



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 25th October, 2018**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Melvyn Caplan (Chairman)
Peter Freeman
Jim Glen



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 via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. 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, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.

Email: kscharlemagne@westminster.gov.uk Tel: 020 7641 2783

Corporate Website: www.westminster.gov.uk

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. UNIVERSITY OF WESTMINSTER, 4-12 LITTLE TITCHFIELD STREET, LONDON, W1W 7UW

(Pages 1 - 28)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward/ Not in Cumulative Impact Area	University of Westminster, 4-12 Little Titchfield Street, London, W1W 7UW	New Premises Licence	18/07713/LIPN

2. 40-42 WILLIAM IV STREET, LONDON, WC2N 4DD

(Pages 29 - 62)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's	40-42 William	New	18/09429/LIPN

	Ward/ West End Cumulative Impact Area	IV Street, London, WC2N 4DD	Premises Licence	
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3. BASEMENT & GROUND FLOOR, 5-6 HENRIETTA STREET, LONDON, WC2E 8PS

(Pages 63 - 98)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	St James's Ward/ West End Cumulative Impact Area	Basement & Ground Floor, 5-6 Henrietta Street, London, WC2E 8PS	New Premises Licence	18/09161/LIPN

4. UNIT 29, TROCADERO, 13 COVENTRY STREET, LONDON, W1D 7AB

(Pages 99 - 120)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	St James's Ward/ Not in Cumulative Impact Area	Unit 29, Trocadero, 13 Coventry Street, London, W1D 7AB	New Premises Licence	18/08646/LIPN

5. ESSENTIALS, UNIT 1, LEICESTER SQUARE STATION, CHARING CROSS ROAD, WC2H 0AP

(Pages 121 - 154)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference

	Impact Area			Number
5.	St James's Ward/ West End Cumulative Impact Area	Essentials, Unit 1, Leicester Square Station, Charing Cross Road, WC2H 0AP	Premises Licence Variation	18/08641/LIPV

6. 3 SAVILLE ROW, LONDON, W1S 3PB

(Pages 155 - 178)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
6.	West End Ward / Not in a cumulative impact area	3 Saville Row, London, W1S 3PB	Temporary Event Notice	18/12161/LITENN

**Stuart Love
Chief Executive
19 October 2018**

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

POLICY CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7th January 2016.

GUIDANCE CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. The most recent version was published in April 2018.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy 2016)

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

Friday and Saturday: 10:00 to midnight
Sundays immediately prior to Bank Holidays: Midday to midnight
Other Sundays: Midday to 22:30
Monday to Thursday: 10:00 to 23:30.

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

Monday to Saturday: 08:00 to 23:00
Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight
Sundays immediately prior to Bank Holidays: 09.00 to midnight
Other Sundays: 09.00 to 22.30
Monday to Thursday: 09.00 to 23.30.

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Item No:	
Date:	25 October 2018
Licensing Ref No:	18/07713/LIPN - New Premises Licence
Title of Report:	University of Westminster 4-12 Little Titchfield Street London W1W 7UW
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	28 June 2018		
Applicant:	University Of Westminster The Court Of Governors		
Premises:	University of Westminster		
Premises address:	4-12 Little Titchfield Street London W1W 7UW	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	<p>Situated within the premises is the University's School of Law. The applicant proposes to licence three areas within the Ground and Lower Ground Floors; specifically Portland Hall, Lecture Theatre G.03 and a Refectory.</p> <p>The applicant proposes to hire out these areas for both external events and private events for staff and students of the University.</p>		
Premises licence history:	This is an application for a new premises licence and as such there is no licence history.		
Applicant submissions:	The applicant's submissions can be found at Appendix 2 of the report.		
Note:	<p>The applicant had previously applied to permit Late Night Refreshment Monday to Sunday from 23:00 to 01:00. The applicant has amended the terminal hour for Late Night Refreshment on Monday to Sunday to 00:00.</p> <p>The application was originally scheduled to be heard on 8th September 2018. However, the application was adjourned and relisted to 25th October 2018.</p>		

1-B Proposed licensable activities and hours							
Regulated Entertainment							
Performance of a Play; Performance of Dance; Exhibition of Film; Performance of Live Music; Playing of Recorded Music; and Anything of a similar description				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		<p>Sunday's immediately before a bank holiday: 09:00 – 00:00</p> <p>The premises may provide the authorised licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.</p>					

Late Night Refreshment				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			The premises may remain open for the provision of late night refreshment from 23:00 on New Year's Eve to 05:00 on New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			Sunday's immediately before a bank holiday: 09:00 – 00:00 The premises may provide the authorised licensable activities from the terminal hour on New Year's Eve to the commencement time on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	N/A	N/A	N/A
End:	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Seasonal variations/ Non-standard timings:			The premises are not open to the general public. The University's 24 hours Security Team or Receptions require advance notice of visitors and guest lists for both internal and third party events.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	11 July 2018

I refer to the application for a new Premises Licence for the above mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.

The applicant is seeking the following licensable activities:

- 1. Performance of Dance “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 2. Exhibition of a Film “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 3. Performance of Live Music “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 4. Playing of Recorded Music “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day
- 5. Anything of a similar description to Live Music, Recorded Music or Performance of Dance “Indoors” at the following times**
Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year’s Eve – Licenced hours extended from the end of authorised hours on New Year’s Eve to the start of authorised hours on New Year Day

Year's Eve to the start of authorised hours on New Year Day

6. Performance of a Play "Indoors" at the following times

Monday to Thursday: 09:00 to 23:30 hours
Friday to Saturday: 09:00 to 00:00 hours
Sunday: 09:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year's Eve – Licenced hours extended from the end of authorised hours on New Year's Eve to the start of authorised hours on New Year Day

7. Late Night Refreshment "Indoors" at the following times

Monday to Sunday: 23:00 to 01:00 hours
New Year Eve 23:00 to 05:00 hours on New Year's Day

8. Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30 hours
Friday to Saturday: 10:00 to 00:00 hours
Sunday: 12:00 to 22:30 hours
Sunday immediately before bank holiday 09:00 to 00:00 hours
New Year's Eve – Licenced hours extended from the end of authorised hours on New Year's Eve to the start of authorised hours on New Year Day

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

1. The performance of dance and the hours requested to perform dance would have the likely effect of causing an increase in Public Nuisance within the area
2. Exhibition of films and the hours requested would have the likely effect of causing an increase in Public Nuisance within the area
3. The performance of live music and the hours requested to perform live music would have the likely effect of causing an increase in Public Nuisance within the area
4. The playing of recorded music and the hours requested to play recorded music would have the likely effect of causing an increase in Public Nuisance within the area
5. The hours requested for anything of a similar description to Live Music, Recorded Music or Performance of Dance would have the likely effect of causing an increase in Public Nuisance within the area
6. The performance of play and the hours requested to perform play would have the likely effect of causing an increase in Public Nuisance within the area
7. The provision of late night refreshment and the hours requested to perform LNR would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
8. The supply of alcohol and the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant has provided conditions in support of the application. These are being considered but they do not fully address the concerns of Environmental Health. Additional conditions may be proposed.

It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of

Public Nuisance and Public Safety.

The following conditions have been proposed by the Environmental Health Service:

1. There shall be no supply of alcohol and provision of late night refreshment otherwise than to persons attending pre-booked events at the premise.
2. Security staff or Stewards shall assist with the departure of guests or attendees from events and encourage them to depart quietly and safely from the premises and the area.
3. All exit points from the premises shall be manned for the duration of any events until 60 minutes after licensable activities have ceased.
4. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
5. During events, the Premises Licence Holder shall ensure that there is at least one security officer or steward for every 100 patrons (or part thereof) to manage the effective dispersal of guests from the premises until all guests have left.
6. The Premises Licence Holder shall ensure that any queue to enter the premises which forms outside of the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway. Any queue shall be restricted to the Little Titchfield Street.
7. All guests or attendee's at an event (excluding members of staff) shall vacate the premises within 60 minutes after the terminal hour for licensable activities.
8. During licensable activities, customers **shall NOT** enter or leave the premises from the Riding House Street entrances except in the event of an emergency.
9. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
10. 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.
11. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be restricted to the Little Titchfield Street.

13. 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.
14. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
15. A dedicated telephone number for the designated premises supervisor or event manager shall be maintained to be used by any one person who may wish to make a complaint during the operation of events which shall be provided to the Local Authority; interested residents and local businesses and ward councillors. Any changes in the number should be notified to those parties within 7 days of the change.
16. A log should be kept of all complaints received by the premises in relation to events, whether through the dedicated telephone number or by other means. The log shall be available for inspection by Council Officers at all times when the premises are open to the public.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
20. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
21. 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.
22. 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.
23. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
24. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
25. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
26. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
27. The edges of the treads of steps and stairways shall be maintained so as to be

conspicuous.

28. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
29. No licensable activities shall take at the premises until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the capacity so determined has replaced this condition on the Licence. The capacity shall not exceed 530 persons excluding staff.

On 29th August the Environmental Health Service provided a complaint history associated with the premises as detailed below:

Complaint history ref. 18/07713/LIPN, University Of Westminster, 4-12 Little Titchfield Street

Date & Time	Complaint	Outcome/officer comment
07.03.2014 23:16	Large group of at least 50 people outside university of Westminster making a lot of noise for the past hour	Was 15-20 x students standing o/s front of building, on pavement, talking. street otherwise vacant and quiet. went in, spk to security on reception. he just started his shift, but confirmed that was an event earlier this eve which finished around 22.30 hrs. said are no specific door staff provided. but are 3 x security staff - 1 x reception, 1 x library, and 1 x mobile in building. noted that is signage by exit doors reqstng that students keep quiet as leave at night. poor control of students on external frontage.

Responsible Authority: Metropolitan Police Service (**Withdrawn**)

Representative: PC Bryan Lewis

Received: 24 July 2018

Our objection relates to the following:

- Insufficient licence conditions addressing the prevention of crime and disorder
- More information is required to properly assess the effect of this application

On 2nd August 2018 the Metropolitan Police Service made the following comments and proposed the following conditions:

Further to my representation. Why are you seeking 01:00 for late night refreshment therefore beyond WCC core hours? When I spoke to Alex during our meeting at the premises, he seemed unaware of your proposed timings for LNR

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light

condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
3. 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.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
5. 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.
6. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, as licensed premises, shall be displayed outside the premises.

On 7th August the applicant responded as follows:

Further to your emails of 20 August 2018, I have taken instructions and confirm that the applicant is content with the proposed police conditions.

In regards to the request for late night refreshment, I am advised that this was sought as a provision just in case the University should ever want it. The University is comfortable in reducing the hours to midnight. I am further advised that the University advises those hiring the building that it shuts at 23:00. As such, any late nights will be an exception.

Should you require additional information, please do not hesitate to contact me.

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

2-B Other Persons	
Resident representation 1	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	17 July 2018
<p>1. Any entrance/exit in Riding House Street will have a marked effect on my quality of life as it is bound to increase footfall, and congregation, of revellers in Middleton Place.</p> <p>2. I am within 25 metres of such entrance/exit and so the process of notice has either not been followed or is flawed, as I have not been served notice to my address, yet it will be a substantial change for me and my family (see 1).</p> <p>3. Playing music/dance/recorded music are inappropriate in a high density and partly residential area and I do not see the need for them in an educational establishment. If they can't make ends meet without this commercialism maybe they should cease their educational business. Have the Council looked at the University's books?</p> <p>4. The closing times are far too late and are much later I believe than other premises in the area, and we would get noise from the performances and from any people exiting onto Riding House Street.</p> <p>4. The Westminster Local Plan does not make clear the policy for balancing residents interests with commercial interests. This is the democratic thing to do. In the absence of any policy surely you should by default maintain the current status quo, i.e. no major changes to any current licence.</p> <p>5. We have had a number of licence requests that seem to be try-ons. By putting a statement in the Local Plan, business would see that you have criteria and businesses could tailor their application to those criteria rather than squeeze as much past residents as possible.</p> <p>6. In constructing a statement for the Local Plan please note that it is in the interests of business that not all areas of London should become Ibiza-on-Thames. It would not be good for the city or Westminster.</p> <p>7. I can see that businesses are now paying higher rates, but the Council should not feel that they have to increase the latitude of the licence (e.g. by giving away pavement space, and, as in this case, extending drinking time) as a quid pro quo.</p>	
Resident representation 2	
Address and/or Residents Association:	[REDACTED]
Received:	24 July 2018
<p>Our association has a number of concerns about this application and in particular the late hours applied for. We are particularly concerned about the use of Riding House Street as an entrance and exit to the venue for licensed activities. As a very minimum we would like to see a condition that doors on Riding House Street are not used except as an emergency exit. We are concerned to prevent noise nuisance to the great number of residents in the Riding House Street area.</p> <p><i>On 30th August 2018 further comments were made by the Fitzrovia Neighbourhood Association as follows:</i></p>	

I would like to attend and speak at this hearing on behalf of our association and would also like Mr Richard Brown of Westminster CAB to represent me and my association at the hearing.

I would also like the following email from local residents to be included as part of my submission to support our concerns about this application.

From: Middleton Place Residents Association
Sent: 27 July 2018 11:45

Subject: Application Reference: 18/07713/LIPN

Dear Sir/Madam,

Application Reference: 18/07713/LIPN, University Of Westminster The Court Of Governors, 4-12 Little Titchfield Street, London, W1W 7UW
Residents Group Objection

I write on behalf of all the neighbours of Middleton Place who are unanimously against this application. None of us received notice of this application from the Council despite being well within 25 metres of the proposed exit on Riding House Street. I suspect this is because the application misleadingly gives Little Titchfield Street as the address of the application.

Middleton Place is a pedestrian walkway consisting of 12 residential properties (Numbers 1-12 Middleton Place, some of which are multi-tenanted). Any one leaving the proposed premises and walking north would choose Middleton Place as their route.

It would be unacceptable to subject residents to the late-night noise that would accompany people leaving the premises after the proposed the serving of refreshments until 1am, seven-days a week. Noise levels would undoubtedly be further exacerbated by the proposed supply of alcohol until 11:30pm Mon-Thu, midnight Fri & Sat and 10:30pm on Sundays. And although I hate to say it because I was once a university student myself (and I have a daughter who is currently one), the mix of alcohol, late-night entertainment and students would be a recipe for a lot of noise.

The Licencing Team has always been helpful and understanding of Middleton Place resident's need to get a full night's sleep. Last year, thanks to your involvement, we were able to enter into a voluntary agreement with the Yorkshire Grey pub (on the junction of Langham Street and Middleton Place) that no drinks would be consumed outside the premises after 10:30pm. The pub has enforced this agreement and it has made a wonderful improvement to our quality of life. Please do not destroy all that good work by allowing this application.

Thank you,

Middleton Place Residents Association

Resident representation 3	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	14 July 2018
<p>I understand that this application refers to Riding House Street as the entrance/exit - directly opposite the entrance to Middleton Place.</p> <p>The inevitable prospect of much noise and disruption day and late night to this confined residential conservation area, which already has a noisy public house at the Langham Street end, would largely destroy the amenity of Middleton Place.</p> <p>Would the applicant please reconsider the placing of the entrance/exit and move this to the less residential Little Titchfield Street.</p>	
Resident representation 4	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	26 July 2018
<p>I support the request of the Fitzrovia Neighbourhood Forum that restricts the use of the entrance and exit to Riding House Street to the venue for licensed activities only, including for back of house and for use in emergencies only. The doors to the venue and bar should have double sound proofing so that there is no noise leakage. Riding House Street contains a number of residential properties and this will prevent a loss of amenity caused by noise disturbance on Riding House Street. For this reason, the doors to Riding House Street should only be used as a secondary means of escape (if required).</p>	
Resident representation 5	
Name:	[REDACTED]
Address:	[REDACTED]
Received:	23 July 2018
<p>I strongly object to this licence application on the grounds of the disturbance it will cause to the residents of Riding House Street, Little Titchfield Street and Middleton Place.</p> <p>Performances in the theatre will cause noise pollution to all the people living in these streets.</p> <p>There is no doubt that inconsiderate smokers will continue to pollute the air and litter the streets with their butts, and they and others will resort to noisy conversations on these narrow, quiet streets making life intolerable for residents late into the night. We in Little Titchfield Street have complained many times to Westminster City Council and The University of Westminster about the disturbance outside our apartment block caused by students smoking and shouting throughout the night when the University library operates during most of the day and night. This licence will only aggravate these problems to an already unsatisfactory situation.</p> <p>Further, the licencing of refreshments and alcohol late into the night is particularly concerning because it would result in extended pollution and noise from smokers and drinkers on the streets into the night and the early hours of the morning. The effect of alcohol on people brings another layer of complexity and neither resident nor University security staff are prepared to intervene - having lived on Little Titchfield Street for many years, I have no faith</p>	

in the University's ability to prevent disturbance now let alone the possibility of preventing it in the future when fuelled by alcohol (should the licence be granted). The University has form in not being able to prevent disturbance as time and time again having complained directly to them about disturbance, they've investigated and reverted apologising saying they will remind/train their security staff; evidence of their inability to prevent disturbance - even without alcohol being involved.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours 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> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PVC1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy MD1 applies	It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy COMB1 applies	<p>(i) Where a premises proposes to operate as a 'combined use premises' applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1, CH1, CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies. It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1 & PB2, FFP1 & FFP2, MD1 & MD2.</p>
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

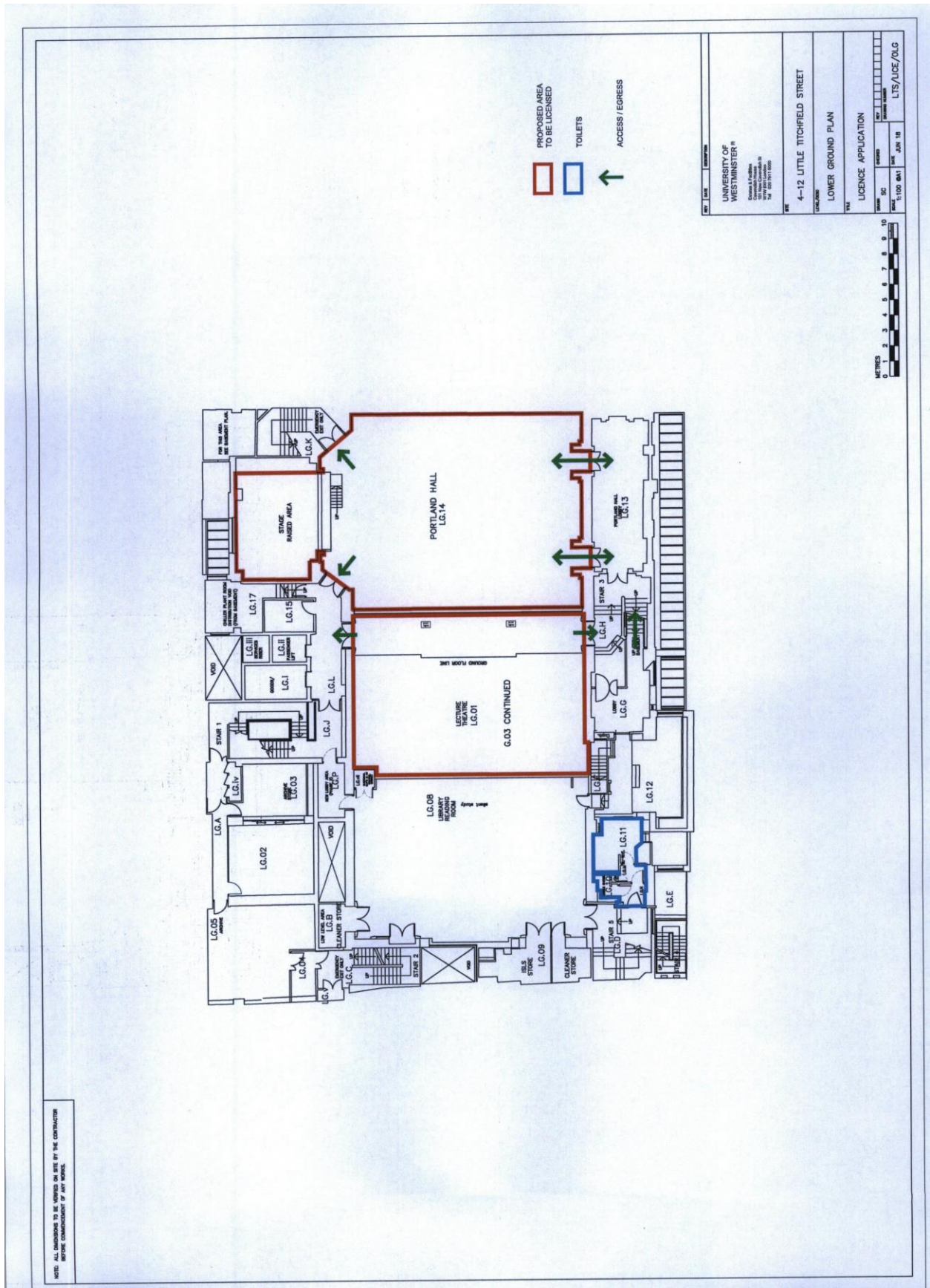
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

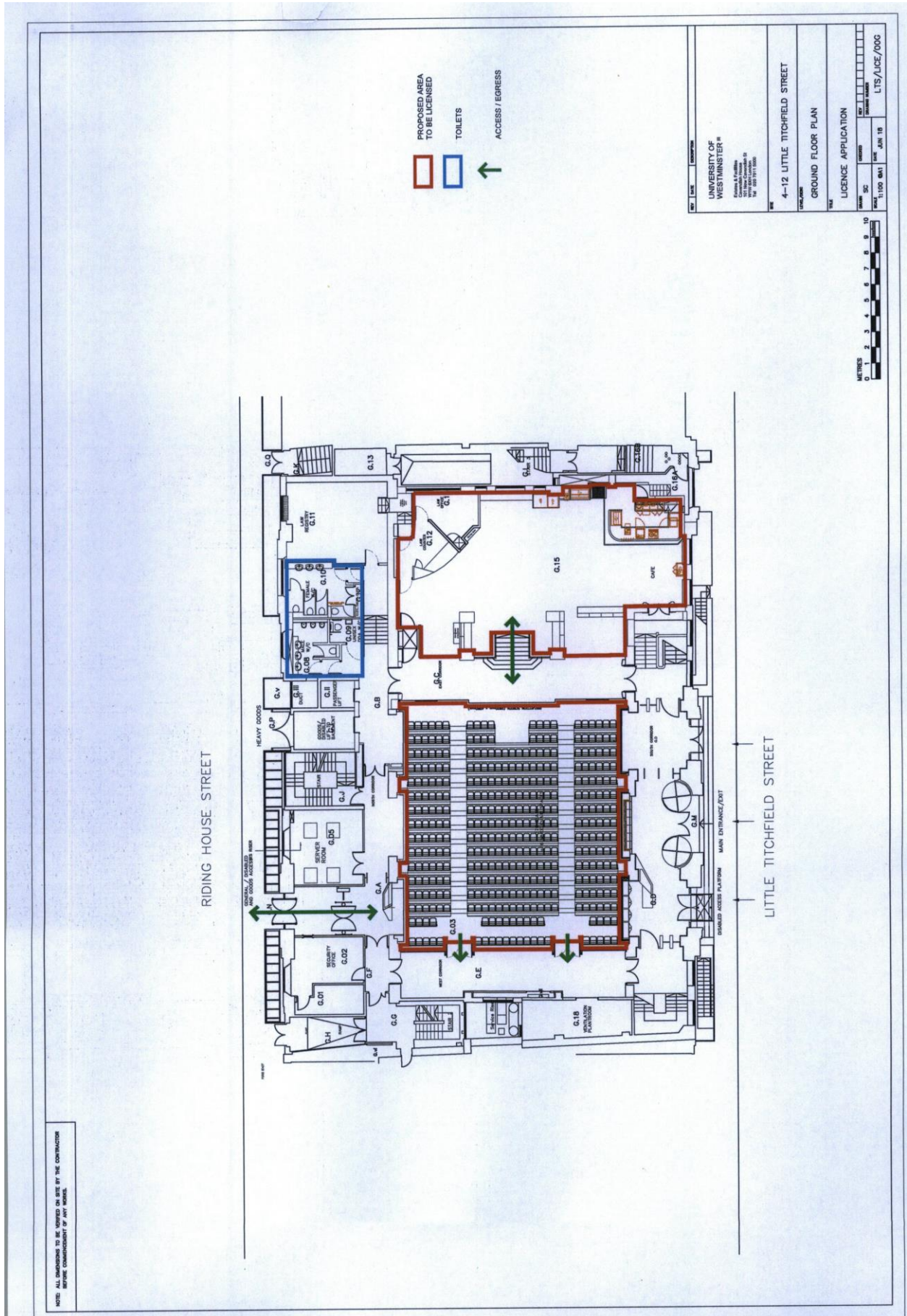
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	11 July 2018
5	Metropolitan Police representation (Withdrawn)	24 July 2018
6	Resident representation 1	17 July 2018
7	Resident representation 2	24 July 2018

8	Resident representation 3	14 July 2018
9	Resident representation 4	26 July 2018
10	Resident representation 5	23 July 2018

Lower Ground Floor



Ground Floor



The premises is used for educational purposes. The University's School of law is situated within the premises. There are three distinct areas within the Ground and Lower Ground Floors to be licensed being Portland Hall which is a performance hall, the adjoining Lecture Theatre G.03 and a Refectory.

These areas are let to external hirers for private events through the University's Commercial Services Team. The University also holds private events for staff and students of the University in these areas, such as seminars, lectures and some theatrical performance, all of which may or may not have alcohol available and occasional regulated entertainment as part of the event.

The majority of the events are conference or lecture based but there are occasional amateur dramatic shows performed by students and staff societies affiliated with the University.

Portland Hall and the G.03 Lecture Theatre are both popular facilities that are hired to external clients which are respected businesses hosting conferences. It is common for the Refectory to support both locations for hospitality purposes on such events but it is primarily used as a coffee shop during normal business hours.

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. Alcohol will not be stored on the premises. All alcohol is brought from the University's wine cellar in Regent Street. The store is locked and under the control of the Catering Manager.

10. All events will be pre-planned and with a full guest list for both internal and third party events.
11. A risk assessment will be carried out for all events to ensure safety of attendees and staff.

Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the Operating Schedule

12. There shall be no supply of alcohol and provision of late night refreshment otherwise than to persons attending pre-booked events at the premise.
13. Security staff or Stewards shall assist with the departure of guests or attendees from events and encourage them to depart quietly and safely from the premises and the area.
14. All exit points from the premises shall be manned for the duration of any events until 60 minutes after licensable activities have ceased.
15. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
16. During events, the Premises Licence Holder shall ensure that there is at least one security officer or steward for every 100 patrons (or part thereof) to manage the effective dispersal of guests from the premises until all guests have left.
17. The Premises Licence Holder shall ensure that any queue to enter the premises which forms outside of the premises is orderly and supervised by security staff or stewards to ensure that there is no public nuisance or obstruction to the public highway. Any queue shall be restricted to the Little Titchfield Street.
18. All guests or attendee's at an event (excluding members of staff) shall vacate the premises within 60 minutes after the terminal hour for licensable activities.
19. During licensable activities, all guest and attendees (excluding members of staff) shall not enter or leave the premises from the Riding House Street entrance except in the event of an emergency.
20. 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.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited so far as is possible to 15 persons at any one time.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be restricted to the Little Titchfield Street.
23. 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.
24. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

25. A direct telephone number for the premises shall be publicly available at all times the premises are open.
26. A log should be kept of all complaints received by the premises in relation to events, whether through the dedicated telephone number or by other means. The log shall be available for inspection by Council Officers at all times when the premises are open to the public.
27. For each event, the Premises Licence Holder shall ensure that there is an Event Management Plan to include, but not limited to: Noise Management Plan; Customer Dispersal Policy and Security & Stewarding arrangement. Such plan shall be kept on the premises and made available immediately upon the request of Police or authorised officer during and up to 31 days after the event
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
30. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
31. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
32. 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.
33. 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.
34. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
35. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

40. No licensable activities shall take at the premises until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the capacity so determined has replaced this condition on the Licence. The capacity shall not exceed 530 persons excluding staff.

Conditions proposed by the Police and agreed by the Applicant to form part of the operating schedule

41. 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.
42. 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 required.
43. 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.
44. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
45. 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.
46. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, as licensed premises, shall be displayed outside the premises.

University of Westminster, 4-12 Little Titchfield Street



Resident count: 127

Premises within 75 metres of University of Westminster, 4-12 Little Titchfield Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/03941/LIPDPS	Riding House Cafe	43 Great Titchfield Street London W1W 7PQ	Restaurant	Monday to Thursday; 09:30 - 00:00 Friday to Saturday; 09:30 - 01:00 Sunday; 12:00 - 23:30 Sundays before Bank Holidays; 12:00 - 00:00
16/07226/LIPDPS	Assorti	14 Riding House Street London W1W 7EB	Restaurant	Monday to Sunday; 12:00 - 23:00
06/06856/WCCMAP	Harris Delicatessen	41 Great Titchfield Street London W1W 7PF	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
16/06113/LIPN	Fashion And Media News	39 Great Titchfield Street London W1W 7PF	Shop (large)	Monday to Tuesday; 08:00 - 21:00 Wednesday; 08:00 - 22:00 Thursday to Friday; 08:00 - 23:00 Saturday; 10:00 - 19:00
17/06354/LIPN	Engine Partners UK Ltd	60 Great Portland Street London W1W 7RT	Office	Not Recorded; XXXX - XXXX
12/07336/LIPN	The Sweet Spot	60 Great Titchfield Street London	Restaurant	Monday to Sunday; 06:00 - 23:00
16/09925/LIPCH	Scandinavian Kitchen	Basement And Ground Floor 61 Great Titchfield Street London W1W 7PP	Restaurant	Monday to Sunday; 08:00 - 23:00
13/06619/LIPT	The King's Arms	68 Great Titchfield Street London W1W 7QL	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
17/11140/LIPN	Not Recorded	Basement And Ground Floor 88 Great Portland Street London W1W 7NT	Hairdresser or beauty salon	Monday to Sunday; 07:00 - 23:00

18/02599/LIPDPS	Yorkshire Grey Public House	46 Langham Street London W1W 7AX	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/03715/LIPDPS	Mac And Wild	Ground Floor 65 Great Titchfield Street London W1W 7PT	Restaurant	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:30 Sundays before Bank Holidays; 09:00 - 00:30
17/05643/LIPDPS	Homeslice	Basement And Ground Floor 52 Wells Street London W1T 3PR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/04486/LIPDPS	Gaylord India Restaurant	79-81 Mortimer Street London W1W 7SJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

Item No:	
Date:	4 October 2018
Licensing Ref No:	18/09429/LIPN - New Premises Licence
Title of Report:	40-42 William IV Street London WC2N 4DD
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	10 August 2018		
Applicant:	Shaftesbury Covent Garden Limited		
Premises address:	40-42 William IV Street London WC2N 4DD	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	<p>The premises currently operates as 'Les Deux Salons' which is a restaurant/bar. The premises has the benefit of premises licence 15/12087/LIPDPS. The licence holder company for this premises licence is in administration which started on 20 June 2018.</p> <p>This application for a new premises licence is made on the same terms, conditions and plans of those which are detailed on premises licence 15/12087/LIPDPS.</p>		
Premises licence history:	The premises have been licensed since 2005. The full details of the premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	None		
Application details:	<p>This application was not advertised appropriately on the Licensing Register, and as such the last date for representations was 27 September 2018.</p> <p>This application was previously scheduled to be determined by Licensing Sub-Committee on 4 October 2018, however following an adjournment request from an interested party, the application was scheduled to be heard on a later date.</p>		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	23:30	23:30	
Seasonal variations/ Non-standard timings:		These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	22:30
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Recorded Music				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	00:30
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				
Adult Entertainment:			Not applicable				

2. Representations

2-A	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	21 August 2018

We are the owners of Flat 4, at 40-42 William IV Street, the building above the premises in question.

We strongly object to the use of the property below us in William IV Street, formerly called Les Deux Salons, whether it's the basement, ground floor or mezzanine level, as a bar, pub, or any type of drinking establishment.

As Les Deux Salons it operated as a restaurant and we personally found no problems.

The previous owners however, ran it as a bar (Pitcher & Piano) and it made for dreadful

experiences for us, and I believe, all residents of our building.

This included:

- very excessive late night noise from music, shouting, etc. We are on the 4th floor and could make out the content of every song and most shouting, given how loud it was (we often complained and nothing was ever done about it);
- plenty of cigarette smoke coming up and into our flat, forcing us to close our living room windows. In hot summer nights, this meant we were forced to put up with extremely uncomfortable conditions in our own home;
- the countless times we opened our ground floor access door in the mornings to pools of vomit and urine - needless to say, this was absolutely revolting.

For the above stated reasons, it was a relief when the previous owners left and the property became a restaurant, of good level, only. For the same reasons, we object to it ever becoming a bar again, if any respect for the local residents and community is to be had.

Name:	
Address and/or Residents Association:	
Received:	25 August 2018

Dear Sirs

We are instructed by residents of William IV Street.

We wish to make a holding objection to the above application for the following reasons;

- The Public link shows only one document (namely the Notice). Bizarrely the Notice appears to be a pro forma and does not even name the applicant.
<http://idoxpa.westminster.gov.uk/online-applications/licencingApplicationDetails.do?activeTab=relatedCases&keyVal=PD95YQRPJPN00>
- The application summary does not even name the applicant.
- There is no copy of the Application nor any other relevant documentation.

It is impossible as it stands for potential objectors to comment on the application.

Please advise and treat this email as an objection.

On 12 September 2018, the objector sent the following correspondence to the Licensing Service:

Yes, it looks as though it is a straightforward Shadow Licence with no change from the existing (I haven't seen the plans but assume they are identical). On that basis, the holding rep is withdrawn.

On 27 September 2018, the objector sent through a second objection to the application:

We have been asked to look into this again.

The Residents are concerned that they may have been misinformed/misled.

You may remember that an application was made for a 'Shadow Licence' with respect to an existing licence named 'Les Deux Salons.' Subsequent enquiries by the residents were told that Les Deux Salons was in good standing but subject to transfer.

I cannot see any evidence of a transfer lodged on idox.

The licence holder of Deux Salons went into administration in June this year. As such they would have had to transfer the licence within 28 days to keep it alive. If they did not, the licence expired.

Any application for a 'Shadow' licence is therefore misleading as there is no licence to shadow. It would have to be treated as a new application under policy.

If it is a new application under policy, the residents would wish to make representations (namely that any new licence granted be subject to restaurant conditions).

3. Policy & Guidance

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

Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.
Policy HRS1 applies:	<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> <p>For premises for the supply of alcohol for consumption on the</p>

	<p><u>premises:</u></p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u></p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>
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4. Appendices

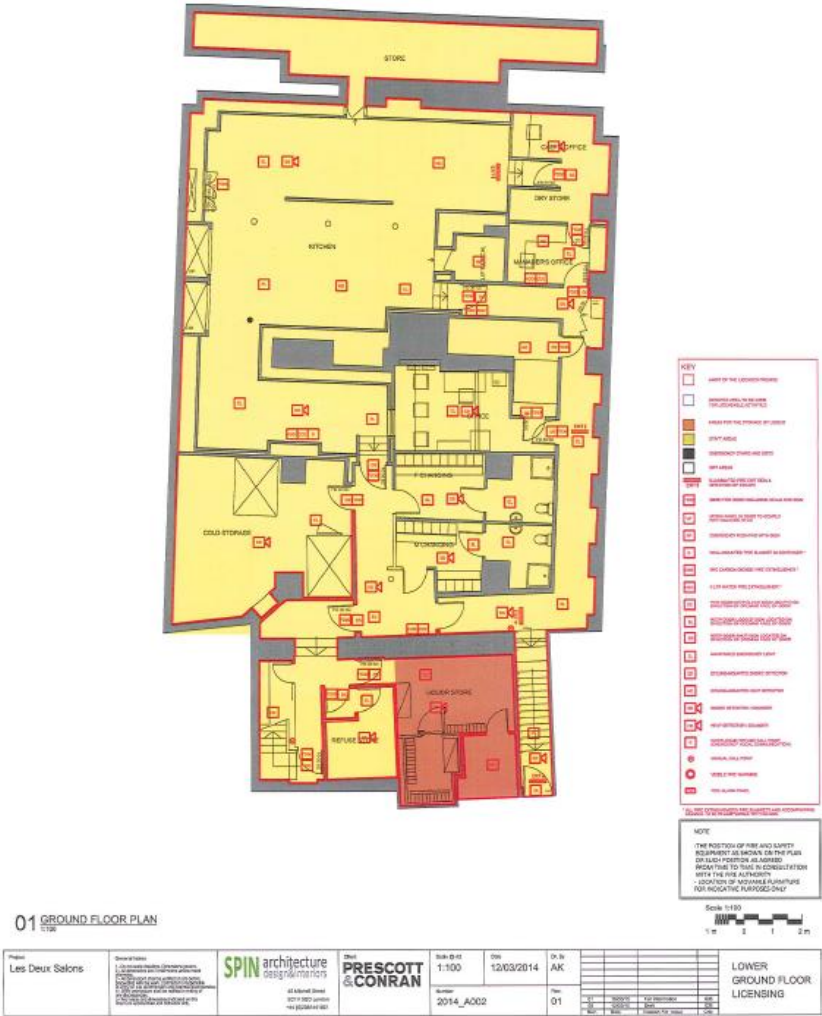
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Premises licence 15/12087/LIPDPS
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: msteward1@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Resident 1 representation	21 August 2018



Applicant Supporting Documents

Appendix 2

None

Premises History**Appendix 3**

Application reference	Application details	Application determination date	Decision
05/10158/LIPN	Application for a New Premises Licence.	24.11.2005	Granted by Licensing Sub-Committee
05/12335/LIPDPS	Application to vary the Designated Premises Supervisor.	08.12.2005	Granted under Delegated Authority
06/00904/LIPDPS	Application to vary the Designated Premises Supervisor.	09.02.2006	Granted under Delegated Authority
07/02384/LIPT	Application to transfer the premises licence from Pitcher & Piano Ltd to Marston's PLC.	04.07.2007	Granted under Delegated Authority
07/10545/LIPDPS	Application to vary the Designated Premises Supervisor.	21.12.2007	Granted under Delegated Authority
06/04924/WCCMAP	Master licence		
08/08516/LIPV	Application to vary the premises licence that sought changes to the layout of the premises.	18.11.2008	Granted under Delegated Authority
10/01893/LIPT	Application to transfer the premises licence from Marston's PLC to Arbutus Restaurants Limited.	08.04.2010	Granted under Delegated Authority
10/01896/LIPDPS	Application to vary the Designated Premises Supervisor.	08.04.2010	Granted under Delegated Authority
10/05703/LIPVM	Application for a minor variation of the premises licence that sought a change to the layout of the premises.	19.08.2010	Granted under Delegated Authority
14/11131/LIPT	Application to transfer the	06.02.2015	Granted under Delegated Authority

	premises licence from Arbutus Restaurants Limited to William IV Street Limited.		
14/11139/LIPDPS	Application to vary the Designated Premises Supervisor.	06.02.2015	Granted under Delegated Authority
15/02298/LIPV	Application to vary the premises licence that sought changes to the layout of the premises and to extend the terminal hour for all licensable activities until 00:00 Sunday to Thursday and 01:00 on Friday and Saturday.	21.05.2015	Granted by Licensing Sub-Committee. The applicant's representative advised that the client was withdrawing aspects of the application relating to an increase in the proposed hours for licensable activities.
15/02493/LIPDPS	Application to vary the Designated Premises Supervisor.	07.07.2015	Granted under Delegated Authority
15/12087/LIPDPS	Application to vary the Designated Premises Supervisor.	27.01.2016	Granted under Delegated Authority



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: St James's
UPRN: 010033572178

Premises licence

Regulation 33, 34

Premises licence number:

15/12087/LIPDPS

Original Reference:

05/10158/LIPN

Part 1 – Premises details

Postal address of premises:

Les Deux Salons
Ground
40 - 42 William IV Street
London
WC2N 4DD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Playing of Recorded Music	
Monday to Saturday:	11:00 to 23:30
Sunday:	12:00 to 23:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 23:30
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Sunday: 10:00 to 00:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

William IV Street Limited
Westbury 2nd Floor
145 - 157 St John Street
London
EC1V 4PY

Registered number of holder, for example company number, charity number (where applicable)

09276067

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Peter Prescott

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: LBH-PER-0559
Licensing Authority: London Borough Of Hackney

Date: 27th January 2016

This licence has been authorised by Miss Yolanda Wade on behalf of the Director - Public Protection and Licensing.

Annex 1 – 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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
11. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
12. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
13. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
14. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
15. The certificates listed below shall be submitted to the Council annually.
 - i. Any emergency lighting battery or system
 - ii. Any electrical installation
 - iii. Any fire alarm system
16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
17. No changes shall be made to the approved layout of the premises without the consent of the Council.
18. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
19. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
20. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

22. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
23. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
24. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
25. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
26. Ventilation ducting and shafts generally shall be maintained in a clean condition.
27. Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
28. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.
29. Grease filters in extract ventilation hoods in kitchens and serveries shall be regularly cleaned e.g. weekly.
30. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to the Council where consent has not previously been given.
 - i dry ice and cryogenic fog
 - ii smoke machines and fog generators
 - iii pyrotechnics including fire works
 - iv firearms
 - v lasers
 - vi explosives and highly flammable substances.
 - vii real flame.
 - viii Strobe lighting.
31. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
32. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
33. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
34. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
35. At the close of business each day the premises are open for the purposes of the licence the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its' junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
36. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

37. Rubber pads that will prevent noise nuisance arising from the movement of furniture shall be installed and maintained under the feet of the legs of all tables and chairs within the premises.
38. Cleaning is not to take place at the premises before 06:00.
39. 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.
40. The sale of alcohol and provision of late night refreshment is allowed from the end of permitted hours on New Year's Eve to the commencement time for those activities on New Year's Day.
41. The number of persons permitted in the premises at any one time shall not exceed:
Ground floor 120
First floor 110.
42. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
43. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
44. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
45. 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.
46. 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.
47. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
48. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

Annex 4 – Plans

Attached



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: St James's
UPRN: 010033572178

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/12087/LIPDPS

Part 1 – Premises details

Postal address of premises:

Les Deux Salons
Ground
40 - 42 William IV Street
London
WC2N 4DD

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Playing of Recorded Music	
Monday to Saturday:	11:00 to 23:30
Sunday:	12:00 to 23:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 23:30
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Sunday: 10:00 to 00:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

William IV Street Limited
Westbury 2nd Floor
145 - 157 St John Street
London
EC1V 4PY

Registered number of holder, for example company number, charity number (where applicable)

09276067

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Peter Prescott

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 27th January 2016

This licence has been authorised by Miss Yolanda Wade on behalf of the Director - Public Protection and Licensing.

**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. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
11. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
12. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
13. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
- NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
14. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and

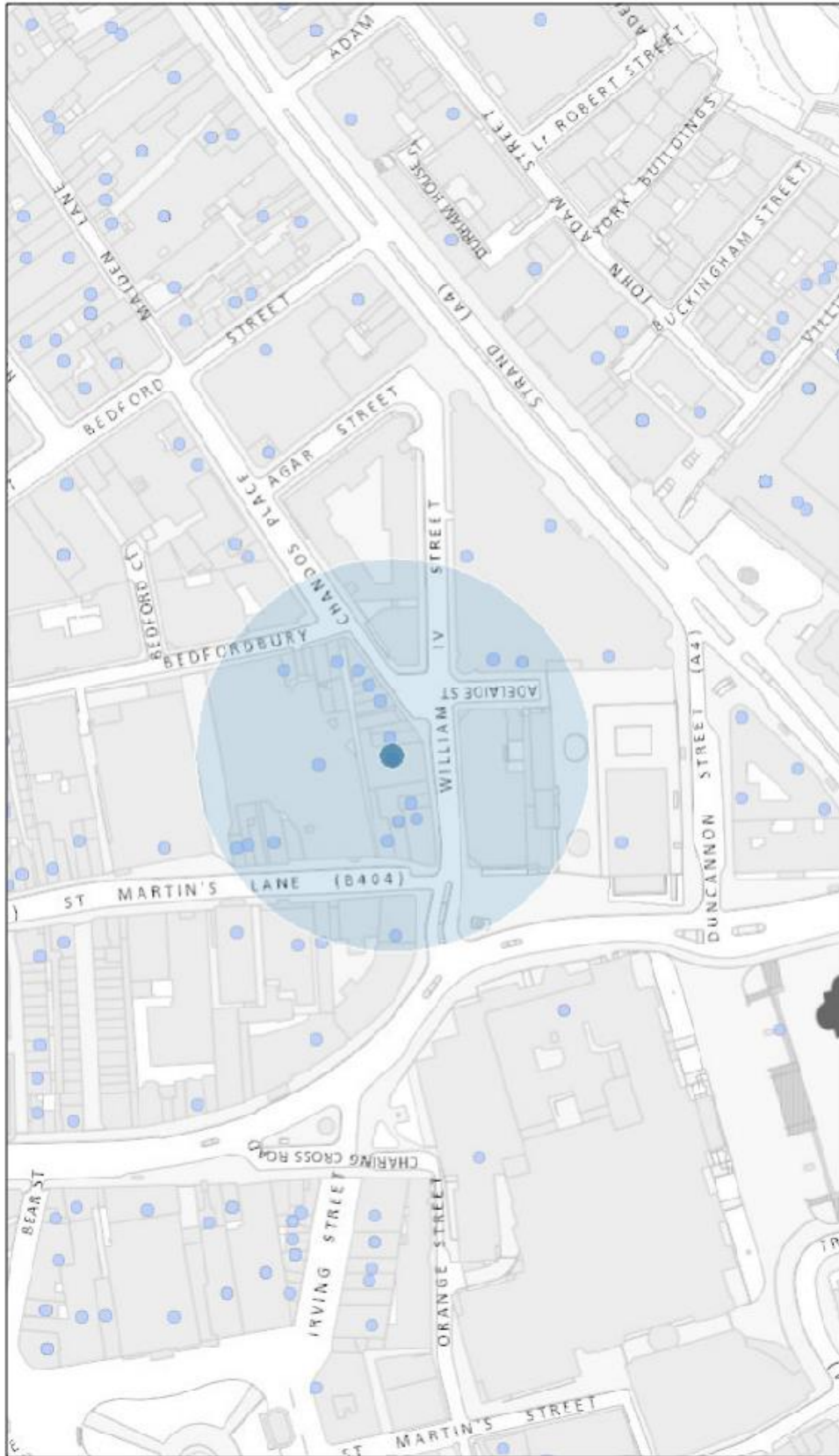
mechanical equipment, shall at all material times be maintained in good condition and full working order.

15. The certificates listed below shall be submitted to the Council annually.
 - i. Any emergency lighting battery or system
 - ii. Any electrical installation
 - iii. Any fire alarm system
16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
17. No changes shall be made to the approved layout of the premises without the consent of the Council.
18. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
19. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
20. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
22. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
23. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
24. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
25. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
26. Ventilation ducting and shafts generally shall be maintained in a clean condition.
27. Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
28. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.

29. Grease filters in extract ventilation hoods in kitchens and serveries shall be regularly cleaned e.g. weekly.
30. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to the Council where consent has not previously been given.
 - i dry ice and cryogenic fog
 - ii smoke machines and fog generators
 - iii pyrotechnics including fire works
 - iv firearms
 - v lasers
 - vi explosives and highly flammable substances.
 - vii real flame.
 - viii Strobe lighting.
31. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
32. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
33. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
34. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
35. At the close of business each day the premises are open for the purposes of the licence the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its' junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
36. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
37. Rubber pads that will prevent noise nuisance arising from the movement of furniture shall be installed and maintained under the feet of the legs of all tables and chairs within the premises.
38. Cleaning is not to take place at the premises before 06:00.
39. 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.
40. The sale of alcohol and provision of late night refreshment is allowed from the end of permitted hours on New Year's Eve to the commencement time for those activities on New Year's Day.

41. The number of persons permitted in the premises at any one time shall not exceed:
Ground floor 120
First floor 110.
42. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
43. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
44. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
45. 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.
46. 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.
47. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
48. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

40-42 William IV Street



Resident count = 42

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Licensed Premises within 75 metre radius of the premises				
Licence Number	Trading Name	Address	Premises Type	Time Period
15/12087/LIPDPS	Les Deux Salons	Ground 40 - 42 William IV Street London WC2N 4DD	Restaurant	Monday to Sunday; 10:00 - 00:30
17/08693/LIPT	Hazuki Japanese Restaurant	Basement And Ground Floor 43 Chandos Place London WC2N 4HS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/03895/LIPDPS	Rosetta	Basement And Ground Floor 38 William IV Street London WC2N 4DD	Cafe	Monday to Saturday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30
17/07701/LIPDPS	Harp Public House	47 Chandos Place London WC2N 4HS	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00
18/05907/LIPDPS	Bancone	39 William IV Street London WC2N 4DD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/12993/LIPN	Not Recorded	30 St Martin's Lane London WC2N 4ER	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/02595/LIPT	The Chandos Public House	29 St Martin's Lane London WC2N 4ER	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00

16/08352/LIPV	English National Opera	London Coliseum 32 - 35 St Martin's Lane London WC2N 4ES	Theatre	Monday to Sunday; 09:00 - 00:00
06/04687/WCCM AP	The 2 Brydges Club	2 Brydges Place London WC2N 4HP	Club or institution	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 23:00
11/08058/LIPDPS	Notes Music And Coffee	31 St Martin's Lane London WC2N 4ER	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
16/04272/LIPDPS	The Marquis	51-52 Chandos Place London WC2N 4HS	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sunday; 12:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
06/08668/WCCM AP	Thai Pot Restaurant	1 Bedfordbury London WC2N 4BP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/10257/LIPCH	The Lemon Tree Public House	4 Bedfordbury London WC2N 4BP	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
13/03410/LIPN	Barrafina	10 Adelaide Street London WC2N 4HZ	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00

16/09313/LIPDPS	San Carlo Fumo	Basement And Ground Floor 37 St Martin's Lane London WC2N 4ER	Restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00 New Year's Eve; 07:00 - 06:59
16/12336/LIPDPS	Tandoor Chop House	8 Adelaide Street London WC2N 4HZ	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
15/02806/LIPN	La Roche Cafe	39 St Martin's Lane London WC2N 4ER	Cafe	Monday to Sunday; 08:00 - 23:00
18/07723/LIPDPS	Prezzo	Ground 10 St Martin's Place London WC2N 4JL	Wine bar	Monday to Saturday; 09:00 - 02:30 Sunday; 09:00 - 23:00
15/00994/LIPDPS	Cafe St Martins	40 St Martin's Lane London WC2N 4ER	Shop	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30

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Item No:	
Date:	25 October 2018
Licensing Ref No:	18/09161/LIPN - New Premises Licence
Title of Report:	Basement & Ground Floor 5-6 Henrietta Street London WC2E 8PS
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 Sam Eaton Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 August 2018		
Applicant:	Taster Food Uk Ltd		
Premises:	Din Tai Fung		
Premises address:	5-6 Henrietta Street London WC2E 8PS	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The application form describes the premises as a restaurant operating over the Ground Floor and Basement in Covent Garden.		
Premises licence history:	The premises is currently licensed under reference 17/10013/LIPDPS. A full licence history is provided at Appendix 4.		
Applicant submissions:	The applicant has agreed to model condition 66 proposed by the police. Comments have been received from the applicants representative and the applicant has proposed that if granted, the applicant will apply for late night refreshment by way of a minor variation. The full exchange of emails can be found in Appendix 3.		
Amendment to application:	The applicant originally applied for the playing of recorded music, however, following comments with the responsible authorities this part of the application has been withdrawn.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:			None.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah (<i>Withdrawn</i>)
Received:	7 th September 2018
<p>I refer to the application for a new Premises Licence for the above mentioned premises. The premises is located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.</p> <p>The applicant is seeking the following licensable activity:</p> <ol style="list-style-type: none">1. Playing of recorded music "Indoors" Monday to Sunday from 11:00 hours to 00:00 hours (midnight)2. Supply of alcohol for consumption "On the premises" Monday to Sunday from 11:00 hours to 00:00 hours (midnight) <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:</p> <ol style="list-style-type: none">1. The playing of recorded music, especially beyond core hours, would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area2. The supply of alcohol and the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area <p>Applicant has agreed model condition (MC) 66 with the police yet applicant has not applied for Late Night Refreshment (LNR). Therefore between 23:00 hours and 00:00 hours, MC66 agreed with the police cannot be complied with.</p> <p>Applicant has applied for hours in excess of the council's core hours on all seven days of the week and yet there is no demonstration within the application that these would not give rise to increased risk of public nuisance and public safety.</p> <p>Between 23:00 hours and 00:00 hours, no application for Late Night Refreshment has been made and therefore, as presented, the premises would appear to operate as a bar during those hours. As a bar during night hours would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area.</p> <p>It is my view that the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area.</p> <p>The application made no reference to an existing licence ref. 17/10013/LIPDPS for the premises. Additionally this application is inconsistent with the existing premises licence.</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.</p>	

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

The Environmental Health Service proposed the following conditions which have been agreed with the applicant:

1. The supply of alcohol shall cease at 23:00 hours until such time that the provision of Late Night Refreshment is permitted on the premises
2. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed
 - a. Basement xx persons
 - b. Ground Floor xx personsWith no more than 300 persons on the premises at any one time (subject to clearance)
3. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
4. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
5. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
6. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
7. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
8. 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
9. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
10. 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
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. 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.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
14. The Licence will have no effect until the premises have been assessed as satisfactory

by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

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

Responsible Authority:	Metropolitan Police Service (<i>withdrawn</i>)
Representative:	PC Adam Dweltz
Received:	20 th August 2018

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.

Would it be possible to visit the location and have a meeting with you to discuss the application please?

The Metropolitan Police Service proposed the following conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons

- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

5. 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.

I look forward to your prompt response.

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

Responsible Authority:	Licensing Authority
Representative:	Roxana Haq
Received:	11 th September 2018

I write in relation to the application submitted for a New Premises Licence for the following premises:

5-6 Henrietta Street, London WC2E 8PS.

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

This application seeks the following:

The supply of alcohol (on premises)
Monday – Sunday: 11:00 – 00:00

Playing of recorded music (indoors)
Monday – Sunday: 11:00 – 00:00

The premises is located within the West End Cumulative Impact area and as such a number of policy points must be considered, namely RNT2, PB2 HRS1 and CIP1.

The applicant has accepted the Metropolitan Police's proposal of model condition 66 which would bring it in line with RNT2. However the hours of licensable activities, as applied for, fall outside the council's core hours policy on specifically Sunday to Thursday. There has not been an application for Late Night Refreshment for those hours outside of the core hours and therefore, as presented, policy PB2 would have to be considered.

Furthermore, the applicant must also demonstrate that the operation of the premises will not add to cumulative impact in the Cumulative Impact Area. Applications which fall under PB2 should provide an exception to policy. The Licensing Authority encourages the applicant to provide further submissions as to how the premises could be considered an exception. Further discussions will be held with the applicant prior to the hearing and any further submissions will be forwarded on for Members information.

For your information and assistance I attach a copy of the Council's Statement of Licensing Policy that I have referred to above.

Please accept this as a formal representation and I look forward to hearing from you soon.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	Not provided
Received:	11 th September 2018
<p>Henrietta Street is a mix of residential, retail, office and restaurants. In the application they have not acknowledged that there are residential properties in the road.</p> <p>Our flat is opposite 5-6 Henrietta Street and any activity on these premises, particularly late into the evening, has a direct impact on our well being as our bedrooms are on the Henrietta side of the building.</p> <p>The request to have licensing together with recorded music until midnight is outside core hours and we are worried the increased level of noise and disturbance will cause a public nuisance.</p> <p>We are concerned that any use of tables outside on the pavement would have a direct impact on the level of noise and disturbance coming from the building and although not specifically mentioned we would be strongly opposed to this.</p> <p>It is described as a restaurant but there is no comment about how it operate and whether drinks would only be served at tables to those eating. Late night refreshment has not been applied for so how would it operate as a restaurant after 11pm? Will it in fact be operating more like a bar? Reference is made to a bar on the ground floor and with 230 dining seats it is a sizeable operation that will significantly add to the number of people wandering around Henrietta street late in the evening.</p> <p>There is also the noise and disturbance from deliveries and waste collection (not addressed) which could be taking place late at night and in the early hours outside our bedroom window.</p> <p>Henrietta Street is a vibrant road and we are lucky to be part of the atmosphere of Covent Garden. However although lively during the day it does tend to wind down by 10pm. We would be reluctant for a licence to be given to an establishment that could dramatically change this. It is the third new licence requested in this street in as many months!!</p>	

If a licence were to be granted we would not want the hours to go beyond 11pm and for it to be operated as restaurant and not as a bar.

Richard Brown has provided further comments on behalf of the resident as he is unable to attend the hearing:

I am writing on behalf of a local resident, [REDACTED], who has made a relevant representation in respect of this application. [REDACTED] is keen to attend the hearing listed for 25 October, and is trying to re-jig her diary accordingly. As you know, I am unable to represent residents on 25 October I will be recovering from an operation. I thought it would be helpful for Members and the parties if I updated them on [REDACTED] position.

Jonathan Smith of Poppleston Allen has very helpfully made me aware of a number of amendments to the application, and these amendments address a number of [REDACTED] concerns. Jonathan has also kindly passed on his client's contact details, and [REDACTED] will endeavour to meet with him prior to the hearing.

In terms of the concerns expressed in the representation and the application as it now stands, [REDACTED] notes the following:

1. Recorded music has been withdrawn.
2. The terminal hours now accord with the existing licence. Although [REDACTED] appreciates that the existing licence permitted slightly longer than core hours, she would ask Members to note the 'core hours' Policy, and that her preference is for the Policy to be adhered to. She does however note that if Members do agree to grant slightly longer in cognisance of the existing licence, it would not set a precedent for other premises.
3. MC66 has been proposed, and I understand this will be throughout the premises. [REDACTED] views this as a positive development, particularly in view of the fact that the existing licence does not restrict sale of alcohol as ancillary to a table meal throughout the premises.
4. It is noted that off-sales have not been applied for and so presumably the applicant does not intend to provide tables and chairs outside the premises. This was a major concern expressed in the representation.

[REDACTED] also expressed some concern as to noise deliveries and waste collections at unsociable hours. The Operating Schedule states that 'Commercial deliveries, collections and storage/ disposal of waste, including beer deliveries, refuse, collections and storage / disposal of waste and collections and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Sunday.' This would be acceptable to [REDACTED] and would suggest Model Conditions 35 (movement of waste etc), 43 (collections of waste etc) and 65 (deliveries) be re-worded accordingly.

Subject to the points above, [REDACTED] concerns are somewhat alleviated. However, [REDACTED] does wish to raise her concerns about the 'cumulative impact' of licensed premises in this part of Covent Garden. Henrietta Street runs parallel to Maiden Lane. [REDACTED] is aware of a number of new licence applications on Henrietta Street recently. She is concerned that Henrietta Street does not morph into a new Maiden Lane, which has a large number of licensed premises. [REDACTED] is not of course against licensed premises on Henrietta Street – it is a vibrant part of central London. She is however worried that the number and type of premises on Henrietta Street could cumulatively change the character of the street, and increase noise and nuisance.

I have explained the Council's 'cumulative impact' policy as it relates to this application. [REDACTED] would like to flag up the concerns expressed in the previous paragraph and respectfully asks that Members carefully consider the potential cumulative impact on the street and only grant the application if they are satisfied that this application will not add to it.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours 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> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy RNT2 applies:	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

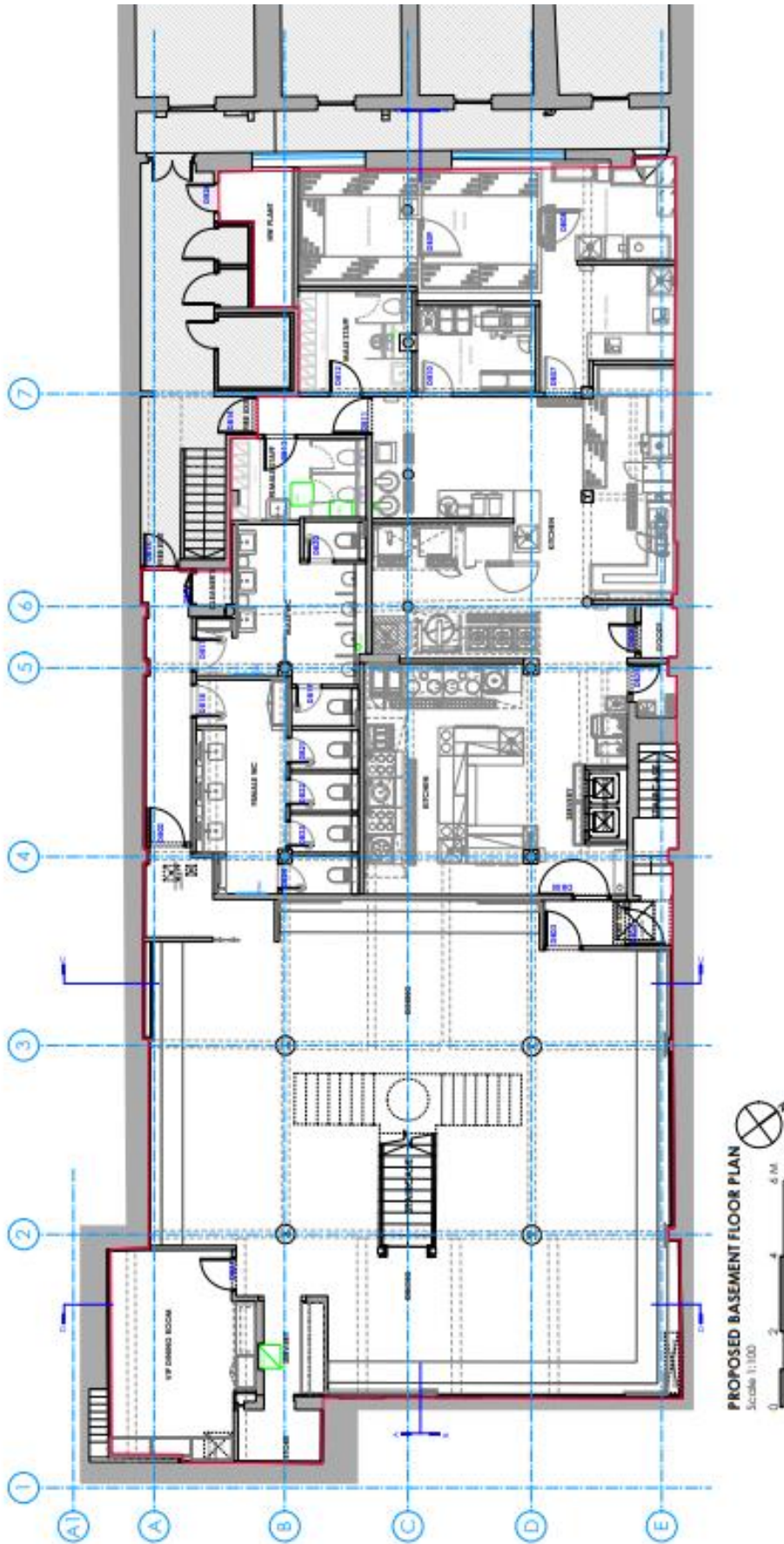
Appendix 1	Premises plans
Appendix 2	Existing Premises Licence
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation – withdrawn	7 th September 2018
5	Metropolitan Police Service Representation – Withdrawn	20 th August 2018
6	Licensing Authority Representation	11 th September 2018
7	Representation	11 th September 2018



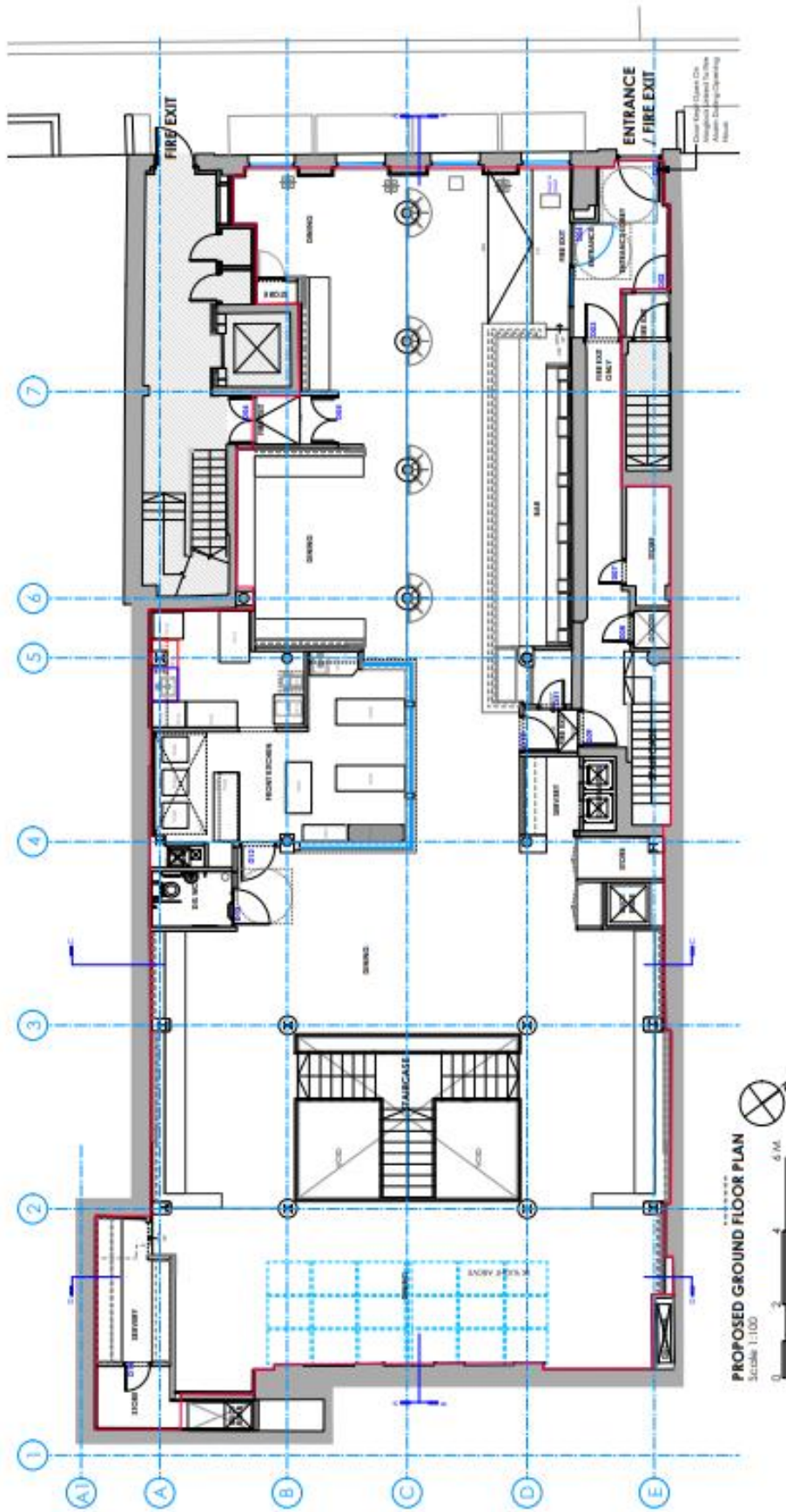
<p>Project: 201 Client's Offices Drawing: Proposed Basement Floor - Landmark Plus Drwg No. - ANT - 454/101</p>	
<p>Client: LANDMARK Date: 11 Aug 13</p>	<p>Architect: [Redacted]</p>

<p>1. All work shall be in accordance with the latest edition of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).</p> <p>2. All work shall be in accordance with the latest edition of the National Electrical Code (NEC) and the Ontario Electrical Code (OEC).</p> <p>3. All work shall be in accordance with the latest edition of the National Fire Protection Association (NFPA) and the Ontario Fire Code (OFC).</p> <p>4. All work shall be in accordance with the latest edition of the National Mechanical Code (NMC) and the Ontario Mechanical Code (OMC).</p> <p>5. All work shall be in accordance with the latest edition of the National Plumbing Code (NPC) and the Ontario Plumbing Code (OPC).</p> <p>6. All work shall be in accordance with the latest edition of the National Gas Code (NGC) and the Ontario Gas Code (OGC).</p> <p>7. All work shall be in accordance with the latest edition of the National Fire Alarm and Signaling Code (NFAS) and the Ontario Fire Alarm and Signaling Code (OFAS).</p>
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ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL BUILDING CODE OF CANADA (NBCC) AND THE ONTARIO BUILDING CODE (OBC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE ONTARIO ELECTRICAL CODE (OEC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) AND THE ONTARIO FIRE CODE (OFC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL MECHANICAL CODE (NMC) AND THE ONTARIO MECHANICAL CODE (OMC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL PLUMBING CODE (NPC) AND THE ONTARIO PLUMBING CODE (OPC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL GAS CODE (NGC) AND THE ONTARIO GAS CODE (OGC).
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFAS) AND THE ONTARIO FIRE ALARM AND SIGNALING CODE (OFAS).

<p>1. All work shall be in accordance with the latest edition of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).</p> <p>2. All work shall be in accordance with the latest edition of the National Electrical Code (NEC) and the Ontario Electrical Code (OEC).</p> <p>3. All work shall be in accordance with the latest edition of the National Fire Protection Association (NFPA) and the Ontario Fire Code (OFC).</p> <p>4. All work shall be in accordance with the latest edition of the National Mechanical Code (NMC) and the Ontario Mechanical Code (OMC).</p> <p>5. All work shall be in accordance with the latest edition of the National Plumbing Code (NPC) and the Ontario Plumbing Code (OPC).</p> <p>6. All work shall be in accordance with the latest edition of the National Gas Code (NGC) and the Ontario Gas Code (OGC).</p> <p>7. All work shall be in accordance with the latest edition of the National Fire Alarm and Signaling Code (NFAS) and the Ontario Fire Alarm and Signaling Code (OFAS).</p>
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 1000 10th Avenue
 Toronto, Ontario M5G 1S7
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 Fax: (416) 593-1112
 www.architecture.com



PROJECT INFORMATION	
Client	Project - 321 Current Client
Architect	Proposed Ground Floor - Learning Plan
Drawn No.	ANT - 454/100
Scale	1:100 (A3) Date: 15 Aug 18

NOTES

1. All work to be done in accordance with the latest edition of the relevant standards and specifications.
2. All work to be done in accordance with the latest edition of the relevant standards and specifications.
3. All work to be done in accordance with the latest edition of the relevant standards and specifications.
4. All work to be done in accordance with the latest edition of the relevant standards and specifications.
5. All work to be done in accordance with the latest edition of the relevant standards and specifications.
6. All work to be done in accordance with the latest edition of the relevant standards and specifications.
7. All work to be done in accordance with the latest edition of the relevant standards and specifications.

ARCHITECT

ANT - 454/100

15 Aug 18



City of Westminster

Schedule 12
Part A

WARD: St James's
UPRN: 010033536362

Premises Licence

Regulation 33, 34

Premises licence number:	17/10013/LIPDPS
Original Reference:	05/09486/LIPN

Part 1 – Premises details

Postal address of premises:

Masons Cafe Bar
Basement And Ground Floor
5 - 6 Henrietta Street
London
WC2E 8PS

Telephone Number: 020 7379 1871

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Live Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	See conditions 9 and 10
Anything of a similar description to Live Music or Recorded Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	See conditions 9 and 10
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Non-standard Timings:	See conditions 9 and 10
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	See conditions 9 and 10

The opening hours of the premises:	
Monday to Saturday:	07:30 to 00:00
Sunday:	09:00 to 23:30

Where the licence authorises supplies of alcohol, whether these are on and/or off premises:
Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
LT Management Services Ltd 31 Haverscroft Industrial Estate New Road Attleborough Norfolk NR17 1YE

Registered number of holder, for example company number, charity number (where applicable)
02159755

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Andrew Burn
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
Licence Number: 22761 Licensing Authority: South Tyneside Metropolitan Council

Date: _____ 29 November 2017 _____

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The standard terminal hours for licensable activities and hours the premises are open to the public may be extended by one hour on St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day with seven days notice and agreement with the Police.
10. The standard terminal hours for licensable activities and hours the premises are open to the public may be extended by one hour on bank holiday weekend periods (Friday, Saturday, Sunday and Monday), on Thursday before Good Friday and on Christmas Eve. The extension will not apply on Bank Holiday Mondays where the following day is a working day.
11. Children under the age of 18 shall not be allowed to play on Section 34 permitted AWP machines.
12. Children shall not be allowed in the area immediately adjacent to the bar servery.
13. A recognised proof of age policy shall be enforced.
14. There shall be a no smoking area on the premises.
15. Disc Jockey (if used on any night) shall ask customers to leave quietly.
16. Live Music shall be limited to a maximum of two performers.
17. Notices shall be displayed asking customers to respect neighbours in the area when leaving the premises.
18. Any entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex encounter establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986, (whether or not locally adopted), shall not be provided.

a) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.
19. On the ground floor dining area at the rear of the premises, the supply of alcohol shall only be to persons taking table meals there and consumption by such a person is ancillary to his meal.
20. The supply of alcohol after 23:00 shall only be to persons taking table meals there and consumption by such a person is ancillary to his meal.
21. The basement area shall have a minimum of 70 seats and the supply of alcohol in this area shall only be provided by waiter or waitress service to persons seated at tables.
22. Substantial food and suitable beverages other than alcohol (including drinking water) shall be equally available during the permitted hours.
23. The premises will maintain a comprehensive CCTV system that ensures that all Bar and Restaurant areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing.

The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (Subject to the Data Protection Act 1998).

24. The number of persons accommodated (including staff) shall not exceed 230 on the ground floor and 85 in the basement.
25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
26. The doors to the premises are to remain closed after 21:00 except for immediate access and egress of patrons.
27. All off sales are to be in sealed containers except to persons seated at tables and chairs outside the premises which have been granted permission to be placed by Westminster City Council.
28. The supply of alcohol at any outdoor tables shall be by waiter/waitress service only.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. Refuse cannot remain presented for collection on the highway for more than 2 hours after the scheduled collection times.

Annex 4 – Plans

Attached



City of Westminster

Schedule 12
Part B

WARD: St James's
UPRN: 010033536362

Premises licence
summary

Regulation 33, 34

Premises licence number:

17/10013/LIPDPS

Part 1 – Premises details

Postal address of premises:

Masons Cafe Bar
Basement And Ground Floor
5 - 6 Henrietta Street
London
WC2E 8PS

Telephone Number: 020 7379 1871

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Live Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30
Non-standard Timings: See conditions 9 and 10

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30
Non-standard Timings: See conditions 9 and 10

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00
Non-standard Timings: See conditions 9 and 10
Non-standard Timings: See conditions 9 and 10

The opening hours of the premises:

Monday to Saturday: 07:30 to 00:00
Sunday: 09:00 to 23:30

Where the licence authorises supplies of alcohol, whether these are on and/or off premises:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

LT Management Services Ltd
31 Haverscroft Industrial Estate
New Road
Attleborough
Norfolk
NR17 1YE

Registered number of holder, for example company number, charity number (where applicable)

02159755

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Andrew Burn

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 29 November 2017

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

From: Jonathan Smith
Sent: 27 September 2018 10:28
To: Koduah, Maxwell: WCC <mkoduah@westminster.gov.uk>
Cc: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>; Eaton, Samantha: WCC <seaton@westminster.gov.uk>; Gadd, Daisy: WCC <dgadd@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>
Subject: Din Tai Fung, 5 - 6 Henrietta Street, WC2 - 18/09161/LIPN

All,

I refer to Maxwell's email, specifically of yesterday.

Condition M66 is only untenable in terms of post 23:00 when (vi) could not be observed. However, as long as alcohol sales stopped at 23:00, there would be nothing wrong in the application being granted with alcohol sales continuing until midnight.

As I have explained in previous emails, should this application be granted then my client would immediately apply for a minor variation to permit the sale of hot food until midnight for consumption on the premises only, which I understand can be dealt with by a minor variation, since it is only for hours permitted for other licensable activities on the Premises Licence and not for consumption off the premises.

You are entirely right of course, and I cannot simply add late night refreshment without the additional hours being consulted upon. My other option however is not to cut the hours of alcohol supply back to 23:00 but, rather, to apply for a minor variation. Should that variation not be granted for any reason to extend the hours for late night refreshment, then my client would simply have to cease alcohol sales by 23:00 in order to comply with M66 (vi).

So, in essence everyone, what I am asking for is for the existing application to stand, but only for the sale of alcohol and opening until midnight, but with sale of alcohol and opening on a Sunday curtailed to 23:30, in line with the existing Premises Licence, i.e., a reduction of 30 minutes on the application for the sale of alcohol and opening to mirror the hours permitted by the current Premises Licence for the sale of alcohol and opening.

My client is quite willing, Adam, to observe condition MC66, and I understand you and he had a discussion about people who are waiting for a table being permitted to consume alcohol. Whilst my client intends to apply for a Pavement Licence, it does not intend to allow people to drink alcohol outside and, therefore, there is no intention now to vary the Premises Licence to permit any off-sales.

What I would like confirmation from please Daisy, is should this application be granted as I am now requesting, can the two variations I will seek, namely: Late Night Refreshment for consumption on the premises only until midnight Monday to Saturday, and 23:30 on a Sunday, and for people who are waiting for a table meal to be able to consume alcohol, to be dealt with by a minor variation.

My apologies this is complicated but, as you know, my client has sought to apply for a new licence unaware of the existence of an existing Premises Licence at the premises.

I look forward to hearing from everyone as soon as possible.

Yours sincerely

Jonathan
Jonathan Smith | Partner

Poppleston Allen

From: Jonathan Smith

Sent: 05 October 2018 11:50

To: Koduah, Maxwell: WCC <mkoduah@westminster.gov.uk>

Cc: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>; Eaton, Samantha: WCC <seaton@westminster.gov.uk>; Gadd, Daisy: WCC <dgadd@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>

Subject: RE: Din Tai Fung, 5 - 6 Henrietta Street, WC2 - 18/09161/LIPN

Maxell

We are happy with your conditions and the capacity split is 190 Ground Floor and 110 basement (ex Staff) maximum 300.

I think this just leaves the Licensing rep Roxsana.

Roxsana can you confirm if we pull the Sunday hours back to 2330 for alcohol sales and drop recorded music (which we have agreed to do) so the hours are the same as on the existing licence (although this new licence will be subject to MC66) you would be prepared to withdraw your rep.

Once granted I confirm we will immediately apply to vary the Licence to permit LNR to 2330 Sundays and midnight other days of the week but for consumption on the premises only.

Jonathan Smith | Partner

Poppleston Allen

Application	Details of Application	Date Determined	Decision
05/09486/LIPN	New Premises Licence Application	23.11.2005	Granted by Licensing Sub Committee
05/12952/LIPDPS	Application to Vary the Designated Premises Supervisor	09.12.2005	Granted under delegated authority
05/12594/LIPT	Application to transfer the Premises Licence	20.12.2005	Granted under delegated authority
06/00143/LIPDPS	Application to Vary the Designated Premises Supervisor	13.01.2006	Granted under delegated authority
06/00166/LIPDPS	Application to Vary the Designated Premises Supervisor	27.12.2007	Granted under delegated authority
06/09338/WCCMAP	Master Licence	28.02.2007	Granted under delegated authority
08/08396/LIPT	Application to transfer the Premises Licence	02.03.2009	Granted under delegated authority
09/00468/LIPDPS	Application to Vary the Designated Premises Supervisor	02.03.2009	Granted under delegated authority
09/03674/LIPV	Application to Vary the Premises Licence	16.06.2009	Granted under delegated authority
09/09051/LIPDPS	Application to Vary the Designated Premises Supervisor	04.01.2010	Granted under delegated authority
10/08035/LIPVM	Application for a Minor Variation	01.11.2010	Granted under delegated authority
11/10354/LIPVM	Application for a Minor Variation	08.11.2011	Granted under delegated authority
15/02891/LIPVM	Application for a Minor Variation	13.05.2015	Refused under delegated authority
15/04502/LIPDPS	Application to Vary the Designated Premises Supervisor	11.11.2015	Granted under delegated authority
15/08395/LIPT	Application to transfer the Premises Licence	11.11.2015	Granted under delegated authority
17/01121/LIPT	Application to transfer the Premises Licence	28.02.2017	Granted under delegated authority
17/01124/LIPDPS	Application to Vary the Designated Premises Supervisor	28.02.2017	Granted under delegated authority
17/10013/LIPDPS	Application to Vary the Designated Premises Supervisor	29.11.2017	Granted under delegated authority

There is no appeal history

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

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

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers 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 licence holder will ensure that management level restaurant staff to have formal qualifications for example personal license holders.

10. The premises licence holder will ensure that proper training for all staff on premise specific policies as part of new hire training.
11. The premises licence holder will ensure training records are recorded and documented.
12. Only low volume background music will be played in the restaurant premise.
13. Doors will have automatic closing functions to prevent noise leakage.

Alternate condition agreed with the Environmental Health Service:

All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

14. Windows will be kept closed at all times.

Alternate condition agreed with the Environmental Health Service:

All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.

15. Queues will be actively managed by door staff, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people queuing to get in should not be tolerated. Door staff will refuse entry to anyone behaving in an anti-social way.
16. Customers will not be allowed to take glasses out of the restaurant. This will prevent them from loitering outside the restaurant.
17. Staff who depart late at night when the business has ceased trading, will conduct themselves in such a manner as to avoid causing disturbance to nearby residents.
18. Commercial deliveries, collections and storage/ disposal of waste, including beer deliveries, refuse, collections and storage / disposal of waste and collections and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Sunday.
19. Kitchen machinery will not cause nuisance to local residents by way of noise, odours or vibration.
20. A 'Challenge 25' scheme gives staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.

Alternate condition proposed by the Metropolitan Police Service and agreed by the applicant:

A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

21. Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. If you accept other forms of ID such as EU National ID cards, these must bear a photograph, date of birth and holographic mark.
22. The bar will keep a refusals book (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18. The book will contain the date and time of the

incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.

23. Staff training in the age related sections of the Licensing Act 2003 will be provided to all bar and front of house staff. This includes the ability to competently check customers' identification where necessary. Training records will be documented and kept.
24. A health & safety policy and full risk assessment will be written by a qualified health & safety consultant.
25. All staff will be trained and will attain a level 2 health & safety certification from a national body. This will be part of the new hire training program. Training records will be documented and kept.
26. There will be a minimum of three first aiders on site at any given time and first aid boxes will be available on both floors.
27. The site will be adequately ventilated with appropriate temperatures and humidity levels. Kitchens will have proper exhaust systems.
28. A full fire risk assessment will be written by a qualified consultant and there will be a minimum of three fire marshals on site at any given time.
29. Customers will not be allowed to carry any glasses, bottles or tableware out of the restaurant.

Conditions proposed by the Environmental Health Service and agreed by the applicant to form part of the Operating Schedule:

30. The supply of alcohol shall cease at 23:00 hours until such time that the provision of Late Night Refreshment is permitted on the premises
31. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed:
 - a. Basement xx persons
 - b. Ground Floor xx persons

With no more than 300 persons on the premises at any one time (subject to clearance)

32. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
33. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
34. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
35. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
36. 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

37. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, all not be permitted to take drinks or glass containers with them
38. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
39. 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.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
41. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
42. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority by way of variation.

Conditions proposed by the Metropolitan Police Service and agreed by the applicant to form part of the Operating Schedule:

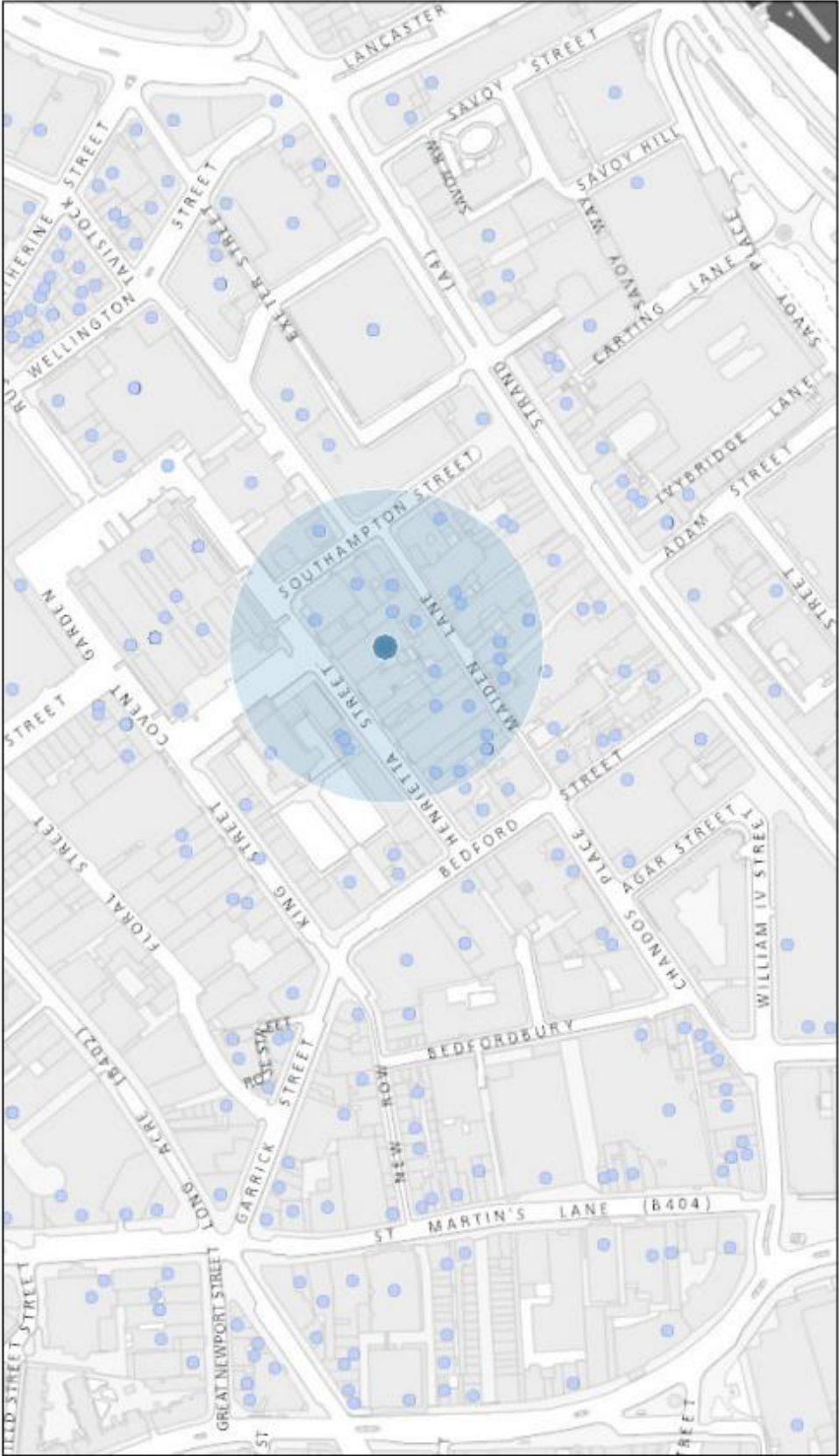
43. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
44. 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.
45. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
46. 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.

Residential Map and List of Premises in the Vicinity

5-6 Henrietta Street



October 18, 2018

● Live Licensing Act

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Resident count = 99

Premises within 50 metres of: Din Tai Fung, 5-6 Henrietta Street, London

Ref	Name of Premises	Premises Address	Licensed Hours
17/10013/LIPDPS	Masons Cafe Bar	Basement And Ground Floor 5 - 6 Henrietta Street London WC2E 8PT	Monday to Saturday; 07:30 - 00:00 Sunday; 09:00 - 23:30
16/12576/LIPDPS	Maple Leaf	Ground Floor 41 Maiden Lane London WC2E 7LJ	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
16/10196/LIPCH	Franco Manca	38 - 39 Maiden Lane London WC2E 7LJ	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/04360/LIPV	Rules Restaurant	34 - 35 Maiden Lane London WC2E 7LB	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/05129/LIPV	Covent Garden Grind	42 Maiden Lane London WC2E 7LJ	Monday to Thursday; 07:30 - 23:30 Friday; 07:30 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30
18/01122/LIPDPS	The Ivy Market Grill	1A Henrietta Street London WC2E 8PP	Monday to Thursday; 07:00 - 00:30 Friday; 07:00 - 01:00 Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
18/04918/LIPN	Abuelo	26 Southampton Street London WC2E 7JA	Monday to Thursday; 08:00 - 22:00 Friday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 2:00
16/12562/LIPDPS	Sticks 'n' Sushi	11 Henrietta Street London WC2E 8PY	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 22:50
17/05529/LIPN	Not Recorded	32 Henrietta Street London WC2E 8NA	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:30
17/08902/LIPN	Host Coffee	31 Henrietta Street London WC2E 8NA	Monday to Wednesday; 07:30 - 21:00 Thursday to Friday; 07:30 - 22:00 Saturday; 08:30 - 22:00 Sunday; 10:00 - 19:00

06/08725/WCCMAP	Covent Garden News	31 Henrietta Street London WC2E 8NA	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
18/00718/LIPDPS	Thai Pin Restaurant	Ground Floor 7 - 8 Maiden Lane London WC2E 7NA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09679/LIPCH	Da Polpo	Ground Floor 6 Maiden Lane London WC2E 7NA	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 09:00 - 00:30
18/06209/LIPVM	Cora Pearl	30 Henrietta Street London WC2E 8NA	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 00:00

Item No:	
Date:	25 October 2018
Licensing Ref No:	18/08646/LIPN - New Premises Licence
Title of Report:	Unit 29 Trocadero 13 Coventry Street London W1D 7AB
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:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	24 July 2018		
Applicant:	Global Vips Limited		
Premises address:	Unit 29 Trocadero 13 Coventry Street London W1D 7AB	Ward:	St James's
		Cumulative Impact Area:	N/A
Premises description:	According to the applicant, this is an application for a new premises licence for a convenience store which currently operates 24 hours a day. This application seeks to permit late night refreshment and the sale by retail of alcohol.		
Premises licence history:	This is an application for a new premises licence and therefore no history exists.		
Applicant submissions:	The applicants representative has sent the Licensing Service a letter which has been sent through to the resident. A copy of the letter can be found in Appendix 2 .		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations/ Non-standard timings:		None applied for.					

Sale by retail of alcohol				On or off sales or both:			Off
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:		None applied for.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:	None applied for.						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd Senior Licensing Officer
Received:	31 July 2018
<p>I write in relation to the application submitted for a New Premises Licence for Unit 29, Trocadero, 13 Coventry Street.</p> <p>As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2003 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"> · Public Nuisance · Prevention of Crime & Disorder · Public Safety · Protection of Children from Harm <p>This application seeks to permit the following licensable activities:</p> <ul style="list-style-type: none"> · Late Night Refreshment: <ul style="list-style-type: none"> o Monday to Sunday: 23:00 to 05:00 · Supply of Alcohol (Off): <ul style="list-style-type: none"> o Monday to Saturday: 08:00 to 23:00 o Sunday: 10:00 to 22:30 	

The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely OS2, FFP2, HRS1 and CIP1.

With specific regard to the aspect of the application relating to the supply of alcohol for consumption off the premises, paragraph 2.5.26 of the Council's Statement of Licensing Policy acknowledges that alcohol loading from off licence sales is a significant problem in the West End and adversely affects the licensing objectives. Policy OS2 specifically relates to premises where the sale of alcohol is exclusively for consumption off the premises and is therefore relevant to the off sales element of this application. Policy OS2 states that "Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1, CH1 and HRS1 and other policies... provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Area". No information has been received which addresses this policy concern, and the Licensing Authority looks forward to the applicant providing further submissions in this regard.

Premises providing late night refreshment by way of take away for immediate consumption will be considered under policy FFP2. Part of this application seeks to permit late night refreshment on Monday to Sunday from 23:00 to 05:00. Paragraph 2.5.18 of the policy states that "Fast food premises which are open after 23:00 can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away". In respect of policy FFP2, it is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas unless they are applications to vary within the Core Hours under Policy HRS1. Therefore, as stated in paragraph 2.5.20 of the policy, "the Licensing Authority considers that the grant of variations or new licences for fast food premises in the Cumulative Impact Areas should be limited to exceptional circumstances". Consequently, it will be for Members to determine whether the applicant has demonstrated any genuinely exceptional circumstances that would allow to depart from policy, with specific regard to the aspect of the application seeking to permit late night refreshment.

Further discussions will be held with the applicant prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	29 July 2018
Coventry House includes 18 residential properties in very close proximity to this retailer. The area is already very busy with revellers from the clubs and bars in the vicinity and is a recognised stress area. There are plenty of late night drinking venues in the area already and there is no need for further alcohol sales points. If permitted it would only lead to public nuisance and the crime and disorder that comes from it.	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	<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. Policy OS2 applies:</p> <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>
Policy HRS1 applies:	<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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u></p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

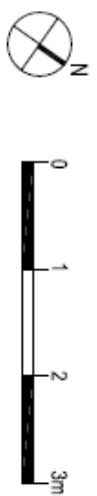
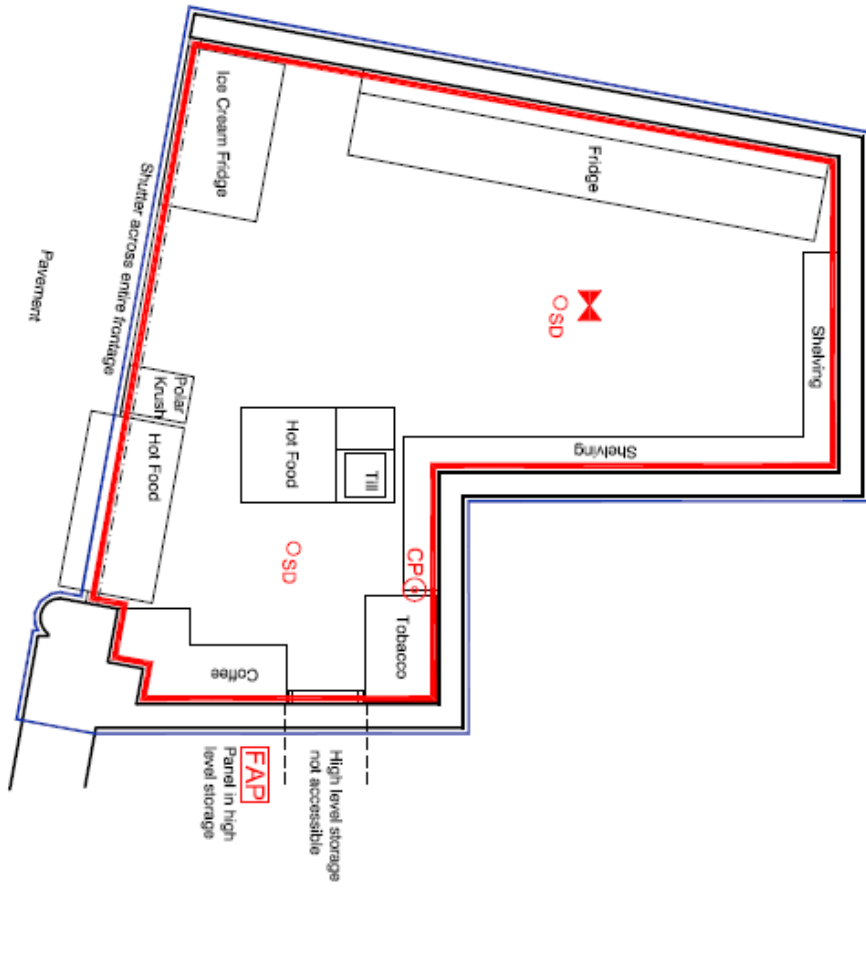
Report author:	Miss Daisy Gadd Senior Licensing Officer
Contact:	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority Representation	31 July 2018
5	Resident 1	29 July 2018

Essentials - Ground Floor Plan
SCALE 1:50



- NOTES**
- DRAWING SHOWS EXISTING AS INSPECTED
 - EXISTING FIRE ALARM SYSTEM TO BE MAINTAINED WHERE POSSIBLE AND REPLACED WHERE NECESSARY
 - ALL FIREWORKS TO BE KEPT TO ORDER 1 HOUR OF ALL FIREWORK EQUIPMENT IN ACCORDANCE WITH TENANTS FIRE SPECIALIST
- KEY:**
- boundary of licensed premises
 - escape routes
 - Licensed activities
 - 30 min fire rating
 - 60 min fire rating
 - area covered by emergency lighting (to BS5266)
 - maintained emergency lighting (to BS5266)
 - Fire Exit (normally illuminated)
 - Directional Arrow (green)
 - normally illuminated
 - OSD
 - smoke detector
 - heat detector
 - call point
 - fire alarm panel
 - 3 litre water extinguisher
 - 2kg CO2 extinguisher
 - 6 litre foam extinguisher
 - fire blanket

LICENSING	
Client:	Essentials
Project:	Unit 29 Trocadero Centre 7-14 Coventry Str. W1D7DH
Drawing:	Ground Floor Plan
Proposed Licensing	
Drawing No:	SMAA/030/800
Scale:	1:50
Size:	A4
Date:	July 2018
Rev:	

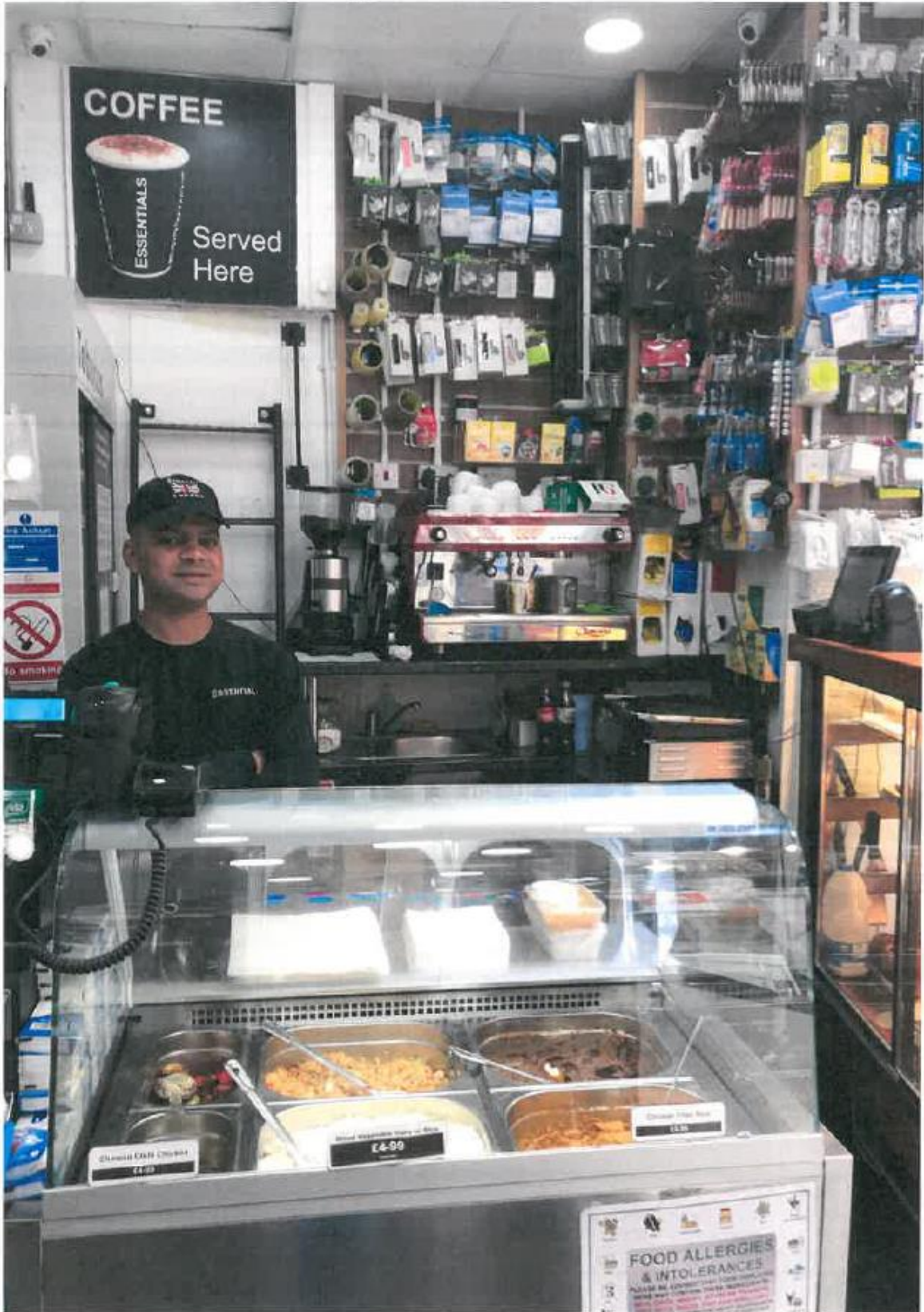
Covenmy Street



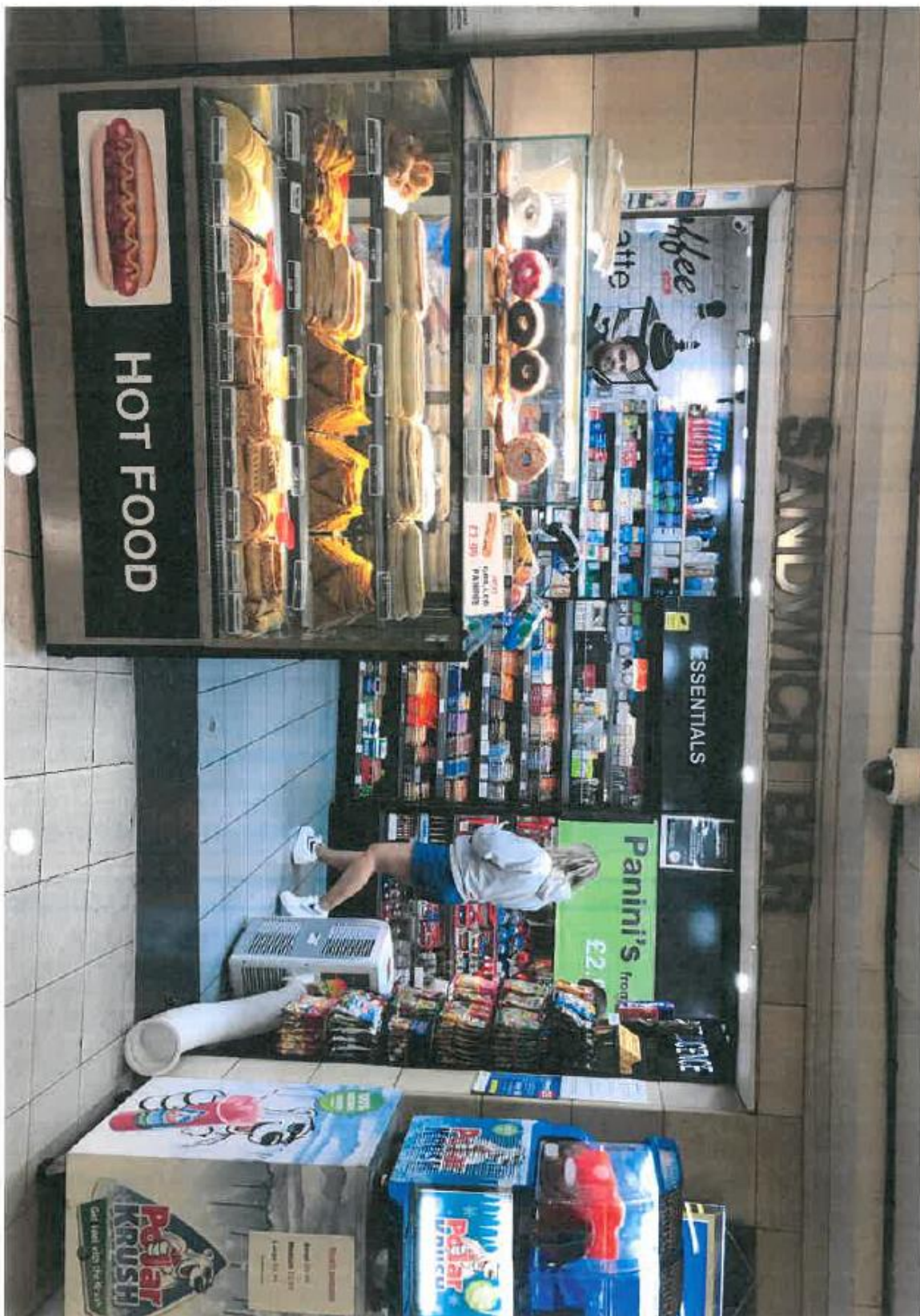
Covenry Street



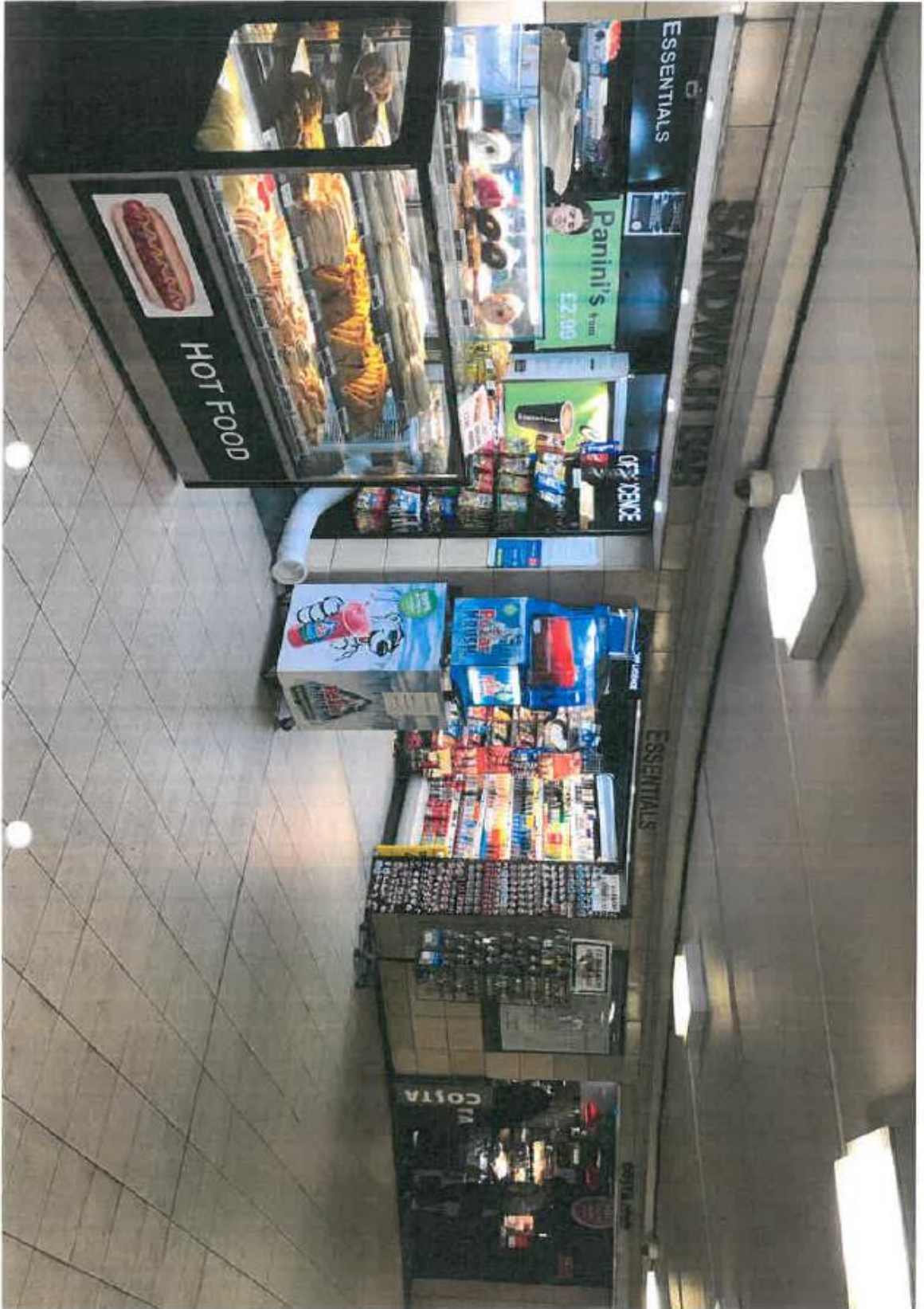
Coventry Street



Leicester Square



Leicester Square



Leicester Square



Letter from applicants representative to resident:

01 October 2018

LS/SH/P52249-3
Doc Ref: 2146617507

l.sharkey@popall.co.uk

0115 9538504

Dear [REDACTED]

**Essentials, Unit 29, 13 Coventry Street, The Trocadero, Piccadilly Circus, London
New Premises Licence – 18/08646/LIPN**

I act upon behalf of Mr Hadi Ahmad, who owns and operates the Essentials Convenience Store on Coventry Street. Mr Ahmed has been a business owner, operating within the area for many years, and you may be familiar with his shop within Leicester Square Tube which he has been operating for over 25 years. He has been operating the shop in Coventry Street for 3 years, although the location of the shop changed within the last 12 months.

I have received via Westminster City Council a copy of your letter of objection to Mr Ahmad's application for a premises licence. Your letter of objection references concerns regarding further alcohol sales. The application was for the sale of alcohol for consumption off the premises during core hours (namely, 8am to 11pm Monday to Saturday, Sunday 10am to 10.30pm) together with the sale of hot food and hot drinks between the hours of 11pm and 5am. I note that your concerns relate to the sale of alcohol.

The premises currently trade 24 hours a day and my client is particularly keen to add late night refreshment as up to 11pm they do sell hot food. After 11pm, they have to refuse the sales, although the food is still available to purchase but it has to be served cold. This can lead to conflict with customers not understanding why an item cannot be warmed up. On average, between 11pm and 5am, my client will have 50 customers, often 70 on a Friday and Saturday, requesting food to be warmed up. Some will still buy the food cold but others will decline to buy the food cold, although they will still buy other items whilst they are in the shop. However, often the customer is not happy.

Within my client's shop on Leicester Square, he has a licence to sell alcohol and he has advised me that 10% to 15% of all sales are alcohol sales. He believes that there is a need in this location as many hotels have opened and the closest off licence shop is Tesco's.

My client's price point means he will not be major competition for Tesco's, nevertheless he would like the ability to sell a limited range in his store. He believes that the majority of his customers will be tourists and locals who want to pop in to pick up the essentials, without having to visit a supermarket.

My client would be more than happy to meet with you to discuss your concerns. My client's mobile telephone number is 07956 922287.

If you have any questions for myself then please do not hesitate to contact me.

Yours sincerely

Lisa Sharkey
Poppleston Allen

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.

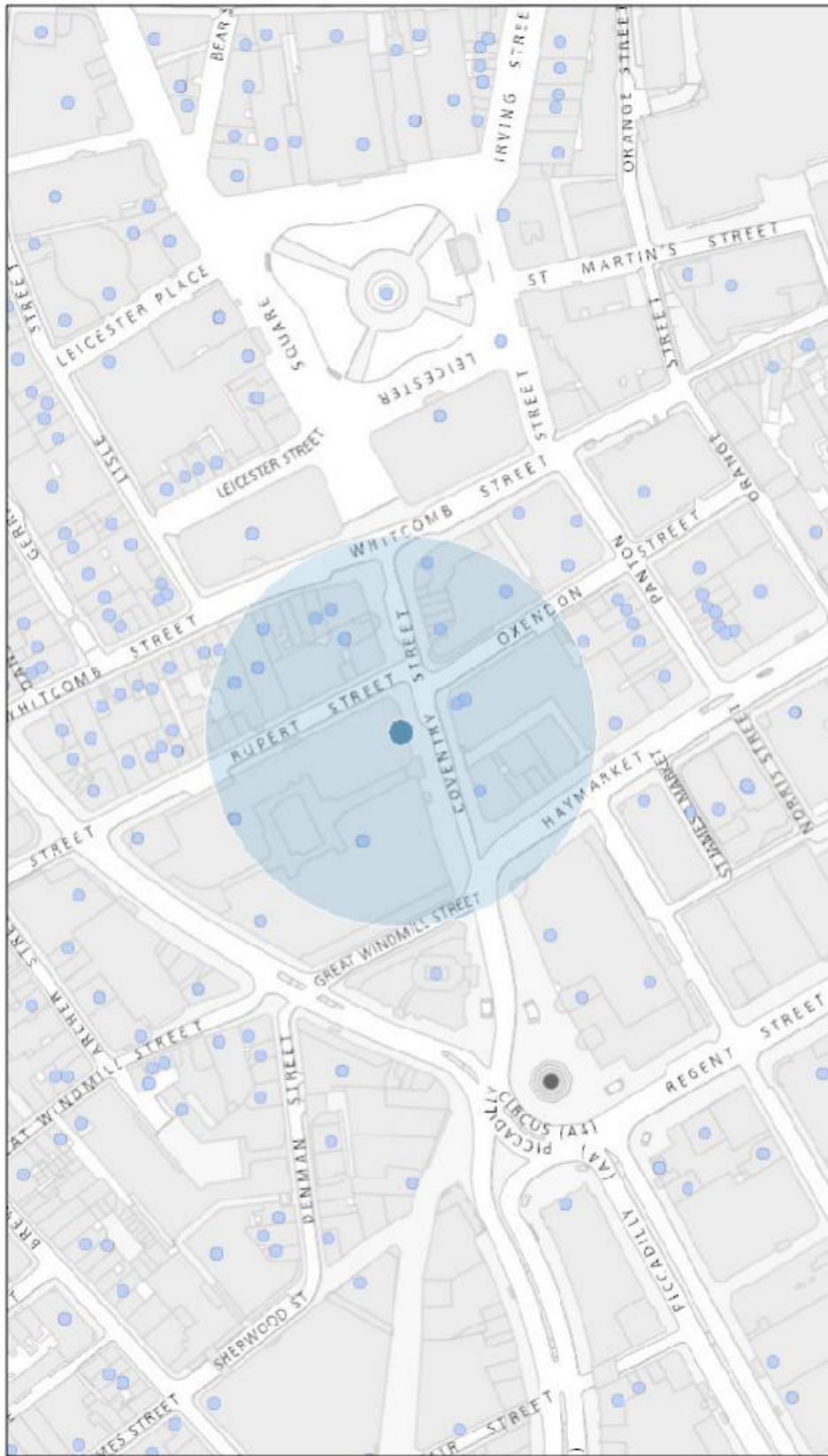
Conditions consistent with the operating schedule

9. Licensable activities shall at all times be ancillary to the main function of the premises as a convenience store.

10. 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.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
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.
16. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
17. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
18. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
19. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed within the premises.
20. 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, proof of age card with the PASS Hologram and military ID cards.
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. It must be completed within 24 hours of the incident and will record the following
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol

- (h) any visit by a relevant authority
22. 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 emergency service.
 23. 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.
 24. There shall be no primary cooking and late night refreshment food shall be limited to food reheated in a microwave operated by staff behind the counter or served from a heated display counter

Unit 29, Trocadero, 13 Coventry Street



October 17, 2018

● Live Licensing Act

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Licence Number	Trading Name	Address	Time Period
18/04659/LIPDPS	TGI Fridays	25-29 Coventry Street London W1D 7AG	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:30 Sundays before Bank Holidays; 12:00 - 01:00
17/02769/LIPDPS	The Comedy Store	Ground Floor Right Haymarket House 1A Oxendon Street London SW1Y 4EE	Monday to Saturday; 09:00 - 05:00 Sunday; 09:00 - 01:00
12/03809/LIPVM	Aberdeen Steak House	21-22 Coventry Street London W1D 7AE	Monday to Saturday; 10:00 - 01:00 Sunday; 10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 01:00
18/01104/LIPVM	G. Casino Piccadilly	Upper Ground Floor To Third Floor 3-4 Coventry Street London W1D 6BL	Monday to Saturday; 10:00 - 10:00 Sunday; 12:00 - 12:00
18/02164/LIPDPS	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	Monday to Sunday; 09:00 - 06:00
06/10262/WCCMAP	Cornishe	32 Coventry Street London W1D 6BR	Monday to Sunday; 23:00 - 05:00
17/08106/LIPN	Unit 4 - Happy Bar And Grill	Trocadero 13 Coventry Street London W1W 7DH	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
18/00656/LIPN	Trocadero Hotel/Sky Bar & Restaurant	Trocadero 13 Coventry Street London W1W 7DH	Monday to Sunday; 00:00 - 00:00
18/07703/LIPT	Biagios	Unit F1 Basement Trocadero 13 Coventry Street London W1D 7DH	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
18/01877/LIPDPS	Picturehouse Central	Trocadero 13 Coventry Street London W1W 7DH	Monday to Sunday; 00:00 - 23:59
18/06928/LIPDPS	Five Guys	Trocadero 13 Coventry Street London W1W 7DH	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30



City of Westminster

Licensing Sub-Committee Report

Agenda Item 5

Item No:	
Date:	25 October 2018
Licensing Ref No:	18/08641/LIPV - Premises Licence Variation
Title of Report:	Essentials Unit 1 Leicester Square Station Charing Cross Road WC2H 0AP
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 Sam Eaton Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	24 July 2018		
Applicant:	Global VIPs Limited		
Premises:	Essentials		
Premises address:	Unit 1 Leicester Square Station Charing Cross Road London WC2H 0AP	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises currently operates as a convenience store.		
Variation description:	This premises has the benefit of an existing premises licence (reference 16/13770/LIPRW). The variation seeks to add late night refreshment as a licensable activity.		
Premises licence history:	This premises has been licensed since 2016. Full details of the premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	The premises are located within the West End Cumulative Impact area albeit on the underground public side concourse of Leicester Square tube station. The premises already benefits from a licence for the sale of alcohol off the premises. The variation is to add late night refreshment in line with the operation of the late night tube. TFL have provided a letter in support of the application.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		N/A			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A				N/A	As per licence plans
Tuesday						
Wednesday						
Thursday						
Friday			23:00	05:00		
Saturday			23:00	05:00		
Sunday						
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				None applied for	

Sale by Retail of Alcohol						
On or Off sales		Current :			Proposed:	
		Off			No change	
	Current Hours		Proposed Hours		Licensable Area:	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	22:00	No change		No change	
Tuesday	07:00	22:00				
Wednesday	07:00	22:00				
Thursday	07:00	22:00				
Friday	07:00	22:00				
Saturday	07:00	22:00				
Sunday	07:00	22:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	22:00	06:00	00:00		
Tuesday	07:00	22:00	06:00	00:00		
Wednesday	07:00	22:00	06:00	00:00		
Thursday	07:00	22:00	06:00	00:00		
Friday	07:00	22:00	00:00	24:00		
Saturday	07:00	22:00	00:00	24:00		
Sunday	07:00	22:00	06:00	00:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	

1-C Layout alteration
None applied for.

1-D Conditions to be added:						
<ol style="list-style-type: none"> Licensable activities shall at all times be ancillary to the main function of the premises as a convenience store. There shall be no primary cooking and late night refreshment food shall be limited to food reheated in a microwave or Panini grill operated by staff behind the counter. 						
<table border="1"> <thead> <tr> <th>Adult entertainment:</th> <th>Current position:</th> <th>Proposed position:</th> </tr> </thead> <tbody> <tr> <td></td> <td>None</td> <td>None</td> </tr> </tbody> </table>	Adult entertainment:	Current position:	Proposed position:		None	None
Adult entertainment:	Current position:	Proposed position:				
	None	None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Miss Daisy Gadd, Senior Licensing Officer
Received:	29 July 2018
<p>I write in relation to the application submitted for a variation of the premises licence for Unit 1, Leicester Square Station, situated on Charing Cross Road.</p> <p>As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2003 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>	

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

This variation application seeks to permit the following licensable activities:

- Late Night Refreshment:
 - o Friday and Saturday: 23:00 to 05:00

At present, the current premises licence permits the Sale by Retail of Alcohol only on Monday to Sunday from 11:00 to 22:00.

The premises is situated within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely FFP2, HRS1 and CIP1.

Paragraph 2.5.18 of the Council’s Statement of Licensing Policy 2016 states that “Fast food premises which are open after 23:00 can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars or night clubs sometimes some distance away”. In respect of policy FFP2, it is the Licensing Authority’s policy to refuse applications in the Cumulative Impact Areas unless they are applications to vary hours within the Core Hours under Policy HRS1. Therefore, as stated in paragraph 2.5.20 of the policy, “the Licensing Authority considers that the grant of variations or new licences for fast food premises in the Cumulative Impact Areas should be limited to exceptional circumstance”. As a result of this, it will be for Members to determine whether the applicant has demonstrated any genuinely exceptional circumstances that would allow to depart from policy.

Further discussions will be held with the applicant prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

3. Policy & Guidance

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

Policy HRS1 applies:	<p>(i) Applications for hours within the core hours 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> <p><u>For premises for the supply of alcohol for consumption on the</u></p>
-----------------------------	--

	<p><u>premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

4. Appendices

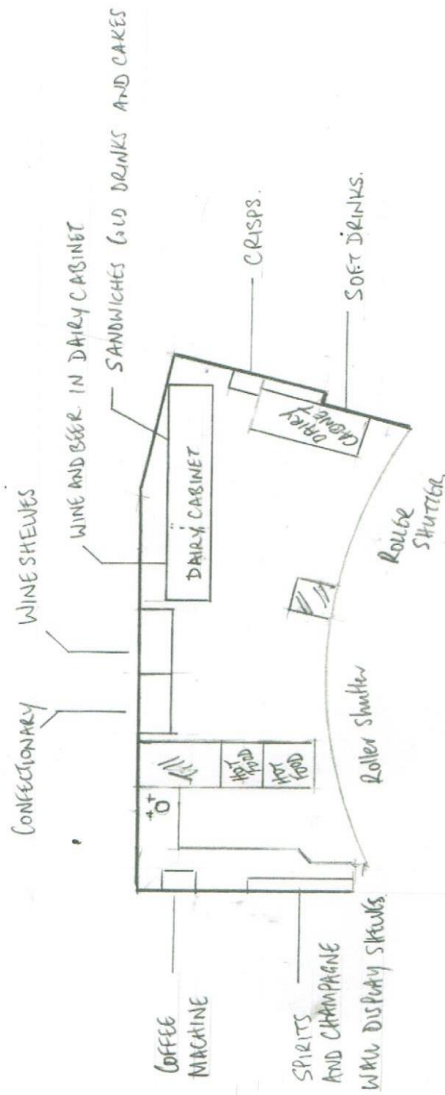
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority Representation	31 July 2018



CCTV COVERAGE FOR ALL OF MAIN SHOP
CCTV IN BOOKING HALL AREA
ALL HAVE MORE THAN 31 DAY RECORDING FACILITY.

ESSENTIALS
LEICESTER SQUARE UNDERGROUND STATION
FOOD PLAN
SCALE 1:100
JAN 2016

Transport for London



The Licensing Department
Westminster City Council
Portland House
22nd Floor, Bressenden Place,
Victoria,
London
SW1E 5RS

Transport for London
Commercial Development
Directorate (Property)

5th Floor, East Wing
55 Broadway
London
SW1H 0BD

Tel No: 020 3054 6498
Fax No: 020 7918 4235
Email: name@tfl.gov.uk

29/03/2018

"To Whom it may Concern

Essentials, Unit 1, Leicester Square Station, Charing Cross Road, London WC2H 0AP

We support the application being made by Global VIPs Limited to vary the existing premises licence to allow for the sale of hot food and hot drinks on Fridays and Saturdays between the hours of 23:00 hours and 05:00 hours, the following morning.

Mr Ahmad, who is the sole Director of Global VIPs Limited, has been involved in the shop since 1989 when he worked at the shop as a member of staff. He then went on to take the lease of the premises in 2007.

We have found him to be responsible operator. The shop currently has the benefit of a premises licence permitting the sale of alcohol up to 22:00 hours. The shop itself operates from 6am to midnight but on Fridays and Saturdays it operates 24 hours.

The station is a unique location. Any person entering and departing the station is caught on CCTV. We also have our own police/security working in the station and that includes 24 hour coverage on Fridays and Saturdays.

The 24 hour night tube started in August 2016 and the introduction has had a positive impact enabling people to travel home safely, quickly and effectively. The numbers of people departing the station after midnight on Fridays and Saturdays is significant. We do not believe sales hot food and drinks after 11pm will stop people going about their journeys.

MAYOR OF LONDON



VAT number 756 2769 90

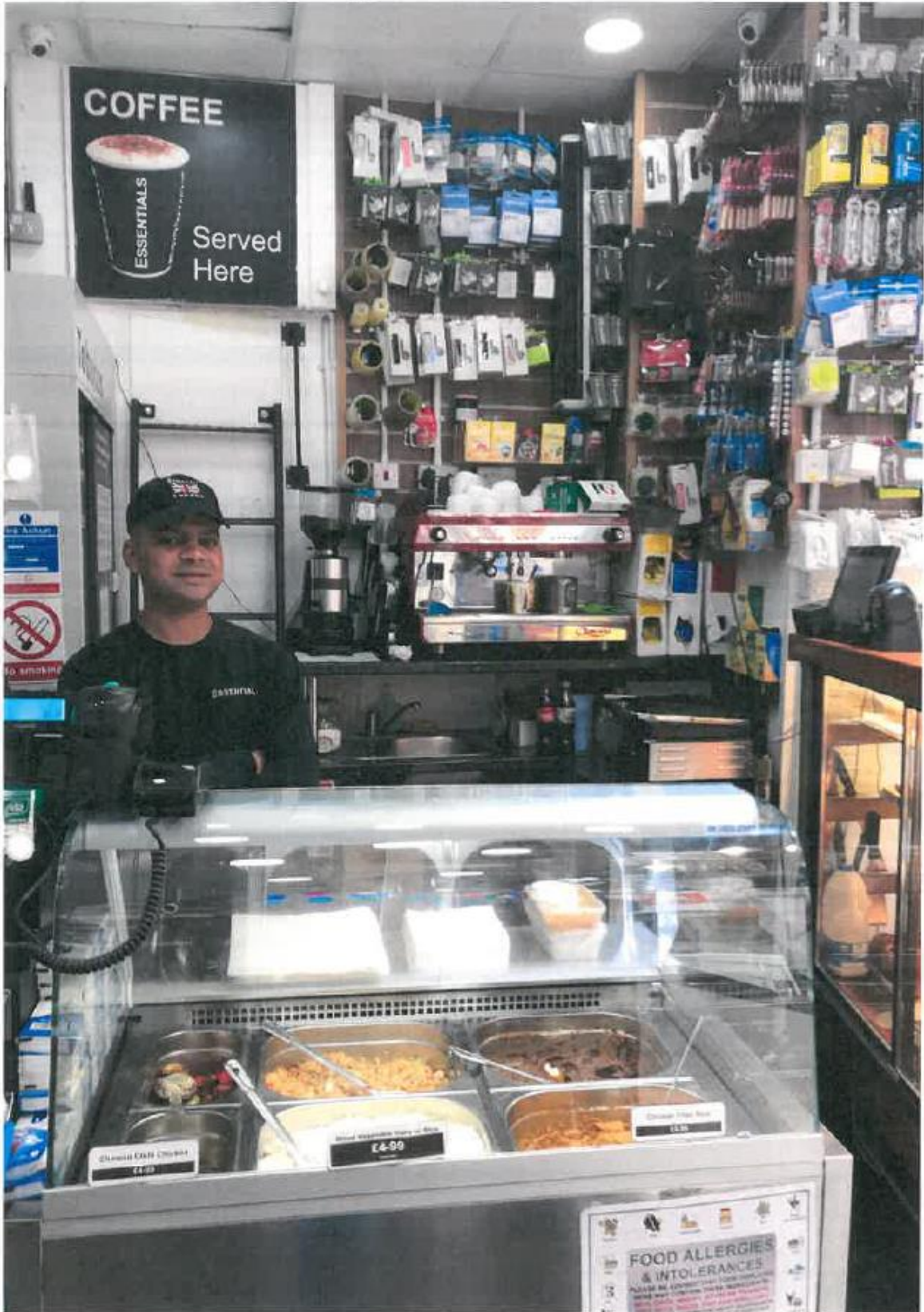
Coventry Street



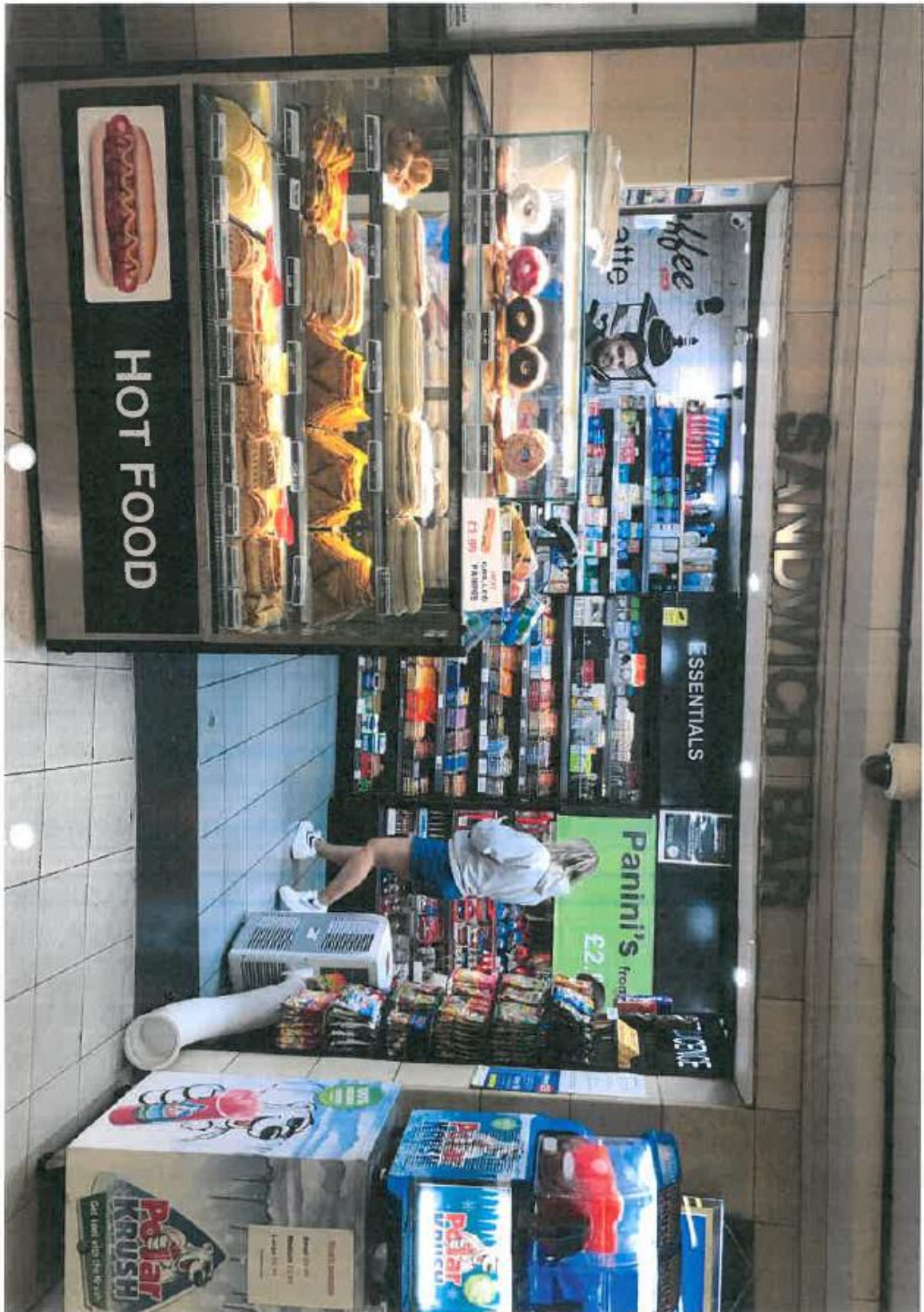
Covenry Street



Coventry Street



Leicester Square



Leicester Savare



Leicester Square



Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/01043/LIPN	Application for a New Premises Licence	14.04.2016	Granted by Licensing Sub-Committee

There is no appeal history



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: St James's
UPRN: 010033595940

Premises licence

Regulation 33, 34

Premises licence number:	16/13770/LIPRW
Original Reference:	16/01043/LIPN

Part 1 – Premises details

Postal address of premises:

Unit 1
Leicester Square Station
Charing Cross Road
London
WC2H 0AP

Telephone Number: 02074371535

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol
Monday to Sunday: 11:00 to 22:00

The opening hours of the premises:

Monday to Sunday: 07:00 to 22:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Global VIPs Limited

Shop 1
Leicester Square Station
Charing Cross Road
London
WC2H 0AP
Electronic Mail : GlobalVIPsLimited@gmail.com
Telephone Number : 07956922287

Registered number of holder, for example company number, charity number (where applicable)
03951492

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Hadi Ahmad

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 07/06614/LIPERS
Licensing Authority: City Of Westminster Council

Date: 15th December 2016

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director - Public Protection and Licensing.

Annex 1 – 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 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.
5.
 - (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.
 - (ii) For the purposes of the condition set out in paragraph 5(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.
- (iii). Where the permitted price given by Paragraph 5(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.
- (iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
 7. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 8. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff save for restocking.
 9. No super strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers and ciders sold in glass bottles.
 10. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
 11. There shall be no self-service of spirits on the premises except for spirit mixtures below 5.5% ABV (alcohol by volume).
 12. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
 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. 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.
 15. The premise 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 the Police or an authorised officer throughout the preceding 31 day period.
 16. 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 Police recent data or footage with the absolute minimum of delay when requested.
 17. A diary 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 are open.
-

Annex 4 – Plans

Attached



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

Premises licence
summary

WARD: St James's
UPRN: 010033595940

Regulation 33, 34

Premises licence number:

16/13770/LIPRW

Part 1 – Premises details

Postal address of premises:

Unit 1
Leicester Square Station
Charing Cross Road
London
WC2H 0AP

Telephone Number: 02074371535

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol
Monday to Sunday: 11:00 to 22:00

The opening hours of the premises:

Monday to Sunday: 07:00 to 22:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Name and (registered) address of holder of premises licence:

Global VIPs Limited
Shop 1
Leicester Square Station

Charing Cross Road
London
WC2H 0AP

Registered number of holder, for example company number, charity number (where applicable)

03951492

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Hadi Ahmad

State whether access to the premises by children is restricted or prohibited:

Date: 15th December 2016

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director
- Public Protection and Licensing.

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

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

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
7. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
8. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff save for restocking.
9. No super strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers and ciders sold in glass bottles.
10. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
11. There shall be no self-service of spirits on the premises except for spirit mixtures below 5.5% ABV (alcohol by volume).
12. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
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. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic

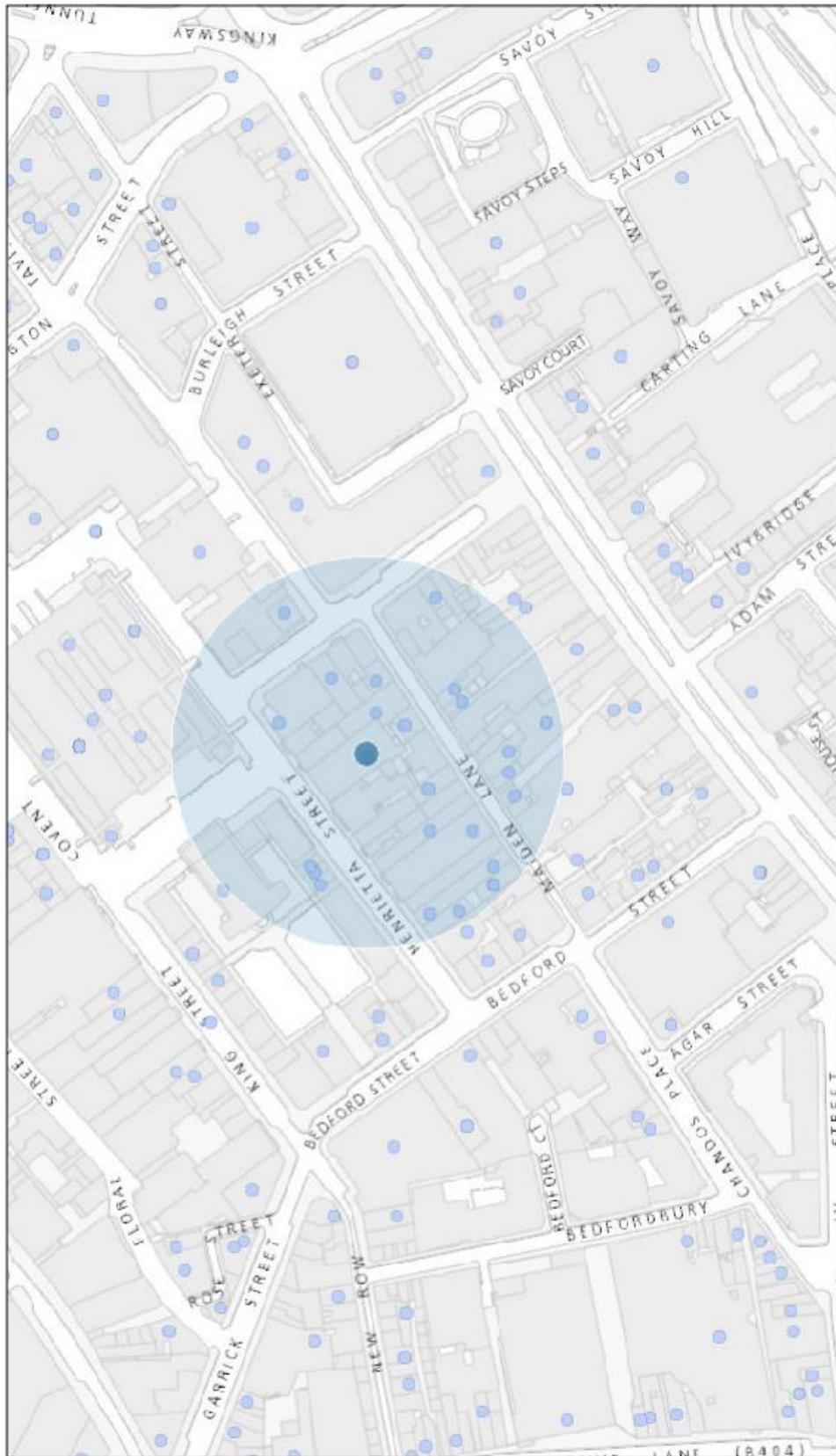
identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

15. The premise 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 the Police or an authorised officer throughout the preceding 31 day period.
16. 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 Police recent data or footage with the absolute minimum of delay when requested.
17. A diary 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 are open.

Conditions proposed by the applicant so as to form part of the operating schedule

18. Licensable activities shall at all times be ancillary to the main functions of the premises as a convenience store.
19. There shall be no primary cooking and late night refreshment food shall be limited to food reheated in a microwave or Panini grill operated by staff behind the counter.

5-6 Henrietta Street



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0 0.015 0.03 0.06 mi
0 0.0275 0.055 0.11 km
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October 17, 2018
● Live Licensing Act

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Resident count = 130

Licence Number	Trading Name	Address	Time Period
16/13770/LIPRW	Not Recorded	Unit 1 Leicester Square Station Charing Cross Road London WC2H 0AP	Monday to Sunday; 07:00 - 22:00
16/03237/LIPV	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
06/04526/WCCMAP	Piazza Restaurant	35 Cranbourn Street London WC2N 4AJ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/02708/LIPV	Cafe Koha Bar	10-11 St Martin's Court London WC2N 4AJ	Monday to Saturday; 10:00 - 04:30 Sunday; 10:00 - 02:30
17/14404/LIPDPS	Wyndhams Theatre	Wyndhams Theatre Charing Cross Road London WC2H 0DA	Monday to Sunday; 09:00 - 01:00
12/01174/LIPT	Westminster Noodle Bar	Ground Floor 33 Cranbourn Street London WC2H 7AD	Friday to Saturday; 10:00 - 05:00 Sunday to Thursday; 10:00 - 02:00
18/03438/LIPV	Cafe Fiori	42 Cranbourn Street London WC2H 7JH	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
16/14176/LIPDPS	PizzaExpress	43 Charing Cross Road London WC2H 0AP	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:30
09/05127/LIPCH	Angus Steak House	Ground Floor 20 Cranbourn Street London WC2H 7AA	Monday to Saturday; 10:00 - 01:00 Sunday; 10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 01:00
09/06144/LIPDPS	Gaby's Continental Bar	30 Charing Cross Road London WC2H 0DE	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/11671/LIPDPS	Round Table Public House	26-27 St Martin's Court London WC2N 4AL	Monday to Thursday; 07:00 - 23:30 Friday to

			Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:50 Sundays before Bank Holidays; 07:00 - 23:30
17/11334/LIPDPS	Pizza Express	Ground Floor 80-81 St Martin's Lane London WC2N 4AA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	25 October 2018
Classification:	For General Release
Title of Report:	3 Savile Row London W1S 3PB
Uniform Reference:	18/12161/LITENN
Report of:	Operational Director for Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Daisy Gadd Senior Licensing Officer
Contact Details:	E-mail: dgadd@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • Sale by Retail of Alcohol • Late Night Refreshment • Regulated Entertainment <p><i>(Please see Temporary Event Notice at Appendix A)</i></p>		
Premises User:	Mr Vittorio Mischi	Premises Name and Address:	3 Savile Row, London, W1S 3PB
Date Temporary Event Notice Received:	30 th January 2019	Event Period:	09:00 (30 January 2019) - 03:00 (31 January 2019)
Ward Name:	West End	Times when licensable activities will be carried out on each day:	09:00 (30 January 2019) - 03:00 (31 January 2019)
Number of attendees at event (including staff):	499	Cumulative Impact Area:	No
Details of Premises Licence:	The premises does not have a Premises Licence.		
Notice of Objection by Environmental Health and the Metropolitan Police Service :	<p>Environmental Health have given a notice of objection under s.104 (2) of the Licensing Act 2003. The notice of objection is based on the grounds that what is proposed is likely increase the risk of Public Nuisance and may impact on Public Safety.</p> <p>Environmental Health have stated: <i>'I object to this TEN on the grounds that what is proposed is likely to increase the risk of Public Nuisance and may impact on Public Safety. The applicant has not provided sufficient information to show how the Licensing Objectives will be promoted and how the event will accommodate 499 people safely.'</i></p> <p>The Metropolitan Police Service has given a notice of objection under s.104 (2) of the Licensing Act 2003. The notice of objection is based on the provision of insufficient undertakings to promote the licensing objectives, namely Prevention of Crime and Disorder and Protection of Children from Harm.</p> <p>The Metropolitan Police Service has stated: <i>'Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder and protect children from harm:-</i></p>		

	<p><i>Insufficient undertakings to promote the licensing objectives. Insufficient details describing the event.</i></p> <p><i>Please provide details as to how this event will be managed and controlled particularly as you have stated a capacity of 499.'</i></p> <p>(Please see Environmental Health objection at Appendix B) (Please see Metropolitan Police Service objection at Appendix C).</p>
<p>Recommendation:</p>	<p>That the Sub-Committee consider the notice of objection given by Environmental Health and The Metropolitan Police and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003.</p>

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Daisy Gadd at
dgadd@westminster.gov.uk

Licensing Authority: *Westminster City Council*

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User <i>(Please read note 1)</i>	
1. Your name	
Title	First name
Mr	[REDACTED]
Last	
[REDACTED]	
2. Previous names (if relevant)	
3. Your date of birth	
[REDACTED]	
4. Your place of birth	
[REDACTED]	
5. National Insurance number	
[REDACTED]	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
[REDACTED]	
[REDACTED]	
Postcode	
[REDACTED]	
7. Other contact details	
Telephone numbers	
Daytime	[REDACTED]
Mobile (optional)	
Email address	[REDACTED]

Licensing Authority: *Westminster City Council*

Ref:

8. Alternative address for correspondence (Address for correspondence associated with this application, if different to the previous address)

[Redacted]
 [Redacted]
 [Redacted] Postcode [Redacted]

9. Alternative contact details (if applicable)

Title [Redacted]
 First name [Redacted]
 Last name [Redacted]
Telephone numbers
 Daytime [Redacted]
 Mobile (optional) [Redacted]
E-Mail address (optional) [Redacted]

The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including Ordnance Survey references) (Please read note 2). Search for address

3 Savile Row
 London

W1S 3PB

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Additional address information	

Do you intend to use the whole of the premises at this address (Please read note 3) (If no, please give a description and details below) Yes No

Please describe the nature of the premises below. (Please read note 4)

Abercrombie & Fitch Children's Apparel Shop

Please describe the nature of the event below. (Please read note 5)

I am bringing the Beatles together again to play on the roof of 3 Savile Row (former HQ of Apple records), on January 30th, 2019 - 50th anniversary of the world famous "Rooftop Concert" - which, incidentally, was also the last time the Beatles played in front of an audience. It did not have a license, and was suspended by Police after 42 minutes. I would like to avoid that now. It may go well into the night.
 The roof will have to be adapted to the occasion with temporary structures and extra safety measures. No plan available to date. Will submit ASAP.

Licensing Authority: *Westminster City Council*

Ref:

The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10) How many days will your event cover?

Start date **30/01/2019** Time **09:00** End date **31/01/2019** Time **03:00**

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)

On the premises only
Off the premises only
Both

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

Depends on which countries (and time zones) will want it to play. I would imagine from 10AM until 3AM max

Personal licence holders (please read note 14)

Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)

Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

Date of expiry

Any further relevant details

Previous Temporary Event Notices you have given (please read note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (please mark an "X" in the box that applies to you)

Yes No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or

b) begins 24 hours or less after the event period proposed in this notice?

Yes No

(please mark an "X" in the box that applies to you)

Licensing Authority: *Westminster City Council*

Ref:

Associates and business colleagues (please read note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Condition (please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declarations *(please read note 18)*

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Please tick the box if you agree with the declarations above.

Date

11/10/2018

Name of person signing

[REDACTED]

To enable the consultee's to fully assess your notice, we strongly recommend you upload an event management plan or Police 696 form

For events held outside, please upload a plan of the area.

Vittorio, Mischì

37D41CXVSXHWQ

Consultee Comments for Licensing Application 18/12161/LITENN

Application Summary

Application Number: 18/12161/LITENN

Address: 3 Savile Row London W1S 3PB

Proposal: TEN Non-Personal Licence Holder

Case Officer: Mary Pring

Consultee Details

Name: Mr Dave Nevitt

Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP

Email: dnevitt@westminster.gov.uk

On Behalf Of: Environmental Health Service For TENS

Comments

I object to this TEN on the grounds that what is proposed is likely to increase the risk of Public Nuisance and may impact on Public Safety. The applicant has not provided sufficient information to show how the Licensing Objectives will be promoted and how the event will accommodate 499 people safely.

Consultee Comments for Licensing Application 18/12161/LITENN

Application Summary

Application Number: 18/12161/LITENN
Address: 3 Savile Row London W1S 3PB
Proposal: TEN Non-Personal Licence Holder
Case Officer: Mary Pring

Consultee Details

Name: Mr Reaz Guerra
Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP
Email: rguerra@westminster.gov.uk
On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear Vittorio

With reference to the above TEN, Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder and protect children from harm:-

Insufficient undertakings to promote the licensing objectives.
insufficient details describing the event

Please provide details as to how this event will be managed and controlled particularly as you have stated a capacity of 499.

Kind regards,

PC Reaz Guerra 1614CW
Westminster Police Licensing Team
Westminster City Council
Portland House
Bressenden Place
London SW1E 5RS
0207 641 1708

APPENDIX D

ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

1. TEMPORARY EVENT NOTICE PROCEDURE

- 1.1 Under s.100 (1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 1.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance.
- 1.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 11pm and 5am).
- 1.4 The premises user must send two copies of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

2. NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 2.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working days of receipt of the notice.

3. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 3.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 3.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 3.3 The Council must convene a hearing to consider the notice of objection and give at least two day's notice to the premises user and the police.
- 3.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place, or where or, after hearing the objections, allow the notice but attach relevant conditions from the premises licence. Please note not all premises will hold a premises licence.

- 3.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.
- 3.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision; and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

4. APPEAL

- 4.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 4.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

5. POLICY CONSIDERATIONS

- 5.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2011. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.