**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
07/00178/WCCMAP	Application for a new Premises Licence	06/10/2006	Granted under Delegated Authority
10/05330/LIPDPS	Application to Vary the Designated Premises Supervisor	30/07/2010	Granted under Delegated Authority
11/05894/LIPDPS	Application to Vary the Designated Premises Supervisor	23/06/2011	Granted under Delegated Authority

## 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 (These conditions have been agreed by Environmental Health and the Metropolitan Police Service)**

9. On Major Match Days, alcohol shall not be sold or supplied to the public after a period of one hour after close of play.
10. On all Match Days, when alcohol is sold or supplied in open drinking vessels containing half pint or multiples thereof for external consumption in Lord's Cricket Ground ("Ground"), the drinking vessels shall be made of plastic or polycarbonate.
11. A Challenge 21 'Proof of Age' scheme shall operate at the Premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence, a current passport or a PASS ID shall be treated as acceptable forms of identification.
12. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers responsible for selling alcohol receive an induction in the legality and responsible procedure of alcohol sales, prior to undertaking the sale of alcohol. This training shall cover the terms of this Licence, times of operation, licensable activities and all conditions. Training documents shall be signed and dated and training records be made available to the Police and authorised Council Officers on reasonable request. The records shall be retained for at least 12 months.
13. The Ground in which the Premises is situated shall install and maintain a comprehensive CCTV system (which includes the Premises) as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points to the Ground 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 the public 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 council officer throughout the entire 31 day period.
14. An employee at the Ground who is conversant with the operation of the CCTV system shall be at the Ground at all times when the Premises is open to the public. This employee 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. An Incident Log shall be kept at the Premises (or within the Ground), and shall be made available on request to an authorised council officer or the Police. It must be completed within 24 hours of the incident and will record the following:
  - a. all crimes reported to the Premises;
  - 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; and/or
- g. any visit by a relevant authority or emergency service.

16. A Refusals 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 (or at the Ground) by the police or an authorised officer of the City Council at all times whilst the Premises is open.

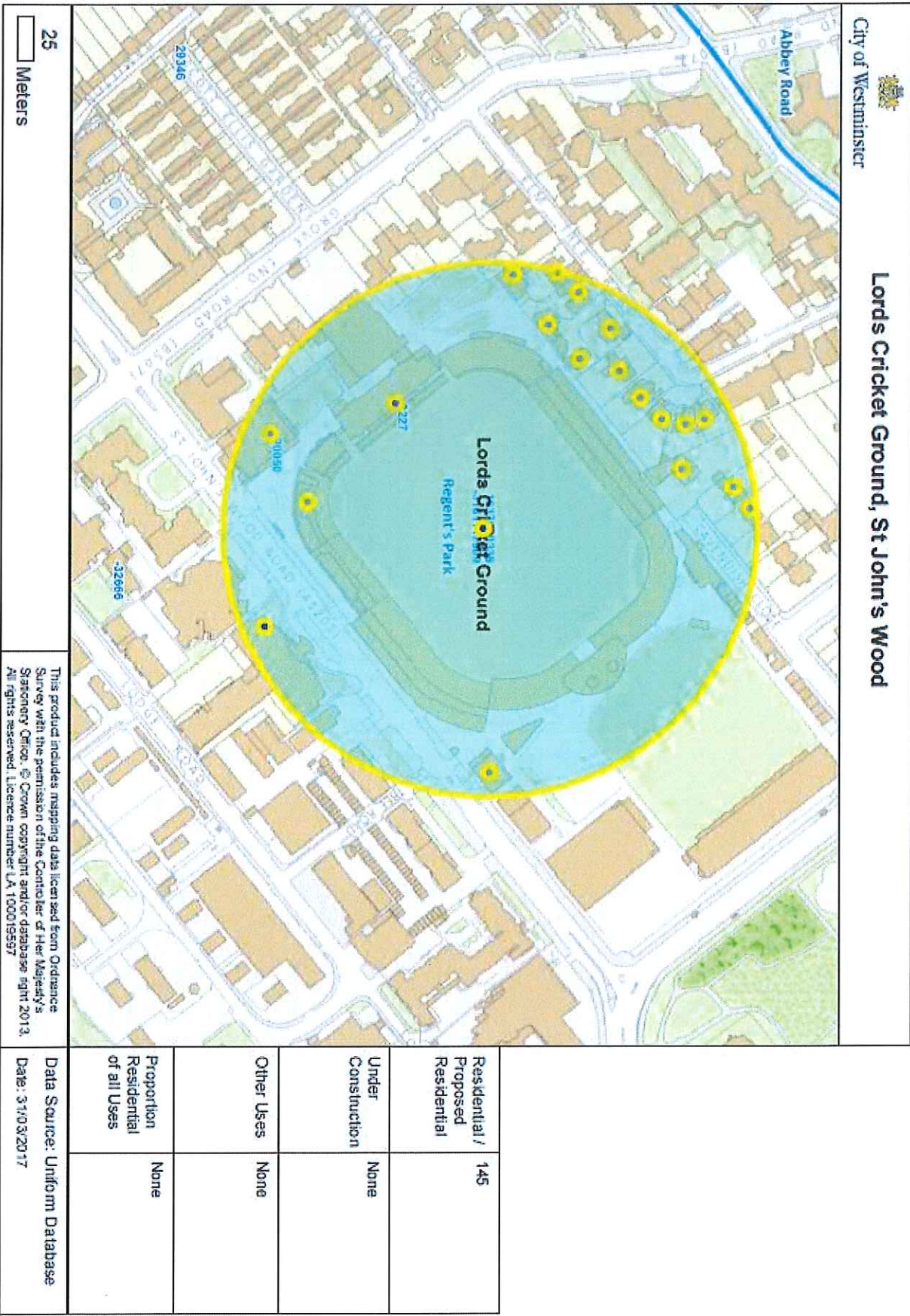
17. The supply of alcohol from temporary mobile bars is restricted to the cross-hatched area on the plan on Ground level and shall only operate on Major Match Days.

For the purposes of the above conditions:

**“Match Days”** means all days on which cricket is played at the Ground.

**“Major Match Day”** is defined as a Test Match, a One Day International (ODI), the RL London One-Day Final (or that of any successor competition), an International T20, a domestic Cup T20, Finals of e.g. World Cups such as the final of the Women’s World Cup scheduled to be played at Lord’s, and any other match (including matches for charity) designated as a ‘Major Match’ by the MCC Committee.

**Residential Map and List of Premises in the Vicinity**



<b>Premises within 150 metres of: Lords Cricket Ground, St John's Wood</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
28418	MCC Cricket Academy	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
30380	Marylebone Cricket Club - Allen Stand	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-31611	Nursery Pavilion	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-26013	Marylebone Cricket Club - Full Toss Bar	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-20050	Marylebone Cricket Club - Lord's Tavern	Lords Tavern St John's Wood Road London NW8 8QP	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-14331	Media Centre	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-20457	Marylebone Cricket Club - Tavern Stand	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
8227	Marylebone Cricket Club - Thomas Lord Suite	Lords Banqueting Suite St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
16210	Marylebone Cricket Club - Grand Stand	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
16376	Marylebone Cricket Club - Warner Stand	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
17909	Marylebone Cricket Club - Pavilion	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
20338	Marylebone Cricket Club - Mound Stand	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-32443	Harris Garden, Coronation Garden Food Village	Ground Floor Lords Cricket Ground St John's Wood Road London NW8 8QZ	Monday to Sunday 09:00 - 22:00

Item No:	
Date:	20 <sup>th</sup> April 2017
Licensing Ref No:	17/01541/LIPN - New Premises Licence
Title of Report:	Gourmet Kitchen 34 Lisle Street London WC2H 7BD
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@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>	10 February 2017		
<b>Applicant:</b>	Mr Leslie Ng		
<b>Premises:</b>	Gourmet Kitchen		
<b>Premises address:</b>	34 Lisle Street London WC2H 7BD	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises proposes to operate as a restaurant.		
<b>Premises licence history:</b>	This is an application for a new premises licence and therefore no history exists.		
<b>Applicant submissions:</b>	None submitted.		

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	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  Sundays before Bank Holidays until 00:00.				

<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>			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  Sundays before Bank Holidays until 00:00.				

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	
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	
<b>Seasonal variations/ Non-standard timings:</b>	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  Sundays before Bank Holidays until 00:00.						
<b>Adult Entertainment:</b>	None applied for.						

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr Anil Drayan
<b>Received:</b>	8 <sup>th</sup> March 2017
<p>I refer to the application for a new premises licence for the above premises which is located in the West End Cumulative Impact Area.</p> <p>The applicant has submitted a plan of the premises (no reference) showing the ground floor and basement of the premises.</p> <p><b>The following licensable activities are being sought:</b></p> <ol style="list-style-type: none"> <li>1. Late Night Refreshment Indoors; <ul style="list-style-type: none"> <li>• Monday to Thursday: 23:00 to 23:30</li> <li>• Friday to Saturday: 23:00 to 00:00</li> <li>• From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays until 00:00</li> </ul> </li> <li>2. Sale by Retail of Alcohol 'On' and 'Off' the premises; <ul style="list-style-type: none"> <li>• Monday to Thursday: 10:00 to 23:30</li> <li>• Friday to Saturday: 10:00 to 00:00</li> <li>• Sunday: 12:00 to 22:30</li> <li>• From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays until 00:00</li> </ul> </li> </ol> <p><b>I wish to make the following representations based on the plans submitted and supporting operating schedule:</b></p>	

1. The hours requested for Late Night Refreshment may lead to an increase in Public Nuisance in the West End Cumulative Impact Area
2. The hours requested for and the Supply of Alcohol 'On' and 'Off' the premises may lead to an increase in Public Nuisance in the West End Cumulative Impact Area

Environmental Health also makes the following comments:

- Some conditions have been provided in the operating schedule and these are under consideration. However it is noted that the terms offered for the provision of alcohol are not consistent with Westminster's Statement of Licensing policy in the West End Cumulative Impact Area, in particular operating under model condition 66 has not been offered.
- It is not clear from the application if the premises have already undergone refurbishment for the proposed use. The premises will in any case need to be inspected for Public Safety prior to public use for licensable activities. The premises will also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or the operation of plant and machinery.
- The applicant is also advised that any capacity for the premises will be set whichever gives the lower figure from an assessment of the provision of sanitation accommodation being in line with British Standard 6465 and safe capacity determined under a suitable fire risk assessment and/or Technical Standards.

***Following the agreement of conditions Environmental Health have now withdrawn their representation.***

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	9 <sup>th</sup> March 2017

I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

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 propose the following conditions that we would like you to add to your operating schedule:

1. 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.

2. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

***Following the agreement of conditions the MET Police Service have now withdrawn their representation.***

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr Steven Rowe
<b>Received:</b>	10 <sup>th</sup> March 2017

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

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

As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, HRS1, RNT2 and PB2.

The application seeks to:

· Permit the Sale by Retail of Alcohol 'On' and 'Off' the premises;

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays until 00:00

· Permit Late night refreshment indoors

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays until 00:00

The premises is located inside the Cumulative Impact Area.

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

Policy HRS1 states at paragraph 2.3.2: "It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the 'core hours' as set out in Policy HRS1. This is not a policy to refuse applications for longer hours than the core hours and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out in paragraph (ii) (of Policy HRS1)".

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

Paragraph 2.5.3 of the Council's Policy relating to restaurants states in part that '.....The Council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening.'

Policy PB2 which relates to pubs and bars states 'It is the Licensing Authority's policy to refuse applications in the CIA other than

applications to vary the hours within the core hours under policy HRS1'. Please therefore accept this as a formal representation.

### 3. Policy & Guidance

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

<b>Policy CIA1 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.
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant 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

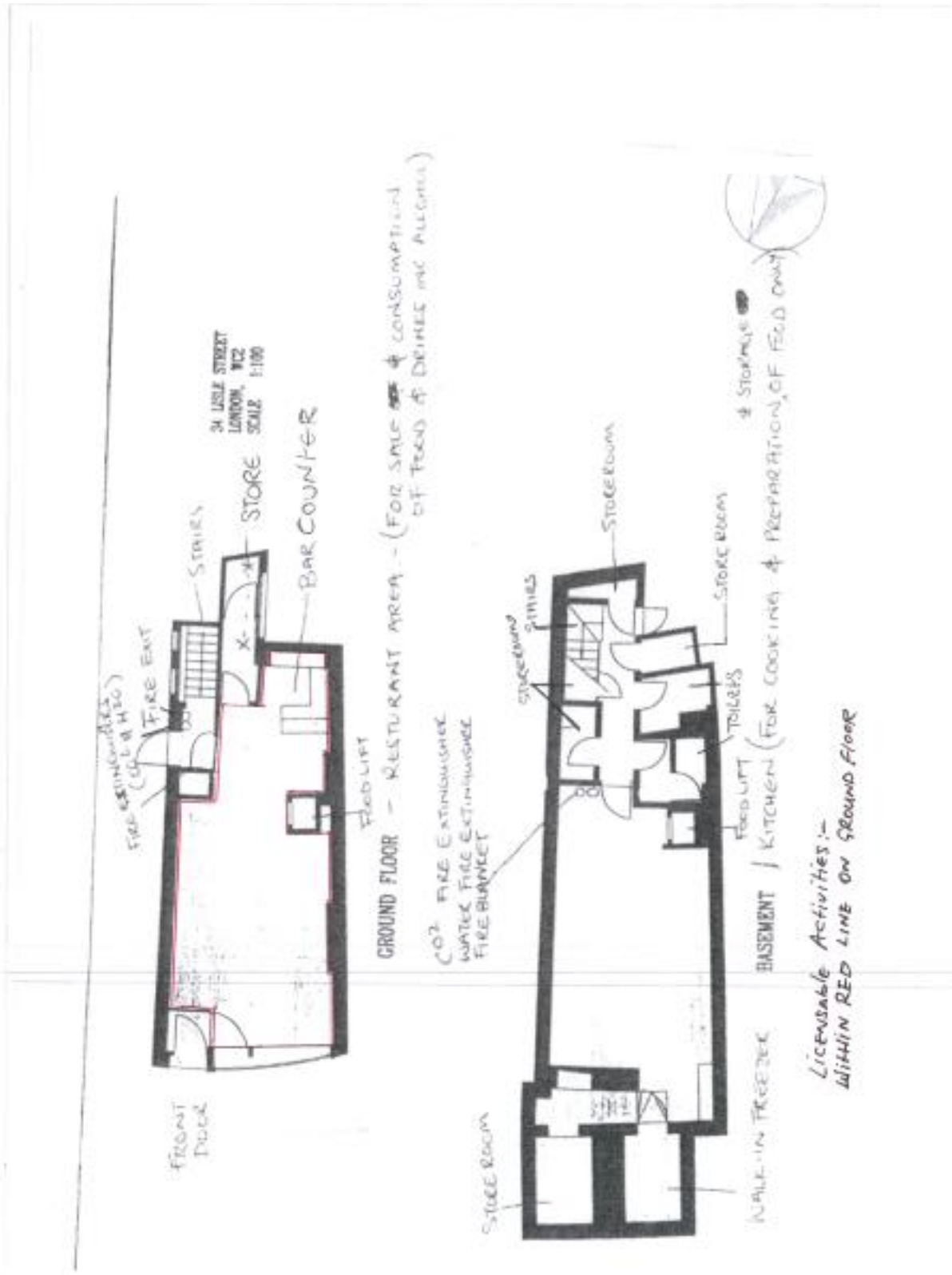
<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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

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

<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	10 <sup>th</sup> February 2017
<b>5</b>	Representation – Environmental Health	8 <sup>th</sup> March 2017
<b>6</b>	Representation – MET Police	9 <sup>th</sup> March 2017
<b>7</b>	Representation – Licensing Authority	10 <sup>th</sup> March 2017

Premises Plans



**Applicant Supporting Documents**

None Submitted.

**Premises History**

There is no licence or appeal history for the premises.

**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 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.
10. 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.
11. 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.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. 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) any complaints received concerning crime and 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.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

17. 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.

***Condition 17 To be deleted and replaced with (as agreed with Environmental Health, Police and Applicant:***

17. 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.

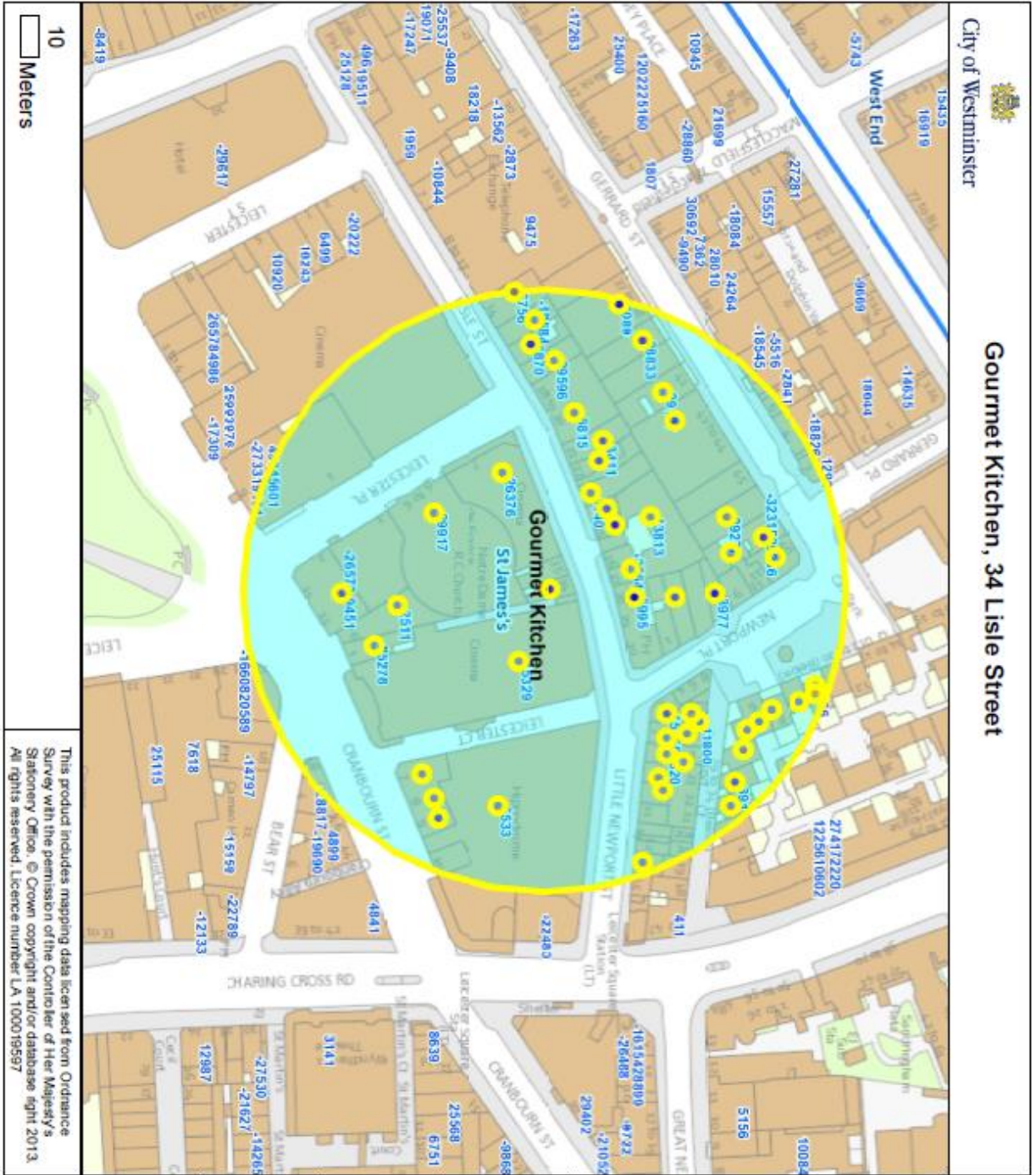
Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

18. 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.
19. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (**TBC**).

**Conditions proposed by the Environmental Health and the Police**

20. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
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. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.
23. There shall be no off sales of alcohol after 23.00

**Residential Map and List of Premises in the Vicinity**



City of Westminster

**Gourmet Kitchen, 34 Lisle Street**

10 Meters

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Residential / Proposed Residential	66
Under Construction	None
Other Uses	None
Proportion of all Uses	None
Data Source: Uniform Database Date: 31/03/2017	

**Premises within 75 metres of: Gourmet Kitchen, 34 Lisle Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
3089	Golden Phoenix	37-38 Gerrard Street London W1D 5QB	Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
5533	Hippodrome Casino	The Hippodrome 10 - 14 Cranbourn Street London WC2H 7JH	Monday to Sunday 00:01 - 00:00
13813	Imperial China	Wheeler House 25A Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29236	Not Recorded	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Sunday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00
29596	Super Star Chinese Restaurant	17 Lisle Street London WC2H 7BE	Monday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
30410	The Canton Chinese Restaurant	11 Newport Place London WC2H 7JR	Monday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 01:00
-32315	Joy Luck	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Sunday to Thursday 10:00 - 01:00 Friday to Saturday 10:00 - 02:00
-26645	Leong's Legend II	26-27 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-26376	Prince Charles Cinema	Ground Floor And Basement Charles House 7 Leicester Place London WC2H 7BP	Sunday to Thursday 09:00 - 03:00 Friday to Saturday 09:00 - 07:00
-23260	Young Cheng Restaurant	22 Lisle Street London WC2H 7BA	Sunday 10:00 - 00:00 Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00
-18584	Tao Tao Ju	15 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-13817	New China	48 Gerrard Street London W1D 5QL	Monday to Wednesday 10:00 - 00:00 Thursday to Saturday 10:00 - 01:00 Christmas Day 10:00 - 01:00 Good Friday 10:00 - 01:00 New Year's Day 10:00 - 01:00 Christmas Day 12:00 - 01:00 Good Friday 12:00 - 01:00 New Year's Day 12:00 - 01:00 Sunday 12:00 - 23:00
-11800	Baozi Inn	25-26 Newport Court London WC2H 7JS	Saturday 10:00 - 00:30 Sunday 10:00 - 23:00 Monday to Friday 10:00 - 23:30
-10466	New Loon Fung Chinese Restaurant	Above Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-3977	China Buffet Restaurant	Ground Floor 7-9 Newport Place London WC2H 7JR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-2511	American Fried Chicken	16A Leicester Square London WC2H 7NG	Monday to Thursday 23:00 - 00:00 Friday to Sunday 23:00 - 02:30
-1140	Beijing Dumplings	Basement And Ground Floor 23 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 03:00
6870	Manchurian Legends	16 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

15329	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Monday to Sunday 00:00 - 00:00
28833	Suki	39 Gerrard Street London W1D 5QD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29197	Lido Chinese Restaurant	41 Gerrard Street London W1D 5QF	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 02:00 Sunday 12:00 - 00:00
-26573	Haagen Dazs UK Ltd	Ground Floor Victory House 14 Leicester Square London WC2H 7NG	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 01:00
-16166	Loon Fung Supermarket	Ground Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-9451		14 Basement Victory House 14 Leicester Square London WC2H 7NG	Sunday 20:00 - 03:00 Monday to Wednesday 20:00 - 03:30 Thursday to Saturday 20:00 - 06:00 Sundays before Bank Holidays 20:00 - 06:00
-6815	See Woo Supermarket	Ground Floor 18-20 Lisle Street London WC2H 7BA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-3411	Mr Kong Chinese Restaurant	21 Lisle Street London WC2H 7BA	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 03:00
-391	ZheJiang Food	28-29 Newport Court London WC2H 7PQ	Monday to Sunday 10:00 - 22:00
3866	New China Gate (London) Limited	18 Newport Place London WC2H 7PR	Monday to Sunday 11:00 - 22:00
5756	Hong Kong Buffet	Ground Floor To First Floor 14 Lisle Street London WC2H 7BE	Monday to Saturday 10:00 - 03:30 Sunday 11:00 - 03:00
5995	Ku Bar	29 - 30 Lisle Street London WC2H 7BA	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30 Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
7820	Baiwei Restaurant	8 Little Newport Street London WC2H 7JJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15355	Tokyo Diner	2 Newport Place London WC2H 7JP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
25276	Bella Italia	1 Cranbourn Street London WC2H 7AJ	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 01:00 Sundays before Bank Holidays 09:00 - 01:00
29277	Real Beijing Restaurant	46 Gerrard Street London W1D 5QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29917	Leicester Square Theatre	6 Leicester Place London WC2H 7BP	Monday to Saturday 09:00 - 02:30 Sunday 09:00 - 23:00

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