



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 14th March, 2019**

Time: **10.00 am**

Venue: **Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Angela Harvey (Chairman)
Louise Hyams
Rita Begum

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 64 Victoria Street 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. TAZA TAKE AWAY, 35A QUEENSWAY, LONDON, W2 4QJ

(Pages 1 - 34)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Lancaster Gate/ Bayswater Cumulative Impact Area	Taza Take Away, 35A Queensway, London, W2 4QJ	Premises Licence Variation	19/01149/LIPV

2. BAR TORRELLI, CANALSIDE WALK, PADDINGTON BASIN, PADDINGTON, W2 1BL

(Pages 35 - 58)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Hyde Park Ward/ not in Cumulative Impact Area	Bar Torrelli, Canalside Walk, Paddington Basin, Paddington, W2 1BL	New Premises Licence	19/00371/LIPN

3. BVLGARI HOTEL, 171 KNIGHTSBRIDGE, LONDON, SW7 1DW

(Pages 59 - 104)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	Knightsbridge and Belgravia Ward/ not in Cumulative Impact Area	Bvlgari Hotel, 171 Knightsbridge, London, SW7 1DW	Premises Licence Variation	18/14405/LIP V

**Stuart Love
Chief Executive
7 March 2019**

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.



City of Westminster

Licensing Sub-Committee Report

Agenda Item 1

Item No:	
Date:	14 March 2018
Licensing Ref No:	19/01149/LIPV - Premises Licence Variation
Title of Report:	Taza Take Away 35A Queensway London W2 4QJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Lancaster Gate
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	28 January 2019		
Applicant:	Mr Abie Shahrtash		
Premises:	Taza Take Away		
Premises address:	35A Queensway London W2 4QJ	Ward:	Lancaster Gate
		Cumulative Impact Area:	Bayswater CIA
Premises description:	The premises are a take away food establishment offering Late Night Refreshment between the hours of 23:00 and 00:00, Monday to Saturday.		
Variation description:	The applicant is seeking to extend the trading hours by a further two hours Monday to Saturday and add Late Night Refreshment on a Sunday		
Premises licence history:	The premises has had the benefit of a premises licence since 2006. The current premises licence reference is 06/10311/WCCMAP which is attached as Appendix 2 of this report. Please see Appendix 5 of the report for a full licence history.		
Applicant submissions:	On submission of the application, the applicant provided the following information: "We have always helped our community in any way we possibly could, our history is a testimony to our claim"		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	23:00	02:00	Ground floor	No change
Tuesday	23:00	00:00	23:00	02:00		
Wednesday	23:00	00:00	23:00	02:00		
Thursday	23:00	00:00	23:00	02:00		
Friday	23:00	00:00	23:00	02:00		
Saturday	23:00	00:00	23:00	02:00		
Sunday			23:00	02:00		
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	10:00	02:00	Ground floor	No change
Tuesday	10:00	00:00	10:00	02:00		
Wednesday	10:00	00:00	10:00	02:00		
Thursday	10:00	00:00	10:00	02:00		
Friday	10:00	00:00	10:00	02:00		
Saturday	10:00	00:00	10:00	02:00		
Sunday	10:00	00:00	10:00	02:00		
Seasonal variations/ Non-standard timings:	Current: None					

1-C Layout alteration
None

1-D Conditions being varied, added or removed	
Condition	Proposed variation
No change in conditions is proposed	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Roxanna Haq
Received:	25 February 2019
<p>I write in relation to the application (19/01149/LIPV) submitted for the variation of a Premises Licence for:</p> <p>Taza Take Away, 35A Queensway, London W2 4Q</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p>	

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

This application seeks the following:

1. To extend the terminal hour for the provision of late night refreshment, (currently Monday to Sunday 23:00 to 00:00) to:
Monday to Sunday 23:00 – 02:00

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

Policy point 2.5.16 states “It is recognised that late night refreshment premises play an important role by providing food and drink for visitors and workers and for some residents late at night. However because of the late hours that they operate, public nuisance can arise from these premises that affects residents and businesses. This is particularly from premises selling hot food or hot drink for consumption off the premises. Therefore, the Licensing Authority will give separate consideration to those late night refreshment premises offering the sale of hot food or drink for consumption off the premises. Where it is proposed to sell hot food and hot drink to standing customers or at fast food premises or for consumption off the premises (take-away), the application will be considered under policies FFP1 and FFP2.” 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.

2.5.10 states that “Should a restaurant apply for permission to supply late night refreshment, that is the supply of hot food or hot drink at any time between the hours of 23.00 and 05.00, then, in the event of relevant representations being received, the licensing sub-committee will have regard, amongst other matters, to the desirability of encouraging the rapid dispersal of people from the Cumulative Impact areas, and the times of closing of other premises in the vicinity.”

Furthermore policy points 2.3.4 says “The consideration of hours of operation will be in the context of the particular circumstances of each application and the licensing objectives of preventing crime and disorder and public nuisance. The hours at which noise may occur and disturbance of residents’ rest, relaxation and sleep will be of particular concern.” And point 2.3.5 “Activity associated with late night licensed premises may have an impact on the local environment and may cause public nuisance. The effect of noise is greater later at night when ambient noise levels are lower and residents are at home relaxing or wishing to sleep.”

The Licensing Authority have been made aware that on Monday 18 February 2019, at approximately 01.00; (this represents a Sunday night of trading); two City Inspectors attended the above premises, which was open and appeared to be trading. A test purchase was carried out and hot food was sold to the inspectors. A receipt was provided for this transaction which appeared to have the incorrect date and time on it. This sale was in contravention of Section 136 Licensing Act 2003;

- 1) to carry on a Licensable activity otherwise than in accordance with an authorisation;
- 2) Or; to knowingly allow a Licensable activity to carry on.

The inspectors were informed that an application to vary the late night refreshment hours had been submitted and were shown the blue notice on display. The staff member was advised by the inspectors that since the licence application had not been granted they should not be trading at this time and only trade within the permitted hours specified on their premises licence. The inspectors noted that while they were present further customers came in but were refused service and told the premises was closed.

There have been a number of resident objections to this application in relation to noise and public nuisance. Policy point 2.5.20 states “These issues are of particular concern in the Cumulative Impact Areas where there are high concentrations of fast food premises in addition to other licensed premises. On this basis and because the attraction and retention of people by the premises mitigates against their rapid dispersal from the cumulative impact areas, 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.

The Licensing Authority request further information as to how the applicant proposes to address the above concerns should this variation application be granted within the Bayswater cumulative impact area.

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 and I look forward to receiving any further submissions.

(A copy of the City Inspectors report appears at appendix 3)

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	11 February 2029

I refer to the application to vary the Premises Licence number for the above mentioned premises. This premises is located within the Queensway/Bayswater Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed licensable activities in line with the relevant policies within the Council’s Statement of Licensing Policy dated January 2016.

The applicant is seeking the following changes:

1. To extend the hours for the provision of Late Night Refreshment from 00:00 to 02:00 hours Monday to Saturday
2. To provide Late Night Refreshment on Sunday between the hours of 23:00 hours

and 02:00 hours.

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. Extending the hour to provide Late Night Refreshment by 2 hours Monday to Saturday may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Queensway/Bayswater Cumulative Impact area
2. The provision of late night refreshment and the hours requested on Sundays may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Queensway/Bayswater Cumulative Impact area

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 West End Cumulative Impact area.

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

Responsible Authority:	Metropolitan Police Service
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Representative:	Reaz Guerra
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Received:	30 January 2019
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With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention Objective.

The venue is situated in the Queensway/Bayswater Cumulative Impact Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

There is insufficient detail in the operating schedule to address the Crime Prevention Objective.

The hours for supply of alcohol exceeds Westminster's core hours policy.

It is for these reasons that we are objecting to the application

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	25 February 2019		
<p>I live in [REDACTED] and I wish to object to this application on a number of grounds. The first being the noise, Taza's patrons are loud, disruptive and have zero consideration for the residents. The staff often come out the back of Taza late at night yelling and smoking.</p> <p>Secondly is the rubbish, the customers from Taza leave the leftover plates, drinks, cutlery and food all over the street and the car park as does one of the staff.</p> <p>Thirdly is the fact that this application has been rejected previously and I believe it should not be granted as it will be detrimental to the already suffering residents. Queensway are night is not a pleasant place and I see only more problems with cars and loud customers.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	4 February 2019		
<p>Dear Sir or Madam,</p> <p>[REDACTED] the establishment for which the license application is changing, I'd like to highlight here the continuous hassle associated with Taza Kebab over the recent years and I would therefore object any continuation of the license unless significant changes are made.</p> <p>My objection is based on the following:</p> <ol style="list-style-type: none"> 1) The amount of traffic caused by customers visiting the premises (people parking on the street where it is not allowed to - e.g. stopping in the second row, causing congestion and honking). While this should not be an issue in general for a restaurant of this size, this place seems to attract a clientele not abiding by the rules. 2) I've witnessed at least 50 fights between workers in the establishment and people/customers passing by in the past eight years. These involved shouting as well as manual aggression in several cases, in particular during summer time. For many of these, there was no involvement of the police. This should not be acceptable behaviour and should be closely monitored. 3) The doors of the premises are always kept open, and ventilation above the grill does not appear to be sufficient. In particular in summer time, I can constantly smell burnt lamb fat in my flat when the windows are open. <p>I would therefore ask you to consider any extension of the license in the light of significant improvements to the points above.</p>			

Name:		██████████ - Happybadge Ltd,	
Address and/or Residents Association		Freeholder Of 7-45 Queensway	
Status:	Valid	In support of opposed:	Opposed
Received:	25 February		

We write as Freeholder of 7-45 Queensway (Queens Court) which contains the Taza Unit at 35A Queensway. The above mentioned application is for Taza to extend their hours of operation from midnight to 2am. This application is completely unjustifiable and should be refused by the Council.

Taza already causes significant harm to residents from its operation including noise disturbance from the operation of the premises, antisocial behaviour from both its staff and customers, odour and disturbance issues relating from its existing not fit for purpose kitchen extract and general lack of respect and consideration for the residents directly above and around its operation.

The Taza unit at ground floor has residential windows only 1m above the restaurant operation. The nature of the operation and the lay out of the premises means that during its hours of operation the premises is continuously open to the street, its customers que out to the street and eat the food on tables and chairs outside the restaurant. There will be no way for Taza to control this if they extend their hours of operation as there simply is not space in their restaurant to do so.

Granting of this hours of operation extension would make life unbearable for the residents directly above and around the unit and the Council will be inundated with complaints. The applicant has not sought to address any of the issues that this application would lead to by way of the provision of management statements or an explanation of their operation and how they could justify extending their hours of operation. The only reason they state in their application is 'We simply want to make our ends meet'.

We would suggest that not only is this factually incorrect with the level of complaints their existing operation provides from existing residents but also should fall significantly below the Council's criteria for justifying the extension.

In summary we believe that this extension to Taza's hours of operation cannot be justified, the application itself it severely lacking in supporting information to justify such an extension. Were the council to approve this it would lead to significant disturbance for the residents of Queensway and it also should go against The Council's aspiration to improve Queensway to the benefit of its residents.

Name:		██████████	
Address and/or Residents Association		████████████████████ ████████████████████ ██████████	
Status:	Valid	In support or opposed:	Opposed
Received:	25 February 2019		

I would like to register a strong objection to this application to extend the hours permitted for serving takeaway food at the above premises until 2am. It is within the Queensway/Bayswater Cumulative Impact Area: policy TAW2, limiting hours for takeaway food to no later than 23.00, surely applies here.

I support the objections made by residents (including the residents' association of

Princess Court, the large block of flats above the premises, and also SEBRA), and the reasons they give for refusal.

May I also draw your attention to the email dated 2 November 2018 from [REDACTED] to the Lancaster Gate councillors, describing recent enforcement action at these premises and the neighbouring newsagent at 35b Queensway, in the course of which a senior City Inspector felt intimidated by the owner of Taza and others alongside.

Name:		[REDACTED]	
Address and/or Residents Association		South East Bayswater Residents Association	
Status:	Valid	In support or opposed:	Opposed
Received:	22 February 2019		

The South East Bayswater Residents' Association (SEBRA) most strongly object to this application.

Queensway is located in a WCC STRESS area and the use of fast food take-away service causes real nuisance in terms of noise from customers and cars, discarded litter, potential crime & disorder etc.

There is a very large block of residential flats (Queens Court) above 3tA Queensway as well as flats opposite (and also in Princess Court a large block of flats just to the north) and noise and nuisance from continuous stream of customers coming and leaving after midnight will be unbearable to the occupants of these flats.

SEBRA's experience of issues with late night outlets is extensive in Bayswater with numerous problems of discarded litter, congregation of customers outside making noise and disorder (often with customers standing around or sitting on pavement outside eating the take-away!), cars pulling up and leaving to buy a take-away leaving engine running and playing loud music etc.

Westminster City Council acknowledges all these numerous problems and in their licensing policy Queensway has been designated as the Queensway/Bayswater Stress Area and hours of opening of late night establishments is restricted to WCC 'Core Hours' with take-away food normally limited to no later than 23.00 (Policy TAW2). We trust application will be refused.

Name:		[REDACTED]	
Address and/or Residents Association		Queensway Residents Association	
Status:	Valid	In support or opposed:	Opposed
Received:	25 February 2019		

Queensway Residents' Association (QRA) writes to make a relevant representation objecting to the grant of this application in the terms applied for. QRA objects on the basis that the likely effect of this application, if granted, and considering the premises in question are located within the Queensway/Bayswater Stress Area. It raises significant issues in respect of the City Council's 'Stress Area' policy TAW2 and particularly as the applicants proposals are bereft of anything which could go some way to resolving our very real concerns about something that, undoubtedly, would have be a severely

detrimental impact on the local residential amenity.

In light of the above, we trust the above application will be refused.

3. Policy & Guidance

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

Policy CIP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies <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
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. 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	Current Premises Licence
Appendix 2	Applicant supporting documents
Appendix 3	City Inspectors Report
Appendix 4	Premises History
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 8094 Email: kjackaman@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	25 February 2019
5	Environmental Health Service representation	11 February 2019
6	Metropolitan Police Service representation	30 January 2019
7	Interested Party Representation 1	25 February 2019
8	Interested Party Representation 2	4 February 2019
9	Interested Party Representation 3	25 February 2019
10	Interested Party Representation 4	25 February 2019
11	Interested Party Representation 5	22 February 2019
12	Interested Party Representation 6	25 February 2019

Current Premises Licence

Appendix 1



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

Schedule 12
Part A

WARD: Lancaster Gate
UPRN: 999000098038

Premises licence

Regulation 33, 34

Premises licence number:

06/10311/WCCMAP

Part 1 – Premises details

Postal address of premises:

Taza Take Away
35A Queensway
London
W2 4QJ

Telephone Number: 020 7705 2829 / 020 7727 7420

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:00

The opening hours of the premises:

Monday to Sunday - 10:00 to 00:00

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

N/A

Part 2

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

Mr Abie Shahrtash
35A Queensway
London
W2 4QT
Telephone Number : 020 7727 7420

Mrs Antje Shahrtsah
35A Queensway
London
W2 4QT

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

N/A

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

Name: N/A
Address: N/A
Phone: N/A

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: N/A
Licensing Authority: N/A

Date: _____

Signed: _____
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

None

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

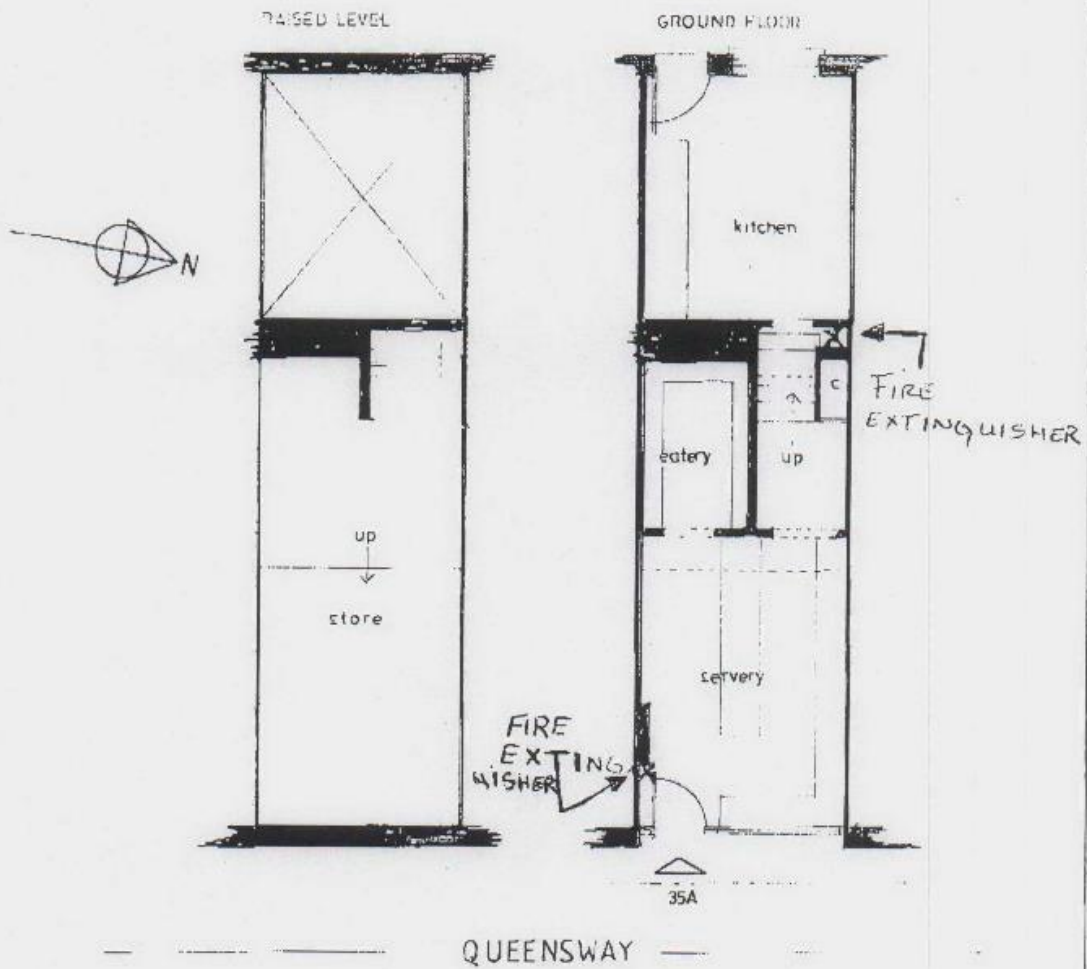
1. The pavement from the building line to the kerb edge immediately outside the premises, including gutter-channel at its junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
2. The pavement from the building line to the kerb edge immediately outside the premises is thoroughly washed down, unless the air temperature is 4 degrees Centigrade and falling.
3. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
4. Details of a dedicated and adequate, refuse storage area are forwarded to the Environmental Health Consultation Team for approval within 28 days of the grant of any licence.
5. Tables and chairs shall be confined within the forecourt and shall not spread onto the footway.
6. After closing the shop front shall be covered by security shutters.
7. Any entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex counter 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. (ii) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.

Annex 4 – Plans

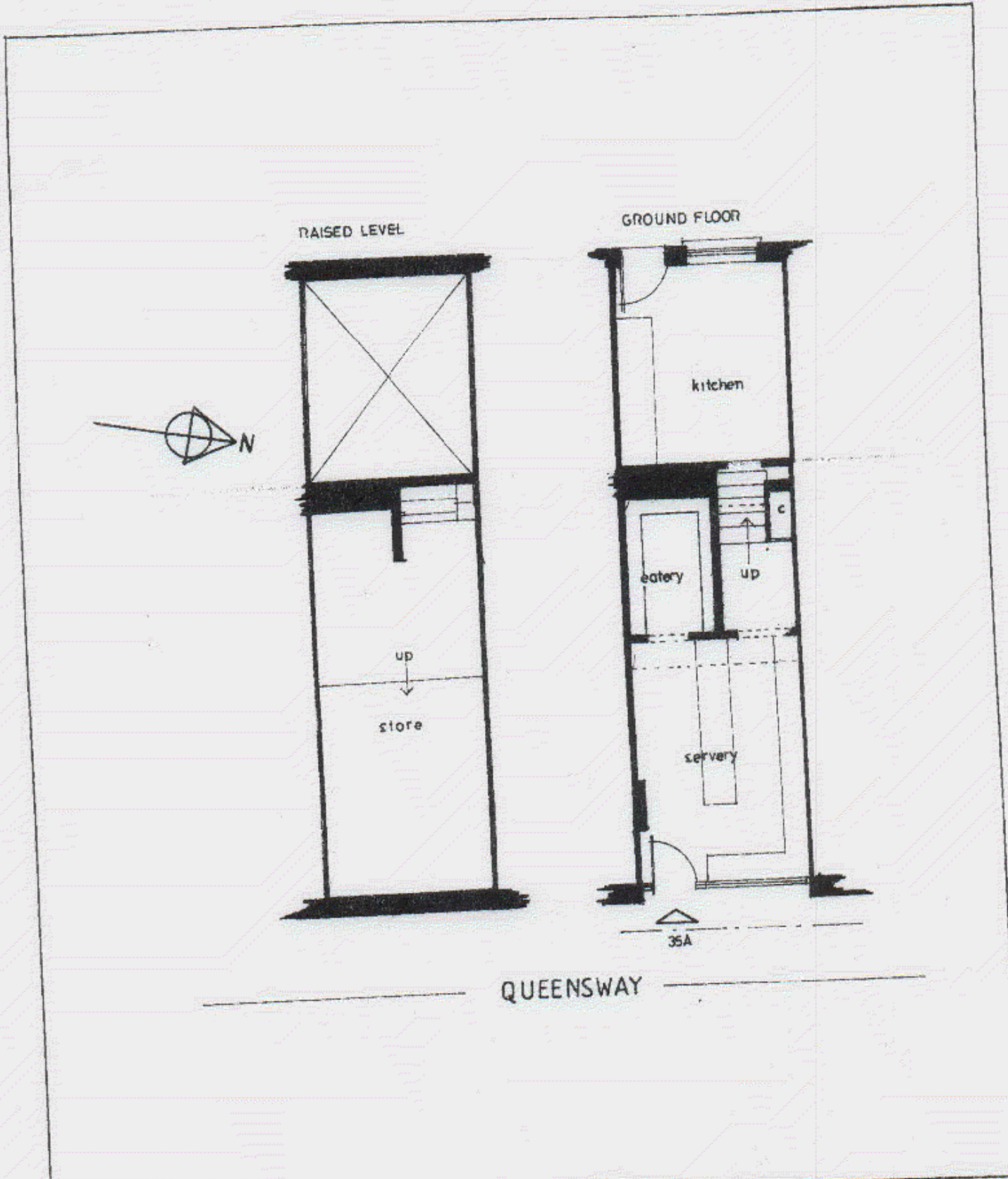
FROM :BDVANCE


FAX NO. :12345678900

08 Dec. 2005 16:28 P1



	<p><u>TITLE</u></p> <p>Floor plan</p>	<p><u>SCALE</u></p> <p>1:100</p>	
	<p><u>ADDRESS</u></p> <p>Taza Takeaway 35a Queensway London W2 4QJ</p>	<p><u>DATE</u></p> <p>Nov 05</p>	<p><u>BY</u></p> <p>RHS</p>
	<p><u>REF</u></p> <p>VS 097/05</p>		



	<u>TITLE</u> Floor plan	<u>SCALE</u> 1: 100	
	<u>ADDRESS</u> Taza Takeaway 35a Queensway London W2 4QJ	<u>DATE</u> Nov 05	<u>BY</u> RHS
		<u>REF.</u> VS 097/05	



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

Schedule 12
Part B

WARD: Lancaster Gate
UPRN: 999000098038

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/10311/WCCMAP

Part 1 – Premises details

Postal address of premises:

Taza Take Away
35A Queensway
London
W2 4QJ

Telephone Number: 020 7705 2829 / 020 7727 7420

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:00

The opening hours of the premises:

Monday to Sunday - 10:00 to 00:00

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

N/A

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

Mr Abie Shahrtash
35A Queensway
London
W2 4QT

Mrs Antje Shahrtsah
35A Queensway
London
W2 4QT

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

N/A

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

Name: N/A

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

Restricted

Date: _____

Signed: _____
Director of Legal & Administrative Services

Applicant Supporting Documents

Appendix 2

No documents submitted

CITY OF WESTMINSTER

PREMISES LICENSING INSPECTOR

MEMORANDUM

TO Ms Roxsana Haq
Senior Licensing Officer

Licensing Service
15th Floor Westminster City Hall

LI REF 19/01149/LIPV

FROM Glyn Franks
[REDACTED]
City Inspectors
Public Protection and Licensing
15th Floor, Westminster City Hall
gfranks@westminster.gov.uk

REF 19/06253/ELSELF

RE Taza, 35A Queensway W2

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

The premises are currently Licensed to serve Late Night Refreshment; Monday to Saturday; from 2300 until 00.00

On Monday the 18th of February, at approximately 01.00; (this represents a Sunday night of trading); two City Inspectors attended the above venue, which was open and appeared to be trading.

At my request, they made a test purchase of hot food. The food was prepared and heated, sold at a cost of £7; and the Inspectors were given a receipt.

This sale was in contravention of Section 136 Licensing Act 2003;

- 1) to carry on a Licensable activity otherwise than in accordance with an authorisation;
 - 2) Or; to knowingly allow a Licensable activity to carry on.
-

This is an extract of the message passed to me the same day of the test purchase

Hi Glyn,

I visited Taza Takeaway, 35a Queensway at approximately 01:00hrs accompanied by another Inspector. The premises was open and what appeared to be lamb and chicken donor was being cooked on the rotating grills. We ordered one lamb and one chicken shawarma which was served to us, we were asked if we wanted to sit outside or takeaway. I paid £7 for the two shawarma and requested a receipt which was provided. I noticed that the date and time on the receipt are incorrect by a huge margin (16.06.12 – 14:49hrs), please see the scanned copy of the receipt attached. The meat was put in a pitta bread and heated on a sandwich press at the counter.

I then introduced myself and asked the male who served us if there was a valid licence to serve hot food at this time. He replied that they had applied for the licence and pointed at a blue notice stuck to the front door of the premises. I advised the male that since the licence application had not been granted they should not be trading at this time and only trade within the permitted hours specified on their premises licence.

While I was making my notes the male who served us called the owner, Mr Abie Shahrtash who claimed he stayed open due to community spirit and had been trading in the Queensway for 25 years. He was advised also that until the variation application is granted he should trade within the permitted hours on the current licence. While we were present 3-4 males came in but were refused service and told the premises was closed. There were 4 male members of staff on the premises, all were wearing red t-shirts with the Taza logo on the front and back in yellow.

The male who served us was in his late 40s to early 50s, stocky build with his head almost clean shaven, he refused to give his name when requested. I am sure if requested, Mr Shahrtash will provide the details of all staff working at the time of my visit. If you need a statement please let me know.

This matter has been recorded on Uniform reference 19/06253/ELSELF

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
06/10311/WCCMAP	Conversion	23 February 2006	Granted by Licensing Sub Committee
05/12976/LIPN	New premises licence	23 February 2006	Granted by Licensing Sub Committee
18/09436/LIPVM	Minor Variation to extend trading hours to 02:00 and add Late Night Refreshment on Sundays	29 August 2018	Refused under delegated authority
19/00904/LIPVM	Minor Variation to extend trading hours to 02:00 and add Late Night Refreshment on Sundays	29 January 2019	Withdrawn

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

8. The pavement from the building line to the kerb edge immediately outside the premises, including 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.
9. The pavement from the building line to the kerb edge immediately outside the premises is thoroughly washed down, unless the air temperature is 4 degrees Centigrade and falling.
10. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
11. Details of a dedicated and adequate, refuse storage area are forwarded to the Environmental Health Consultation Team for approval within 28 days of the grant of any licence.
12. Tables and chairs shall be confined within the forecourt and shall not spread onto the footway.
13. After closing the shop front shall be covered by security shutters.
14. Any entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex counter 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. (ii) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.

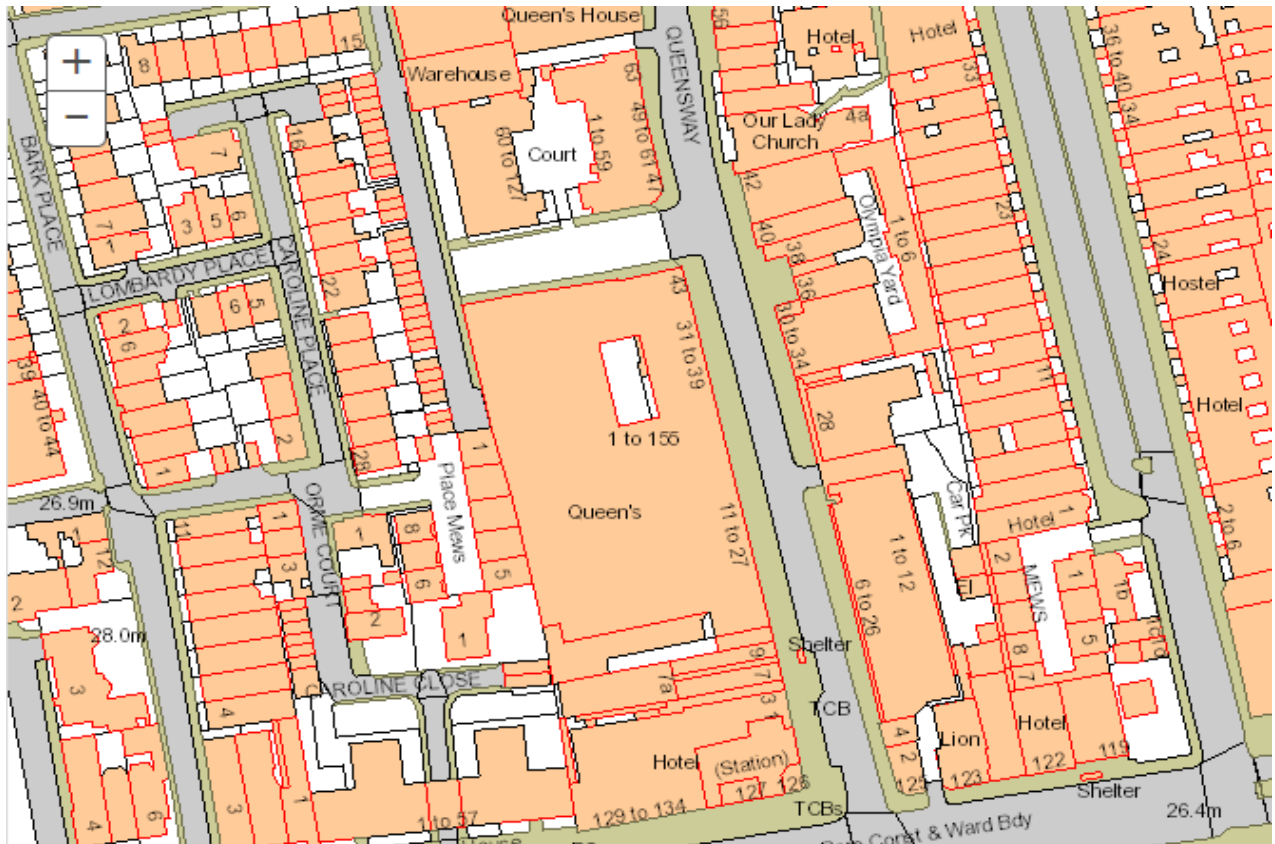
Conditions proposed by Environmental Health to be added to the premises licence in the event that the application is granted.

15. 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
16. All tables and chairs shall be removed from the outside area by **23.00** hours each day
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
19. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
20. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway
21. 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

Residential Map and List of Premises in the Vicinity

Appendix 6

Due to technical issue with the Council's GIS Mapping System an alternative map of the premises and locality has been provided



Resident Count: 475

Licensed premises within 75 metres of 35A Queensway

Licence Number	Trading Name	Address	Premises Type	Time Period
11/06692/LIPDPS	Caps News	35B Queensway London W2 4QJ	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
06/10311/WCCMAP	Taza Take Away	35A Queensway London W2 4QJ	Shop	Monday to Sunday; 10:00 - 00:00
17/06728/LIPN	Ground Floor	31-31A Queensway London W2 4QJ	Shop	Monday to Saturday; 07:00 - 00:00 Sunday; 08:00 - 00:00

06/10289/WCCMAP	Kalinka	35 Queensway London W2 4QJ	Shop	Monday to Saturday; 11:00 - 20:00 Sunday; 12:00 - 18:30
15/03800/LIPT	Queensway Food & Wine	37 Queensway London W2 4QJ	Food store	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
10/04568/LIPN	Curry Place	36 Queensway London W2 3RX	Restaurant	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 Sunday; 12:00 - 22:30
10/06611/LIPT	Food Basics Limited	28 Queensway London W2 3RX	Restaurant	Monday to Saturday; 10:00 - 23:00 Sunday; 10:00 - 22:30
09/10291/LIPN	Casa Brasil	Unit L001 Queensway Market 23-25 Queensway London W2 4QJ	Restaurant	Monday to Saturday; 11:00 - 20:00 Sunday; 12:00 - 18:00
17/03341/LIPVM	Queen's Ice Bowl	Queens Ice Club 17 Queensway London W2 4QP	Ice rink	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:00
18/08878/LIPT	Del Casa	27 Queensway London W2 4QJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/02559/LIPN	La Docta	Unit A15 Queensway Market 23 - 25 Queensway London W2 4QJ	Shop	Monday to Sunday; 10:00 - 20:30
13/08953/LIPT	Royal China Chinese Restaurant	13 Queensway London W2 4QJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

09/01492/LIPT	Bedouin	38 Queensway London W2 3RS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/03595/LIPN	Not Recorded	44 Queensway London W2 3RS	Shop	Monday to Sunday; 09:00 - 22:00
14/02691/LIPDPS	Med Mezze	22 Queensway London W2 3RX	Restaurant	Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00
06/10112/WCCMAP	Mandarin Kitchen	14-16 Queensway London W2 3RX	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/11442/LIPN	Not Recorded	10 Queensway London W2 3RX	Shop (large)	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:00
15/03322/LIPV	Manoush Restaurant	48 Queensway London W2 3RY	Restaurant	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

13/01987/LIPT	Kam Tong Chinese Restaurant	59-63 Queensway London W2 4QH	Restaurant	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
18/04670/LIPDPS	Bella Italia	55-57 Queensway London W2 4QH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/02012/LIPDPS	Hung Toa Restaurant	51 Queensway London W2 4QH	Restaurant	Monday to Saturday; 12:00 - 23:30 Sunday; 12:00 - 22:30
16/05337/LIPT	Kam Tong Chinese Restaurant	59-63 Queensway London W2 4QH	Restaurant	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
17/02109/LIPDPS	Maharaja	50 Queensway London W2 3RY	Restaurant	Monday to Sunday; 12:00 - 00:30

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Item No:	
Date:	14 March 2019
Licensing Ref No:	19/00371/LIPN - New Premises Licence
Title of Report:	Bar Torelli Canalside Walk Paddington Basin Paddington W2 1BL
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Angela Seaward Senior Licensing Officer
Contact details	Telephone: 0207 641 8116 Email: aseaward@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	11 January 2019		
Applicant:	Marco Costa T/A Bar Torelli		
Premises address:	Canalside Walk	Ward:	Hyde Park
	Paddington Basin Paddington W2 1BL	Cumulative Impact Area:	None
Premises description:	According to the application form, the Airstream trailer intends to serve coffee, alcohol and light snacks on private land within Paddington Basin.		
Premises licence history:	This is an application for a new premises licence and therefore has no licence history.		
Applicant submissions:	<p>The applicant provided the following supporting statement on submission of the application:</p> <p>“We are a responsible business who takes seriously the licensing objectives and the Council’s Statement of Policy for the Licensing Act 2003. We have set out what we feel is necessary to ensure that the licensing objectives have been fulfilled for our business. The premises will be putting in places rules which staff will be trained on and will included prevention of crime and disorder steps to follow to ensure that patrons are aware at all times of their obligations towards the premises, staff and the surrounding residents. We take public safety very seriously and will make sure that no patron will abuse this position. We will also make sure that patrons won't be offered alcohol in the event that they act or behave in an anti-social behaviour. Clear signage will be places to prevent public nuisances.”</p>		

1-B Proposed licensable activities and hours							
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	11:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities			
Responsible Authority:	EH Consultation Team		
Representative:	Ian Watson		
Received:	31 January 2019		
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The applicant has submitted a location and premises plan. This representation is based on the plan and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 11.00 to 23.00 hours and Sunday 11.00 to 22.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety. <p>The applicant has not provided sufficient conditions to address the concerns of Environmental Health nor identified the location and provision of toilets for the public.</p> <p>Following discussion with the applicant conditions have been proposed as set out in appendix 3</p> <p>Hours for sale of Alcohol proposed are Monday to Sunday 11.00 to 21.00 hours</p>			
Responsible Authority:	Metropolitan Police Service		
Representative:	PC Adam Deweltz		
Received:	14 January 2019		
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p>			
2-B Other Persons			
Name:	██████████		
Address and/or Residents Association:	Planning and Licensing PWMVS ██████████ ██		
Status:	Valid	In support or opposed:	Opposed
Received:	18 January 2019		
<p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p> <p>We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the</p>			

legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

With that in mind, this application raises some issues which lead us to conclude that, if granted as applied for, it would constitute an unacceptable risk of harming the licensing objectives. We would ask that if the licensing authority is minded to grant the application, it should be with amendments and extra conditions.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.

The application

We note that the application seeks:

- 1) To sell alcohol from 11am to 11pm Mon-Sat, 10pm Sun.
- 2) To sell alcohol for consumption both on and off the premises.

Reasons for representation

We have the following concerns:

1. The proposed commencement hour for sale of alcohol is outside of core hours and far too early.
2. The proposed terminal hour is beyond core hours on a Sunday. The proposed terminal hour on each day is also far too late given the proposed style of operation.
3. The application refers to the premises providing 'coffee, alcohol and light snacks'. This could mean that the premises could be predominantly drink led.
4. There appears to be seating for up to 40 people at tables and chairs adjacent to the 'airstream' trailer. This could result in large numbers of people drinking alcohol without food.
5. There is no condition proposed that alcohol would be ancillary to table meals or takeaway meals.
6. There is no condition proposed that alcohol would only be consumed by persons seated.
7. There is no condition limiting use of outside tables and chairs.
8. There is no condition that 'super strength' alcohol will not be sold for consumption off the premises.
9. We are concerned with noise from outside tables and chairs.
10. We are concerned with noise and nuisance from people consuming alcohol away from the premises.

The applicant has stated that 'There are other similar units on site, therefore we wish to compliment these'. We are not aware of similar units which sell alcohol, particularly absent the sorts of restrictions we have noted above. We request that the applicant specifies which units they have in mind.

We therefore object to this licence being granted. Should the licensing authority be minded to grant a licence, we request that the hours are reduced, and conditions are added in line with our suggestions above

Conclusion

We are aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

Name:	[REDACTED]		
Address and/or Residents Association:	South East Bayswater Residents' Association(SEBRA) 2, Claremont Court Queensway LONDON W2 5HX		
Status:	Valid	In support or opposed:	Opposed
Received:	6 February 2019		
<p>The South East Bayswater Residents' Association (SEBRA) strongly object to this application and fully support the objections and comments made by the PW&MV Society in their email dated 18 January 2019</p> <p>We do not believe this application should be granted and remain to be convinced that 'premises' and proposed location</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours 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></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 provision of other licensable activities:</u></p> <p>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 OS2 applies	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.

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

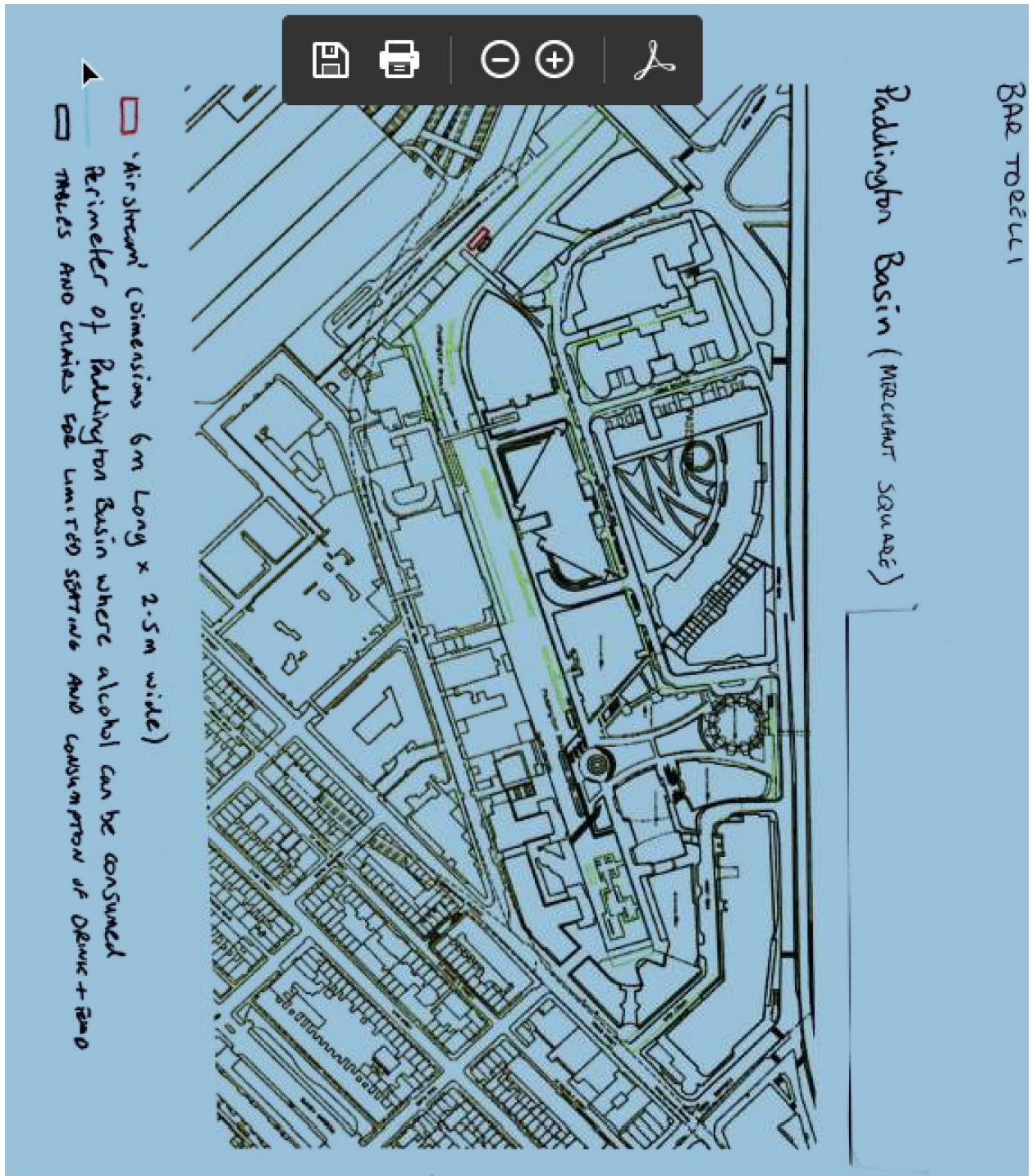
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Submissions by Interested Party
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

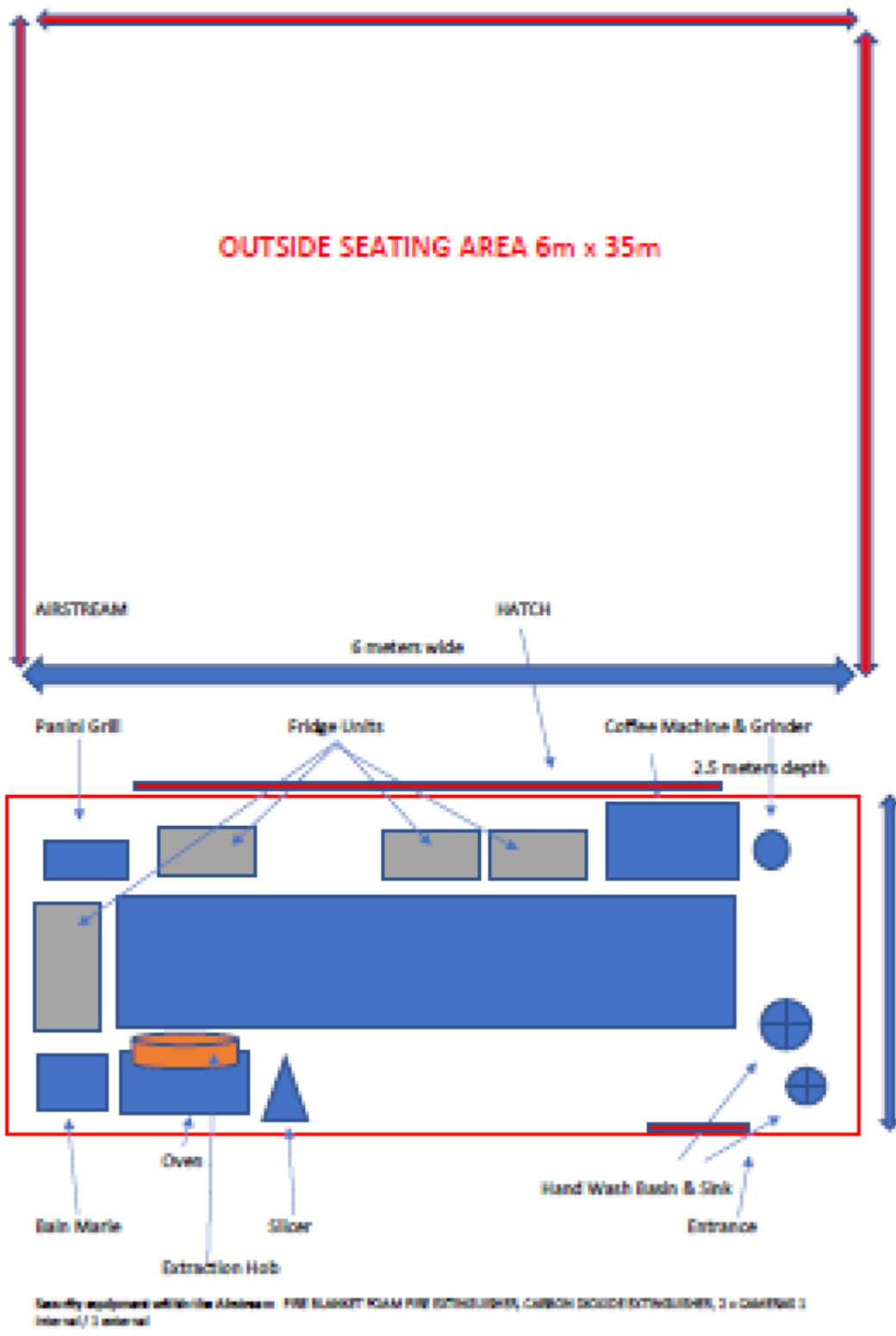
Report author:	Angela Seaward Senior Licensing Officer
Contact:	Telephone: 0207 641 8116 Email: aseaward@westminster.gov.uk

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 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Representation Environmental Health Service	31 January 2019
5	Representation Metropolitan Police Service	14 January 2019
6	Representation Interested Party	18 January 2019
7	Representation Interested Party	6 February 2019
8	Submissions by Interested Party	6 March 2019





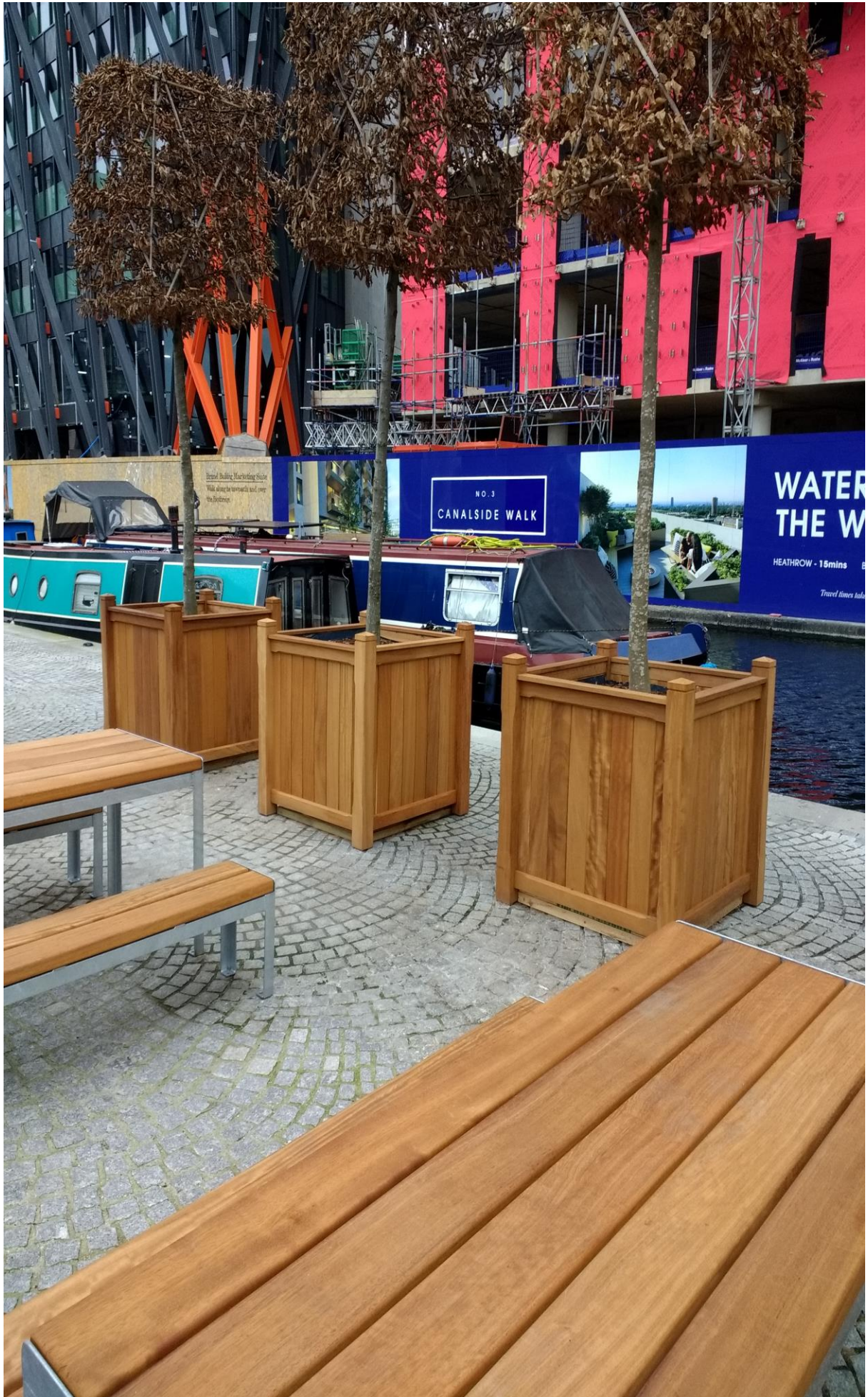
Photographs of the unit to be licensed and seating area











Dear Richard,

Thanks for your response. My response follows your numbering.

1. Thank you for confirming.
2. Your response is noted, but we also note that EH have proposed the earlier terminal hour.
3. Noted.

Other points:

- Noted. Can you confirm whether our proposed condition '*No noise generated...etc*' is accepted?
- Noted. Presumably our proposed condition that tables and chairs are rendered unusable when the premises closes is therefore not accepted? There is some concern that the tables and chairs can be used by members of the public at any time. It is usual for external tables and chairs to be taken in or rendered unusable when the premises is closed.
- Noted. Can you confirm whether our proposed condition '*Sale of alcohol in open containers... etc*' is accepted?
- Noted. Can you confirm whether our proposed condition '*No super-strength beer, lagers, ciders or spirit mixtures...etc*' is accepted? For the avoidance of doubt, we do not consider that 'port and stilton' or similar would be caught by this condition.
- Noted. Can you confirm whether our proposed condition '*The licensable activities authorised by this licence...etc*' is accepted?
- Noted, no further comment.

Kind regards,

Richard

Richard Brown
Licensing Advice Project

From: RICHARD HADDAD <[REDACTED]>
Sent: 04 March 2019 21:16
To: licensing licensing <[REDACTED]>
Cc: Jackaman, Kevin: WCC [REDACTED]; Watson, Ian: WCC [REDACTED]; Marco Costa <[REDACTED]>; John Zamit <[REDACTED]>
Subject: Re: 19/00371/LIPN Bar Torelli

Dear Richard

Thank you for your email, the contents I note

I shall be responding to your points in chronological order on behalf of the applicant Marco Costa

1. The licensing activity occurs at the mobile unit therefore it is an 'off sale'. As you are aware the seating area is not part of the applicant's demise and can in fact be used by anyone in the vicinity. Therefore, the unit can only apply for 'off sales'

2. The initial application states sales Monday to Saturday 11am to 11pm and Sunday 11am to 10pm, we agreed a compromise of 11am to 10:30pm Monday to Saturday and Midday to 9pm on Sundays. This means that we would stop serving alcohol well before nearby licensed premises. We have had a number of Temporary Event Notices (TENs) over the months, which we believe has demonstrated our ability to sell alcohol responsibly.

3. The premises would close at 11pm Monday to Saturday and 9:30pm on Sunday

Your other points are as follows:

- Music will be background, incidental to the main activity (non licensed activity)
- As mentioned above the table and chairs are for general use
- As mentioned above 'off sales'
- We are happy not to sell high ABV largers and ciders, this is clearly not what we want to market, however if we sell 'port and stilton' or other similar accompaniments, we don't want to be restricted by the licence
- Similar to a retail petrol station our main activity remains food and hot drinks, where alcohol sales will be ancillary to the main activity
- All alcohol sales will be subject to 'Challenge 25' and staff will be trained accordingly

I hope this clarifies our position

In the meantime, if you wish to discuss matters further, please do not hesitate to contact me

Yours sincerely

Richard

On 4 Mar 2019, at 15:34, licensing licensing <[REDACTED]> wrote:

Dear Kevin,

Thanks for sending the EH conditions. I have discussed these with [REDACTED]

We had a helpful meeting with the applicant prior to those conditions being produced. Although both [REDACTED] wish the applicant well and neither object to a licence being granted *per se*, there were some issues raised in the reps which were not covered by the conditions submitted with the application. I said I would come back with some conditions we were proposing to address points which arose during the meeting.

There are three points on which we would like clarification:

1. The proposed hours in the EH conditions refer to 'on' and 'off' sales of alcohol. Our understanding from our meeting was that 'the licensed premises' is only the trailer itself, not the area where the tables and chairs are, and so there are no 'on' sales, it is all 'off' sales to the seating area and more general off sales to take away. Based on this

understanding, we were intending to propose that 'on' sales were withdrawn as not necessary.

2. The EH conditions state that the hours for sale of alcohol are amended to 11am to 9pm Mon-Sun – which would be very welcome, save for being outside of core hours on Sunday morning. However, the applicant's email to [REDACTED] states 'Please note we have agreed a changed of licensing hours of 11am to 10:30pm Monday to Saturday and Sunday midday to 9pm'.
3. It is not clear when the premises would close.

Pending confirmation of the above, our comments on the EH conditions and our proposed conditions are:

- We note that MC12 is not proposed (*'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'*). Given that there is residential accommodation soon to be finished close to the premises, we feel this condition should be included.
- There is no condition proposed that the tables and chairs are rendered unusable when the premises closes. It is clearly impractical for the tables and chairs to be taken inside, but it would not be helpful for nearby residents if the tables and chairs are able to be used by passing members of the public after the premises has closed.
- We propose a condition that *'Sale of alcohol in open containers for consumption off the premises (or for consumption on the premises if our understanding at point 1 above is incorrect) shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway'*
- We propose MC29: *'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.'*
- We discussed the nature of the food offer, and it is clear that the premises could not operate under a 'restaurant' condition. We propose the following instead: *'The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a café providing substantial food and non-alcoholic drinks'*.
- Elizabeth has raised the proximity of the nearby school. We note EH condition 16, and presume that the applicant has appropriate staff training measures in place to fulfil this condition.
- There are some misgivings regarding general off sales, but I await confirmation of point 1 above before proposing a condition in this regard.

Kind regards,

Richard
Richard Brown
Licensing Advice Project

From: Jackaman, Kevin: WCC <[REDACTED]>
Sent: 27 February 2019 14:28
To: licensing licensing <[REDACTED]>
Subject: FW: 19/00371/LIPN Bar Torelli

Hi Richard

As discussed.

Kind regards

Kevin.

From: Richard Haddad <[REDACTED]>
Sent: 26 February 2019 18:20
To: [REDACTED]
Cc: Jackaman, Kevin: WCC <[REDACTED]>; Watson, Ian: WCC
[REDACTED]
Subject: Fwd: 19/00371/LIPN Bar Torelli

Dear Residents

Further to the meeting on site with [REDACTED] (the applicant)
Please see attached the suggest conditions agreed with Ian Watson from environmental health
to address some of the concerns raised.

Please note we have agreed a changed of licensing hours of 11am to 10:30pm Monday to
Saturday and Sunday midday to 9pm

As a local business we want to be perceived as being part of the community and would ask you
to contact either [REDACTED] or myself if you wish to discuss anything.

I trust this will meet your satisfaction.

I would be grateful if you could confirm in an email that you are happy with the conditions and
willing to withdraw your representation.

Warmest regards

Richard

Richard Haddad [REDACTED]

From: "Watson, Ian: WCC" [REDACTED] >
Date: 22 February 2019 at 15:57:15 CET
To: Richard Haddad <[REDACTED]>
Subject: RE: 19/00371/LIPN Bar Torelli

Richard
Proposed conditions etc attached.

Regards

Ian Watson
Senior Practitioner Environmental Health (Licensing)
EH Consultation

From: Richard Haddad <[REDACTED]>
Sent: 06 February 2019 22:58

To: Watson, Ian: WCC [REDACTED] >
Cc: [REDACTED]
Subject: Re: 19/00371/LIPN Bar Torelli

Dear Ian

I hope this email finds you well

I have had the opportunity to speak to Paddington Station management and confirm that the toilets are within a reasonable period and available for public use 24 hours a day at no charge.

Please see the link below provided by station management

<https://www.networkrail.co.uk/stations/paddington/>

Warmest regards

Richard

Richard Haddad [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 31 Jan 2019, at 14:57, Watson, Ian: WCC [REDACTED] > wrote:

Dear Richard

Please find representation. My main concern is the lateness of the hours and the availability of local public free toilets.

Can you advise if there is any movement at all.

Regards

Ian Watson
Senior Practitioner Environmental Health (Licensing)
EH Consultation

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

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.
- 5(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.
- 5(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.
- 5(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.

Conditions proposed by Environmental Health

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff

member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

11. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
12. No drinks shall be served in glass containers/bottles at any time.
13. All persons consuming alcohol shall be seated.
14. Persons shall not be allowed to take away open containers of alcohol from the premises.
15. Notices shall be prominently displayed on all tables showing the location of the nearest public toilets.
16. Notices shall be prominently displayed at all tables requesting patrons to respect the needs of local residents and businesses to minimise noise and leave the area quietly.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. 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.
19. 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.
20. There shall be no self-service of alcohol.
21. 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.
22. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
23. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
24. 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.
25. 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.

26. Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that; (i) Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person for a minimum of four hours before the commencement of the relevant designated sporting event; (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated sporting event; (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event; (iv) On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event; (v) All members of staff working at the premises are informed of this condition prior to taking up employment; (vi) On the day of the relevant designated sporting event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the police or until the relevant designated sporting event has finished.
27. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
28. 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.



There is no resident count

Licence Number	Trading Name	Address	Premises Type	Time Period
18/04689/LIPDPS	Barburrito - Unit 18	The Lawn Paddington Station Praed Street London W2 1RL	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
17/14596/LIPN	Wasabi, Unit 12	The Lawn Paddington Station Praed Street London W2 1RL	Not Recorded	Monday to Sunday; 07:00 - 23:00
11/02593/LIPDPS	ETC Venues	Ground Floor To Third Floor 57 North Wharf Road London W2 1LA	Office	Monday to Saturday; 07:00 - 23:30 Sunday; 07:00 - 22:30

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City of Westminster

Licensing Sub-Committee Report

Agenda Item 3

Item No:	
Date:	14 March 2019
Licensing Ref No:	18/14405/LIPV - Premises Licence Variation
Title of Report:	Bulgari Hotel 171 Knightsbridge London SW7 1DW
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Angela Seaward Senior Licensing Officer
Contact details	Telephone: 0207 641 8116 Email: aseaward@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	16 November 2018		
Applicant:	Prime Hotels (UK) Limited		
Premises:	Bulgari Hotel		
Premises address:	171 Knightsbridge London SW7 1DW	Ward:	Knightsbridge And Belgravia
		Cumulative Impact Area:	None
Premises description:	This premises currently operates as a hotel.		
Variation description:	<p>This variation application seeks the following variations:</p> <ol style="list-style-type: none"> 1. To seek approval of new ground floor and basement level layout drawings where the overall licensed areas remain the same but the bar and restaurant areas change floors and there is the creation of a new lobby area on the ground floor and part of the restaurant becomes more of a casual cafe style operation. 2. To extend the hours when licensable activities may be provided to non-residents within the bar area by one hour on Monday to Saturday (changing from midnight to 01:00) 3. Changes to conditions relating to the bar and restaurant as detailed under section 1D of the report 		
Premises licence history:	<p>A premises licence is currently in existence at Bulgari Hotel under reference number 19/00225/LIPDPS. A copy of this licence is attached to appendix 2.</p> <p>In summary, this premises licence permits, Performance of Dance, Live, recorded music and Anything of a similar description, Late Night Refreshments and Sale of Alcohol. the following licensable activities and full details are listed under section 1B of the report.</p> <p>Bulgari Hotel has been licensed since 26 April 2012. A full premises license history for his premises has been provided at Appendix 3 of this report.</p>		
Applicant submissions:	<p>On submission of the application, the applicant has provided the following statement</p> <p>The premises are proposing to carry out refurbishment works to the ground floor and basement levels so that the existing ground floor bar area is relocated to the basement area and the restaurant area relocated to the ground floor with a slight change in the style to include both formal restaurant and a less formal café style operation. The changes will include the creation of a new lobby area to this area so that the Knightsbridge Green entrance may be more fully utilised but</p>		

	also the removal of tables and chairs from the terrace on Knightsbridge Green and this area will then only be used solely as a smoking area.
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1-B Current licensable activities, areas and hours

Performance of Dance (No change proposed)

Monday to Sunday: 00:00 to 23:59 (for residents)
Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday: 07:00 to 22:00 (Spa and Gym)
Monday to Sunday: 07:00 to 00:00 (Screening Rooms)

Exhibition of a Film, Performance of live music, Playing of Recorded Music

Monday to Sunday: 00:00 to 23:59 (for residents)
Monday to Sunday: 07:00 to 00:00 (Business Centre, Screening Rooms, Private Dining Area, Ground Floor Bar)
Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday: 07:00 to 22:00 (Spa and Gym)
Monday to Saturday: 07:00 to 01:00 (Basement Restaurant)

Sunday and Bank Holiday: 07:00 to 23:00 (Basement Restaurant, Private Dining Area, Ground Floor Plan)

Anything of a similar description to Live Music, Recorded Music or Performance of Dance (no change proposed)

Monday to Sunday: 00:00 to 23:59 (for residents)
Monday to Sunday: 07:00 to 00:00 (Screening Rooms)
Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)

Late Night Refreshment

Monday to Sunday: 23:00 to 00:00 (Basement Restaurant, Ground Floor Bar, Private Dining Area, Business Centre, Screening Rooms)
Monday to Sunday: 23:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday: 23:00 to 05:00 (For Residents)

Sale by Retails of Alcohol

Monday to Sunday: 00:00 to 23:59 (for residents)
Monday to Sunday: 07:00 to 00:00 (Screening Rooms, Private Dining Area, Ground Floor Bar)
Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday: 07:00 to 22:00 (Spa and Gym)
Monday to Saturday: 07:00 to 01:00 (Basement Restaurant)

Sunday and Bank Holiday: 07:00 to 23:00 (Basement Restaurant, Private Dining Area, Ground Floor Plan)

Opening Hours

Monday to Sunday: 00:00 to 00:00
Monday to Saturday: 08:00 to 22:00
Sunday: 09:00 to 22:00

Note: There are no proposed changes to the licensable hours permitted in the restaurant area. The variation application proposes to change the licensable area of the restaurant from the basement floor to the ground floor.

There are proposed changes to the licensable hours permitted in the bar area. The variation application also seeks to vary the licensable area for the bar area from the ground floor bar to the basement floor as detailed below.

1-C Current and proposed licensable activities, areas and hours for the bar area only						
Regulated Entertainment						
Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No Change			
Seasonal variations: Non-standard timings:	Current:				Proposed:	
	Bank Holiday 07:00 to 23:00				No change	

Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No Change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Bank Holiday 07:00 to 23:00				No change	

Performance of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No Change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Bank Holiday 07:00 to 23:00				No change	

Exhibition of film						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Bank Holiday 07:00 to 23:00				No change	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
					No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	00:00	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				None	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and off		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Bank Holiday 07:00 to 23:00				No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	24:00	No Change		Ground floor bar	Basement floor bar as detailed at Section 1-D of the report.
Tuesday	00:00	24:00				
Wednesday	00:00	24:00				
Thursday	00:00	24:00				
Friday	00:00	24:00				
Saturday	00:00	24:00				
Sunday	00:00	24:00				

1-C	Layout alteration
The layout alteration proposed by the applicant is as follows:	
<u>Ground Floor</u> A new lobby area Relocated restaurant with a formal restaurant area and less formal café style operation	
<u>Basement</u> Relocated bar area	

1-D Conditions being varied	
Condition	Proposed variation
Condition 31	The sale of alcohol in the main ground floor restaurant shall only be to persons seated at tables and as ancillary to table meals except for hotel residents and up to 3 guests for each resident, (additional guests may be allowed only with the prior authorisation from the manager in writing for specific additional guests, a copy of which shall be held at the

	hotel reception and made available for inspection at the request of the Police or authorised officer) and save for those seated in the ground floor café area or stood by the café bar counter.
Condition 32	The main restaurant in the ground floor and shall be laid out as a restaurant and this area together with the ground floor café area (which shall contain suitable seating arrangements) shall have no more than 140 persons (excluding staff) seated within this area at any one time.
Condition 33	The maximum capacity within the basement bar area shall be 90 persons (excluding staff) at any one time.
Condition 34	The supply of alcohol in the restaurant shall be by waiter or waitress only save for in relation to the café area where such service shall remain available and be encouraged when in use but not be required
Condition 35	The supply of alcohol in the basement bar shall be by way of waiter/waitress service only other than to persons in the bar area immediately in front of the bar (as show more particularly on the plans submitted with the application).
Condition 37	A person shall be employed as a host within the ground floor reception lobby/host station to the restaurant and café area (located close to the **** whenever this area is open to non-residents who will greet all persons entering this area and shall monitor the numbers of persons accommodated within this area.
Condition 38	The Knightsbridge Green entrance to the ground floor restaurant and café area may be used by members of the public as a entrance or exit to these areas or the basement bar area during the hours when they are permitted to use the ... these areas. Whenever, the door is in such use it shall be closed except for access and the reception lobby shall be manned by a host during such use. In addition or the consumption of food or alcohol.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Services
Representative:	Mr Dave Nevitt
Received:	14 December 2019
I wish to make Representations on the following grounds: Representation is made in relation to the application for a change in the layout of the premises as this may impact on Public Safety.	

Representation is made in respect of the application to increase hours for Licensable activities as this may increase the risk of Public Nuisance.

2-B Other Persons			
Name:		Winkworth Sherwood	
Address and/or Residents Association:		KMRC Minerva House 5 Montague Close London	
Status:	Valid	In support or opposed:	Opposed
Received:	14 December 2019		
<p>We act for the Knightsbridge Residents Management Company Limited of the Knightsbridge Apartments, 199 Knightsbridge, London SW7 1RH ("KRMC"). We are instructed to submit this letter of representation in respect of the above application by Prime Hotels (UK) Ltd ("the Applicant") for the variation of its premises licence ("Premises Licence") at the Bvlgari Hotel, 163 Knightsbridge SW7 1DW ("the Hotel").</p> <p>KRMC KRMC represents the residents ("the Residents") of the 199 Knightsbridge Apartments ("the Apartment"). The Apartments consist of 201 apartments occupied by approximately 500 people including many families with young children and elderly people. The Apartments are located immediately to the west of the Hotel on Knightsbridge. Half of the Apartments have a frontage to Knightsbridge and to Trevor Street. KRMC is authorised by the Residents to submit this letter of representation.</p> <p>Consultation The Hotel and its advisors are aware KRMC and the others opposed an application to vary the premises licence in 2013. In the light of this KMRC is disappointed that it was not consulted prior to the submission of the Application.</p> <p>Policy and Guidance We make reference in this representation to the Westminster City Council Statement of the Licensing policy 2016 (" Policy") operative from 7 January 2016 and to amended Guidance issued under section 182 of the Licensing Act 2003 April 2018 ("the Guidance").</p> <p>Grounds for the representation The Application may be summarised as follows:</p> <p>Move the Existing ground floor bar to the basement</p> <ul style="list-style-type: none"> • Remove restaurant condition from the basement • Move the existing basement restaurant to ground floor • Attach restaurant condition to part of the ground floor only • Create a "café style casual" area on ground floor • Increase the hours to 01:00 Monday to Saturday on the ground floor • Increase capacity from 80 to 90 in the basement and from 120 to 140 on the ground floor • Remove restriction on Knightsbridge Green Access <p>This representation is made on the basis that the Application, if granted , is likely to be contrary to the licensing objectives, being the prevention of crime and disorder, public safety, the protection of children from harm and in particular, the prevention of public nuisance. We set out below, in further detail, the grounds for KRMC's representation.</p> <p>Core Hours Policy HRS1 The Application is for hours considerably longer than Westminster Core Hours.</p>			

We refer to paragraph 2.3.2 of Policy HRS 1. The applicant wishes to extend the hours of the non-resident bar to 01:00. It also in effect creates a new ground floor bar also with a terminal hour of 01:00.

The Policy states at paragraph 2.3.4: "The hours at which noise may occur and disturbance of residents' rest, relaxation and sleep will be of particular concern".

We refer to Policy HRS1 which states that regard will be had to a number of factors which include:

Possible impact on crime and disorder, public safety and public nuisance.

2. Whether there is residential accommodation likely to be adversely affected.

3. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.

4. The existing hours and the past operating of the premises.

5. Whether customers and staff have adequate access to public transport when arriving and leaving.

The operating schedule within the Application gives no consideration to the limited availability of public transport in the early hours of the morning. The nature of the Hotel's clientele is that a large percentage of their patrons expect to be dropped off and collected by car, immediately outside the hotel. This already results in significant nuisance by way of noise disturbance to the Residents and the grant of the application to extend permitted hours would increase this disturbance.

Should the application be granted, there is a significant likelihood of an increase in public nuisance and possible issues of public safety and crime and disorder.

In terms of public safety and crime and disorder, the residents have already experienced serious nuisance arising from cars collecting patrons from the hotel parking in dangerous and illegal positions, resulting in potential conflict between drivers and with security.

The applicant has had no regard to the considerations set out in Policy HRS1 and has made no attempt to address them in the application.

Public Nuisance

Policy 1N

The Hotel is in an area of residential accommodation and there is significant residential accommodation immediately adjacent to the hotel.

If the application is granted the facilities at the hotel will be opened up to an increased number of non-residents. This will inevitably mean more people entering and leaving the premises during the day the evening and late into the night. The issues that are likely to arise from the grant of the application are:

1. Increased numbers of people, many of whom will be in high spirits, departing from the premises late at night and making noise as they do so.

2. Increased numbers of people arriving and departing from the premises at any time during the day, evening and night and making noise as they do so.

3. Increased number of taxis or private vehicles congregating and leaving their engines on whilst waiting to pick up passengers with additional disturbance created by the noise of doors opening and closing and horns being used.

4. Increased numbers of people congregating to smoke outside the premises, conversing and otherwise making noise whilst standing there.

5. Increased numbers of staff being present on site to serve customers and these staff gathering (most likely) at the rear of the building when enjoy breaks (not necessarily when smoking) and again making noise.

6. The Increased use of the hotel for events may attract photographers and journalists congregating on Knightsbridge, obstructing the highway and creating public nuisance through noise and general disturbance.

All of the above issues are have been experienced by the residents and the grant of the application would significantly increase the impact of the public nuisance both during the hours of the existing premises licence and later due to the extended hours sought by the applicant for licensable activities.

The residents already experience levels of noise that disturb their sleep and this is a particular concern for residents who have children. There are a large number of families with young children living at the apartments.

The Ground Floor Café Area

The Residents are extremely concerned by this part of the application. If the application is granted, this area (larger in size than the restaurant) will in effect be a bar area licensed to 01:00 and not subject to restaurant conditions. The capacity would be 140. There would be no need for tables and chairs save that the area will contain "suitable seating arrangements".

Guidance

The Guidance states at paragraph 2.16 that public nuisance is not defined in the Licensing Act 2003

and retains its broad common law meaning. Guidance states:

"Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health."

The grant of the application would clearly be contrary to the guidance as the proposals of the hotel, if implemented, are likely to result in increased nuisance to a great many people who live locally.

Summary

In the light of the above, the KRMC opposes the grant of the application on the grounds that it would be contrary to the licensing objectives, the Policy and the Guidance.

Our client wishes us to stress that it maintains a cordial and working relationship with the management of the hotel and expects this to continue. However, and in the light of the previous experience, our client suspects that the Hotel's strategy is to increase capacity for non-resident use and to do soon a step by step basis. Our client accepts the hotel as a hotel and not as a late night public bar/club.

We reserve the right, on the part of our client, to expand on the contents of this letter of representation by way of the submission of additional information and to call witnesses to support the points that our client has made in this letter.

Name:		The Knightsbridge Association	
Address and/or Residents Association:		6 Montpelier Street London SW7 1EZ	
Status:	Valid	In support or opposed:	Opposed
Received:	13 December 2019		

I write to object to the grant of the above application, on the basis that the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.

Background

Since 1961 the Knightsbridge Association ("KA") has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well-defined term but, roughly, it includes the area from Hyde Park Corner on the east to Queen's Gate on the west and from Hyde Park on the north to Brompton Road on the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local residents and businesses in relation to residential and commercial planning applications and monitors licensing applications. It also monitors street cleaning and lighting and liaises with the police on crime prevention.

Many of our residents have communicated their concerns to us and the Knightsbridge Association's representation reflects these concerns. We understand that these residents either have done or are likely to make their own representations to the Premises Licensing Committee.

Prevention of public nuisance

We are concerned about this particular application, on the grounds of prevention of public

nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. To that end we take this opportunity to refer to the Westminster City Council Statement of Licensing Policy 2016, effective since 7 January 2016, and to amended Guidance to Section 182 of the Licensing Act 2003 issued in April 2018. The application envisages, amongst other things, swapping the locations of the ground floor bar and basement restaurant, creating a 'café style casual' area on the ground floor, extending the closing time for the ground floor area to 1.00 a.m. Monday to Saturday, increasing capacity from 80 to 90 in the basement and from 120 to 140 on the ground floor and removing restrictions on the Knightsbridge Green access.

Our representation is made on the basis that were the application to be granted it would be contrary to the City of Westminster's licensing objectives, being the prevention of crime and disorder, public safety, the protection of children from harm and most of all, the prevention of public nuisance. The above proposed hours are well outside "Core Hours". The Council's policy states at para 2.3.4 that "*the hours at which noise may occur and disturbance of residents' rest, and relaxation and sleep will be of particular concern*". Residential apartments and houses close to the Bvlgari Hotel will be subject to increased disturbance resulting from the arrival and departure of traffic and associated dispersal of clientele, up to and beyond 1 a.m. We also refer to Policy HRS 1 which states that regard will be had to a number of factors including:

1. *Possible impact on crime and disorder, public safety and public nuisance.*
2. *Whether there is residential accommodation likely to be adversely affected.*
3. *The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.*
4. *The existing hours and the past operation of the premises.*
5. *Whether customers and staff have adequate access to public transport when arriving and leaving.*

In relation to point 5 above, we note that most of the hotel's clientele arrive and depart by car, creating significant noise at all hours.

In relation to Policy 1N, granting of the application will mean that the hotel's facilities will be opened up to an increased number of non-residents, meaning more people arriving and departing late into the evening and early hours.

Finally and perhaps most importantly, I believe that the application if granted would set precedent to be used by other hotels, restaurants, bars and cafes in the area to argue for late night opening that matched that granted to the Bvlgari.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application. Please let me know the date of the hearing once it is known, so that either I or another representative of the KA can attend.

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></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 provision of other licensable activities:</u></p> <p>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 RNT1 applies	<p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1. Restaurants within the Cumulative Impact Areas – Policy</p>
Policy HOT1 applies	<p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel.</p> <p>(c) The exhibition of film, in the form of recordings or nonbroadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</p>

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

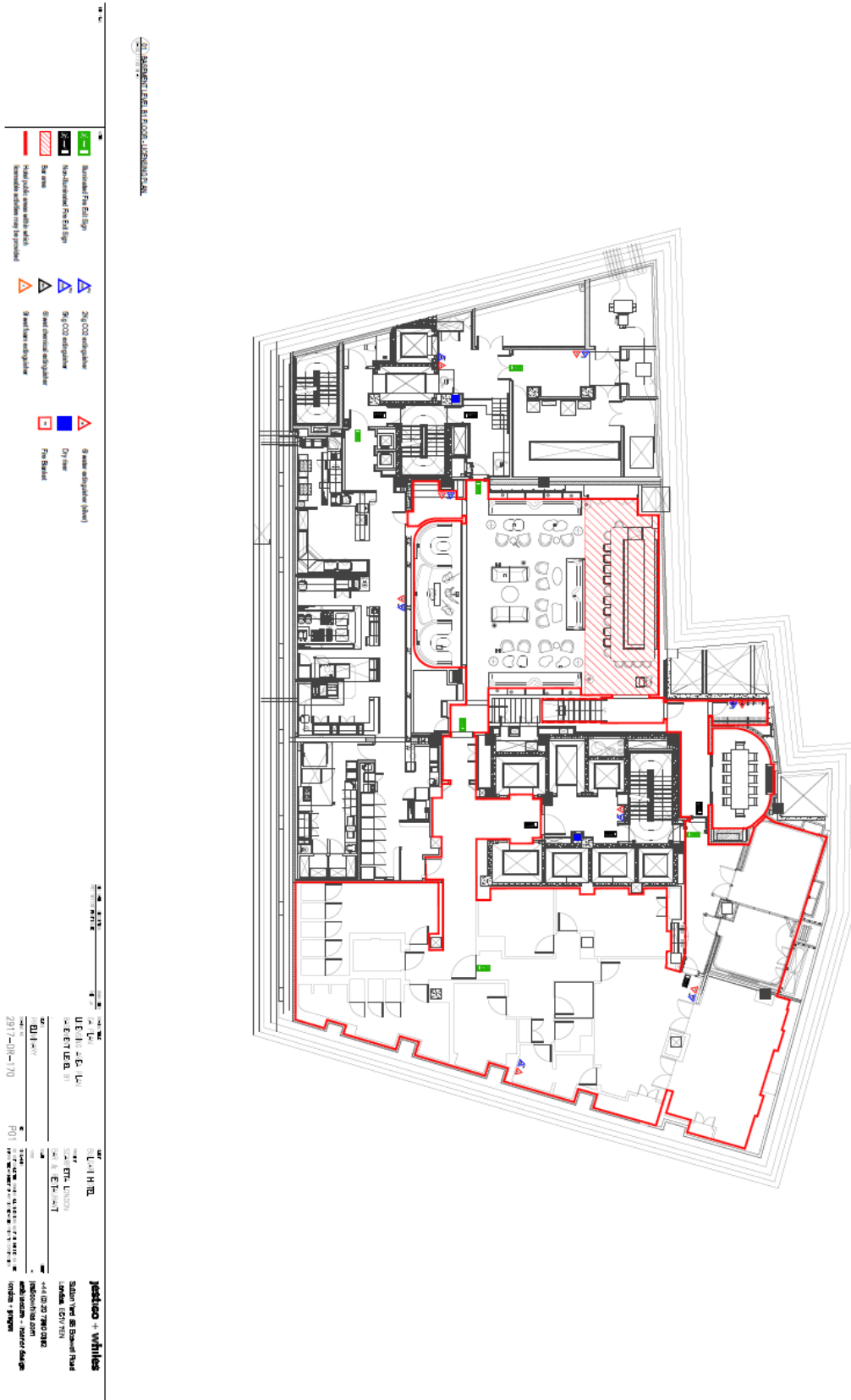
Report author:	Angela Seaward Senior Licensing Officer
Contact:	Telephone: 0207 641 8116 Email: aseaward@westminster.gov.uk

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	Representation Environmental Health	14 December 2018
5	Representation Interested Party	14 December 2018
6	Representation Interested Party	13 December 2018

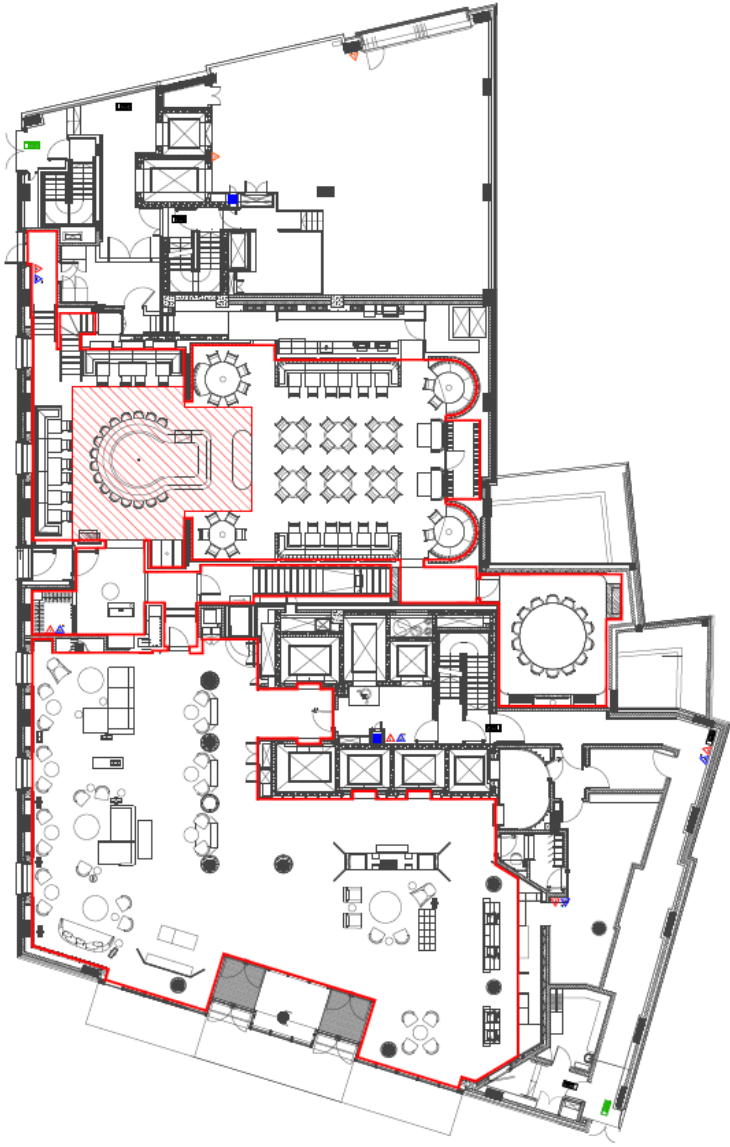
Basement



Ground Floor

GROUND FLOOR LEGEND

	Structural Fire Risk Sign		2kg CO2 extinguisher		8 litre extinguisher (hand)
	Non-Structural Fire Risk Sign		9kg CO2 extinguisher		Dry fire
	Fire area		6 litre manual extinguisher		Fire Barrier
	Hand fire extinguishers which have a removable section cap or powder		6 litre manual extinguisher		



01/21/17
 29/17-18-17/0
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 london@jstapa.com
 london - interior design
 london - 1999



City of Westminster

Schedule 12
Part A

WARD: Knightsbridge
And Belgravia
UPRN: 010033548177

64 Victoria Street, London,
SW1E 6QP

Regulation 33, 34

Premises licence

Premises licence number:

19/00225/LIPDPS

Original Reference:

12/00946/LIPN

Part 1 – Premises details

Postal address of premises:

Bvlgari Hotel
171 Knightsbridge
London
SW7 1DW

Telephone Number: 0207 151 1010

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Performance of a Play
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 00:00 to 23:59 (For Residents)
Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday: 07:00 to 22:00 (Spa and Gym)
Monday to Sunday: 07:00 to 00:00 (Screening Rooms)

Exhibition of a Film

Monday to Sunday:	00:00 to 23:59 (For Residents)
Monday to Sunday:	07:00 to 00:00 (Business Centre)
Monday to Sunday:	07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday:	07:00 to 00:00 (Screening Rooms)
Monday to Sunday:	07:00 to 22:00 (Spa and Gym)
Monday to Saturday:	07:00 to 00:00 (Private Dining Area)
Monday to Saturday:	07:00 to 01:00 (Basement Restaurant)
Monday to Saturday:	07:00 to 00:00 (Ground Floor Bar)
Sunday:	07:00 to 23:00 (Private Dining Area)
Sunday:	07:00 to 23:00 (Basement Restaurant)
Sunday:	07:00 to 23:00 (Ground Floor Bar)
Bank Holiday:	07:00 to 23:00 (Private Dining Area)
Bank Holiday:	07:00 to 23:00 (Basement Restaurant)
Bank Holiday:	07:00 to 23:00 (Ground Floor Bar)

Performance of Live Music

Monday to Sunday:	00:00 to 23:59 (For Residents)
Monday to Sunday:	07:00 to 00:00 (Screening Rooms)
Monday to Sunday:	07:00 to 00:00 (Business Centre)
Monday to Sunday:	07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Saturday:	07:00 to 00:00 (Private Dining Area)
Monday to Saturday:	07:00 to 00:00 (Ground Floor Bar)
Monday to Saturday:	07:00 to 01:00 (Basement Restaurant)
Sunday:	07:00 to 23:00 (Ground Floor Bar)
Sunday:	07:00 to 23:00 (Private Dining Area)
Sunday:	07:00 to 23:00 (Basement Restaurant)
Bank Holiday:	07:00 to 23:00 (Private Dining Area)
Bank Holiday:	07:00 to 23:00 (Ground Floor Bar)
Bank Holiday:	07:00 to 23:00 (Basement Restaurant)

Playing of Recorded Music

Monday to Sunday:	00:00 to 23:59 (For Residents)
Monday to Sunday:	07:00 to 00:00 (Screening Rooms)
Monday to Sunday:	07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday:	07:00 to 22:00 (Spa and Gym)
Monday to Sunday:	07:00 to 00:00 (Business Centre)
Monday to Saturday:	07:00 to 01:00 (Basement Restaurant)
Monday to Saturday:	07:00 to 00:00 (Ground Floor Bar)
Monday to Saturday:	07:00 to 00:00 (Private Dining Area)
Sunday:	07:00 to 23:00 (Ground Floor Bar)
Sunday:	07:00 to 23:00 (Basement Restaurant)
Sunday:	07:00 to 23:00 (Private Dining Area)
Bank Holiday:	07:00 to 23:00 (Private Dining Area)
Bank Holiday:	07:00 to 23:00 (Ground Floor Bar)
Bank Holiday:	07:00 to 23:00 (Basement Restaurant)

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Sunday:	00:00 to 23:59 (For Residents)
Monday to Sunday:	07:00 to 23:30 (Function Rooms and Pre Function Room)
Monday to Sunday:	07:00 to 00:00 (Screening Rooms)

Performance of a Play

Monday to Sunday:	00:00 to 23:59 (For Residents)
Monday to Sunday:	07:00 to 00:00 (Screening Rooms)

Monday to Sunday: 07:00 to 23:30 (Function Rooms and Pre Function Room)

Late Night Refreshment

Monday to Sunday: 23:00 to 00:00 (Basement Restaurant)
Monday to Sunday: 23:00 to 00:00 (Ground Floor Bar)
Monday to Sunday: 23:00 to 00:00 (Private Dining Area)
Monday to Sunday: 23:00 to 00:00 (Business Centre)
Monday to Sunday: 23:00 to 00:00 (Screening Rooms)
Monday to Sunday: 23:00 to 23:30 (Function Room and Pre Function Room)
Monday to Sunday: 23:00 to 05:00 (For Residents)

Sale by Retail of Alcohol

Monday to Sunday: 00:00 to 23:59 (For Residents)
Monday to Sunday: 07:00 to 00:00 (Screening Rooms)
Monday to Sunday: 07:00 to 22:00 (Spa and Gym)
Monday to Sunday: 07:00 to 23:30 (Function Room and Pre Function Room)
Monday to Saturday: 07:00 to 00:00 (Private Dining Area)
Monday to Saturday: 07:00 to 01:00 (Basement Restaurant)
Monday to Saturday: 07:00 to 00:00 (Ground Floor Bar)
Sunday: 07:00 to 23:00 (Basement Restaurant)
Sunday: 07:00 to 23:00 (Ground Floor Bar)
Sunday: 07:00 to 23:00 (Private Dining Area)
Bank Holiday: 07:00 to 23:00 (Basement Restaurant)
Bank Holiday: 07:00 to 23:00 (Private Dining Area)
Bank Holiday: 07:00 to 23:00 (Ground Floor Bar)

The opening hours of the premises:

Monday to Sunday: 00:00 to 00:00
Monday to Saturday: 08:00 to 22:00
Sunday: 09:00 to 22:00

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:

Prime Hotels (UK) Limited
1st Floor
40 Dukes Place
London
EC3A 7NH

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

07468060

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

Name: Jean-Marc Ayme

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: 18-230726-1
Licensing Authority: Royal Borough of Kensington & Chelsea

Date: 5th March 2019

Signed:

pp



This licence has been authorised by Karyn Abbott 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on'
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

None

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

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. 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 recordings with the absolute minimum of delay when requested.
13. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
14. The refuse and delivery arrangements to the premises shall be in accordance with the detailed provisions agreed under the planning consent for the premises.
15. Off sales of alcohol are to be either (i) in sealed containers only and for consumption off the premises, or (ii) to the serviced apartments on the 7th to 9th floors of the premises, (iii) to the small terrace area located in Knightsbridge Green, or to the cigar shop which operates as separate premises on the mezzanine level within the building.
16. There shall be a minimum of 5 personal licence holders employed at the premises.
17. There shall be no unsupervised self-service of alcohol except for in the guest bedrooms.
18. On occasions when the Knightsbridge Green door is used for public access or egress to the hotel itself notices shall be prominently displayed throughout the time of such use at this exit requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
21. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
22. The premises will employ a dedicated security manager based at the premises and responsible for overseeing all security issues within the premises.
23. The premises shall employ its own internal SIA registered security personnel together with such additional external SIA registered security personnel at it believes is

necessary for particular times or days of the week. The numbers of such personnel employed shall be kept under review and will take account of any activities or events being hosted at the premises. In assessing the numbers of personnel required the premises will have regard to any advice provided, or comments made, by the police.

24. There will be a dedicated manager in respect of and responsible for the bar/restaurant areas and the conference and banqueting areas. Such managers will hold a personal licence.
25. A concierge shall be employed and be based at the ground floor entrance at all times the premises are open. In addition, there will be valet parking attendants available to persons requiring such service within this area.
26. The premises shall adopt and operate a specific policy in relation to the management of smoking areas outside of the hotel. Such policies shall make provision for any external areas to be monitored and supervised at all times when used. The primary designated smoking areas shall be on Knightsbridge Green and there shall be no designated smoking areas on Knightsbridge but for the avoidance of doubt this shall not preclude any individual from smoking on Knightsbridge.

GUEST BEDROOMS

27. The following licensable activities may be provided within guest bedrooms for hotel residents at any time; the sale of alcohol and the provision of regulated entertainment consisting of either recorded music or the showing of films.

SERVICED APARTMENTS

28. The provision of late night refreshment off the premises may only be provided to the serviced apartments on the 7th to 9th floors of the premises and may be provided during the period 11pm to 5am on any day of the week.
29. Off Sales of alcohol may be provided to the serviced apartments on the 7th to 9th floors of the premises (in line with condition 7) at any time.

RESTAURANT AND BAR

30. Only the following licensable activities may be permitted with these areas; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, live music, facilities for making music and the showing of films) and late night refreshment.
31. The sale of alcohol in the main basement restaurant shall only be to persons seated at tables and as ancillary to table meals except for hotel residents and up to 3 guests for each resident, (additional guests may be allowed only with the prior authorisation from the manager in writing for specific additional guests, a copy of which shall be held at the hotel reception and made available for inspection at the request of the Police or authorised officer).
32. The main restaurant in the basement floor and shall be laid out as a restaurant and shall have no more than 80 persons (excluding staff) seated within this area at any one time.
33. The maximum capacity within the ground floor bar area shall be 120 persons (excluding staff) at any one time.
34. The supply of alcohol in the restaurant shall be by waiter or waitress only.

35. The supply of alcohol in the ground floor bar shall be by way of waiter/waitress service only other than to persons in the bar area immediately in front of the bar (as show more particularly on the plans submitted with the application).
36. 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.
37. A person shall be employed as a host within the ground floor bar area whenever this area is open to non-residents who will greet all persons entering this area and shall monitor the numbers of persons accommodated within this area.
38. (a) Off sales of alcohol to the small terrace area in Knightsbridge Green shall only be to persons seated at tables and as an ancillary to a table meal. There shall be a maximum of 12 covers within this area. The terrace shall only be used between the hours of 8am and 10pm on Mondays to Saturdays and 9am and 10pm on Sundays.

(b) In addition, except in the case of an emergency or to allow access and egress to/from the terrace area the Knightsbridge Green entrance to the ground floor bar area shall not be used as an entrance or exit to the bar other than between the hours of 10am to 9.30pm on Mondays to Saturdays and 11am to 9pm on Sundays. Whenever, the door is in such use then it shall be kept closed at all times except for immediate access and egress or in the event of an emergency and there shall be an SIA registered door supervisor stationed immediately inside the entrance door whilst it is in public use.
39. (a) Non-residents shall use the main basement restaurant between the hours of 7am and 1am on Mondays to Saturdays and between 7am and 11pm on Sundays and bank holidays.

(b) Non-residents shall only use the ground floor bar area between the hours of 7am and midnight on Mondays to Saturdays and 7am and 11pm on Sundays and bank holidays.

PRIVATE DINING AREA

40. Only the following licensable activities may be permitted with this area; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, live music and the showing of films) and late night refreshment.
41. The sale of alcohol within the private dining rooms shall be ancillary to a table meal within this area other than in respect of hotel residents and their bona fide guests or to persons attending a private or corporate function.
42. Non Residents shall only use this area between 7am and midnight on Mondays to Saturdays and between 7am and 11pm on Sundays and bank holidays, save that the use of this area by non residents is extended from midnight to 01.00 Monday to Saturday when the supply of alcohol is to a person seated at a table and for consumption by such a person as ancillary to their meal.
43. The maximum capacity within the private dining area shall be 50 persons (excluding staff).

BUSINESS CENTRE AREA

44. Only the following licensable activities may be permitted with this area; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, facilities for making music and the showing of films) and late night refreshment.
45. Non Residents shall only use this area in connection with licensable activities between 7am to midnight on Mondays to Sundays.
46. The maximum capacity within the business centre area when licensable activities are provided shall 40 persons (excluding staff).

SCREENING AND PRE-SCREENING ROOM - BASEMENT 2

47. Only the following licensable activities may be permitted within this area; sale and supply of alcohol, the provision of late night refreshment and the provision of regulated entertainment of all descriptions other than indoor sports and wrestling.
48. Non-residents shall only use this area between the hours of 7am and midnight on any day of the week.
49. These areas will be used in conjunction whenever licensable activities are provided and the maximum capacity when licensable activities are provided within this area (either in the pre-screening area, the screening area or both areas combined) shall be 50 persons (excluding staff).

FUNCTION ROOM AND PRE-FUNCTION ROOM - BASEMENT 3

50. Only the following licensable activities may be permitted within this area; sale and supply of alcohol, the provision of late night refreshment and the provision of regulated entertainment of all descriptions other than indoor sports and wrestling.
51. Non-residents may only be allowed to use this area between the hours of 7am and 11.30pm on Mondays to Sundays with the exception that on up to 50 days per year the terminal hour for such use may be extended until midnight.
52. The maximum capacity of these areas when the ball room is used individually or combined with the pre-function room area for licensable activities shall be; 310 persons (including staff) where the event hosted is a standing only event, 140 (excluding staff) when the event is laid out for dinner style seating and 100 (excluding staff) when laid out in theatre style seating.
53. Dedicated conference and banqueting staff will be employed by the hotel to work at any events or functions held within this area and all such staff will be fully trained in relation to relevant provisions and duties imposed under licensing legislation and in relation to the hotel's own operation policies in relation to the use of this area.
54. Whenever an event or function involving licensable activities is hosted within this area then the premises shall ensure that there are a sufficient number of door staff on duty, or employed at the hotel, during the currency of the event in order to ensure the proper supervision of such event or function.
55. The smoking policy implemented by the hotel (see condition '27 above) shall specifically deal with the management of smoking by persons attending an event or function within this area.
56. In respect of the Function Room and Pre-Function Room (Basement 3),where the entire area is used by an external promoter and the promoter will then be solely responsible for

organising the event and selling tickets to it, a Form 696 Metropolitan Police Risk Assessment will be submitted for consideration by Police.

57. Access to this area shall be carefully controlled by the hotel's management, security and conference and banqueting staff. In the case of events or functions involving attendance by non-residents then access shall be via the main hotel entrance and the central lift areas.
58. Sufficient members of staff will be on duty to manage such access and egress properly.
59. Access and transport to and from this area will operate in line with the specific policies adopted under the planning consent controlling and managing this issue.

SPA AND GYM AREA - BASEMENT LEVELS 4 AND 5

60. Only the following licensable activities are permitted within the Spa areas; the sale and supply of alcohol and the provision of regulated entertainment consisting of recorded music and the facilities for making music, dancing and facilities for dancing (gym area only) and the showing of films.
61. Other than within the Spa reception/café/lounge area within basement level 5, no drinks shall be served in glass containers at any time in the spa area.
62. The Spa areas may only be used by the residents of the hotel and/or apartments and their bona fide guests or by private members of the spa area.
63. These areas may only be used for licensable activities between the hours of 7am and 10pm on any day and non-residents will not be admitted to these areas outside of these times.

GENERAL

64. 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.
65. 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.
66. All exit doors on designated escape routes leading from the areas set out in condition 17 shall be available at all material times without the use of a key, code, card or similar means.
67. All self closing doors shall be effectively maintained and not held open other than by an approved device.
68. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
69. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
70. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - o Any emergency lighting battery or system
 - o Any electrical installation
 - o Any emergency warning system

71. With the exception of the showing of films in the Hotel bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex 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 be provided under the authority of this licence.
72. Loudspeakers shall not be located in the external entrance lobby or outside the premises building with the exception of loudspeakers used in connection with an emergency.
73. With the exception of designated smoking bedrooms (if any), 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.
74. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
75. 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.

76. The operators of the hotel shall organise and offer to host regular meetings with the management company of 199 Knightsbridge to which other resident associations may also be invited. It is anticipated that this will be done on a quarterly basis.
77. Whenever the premises apply for a temporary event notice then they shall notify the 199 Knightsbridge residents (via its management company) of such Temporary Event Notice at least 5 days before the event takes place.

Annex 4 – Plans

Attached

Applicant Supporting Documents

Appendix 3

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
12/00946/LIPN	Application for new Premises License	26.4.2012	Granted by Licensing Sub Committee
12/04502/LIPT	Application to transfer premises licence from Prime Hotels (London) LTD to Prime Hotel (UK) Limited	13.6.2012	Granted under delegated authority
12/04503/LIPDPS	Application to change designated premises supervisor from Graham Clark to Roberto Veneruzzo	13.6.2012	Granted under delegated authority
12/05588/LIPDPS	Application to change designated premises supervisor from Roberto Veneruzzo to Nicolas Grounin	23.8.2012	Granted under delegated authority
13/04075/LIPV	Application to vary conditions and increase hours to non-residents in the bar area the restaurant/private dining area, the business centre, the screening room and the Function rooms.	1.8.2013	Granted by Licensing Sub Committee
13/05852/LIPDPS	Application to change designated premises supervisor from Nicolas Grounin to Dimitri Martin	20.8.2013	Granted under delegated authority
14/01382/LIPDPS	Application to change designated premises supervisor from Dimitri Martin to Nicolas Jacques Claude Bailet	3.8.2017	Granted under delegated authority
17/08675/LIPDPS	Application to change designated premises supervisor from Nicolas Jacques Claude Bailet to Sonia Masih	4.11.2017	Granted under delegated authority
19/00225/LIPDPS	Application to change designated premises supervisor from Sonia Masih to Jean-Marc Ayme	22.1.2019	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

The applicant has proposed to remove condition 8(i)

- 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

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. 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 recordings with the absolute minimum of delay when requested.
13. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
14. The refuse and delivery arrangements to the premises shall be in accordance with the detailed provisions agreed under the planning consent for the premises.
15. Off sales of alcohol are to be either
 - (i) in sealed containers only and for consumption off the premises, or
 - (ii) to the serviced apartments on the 7th to 9th floors of the premises,
 - (iii) to the small terrace area located in Knightsbridge Green, or to the cigar shop which operates as separate premises on the mezzanine level within the building.
16. There shall be a minimum of 5 personal licence holders employed at the premises.
17. There shall be no unsupervised self-service of alcohol except for in the guest bedrooms.
18. On occasions when the Knightsbridge Green door is used for public access or egress to the hotel itself notices shall be prominently displayed throughout the time of such use at this exit requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
21. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

22. The premises will employ a dedicated security manager based at the premises and responsible for overseeing all security issues within the premises.
23. The premises shall employ its own internal SIA registered security personnel together with such additional external SIA registered security personnel at it believes is necessary for particular times or days of the week. The numbers of such personnel employed shall be kept under review and will take account of any activities or events being hosted at the premises. In assessing the numbers of personnel required the premises will have regard to any advice provided, or comments made, by the police.
24. There will be a dedicated manager in respect of and responsible for the bar/restaurant areas and the conference and banqueting areas. Such managers will hold a personal licence.
25. A concierge shall be employed and be based at the ground floor entrance at all times the premises are open. In addition, there will be valet parking attendants available to persons requiring such service within this area.
26. The premises shall adopt and operate a specific policy in relation to the management of smoking areas outside of the hotel. Such policies shall make provision for any external areas to be monitored and supervised at all times when used. The primary designated smoking areas shall be on Knightsbridge Green and there shall be no designated smoking areas on Knightsbridge but for the avoidance of doubt this shall not preclude any individual from smoking on Knightsbridge.

GUEST BEDROOMS

27. The following licensable activities may be provided within guest bedrooms for hotel residents at any time; the sale of alcohol and the provision of regulated entertainment consisting of either recorded music or the showing of films.

SERVICED APARTMENTS

28. The provision of late night refreshment off the premises may only be provided to the serviced apartments on the 7th to 9th floors of the premises and may be provided during the period 11pm to 5am on any day of the week.
29. Off Sales of alcohol may be provided to the serviced apartments on the 7th to 9th floors of the premises (in line with condition 7) at any time.

RESTAURANT AND BAR

30. Only the following licensable activities may be permitted with these areas; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, live music, facilities for making music and the showing of films) and late night refreshment.
31. The sale of alcohol in the main basement restaurant shall only be to persons seated at tables and as ancillary to table meals except for hotel residents and up to 3 guests for each resident, (additional guests may be allowed only with the prior authorisation from the manager in writing for specific additional guests, a copy of which shall be held at the hotel reception and made available for inspection at the request of the Police or authorised officer).

The applicant has proposed to amend condition 31 to the following (which is shown in red)

The sale of alcohol in the main **ground floor** restaurant shall only be to persons seated at tables and as ancillary to table meals except for hotel residents and up to 3 guests for each resident, (additional guests may be allowed only with the prior authorisation from the manager in writing for specific additional guests, a copy of which shall be held at the hotel reception and made available for inspection at the request of the Police or authorised officer) **and save for those seated in the ground floor café area or stood by the café bar counter.**

32. The main restaurant in the basement floor and shall be laid out as a restaurant and shall have no more than 80 persons (excluding staff) seated within this area at any one time.

The maximum capacity within the ground floor bar area shall be 120 persons (excluding staff) at any one time.

The applicant has proposed to amend condition 32 to the following (which is shown in red)

The main restaurant in the **ground floor** and shall be laid out as a restaurant and this area together with the **ground floor café area (which shall contain suitable seating arrangements)** shall have no more than **140** persons (excluding staff) seated within this area at any one time.

33. The maximum capacity within the ground floor bar area shall be 120 persons (excluding staff) at any one time.

The applicant has proposed to amend condition 33 to the following (which is shown in red)

The maximum capacity within the basement bar area shall be **90** persons (excluding staff) at any one time.

34. The supply of alcohol in the restaurant shall be by waiter or waitress only.

The applicant has proposed to amend condition 34 to the following (which is shown in red)

The supply of alcohol in the restaurant shall be by waiter or waitress only **save for in relation to the café area where such service shall remain available and be encouraged when in use but not be required.**

35. The supply of alcohol in the ground floor bar shall be by way of waiter/waitress service only other than to persons in the bar area immediately in front of the bar (as show more particularly on the plans submitted with the application).

The applicant has proposed to amend condition 35 to the following (which is shown in red)

The supply of alcohol in the basement bar shall be by way of waiter/waitress service only other than to persons in the bar area immediately in front of the bar (as show more particularly on the plans submitted with the application).

36. 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.

37. A person shall be employed as a host within the ground floor bar area whenever this area is open to non-residents who will greet all persons entering this area and shall monitor the numbers of persons accommodated within this area.

The applicant has proposed to amend condition 37 to the following (which is shown in red)

A person shall be employed as a host within the ground floor reception lobby/host station to the restaurant and café area (located close to the ** whenever this area is open to non-residents who will greet all persons entering this area and shall monitor the numbers of persons accommodated within this area.**

- 38 (a) Off sales of alcohol to the small terrace area in Knightsbridge Green shall only be to persons seated at tables and as an ancillary to a table meal. There shall be a maximum of 12 covers within this area. The terrace shall only be used between the hours of 8am and 10pm on Mondays to Saturdays and 9am and 10pm on Sundays.
- (b) In addition, except in the case of an emergency or to allow access and egress to/from the terrace area the Knightsbridge Green entrance to the ground floor bar area shall not be used as an entrance or exit to the bar other than between the hours of 10am to 9.30pm on Mondays to Saturdays and 11am to 9pm on Sundays. Whenever, the door is in such use then it shall be kept closed at all times except for immediate access and egress or in the event of an emergency and there shall be an SIA registered door supervisor stationed immediately inside the entrance door whilst it is in public use.

The applicant has proposed to amend condition 38 to the following (which is shown in red)

The Knightsbridge Green entrance to the ground floor restaurant and café area may be used by members of the public as a entrance or exit to these areas or the basement bar area during the hours when they are permitted to use the ... these areas. Whenever, the door is in such use it shall be closed except for access and the reception lobby shall be manned by a host during such use. In addition, the Knightsbridge Green terrace area shall not be used for licensable activities or the consumption of food or alcohol.

39. (a) Non-residents shall use the main basement restaurant between the hours of 7am and 1am on Mondays to Saturdays and between 7am and 11pm on Sundays and bank holidays.
- (b) Non-residents shall only use the ground floor bar area between the hours of 7am and midnight on Mondays to Saturdays and 7am and 11pm on Sundays and bank holidays.

The applicant has proposed to amend condition 39 to the following (which is shown in red)

- (a) Non-residents shall use the **main ground floor restaurant and café area** between the hours of 7am and 1am on Mondays to Saturdays and between 7am and 11pm on Sundays and bank holidays.
- (b) Non-residents shall only use the **basement** bar area between the hours of 7am and **1am** on Mondays to Saturdays and 7am and 11pm on Sundays and bank holidays

PRIVATE DINING AREA

40. Only the following licensable activities may be permitted with this area; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, live music and the showing of films) and late night refreshment.
41. The sale of alcohol within the private dining rooms shall be ancillary to a table meal within this area other than in respect of hotel residents and their bona fide guests or to persons attending a private or corporate function.
42. Non Residents shall only use this area between 7am and midnight on Mondays to Saturdays and between 7am and 11pm on Sundays and bank holidays, save that the use of this area by non residents is extended from midnight to 01.00 Monday to Saturday when the supply of alcohol is to a person seated at a table and for consumption by such a person as ancillary to their meal.
43. The maximum capacity within the private dining area shall be 50 persons (excluding staff).

BUSINESS CENTRE AREA

44. Only the following licensable activities may be permitted with this area; the sale and supply of alcohol, the provision of regulated entertainment (consisting of recorded music, facilities for making music and the showing of films) and late night refreshment.
45. Non Residents shall only use this area in connection with licensable activities between 7am to midnight on Mondays to Sundays.
46. The maximum capacity within the business centre area when licensable activities are provided shall 40 persons (excluding staff).

SCREENING AND PRE-SCREENING ROOM - BASEMENT 2

47. Only the following licensable activities may be permitted within this area; sale and supply of alcohol, the provision of late night refreshment and the provision of regulated entertainment of all descriptions other than indoor sports and wrestling.

Non-residents shall only use this area between the hours of 7am and midnight on any day of the week.

49. These areas will be used in conjunction whenever licensable activities are provided and the maximum capacity when licensable activities are provided within this area (either in the pre-screening area, the screening area or both areas combined) shall be 50 persons (excluding staff).

FUNCTION ROOM AND PRE-FUNCTION ROOM - BASEMENT 3

50. Only the following licensable activities may be permitted within this area; sale and supply of alcohol, the provision of late night refreshment and the provision of regulated entertainment of all descriptions other than indoor sports and wrestling.
51. Non-residents may only be allowed to use this area between the hours of 7am and 11.30pm on Mondays to Sundays with the exception that on up to 50 days per year the terminal hour for such use may be extended until midnight.
52. The maximum capacity of these areas when the ball room is used individually or combined with the pre-function room area for licensable activities shall be; 310 persons (including staff) where the event hosted is a standing only event, 140 (excluding staff)

when the event is laid out for dinner style seating and 100 (excluding staff) when laid out in theatre style seating.

53. Dedicated conference and banqueting staff will be employed by the hotel to work at any events or functions held within this area and all such staff will be fully trained in relation to relevant provisions and duties imposed under licensing legislation and in relation to the hotel's own operation policies in relation to the use of this area.
54. Whenever an event or function involving licensable activities is hosted within this area then the premises shall ensure that there are a sufficient number of door staff on duty, or employed at the hotel, during the currency of the event in order to ensure the proper supervision of such event or function.
55. The smoking policy implemented by the hotel (see condition '27 above) shall specifically deal with the management of smoking by persons attending an event or function within this area.
56. In respect of the Function Room and Pre-Function Room (Basement 3), where the entire area is used by an external promoter and the promoter will then be solely responsible for organising the event and selling tickets to it, a Form 696 Metropolitan Police Risk Assessment will be submitted for consideration by Police.
57. Access to this area shall be carefully controlled by the hotel's management, security and conference and banqueting staff. In the case of events or functions involving attendance by non-residents then access shall be via the main hotel entrance and the central lift areas.
58. Sufficient members of staff will be on duty to manage such access and egress properly.
59. Access and transport to and from this area will operate in line with the specific policies adopted under the planning consent controlling and managing this issue.

SPA AND GYM AREA - BASEMENT LEVELS 4 AND 5

60. Only the following licensable activities are permitted within the Spa areas; the sale and supply of alcohol and the provision of regulated entertainment consisting of recorded music and the facilities for making music, dancing and facilities for dancing (gym area only) and the showing of films.
61. Other than within the Spa reception/café/lounge area within basement level 5, no drinks shall be served in glass containers at any time in the spa area.
62. The Spa areas may only be used by the residents of the hotel and/or apartments and their bona fide guests or by private members of the spa area.
63. These areas may only be used for licensable activities between the hours of 7am and 10pm on any day and non-residents will not be admitted to these areas outside of these times.

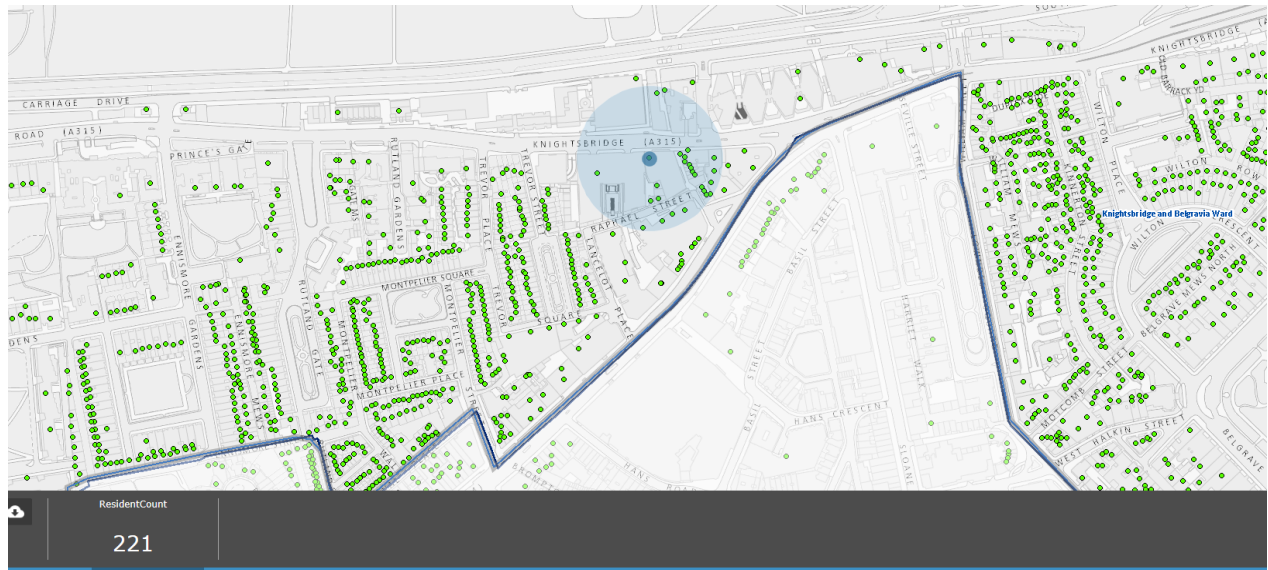
GENERAL

64. 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.

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.

66. All exit doors on designated escape routes leading from the areas set out in condition 17 shall be available at all material times without the use of a key, code, card or similar means.
67. All self closing doors shall be effectively maintained and not held open other than by an approved device.
68. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
69. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
70. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - o Any emergency lighting battery or system
 - o Any electrical installation
 - o Any emergency warning system
71. With the exception of the showing of films in the Hotel bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex 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 be provided under the authority of this licence.
72. Loudspeakers shall not be located in the external entrance lobby or outside the premises building with the exception of loudspeakers used in connection with an emergency.
73. With the exception of designated smoking bedrooms (if any), 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.
74. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
75. 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.
76. The operators of the hotel shall organise and offer to host regular meetings with the management company of 199 Knightsbridge to which other resident associations may also be invited. It is anticipated that this will be done on a quarterly basis.
77. Whenever the premises apply for a temporary event notice then they shall notify the 199 Knightsbridge residents (via its management company) of such Temporary Event Notice at least 5 days before the event takes place.



Licence Number	Trading Name	Address	Premises Type	Time Period
17/08675/LIPDPS	Bulgari Hotel	171 Knightsbridge London SW7 1DW	Hotel, 4+ star or major chain	Monday to Saturday; 08:00 - 22:00 Monday to Sunday; 00:00 - 00:00 Sunday; 09:00 - 22:00
17/13288/LIPDPS	Paxtons Head Public House	153 Knightsbridge London SW1X 7PA	Public house or pub restaurant	Monday to Sunday; 10:00 - 01:30
17/04182/LIPT	Kateh Restaurant	9 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Saturday; 11:00 - 23:00 Sunday; 12:00 - 22:30 New Year's Eve; 11:00 - 01:00

07/01492/WCCMAP	Sunny News	10 Knightsbridge Green London SW1X 7QL	Shop	Monday to Sunday; 05:30 - 23:00
18/08049/LIPCH	Signor Sassi	13 - 14 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00 Sundays before Bank Holidays; 12:00 - 01:00
14/07758/LIPDPS	Sautters	8 Raphael Street London SW7 1DL	Shop	Monday to Friday; 09:00 - 20:00 Saturday; 10:00 - 18:00 Sunday; 11:00 - 17:00
18/03611/LIPDPS	Zuma	5 Raphael Street London SW7 1DL	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/08518/LIPDPS	Tattersalls Tavern	Tattersalls Tavern 2 Knightsbridge Green London SW1X 7QA	Public house or pub restaurant	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00
16/06612/LIPVM	Tattersalls Tavern	Tattersalls Tavern 2 Knightsbridge Green London SW1X 7QA	Public house or pub restaurant	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00
13/05303/LIPVM	J Walter Thompson	First Floor 1 Knightsbridge Green London SW1X 7QA	Office	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00

14/08765/LIPDPS	Mr Chow Restaurant	151 Knightsbridge London SW1X 7PA	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
18/01419/LIPCHT	Osteria Romana	3 Park Close London SW1X 7PQ	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:30
16/14239/LIPN	Not Recorded	17 Knightsbridge Green London SW1X 7QL	Restaurant	Monday to Thursday; 06:00 - 23:30 Friday to Saturday; 06:00 - 00:00 Sunday; 06:00 - 22:30

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