



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 30th July, 2020**

Time: **10.00 am**

Venue: **This will be a virtual meeting**

Members: **Councillors:**

Jacqui Wilkinson (Chairman)  
Jim Glen  
Maggie Carman

**This will be a virtual meeting and members of the public can view the live broadcast by accessing the links on the council's website.**



**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](mailto:kscharlemagne@westminster.gov.uk)  
Tel: 07817054613  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

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

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

#### Licensing Applications for Determination

#### 1. TRISHNA, 15 - 17 BLANDFORD STREET, LONDON, W1U 3DG

(Pages 5 - 30)

App No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
1.	Marylebone High Street Ward / Not in Cumulative Impact Area	Trishna 15 - 17 Blandford Street London W1U 3DG	Premises Licence Variation	20/04456/LIPV

**2. HERITAGE, 18 RUPERT STREET, LONDON, W1D 6DD**

**(Pages 31 - 70)**

<u>App</u> No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
2.	St James's Ward/ West End Cumulative Impact Area	Heritage 18 Rupert Street London W1D 6DD	New Premises Licence	20/01712/LIPN

**3. UNITS 4 & 5, TROCADERO, COVENTRY STREET, LONDON, W1D 7DH**

**(Pages 71 -  
110)**

<u>App</u> No	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
3.	St James's Ward/ West End Cumulative Impact Area	Units 4 & 5 Trocadero 13 Coventry Street London W1D 7DH	Premises Licence Variation	19/14057/LIPV

**Stuart Love  
Chief Executive  
24 July 2020**

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 7<sup>th</sup> 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.

## **Procedure for virtual hearings held under the Licensing Act 2003**

The purpose of this procedure is to clarify how the Licensing Sub-Committee (“the Sub-Committee”) will conduct virtual licensing hearings made under the Licensing Act 2003 (as amended) and for licensing applications under other regimes. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and case law, regulations and guidance.

### **Accessing virtual hearings**

Virtual Licensing Sub-Committee hearings will be held on Microsoft Teams as a live Teams event. Each application will be dealt with by a separate Teams meeting. All applicants, responsible authorities and other persons (who have submitted a valid representation) (collectively called “Parties”) will be provided with a link to the meeting beforehand. **Only these parties will be able to participate in the hearing** (together with their adviser) provided they have registered, in advance, with the Licensing Authority, as specified below. A link for the general public to watch the meeting will be available on the Council’s website.

### **Final Submissions before the Hearing**

The parties (or their representatives) should use their best endeavours to ensure that all of their final submissions have been made so as to be included in the Sub-Committee report (typically **no later, than 5.pm, 5 working days** before the Sub-Committee hearing). This means by 5pm on the Thursday, the week before the Sub-Committee hearing is due to take place. Final submissions should set out the key points, policies and conditions that a party wishes the Sub-Committee to take account of in determining the application.

Any final submissions that a party wishes to make, (that have not been submitted so as to have been included in the report), **must** be submitted to the Licensing Service by **no later than 12 noon 3 working days** before the hearing is due to take place. The Licensing email address is: [Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk).

### **Rules during Licensing Hearings**

The following rules must be followed by all parties to ensure the virtual hearing can progress as successfully as possible:

- All parties wishing to participate in the hearing **must** register their wish to participate in the hearing and provide their email addresses to the **Licensing Service at [Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk)** no later than **12 noon on the Monday** before the Thursday hearing is scheduled to take place.
- All parties **should join the virtual hearing at least 15 minutes before the advertised start time** to ensure they are ready to start at the advertised start time. After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.
- All parties must only address the hearing when invited to do so by the Chairman.
- All parties must keep their microphones on mute unless they are speaking. The Chairman has the ability to mute all parties’ microphones.

- If a party wishes to interject, they should put their name in the messaging field. The chairman has the discretion to invite the party to make their comment at an appropriate stage in the hearing.
- All parties are asked to keep their comments as succinct as possible.
- If a party has a question for another party, this must be addressed to the Chairman who will have the discretion to ask the relevant party to respond.
- Parties wishing to make suggestions as to the conditions that may be imposed in the event of the application being granted should do so by reference to the schedule of proposed conditions set out in the Conditions Schedule annexed to the committee papers. In so doing, they should use the same numbering in that schedule. This is to ensure that there is ease of referencing the conditions by all the parties.
- To ensure the smooth running of hearings, a time limit will be placed on each party's submissions. This time limit must be adhered to but the Chairman has the flexibility to amend the time limit when it is considered appropriate to do so.
- When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- The Chairman has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

### Procedure

1. The Chairman will open the meeting and introduce the members of the Sub-Committee and the other officers attending with the members, including the legal adviser, policy adviser and committee officer.
2. The Chairman will confirm the procedure that the hearing will follow.
3. The Sub-Committee members and officers will be asked to declare any interests they may have and any other procedural business will be transacted.
4. The presenting officer from the licensing service will introduce the application, giving a brief description of the application and introducing all the Parties in attendance for each application
5. Each party who has registered to speak, will be invited to make their representations and will be allowed **a maximum of 10 minutes each**. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chairman has the discretion to extend this time limit where it is appropriate for the determination of the application.
6. Parties will normally speak in the following order, (the order may change for other types of licensing applications):
  - a. The applicant
  - b. Responsible authorities
  - c. Other persons
7. The Chairman has the right to grant each party the opportunity to ask questions of each other for the purposes of clarification only where it is appropriate to do so. The Sub-Committee members will then be able to ask questions of the parties.

8. The legal adviser and/or policy officer may ask questions of the parties as they consider appropriate, including in relation to the conditions which should be attached to the application if the Sub-Committee is minded to grant the application.
9. Each party will have an opportunity to make a short closing submission each (not introducing any new evidence or case law) of no more than **5 minutes each**, in the following order:
  - a. Responsible authorities
  - b. Other persons
  - c. The applicant
10. The Chairman shall then **close the meeting** and all parties will leave the meeting. A Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
11. The Sub-Committee will deliberate in closed session and all parties will be advised of the outcome in a written Summary Decision. Unless otherwise required or permitted by Regulations, summary decisions will be made within a period of five working days of the last day of the hearing. The written summary of the decision (“Summary Decision”) will be sent to all the parties as soon as possible after the Decision has been made. The full Decision, setting out the reasons for the Decision, (Formal Notification) will be sent to the parties as soon as possible thereafter. The time limit for appealing will not commence until the Formal Notification has been sent to the parties.

Dated 15 April 2020

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Item No:	
Date:	30 July 2020
Licensing Ref No:	20/04456/LIPV - Premises Licence Variation
Title of Report:	Trishna 15 - 17 Blandford Street London W1U 3DG
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: <a href="mailto:kjackaman@westminster.gov.uk">kjackaman@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 June 2020		
<b>Applicant:</b>	Trishna Restaurants Limited		
<b>Premises:</b>	Trishna		
<b>Premises address:</b>	15 - 17 Blandford Street London W1U 3DG	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises trade as an Indian Restaurant		
<b>Variation description:</b>	The proposed variation is to allow for the supply of alcohol off the premises.		
<b>Premises licence history:</b>	The premises have had the benefit of a premises licence since July 2005. The current premises licence reference is 15/06566/LIPDPS a copy of which appears at Appendix 1 of this report. Please see Appendix 3 of the report for a full licence history for the premises.		
<b>Applicant submissions:</b>	None		

1-B Current and proposed licensable activities, areas and hours						
<b>Regulated Entertainment</b>						
<b>Live music</b>						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:00	No change		Basement and ground floor	No change
<b>Tuesday</b>	10:00	00:00				
<b>Wednesday</b>	10:00	00:00				
<b>Thursday</b>	10:00	00:00				
<b>Friday</b>	10:00	00:00				
<b>Saturday</b>	10:00	00:00				
<b>Sunday</b>	12:00	23:30				
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	New Year's Eve 10:00 to 02:30				No change	

<b>Recorded music</b>						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:00	No change		Basement and ground floor	No change
<b>Tuesday</b>	10:0	00:00				
<b>Wednesday</b>	10:00	00:00				
<b>Thursday</b>	10:00	00:00				

<b>Friday</b>	10:00	00:00			
<b>Saturday</b>	10:00	00:00			
<b>Sunday</b>	12:00	23:30			
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	New Year's Eve 10:00 to 02:30			No change	

<b>Late night refreshment</b>						
<b>Indoors, outdoors or both</b>			<b>Current :</b>		<b>Proposed:</b>	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	23:00	00:30	No change		Basement and ground floor	No change
<b>Tuesday</b>	23:00	00:30				
<b>Wednesday</b>	23:00	00:30				
<b>Thursday</b>	23:00	00:30				
<b>Friday</b>	23:00	00:30				
<b>Saturday</b>	23:00	00:30				
<b>Sunday</b>	23:00	00:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>					
	New Year's Eve 23:00 to 03:00			No change		

<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On		On and Off	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	00:00	No change		Basement and ground floor	No change
<b>Tuesday</b>	10:00	00:00				
<b>Wednesday</b>	10:00	00:00				
<b>Thursday</b>	10:00	00:00				
<b>Friday</b>	10:00	00:00				
<b>Saturday</b>	10:00	00:00				
<b>Sunday</b>	12:00	23:30				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>					
	New Year's Eve 10:00 to 02:30			No change		

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	00:30	No change		Basement and ground floors	No change
<b>Tuesday</b>	10:00	00:30				
<b>Wednesday</b>	10:00	00:30				
<b>Thursday</b>	10:00	00:30				

<b>Friday</b>	10:00	00:30			
<b>Saturday</b>	10:00	00:30			
<b>Sunday</b>	12:00	00:00			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	New Year's Eve 10:00 to 03:00			No change	

<b>1-C Layout alteration</b>
No change of layout is proposed

<b>1-D Condition being added</b>		
<b>Condition</b>		
Alcohol for consumption off the premises will be sold in sealed containers.		
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No change

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	3 July 2020
<p>I refer to the variation application of Premises Licence, 15/06566/LIPDPS, for the above premises</p> <p><b>The applicant is seeking the following:</b></p> <ol style="list-style-type: none"> <li>Supply of Alcohol for 'Off' the premises on Monday to Saturday, 10:00 to 00:00 hours and Sunday 12:00 to 23:30 hours.</li> </ol> <p><b>I wish to make the following representation:</b></p> <ol style="list-style-type: none"> <li>The Supply of Alcohol for 'Off' the premises and for the hours requested may have the effect of increasing Public Nuisance in the area.</li> </ol> <p>The applicant has not proposed any changes to the operating schedule and Environmental Health therefore suggest the following additional condition:</p> <ul style="list-style-type: none"> <li><i>Sales of alcohol for consumption off the premises shall:</i> <ol style="list-style-type: none"> <li>be in sealed containers only</li> <li>only be supplied ancillary to a substantial takeaway meal ordered for delivery or collection</li> <li>when accepting delivery orders including alcohol, staff must remind the customer that premises operate Challenge 25. Customers will be asked to provide ID on delivery</li> </ol> </li> </ul>	

*they look younger than 25. Restaurant staff must notify delivery drivers if an order contains alcohol and check ID where applicable. Similar procedures shall be implemented in respect of online orders.*

If these are accepted by the applicant then Environmental Health may be able to withdraw its representation.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Bryan Lewis
<b>Received:</b>	2 July 2020

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, object to this application as it is our belief that if granted this application would undermine the Licensing Objectives contained within the 2003 Licensing Act for the following reasons:

- Insufficient steps proposed to promote the licensing objectives.
- Terminal hour for the off sale of alcohol

I will be in contact with you to provide further information regarding this objection.

## 2-B Other Persons

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 June 2020		

This representation is made by the [REDACTED], which is recognised by Westminster as the Amenity Society for the Marylebone Area south of Marylebone Road and so represents the interests of those who live and work in this area.

We are writing on behalf of the local community OBJECTING to the above application Trishna Restaurants Limited.

The [REDACTED] welcomes the flexibility being shown by businesses to continue trading under the current emergency and agree that being allowed to buy alcohol along with a take-away meal is to be welcomed. However, the application, as currently drafted, would allow the off-sale of alcohol independently of any requirement for a substantial meal to be purchased at the same time.

The area around the bottom of Marylebone High Street including eastern Blandford Street and upper Marylebone Lane is delightful containing a number of very good restaurants and three pubs operating successfully. The streets are comparatively quiet and feel relaxed and welcoming and appear to be free of problem drinking or anti-social behaviour. Our fear is that the balance that has been struck in this residential neighbourhood is delicate and long-term changes to licencing conditions, such as allowing off-sales late in the evening, could surreptitiously lead to an increase in anti-social behaviour and crime thereby flouting the City's Licencing Objectives.

However, should the applicant be able to amend their proposed condition to allow off-sales solely with substantial take-away meals then The Association would willingly withdraw this objection.

We believe that this application if granted as applied for will be contrary to the Licensing Objective: The Prevention of Public Nuisance.

### 3. Policy & Guidance

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

<p><b>Policy HRS1 applies</b></p>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<p><b>Policy PB1 applies</b></p>	<p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1</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 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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

### 5. Appendices

<b>Appendix 1</b>	Premises licence 15/06566/LIPDPS
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service representation	3 July 2020
<b>5</b>	Metropolitan Police Service representation	2 July 2020
<b>6</b>	Interested party representation	24 June 2020



## City of Westminster

64 Victoria Street, London, SW1E 6QP

### Schedule 12 Part A

WARD: Marylebone High  
Street  
UPRN: 100023461403

### Premises licence

Regulation 33, 34

**Premises licence number:**

15/06566/LIPDPS

**Original Reference:**

08/09543/LIPN

#### Part 1 – Premises details

##### Postal address of premises:

Trishna  
15-17 Blandford Street  
London  
W1U 3DG

**Telephone Number:** 020 7935 5624

##### Where the licence is time limited, the dates:

Not applicable

##### Licensable activities authorised by the licence:

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

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

###### Performance of Live Music

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

###### Playing of Recorded Music

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

###### Late Night Refreshment

Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Non-standard Timings:	New Year's Eve 23:00 to 03:00

###### Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

**The opening hours of the premises:**

Monday to Saturday:	10:00 to 00:30
Sunday:	12:00 to 00:00
New Year's Eve:	10:00 to 03:00

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Trishna Restaurants Limited  
44-46 Fleet Street  
London  
EC4Y 1BN

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

06272354

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

**Name:** Sunaina Sethi

*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:** LN/200713780  
**Licensing Authority:** London Borough Of Barnet

**Date:** 26 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Annex 2 – Conditions consistent with the operating Schedule

9. The Sale of Alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
10. The Supply of Alcohol shall be by waiter or waitress only.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. The maximum number of persons to be accommodated at any one time in the premises as a whole (exclusive of staff) shall be 90 persons with local maximums in the following areas being:-  
  
External Dining Area: 10  
Ground Floor Dining: 65  
Basement Dining Room:15
13. External Dining Area shall cease to be used after 23:00 and all external furniture shall be removed and/or secured against the wall of the premises (or such other area as may be agreed) rendering them unusable by customers by 23:15.
14. Patrons temporarily leaving the premises or going to external areas of the premises for the purposes of smoking shall not take any drinks with them.
15. 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.
16. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No rubbish including bottles will be moved, removed or placed in outside areas between 23:30 hours and 08:00 hours.
18. Any Live Music provided shall be by a maximum of 2 performers at any one time.
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 speakers shall be located in the entrance area.
21. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
22. The venue 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 venue 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.
23. No adult entertainment will be provided at the Premises.
24. No alcohol shall be provided to anyone under the age of 18.

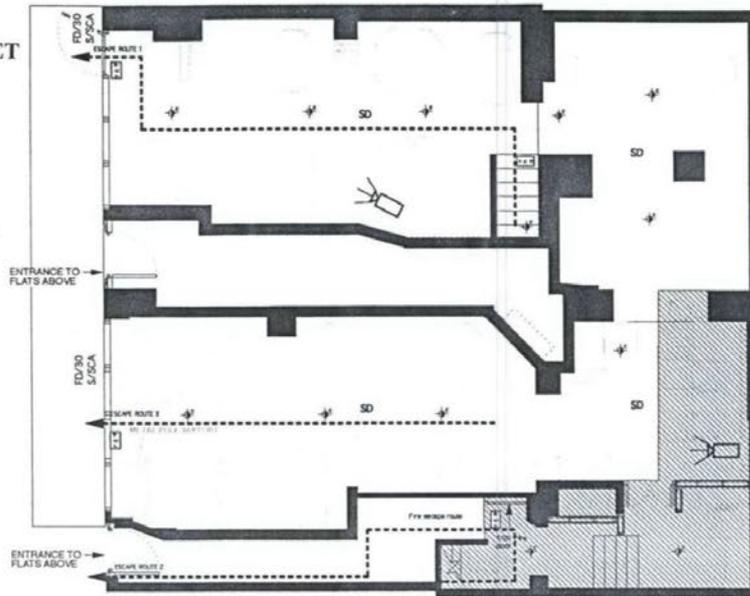
**Annex 3 – Conditions attached after a hearing by the licensing authority**

None

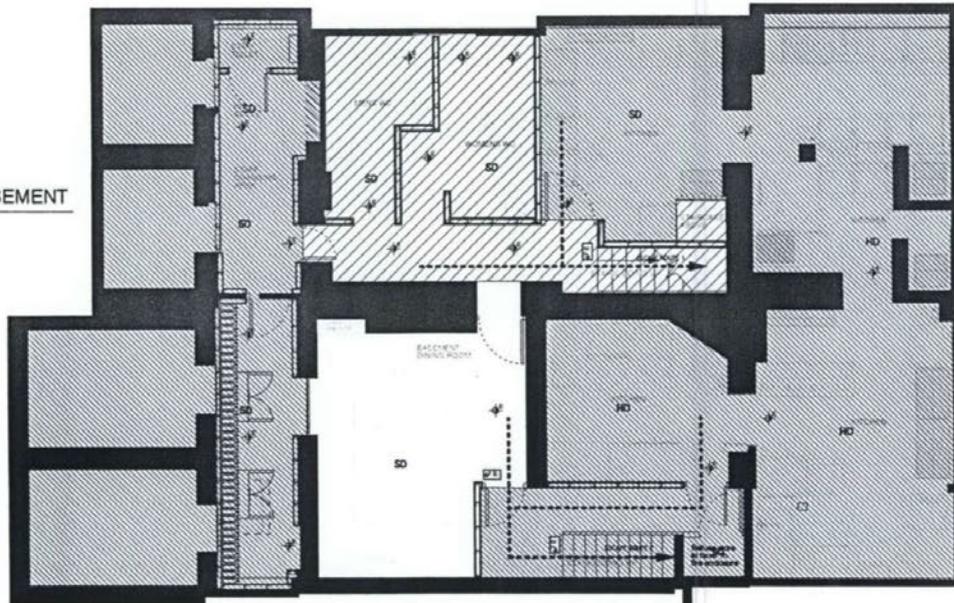
Annex 4 – Plans

15 – 17 BLANDFORD STREET  
LONDON W1U 3DG

GROUND FLOOR



BASEMENT



	AREA FOR CONSUMPTION OF ALCOHOL.
	TOILET ACCOMMODATION AND CIRCULATION.
	REFUSE STORAGE.
	KITCHEN & STAFF AREAS.
	BLOCK WORK - PLASTERBOARD WALL FULL HEIGHT.
	EXISTING FULL HEIGHT WALLS.

SCALE  
1:100

	FIRE EXTINGUISHER. E.G. 13A OR 2AB NUMBER INDICATES THE EXTINGUISHING CAPABILITY AND THE LETTER INDICATES THE CLASS OF FIRE THAT THE EXTINGUISHER IS SUITABLE FOR. FOR FURTHER INFORMATION SEE OUR GUIDANCE NOTE FIGURE 1.
	AQUEOUS FILM FORMING FOAM EXTINGUISHER.
	WATER FIRE EXTINGUISHER.
	FIRE BLANKET IN CONTAINER.
	CARBON DIOXIDE FIRE EXTINGUISHER.
	DRY POWDER EXTINGUISHER.
	FOAM FIRE EXTINGUISHER.
	HYDRANTIC HOSE REEL. A NUMBER FOLLOWING THIS SYMBOL INDICATES THE LENGTH OF THE TUBING IN METRES.
	SAND BUCKET.
	AREA COVERED BY FIXED FIRE EXTINGUISHER INSTALLATION (E.G. CO2).
	AREA COVERED BY AUTOMATIC SPRINKLER INSTALLATION.



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

**Schedule 12  
Part B**

**WARD: Marylebone High  
Street  
UPRN: 100023461403**

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

15/06566/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Trishna  
15-17 Blandford Street  
London  
W1U 3DG

**Telephone Number:** 020 7935 5624

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Live Music**

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

**Playing of Recorded Music**

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

**Late Night Refreshment**

Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Non-standard Timings:	New Year's Eve 23:00 to 03:00

**Sale by Retail of Alcohol**

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	New Year's Eve 10:00 to 02:30

**The opening hours of the premises:**

Monday to Saturday:	10:00 to 00:30
Sunday:	12:00 to 00:00
New Year's Eve:	10:00 to 03:00

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

Alcohol is supplied for consumption on the Premises.

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

Trishna Restaurants Limited  
44-46 Fleet Street  
London  
EC4Y 1BN

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

06272354

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

**Name:** Sunaina Sethi

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

Restricted

**Date:** 26 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

None

## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
05/06077/LIPC	Conversion	02.09.2005	Granted under delegated authority
06/10530/WCCMAP	Master licence	<b>02.09.2005</b>	Granted under delegated authority

**This licence was surrendered in July 2008**

08/09543/LIPN	New premises licence	15.11.2008	Granted under delegated authority
10/07272/LIPDPS	Variation of designated premises supervisor	05.10.2010	Granted under delegated authority
15/06566/LIPDPS	Variation of designated premises supervisor	21.08.2015	Granted under delegated authority

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

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

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

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

9. The Sale of Alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
10. The Supply of Alcohol shall be by waiter or waitress only.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. The maximum number of persons to be accommodated at any one time in the premises as a whole (exclusive of staff) shall be 90 persons with local maximums in the following areas being:-  
  
External Dining Area: 10  
Ground Floor Dining: 65  
Basement Dining Room:15
13. External Dining Area shall cease to be used after 23:00 and all external furniture shall be removed and/or secured against the wall of the premises (or such other area as may be agreed) rendering them unusable by customers by 23:15.
14. Patrons temporarily leaving the premises or going to external areas of the premises for the purposes of smoking shall not take any drinks with them.
15. 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.
16. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No rubbish including bottles will be moved, removed or placed in outside areas between 23:30 hours and 08:00 hours.
18. Any Live Music provided shall be by a maximum of 2 performers at any one time.
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 speakers shall be located in the entrance area.
21. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
22. The venue 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 venue 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.
23. No adult entertainment will be provided at the Premises.
24. No alcohol shall be provided to anyone under the age of 18.

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

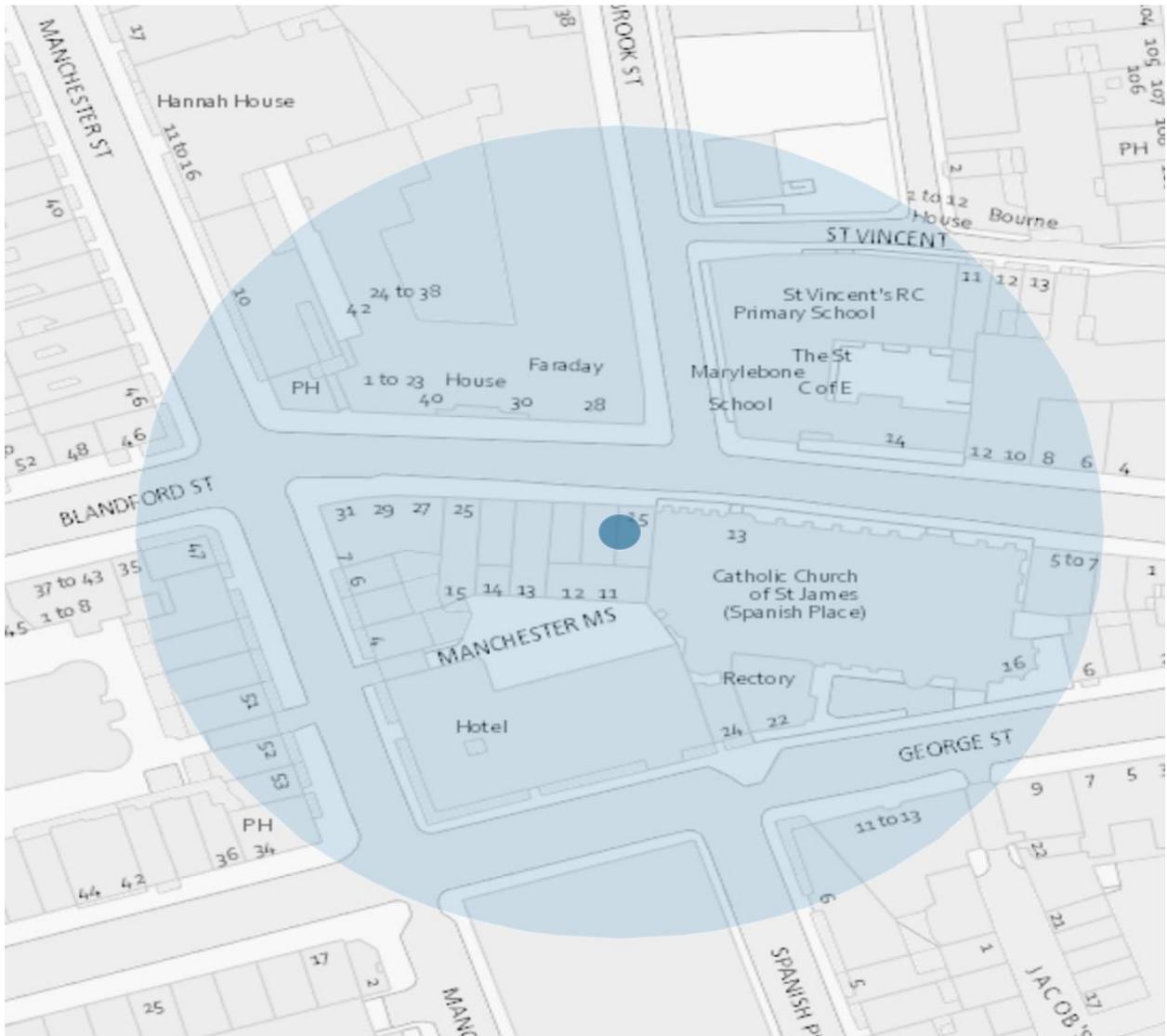
None

#### **Conditions proposed to be added by the applicant**

25. Alcohol for consumption off the premises will be sold in sealed containers

#### **Conditions proposed by the Environmental Health Service**

26. Sales of alcohol for consumption off the premises shall:
- (a) be in sealed containers only
  - (b) only be supplied ancillary to a substantial takeaway meal ordered for delivery or collection
  - (c) when accepting delivery orders including alcohol, staff must remind the customer the premises operate Challenge 25. Customers will be asked to provide ID on delivery if they look younger than 25. Restaurant staff must notify delivery drivers if an order contains alcohol and check ID where applicable. Similar procedures shall be implemented in respect of online orders.



Resident count: 227

Licensed premises within 75m of 15 - 17 Blandford Street, London, W1U 3DG				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/00202/LIPDPS	Not Recorded	Basement And Ground Floor 19 Blandford Street London W1U 3DH	Restaurant	Monday to Saturday; 07:30 - 00:00   Sunday; 09:00 - 23:00
17/11776/LIPDPS	Clarette	44 Blandford Street London W1U 7HS	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00

20/04673/LIPD	Durrants Hotel	26-32 George Street London W1H 5BJ	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
14/10434/LIPDPS	Wallace Collection	Ground Floor Hertford House Manchester Square London W1U 3BN	Museums & Art Galleries	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
18/01741/LIPDPS	Roganic	5-7 Blandford Street London W1U 3DB	Restaurant	Monday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:30
06/10621/WCCMAP	L'Autre Pied	5-7 Blandford Street London W1U 3DB	Restaurant	Monday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:30
19/08599/LIPDPS	Daylesford Organic	Basement And Ground Floor 6 - 8 Blandford Street London W1U 4AU	Cafe	Monday to Saturday; 08:00 - 00:30   Sunday; 10:00 - 00:00
06/11176/WCCMAP	Defune Restaurant	34 George Street London W1U 7DP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

Item No:	
Date:	30 July 2020
Licensing Ref No:	20/01712/LIPN - New Premises Licence
Title of Report:	Heritage 18 Rupert Street London W1D 6DD
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: msteward1@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	10 February 2020		
<b>Applicant:</b>	Filimonov Restaurants Limited		
<b>Premises address:</b>	Heritage 18 Rupert Street London W1D 6DD	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	According to the application for a new Premises Licence this premises will operate as a restaurant.		
<b>Premises licence history:</b>	The premises currently holds a premises licence under licence number 20/00408/LIPDPS and a copy of this licence can be seen at Appendix 3 together with a full history of this premises which has held a licence since 2014.		
<b>Applicant submissions:</b>	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors Only
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	01:30
<b>Seasonal variations/ Non-standard timings:</b>	<p>All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>						

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	01:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>					

<b>Recorded Music</b>				<b>Indoors, Outdoors or Both:</b>			Indoors Only
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	01:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	01:30
<b>Seasonal variations/ Non-standard timings:</b>		<p>Opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p>					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	26 February 2020

I write in relation to the application submitted for a new premises licence for 18 Rupert Street, London, W1D 6DD.

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 four Licensing Objectives:

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

The application seeks the following:

- Recorded Music  
Monday to Sunday 10:00 to 01:30

Non Standard Timings:  
All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

- Late Night Refreshment  
Monday to Sunday 23:00 to 01:30

Non Standard Timings:  
All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

- Supply of Alcohol On & Off Premises  
Monday to Sunday 10:00 to 01:30

Non Standard Timings:  
All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

- Opening Hours to Public  
Monday to Sunday 10:00 to 01:30

Non Standard Timings:

All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HSR1, PB2 and RNT2.

At present, the operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises and other licensable activities, the Licensing Authority encourage that the applicant reduce the hours to be within Westminster's Core hours;

Supply of Alcohol On the Premises  
Monday to Thursday 10:00 to 23:30  
Friday to Saturday 10:00 to 00:00  
Sunday 12:00 to 22:30

Other Licensable activities  
Monday to Thursday 09:00 to 23:30  
Friday to Saturday 09:00 to 00:00  
Sunday: 09:00 to 22:30

The applicant has applied for the sale by retail of alcohol both on and off the premises. The Licensing Authority would encourage the applicant to provide further submissions as to the proposed operation of the 'off sales' from the premises, and how this is intended to be operated and controlled from the premises to ensure that there is no adverse impact within the West End Cumulative Impact Area. The Licensing Authority would propose model conditions 16 and as follows;

1. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.

The Licensing Authority note on the proposed plans there is an 'Existing outside seating area' marked within the licence demise and would like the applicant to provide further submissions into how this area will be operated and controlled i.e. by way of waiter/waitress service. Paragraph 2.5.7 states 'The council is concerned that granting a premises licence which includes an area of public highway within a premises is confusing and may mislead by wrongly implying that permission for the use of the highway is being given. That is not to say that permission for the provision of licensable activities on the highway may not be granted where an appropriate tables and chairs licence is or will be in force and the licensing objectives would be promoted, but the council would prefer to permit such licensable activity to be conditioned as an exceptional 'off sale' to an area appropriately authorised by tables and chairs licence.

The Licensing Authority encourage the applicant to submit new plans without this 'Existing outside seating area' included in the 'On Sales' demise. The Licensing Authority would also propose model conditions 19 as follows;

1. All outside tables and chairs shall be rendered unusable by 23.00 each day.

The Licensing Authority propose that if a new plan with the 'Existing outside seating area' is removed from the licensing demise that the applicant would replace proposed condition 15 that reads:

15. No drinks shall be taken outside the premises save for persons seated at any external table and chairs duly authorised under a current tables and chairs licence.

with model condition 70A as follows;

2. The sale and supply of alcohol for consumption off the premises 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 and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.

The Licensing Authority note that the applicant has proposed on the plans a green area on the ground floor. As part of the application, the applicant has proposed the following condition:

Save for customers (limited to 25 at any one time) in the area shaded green on the attached plan, the premises shall only operate as a restaurant.

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery (except chopsticks),
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

In paragraph 2.5.3 the policy states 'The Council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening. The council, however, is not minded to relax conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.

The Licensing Authority would like the applicant to provide further submissions as to

how the green area will be operated and controlled? i.e. will the proposed area operate by way of a bar with vertical drinking?

The Licensing Authority note that the applicant has proposed the below condition 16 of the operating schedule and would like further submissions on what the regulated entertainment entails. i.e. is this back ground music or for a DJ etc;

16. When regulated entertainment is taking place and/or after 23:00 hours all external doors and windows shall be kept closed save for immediate access and egress of persons.

The premises currently benefits from a separate premises licence (20/00408/LIPDPS). This licence has not been proposed to be surrendered as part of this new premises licence application or operating schedule, does the applicant have capacity to do so? If this is the case The Licensing Authority would propose model conditions 62 as follows;

1. No licensable activities shall take place at the premises until premises 20/00408/LIPDPS (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].

The Licensing Authority would like confirmation whether the applicant is agreeable to the above proposed conditions to be able to assess any further relevant policy considerations.

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Dave Morgan
<b>Received:</b>	26 February 2020

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

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

In order to progress, I would like to arrange a site visit in order that we could discuss your proposed conditions further.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<b>Policy PB2 applies</b>	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.
<b>Policy RNT2 applies</b>	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

#### 4. 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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 4. Appendices

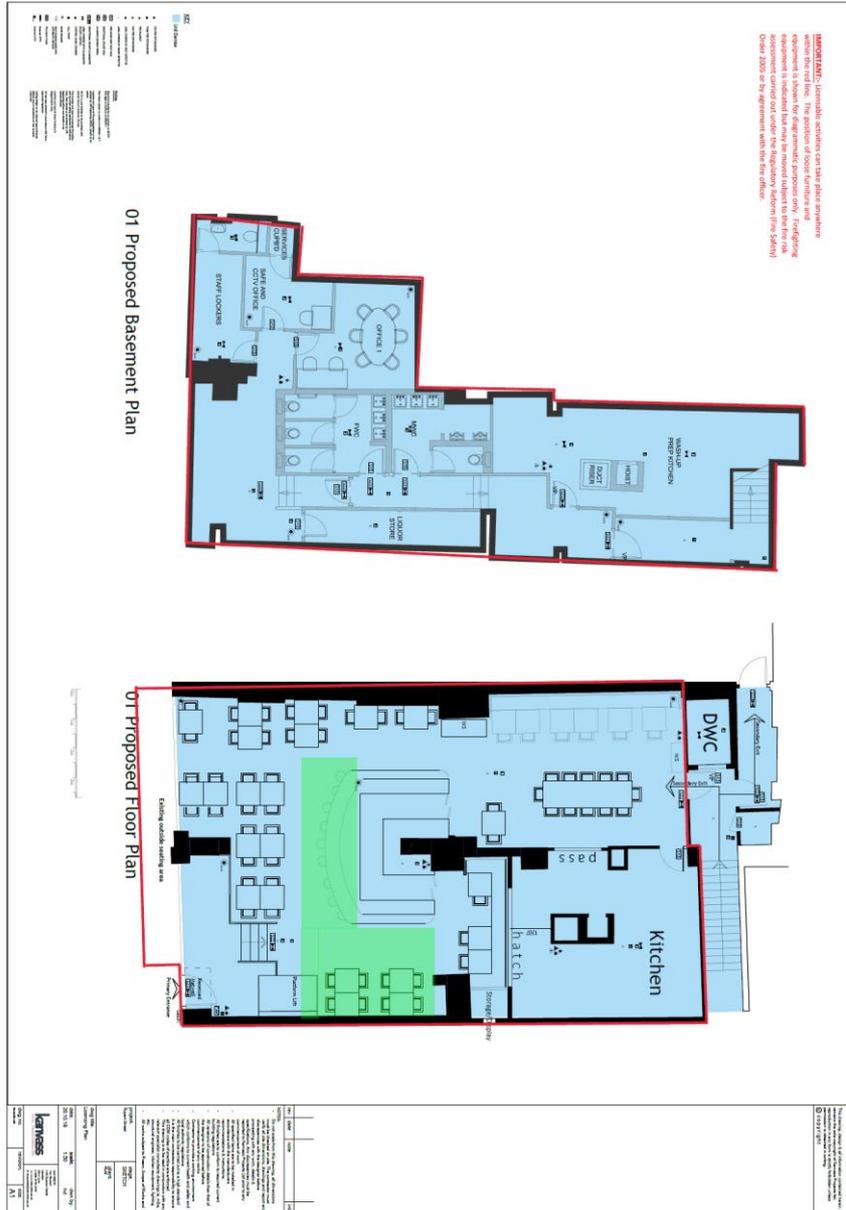
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents – Dispersal Policy
<b>Appendix 3</b>	Premises history and Existing Premises Licence
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Michelle Steward Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Licensing Authority Representation	26 February 2020
<b>5</b>	Metropolitan Police Service Representation	26 February 2020



Dispersal Policy

# HERITAGE

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## DISPERSAL POLICY

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This Dispersal Policy has been implemented to assist in the promotion of the four licensing objectives, in particular crime and disorder, public nuisance and public safety.

This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours.

Management are aware of the potential for neighbourhood noise and disturbance at the time that customers leave at closing time. Management have agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

### **Winding-down Period**

1. Management have put into place an effective “wind-down” procedure in order to facilitate prompt closure of the premises and orderly dispersal pattern by customers.
2. At closing key members of trained staff are directed to work in the customer areas near the front entrance and exit. Customers are informed that the premises are about to close and are directed towards the nearest exit.
3. The premises will promote the gradual departure of customers and will ensure the control of the flow of customers by carefully managing the restaurant bookings and exit areas upon closing.
4. Internal lighting levels will be increased during the last 30 minutes of trading and waiters will ask customers if they have any last food and drink orders.
5. The winding down period outlined above ensures that customers disperse gradually prior to cessation of trade.
6. We are proud of the area and we will endeavour to keep the area clean and attractive for our patrons and our neighbours. This means dealing with debris outside our frontage that may have nothing to do with us but in the interests of maintaining good standards in the area we will still clear it up.

### **Staff to assist with Dispersal**

7. Staff trained in closing procedures shall be maintained until the premises are closed and shall be in position early enough in the evening to ensure that procedures for promoting public safety and preventing public nuisance are effective
8. Such staff to be trained in the following:-
  - a. where the nearest mode of public transport is
  - b. details of taxis and a number is available at the reception
  - c. general local knowledge so that if customers decide to move on the staff can help them with directions.

### **Notices**

9. Notices shall be displayed at customer exits and in prominent positions requesting that patrons respect the needs of local residents and leave the premises and area quietly.
10. All employees are given appropriate instructions and training to encourage customers to leave the premises and the area quietly.

### **Incident Reports**

11. All incidents of crime or disorder or nuisance are to be reported by the designated premises supervisor or responsible member of staff.
12. The licence holder shall ensure that the details of all complaints are recorded in an occurrence book.

### **Taxi Service**

13. Staff will ensure taxis are available for customers so that they can wait inside the premises. and staff will ensure that car doors are not slammed and will ensure that taxi drivers keep engines turned off if they are parked outside.
14. Arrangements are made with all local taxi firms for taxis to stop at a safe stopping place when collecting patrons. A recommended list of local taxi companies is available to customers.
15. Staff are trained to be aware of the location of taxi ranks, bus stops and hire car offices and advise customers accordingly.
16. Taxi drivers will be asked to remain in their vehicles and radios should not be played at a volume likely to disturb the neighbourhood.
17. At the end of the shift employees will say goodbye to each other inside the premises and arrange for lifts or taxis to collect them at a convenient and safe stopping point away from residential properties

### **Overall**

Staff shall be in place at the exits to wish customers farewell and ask them to leave quietly and shall answer any questions regarding transport availability. Staff will not tolerate departing customers congregating outside of the premises. Staff will at all times be aware of activity outside of the premises and endeavour by their presence to minimise bad behaviour. They should be aware of potential areas of difficulty (nearby residences) and provide a presence in those places to minimise potential problems. Whilst carrying out their legitimate duties outside of the premises all staff are trained not to behave in a manner likely to disturb the neighbourhood, conversation and laughter must be quiet and any communication is usually

digital through an earpiece.

Staff will attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of the running of the premises. Particular emphasis will be placed on building and maintaining close links with local residents including hosting meetings where necessary to allow our neighbours to raise any issues and for those issues to be quickly resolved. The telephone number of the premises will be provided to all our immediate residential neighbours.

Staff will constantly review this Dispersal Policy and respond quickly to the needs of our neighbours.



Schedule 12  
Part A

WARD: St James's  
UPRN: 100023472748

## City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/00408/LIPDPS

Original Reference:

14/02926/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Heritage  
18 Rupert Street  
London  
W1D 6DE

**Telephone Number:** 020 7478 8758

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

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

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

##### Playing of Recorded Music

Monday to Wednesday: 10:00 to 00:30  
Thursday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

##### Late Night Refreshment

Monday to Wednesday: 23:00 to 00:30  
Thursday to Saturday: 23:00 to 01:00  
Sunday: 23:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

##### Sale by Retail of Alcohol

Monday to Wednesday: 10:00 to 00:00  
Thursday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 23:30

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**The opening hours of the premises:**

Monday to Wednesday:	10:00 to 00:30
Thursday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 00:00

**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:**

Brindisa Tapas Kitchens Limited  
2 Burton House Repton Place  
White Lion Road  
Amersham  
Buckinghamshire  
HP7 9LP

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

04832285

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

**Name:** Gianpier Lanzilotti

*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:** 17/01141/LAPER  
**Licensing Authority:** London Borough of Newham

**Date:** 26 February 2020

This licence has been authorised by Emanuela Meloyan on behalf of the Director - Public Protection and Licensing.

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.

7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

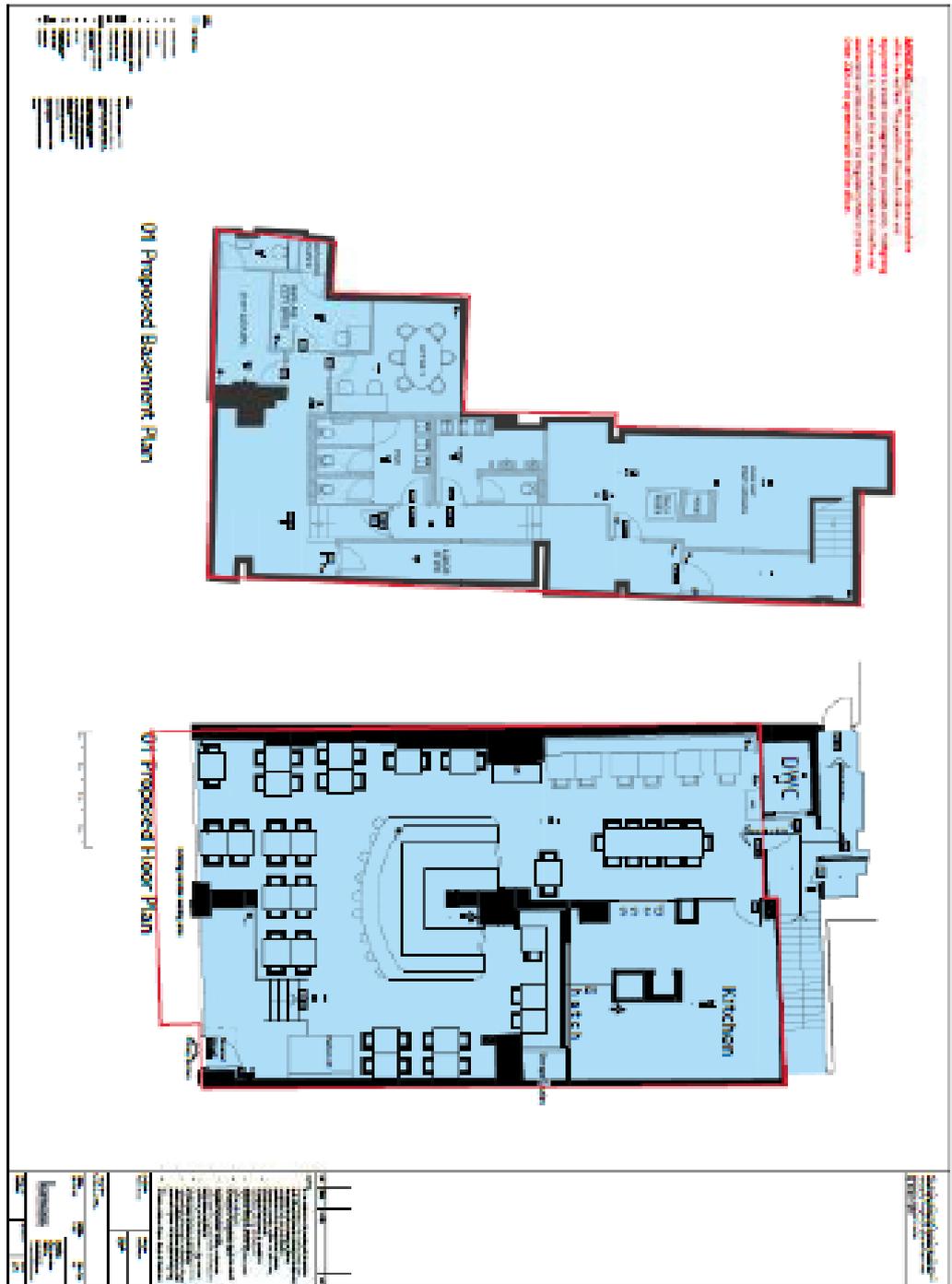
None

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

9. Substantial food and 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.
10. The premises shall install and maintain a CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
12. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
18. There shall be no take away of hot food or hot drink after 23.00 hours.
19. No drinks shall be taken outside the premises save for persons seated at any external table and chairs duly authorised under a current tables and chairs licence.
20. When regulated entertainment is taking place and/or after 23:00 hours all external doors and windows shall be kept closed save for immediate access and egress of persons.
21. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. Deliveries to the premises shall only take place between 0800 and 2300 hours.
24. During the hours of operation 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 the aforementioned 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.
25. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Ground Floor - 120 seated.
26. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
27. The terminal hour for licensable activities to be extended by one hour on the morning that British Summertime commences.





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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

20/00408/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Heritage  
18 Rupert Street  
London  
W1D 6DE

**Telephone Number:** 020 7478 8758

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Playing of Recorded Music**

Monday to Wednesday: 10:00 to 00:30  
Thursday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Late Night Refreshment**

Monday to Wednesday: 23:00 to 00:30  
Thursday to Saturday: 23:00 to 01:00  
Sunday: 23:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Sale by Retail of Alcohol**

Monday to Wednesday: 10:00 to 00:00  
Thursday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 23:30

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**The opening hours of the premises:**

Monday to Wednesday: 10:00 to 00:30  
Thursday to Saturday: 10:00 to 01:30

Sunday:

12:00 to 00:00

**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.

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

Brindisa Tapas Kitchens Limited  
2 Burton House Repton Place  
White Lion Road  
Amersham  
Buckinghamshire  
HP7 9LP

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

11356071

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

**Name:** Gianpier Lanzilotti

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

Restricted

**Date:** 26 February 2020

**This licence has been authorised by Emanuela Meloyan on behalf of the Director - Public Protection and Licensing.**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/02926/LIPN	Application for a new premises licence	5 June 2014	Granted at Licensing Sub-Committee
15/00562/LIPT	Application to Transfer the Premises Licence	27 February 2015	Granted under delegated authority
15/00570/LIPDPS	Application to vary the Designated Premises Supervisor	27 February 2015	Granted under delegated authority
15/00733/LIPVM	Application for a minor variation	18 February 2015	Refused
15/02421/LIPV	Application for a full variation	20 May 2015	Granted under delegated authority
15/02658/LIPDPS	Application to vary the Designated Premises Supervisor	25 April 2015	Granted under delegated authority
17/05614/LIPDPS	Application to vary the Designated Premises Supervisor	28 April 2017	Granted under delegated authority
19/01472/LIPT	Application to Transfer the Premises Licence	26 June 2019	Granted under delegated authority
19/01549/LIPVM	Application for a minor variation	28 February 2019	Granted under delegated authority
19/07091/LIPDPS	Application to vary the Designated Premises Supervisor	27 June 2019	Granted under delegated authority
19/08932/LIPCHT	Change of Details of the Premises Licence Holder	2 October 2019	Granted under delegated authority
20/00408/LIPDPS	Change of Details of the Premises Licence Holder	26 February 2020	Granted under delegated authority

There is no appeal history for the premises.

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

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

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

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

### Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions consistent with the operating schedule

9. Save for customers (limited to 25 at any one time) in the area shaded green on the attached plan, the premises shall only operate as a restaurant
- (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery (except chopsticks),
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

10. No alcohol shall be supplied to persons after midnight except as ancillary to a table meal.
11. During the hours of operation, 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.
12. 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.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
15. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
16. 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.
17. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
18. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
20. There shall be no take away of hot food or hot drink after 23.00 hours.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Ground Floor – 120 persons.
22. No drinks shall be taken outside the premises save for persons seated at any external table and chairs duly authorised under a current tables and chairs licence.

**Proposed alternative condition 22 by the Licensing Authority:**

22. **The sale and supply of alcohol for consumption off the premises 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 and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.**
23. When regulated entertainment is taking place and/or after 23:00 hours all external doors and windows shall be kept closed save for immediate access and egress of persons.

**Proposed alternative condition 23 by the Licensing Authority:**

23. **When regulated entertainment is taking place and/or after 23:00 hours all external doors and windows shall be kept closed save for immediate access and egress of persons.**
24. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
25. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. Subject to relevant data protection legislation, this staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
26. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - a) All crimes reported to the venue;
  - b) All ejections of patrons;
  - c) Any complaints received concerning crime and disorder;
  - d) Any incidents of disorder;
  - e) All seizures of drugs or offensive weapons;
  - f) Any refusal of sale of alcohol.

27. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
28. A challenge 21 proof of age scheme shall be operated at the premise 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.
29. 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.
30. 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.
31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

**Conditions proposed by the Licensing Authority**

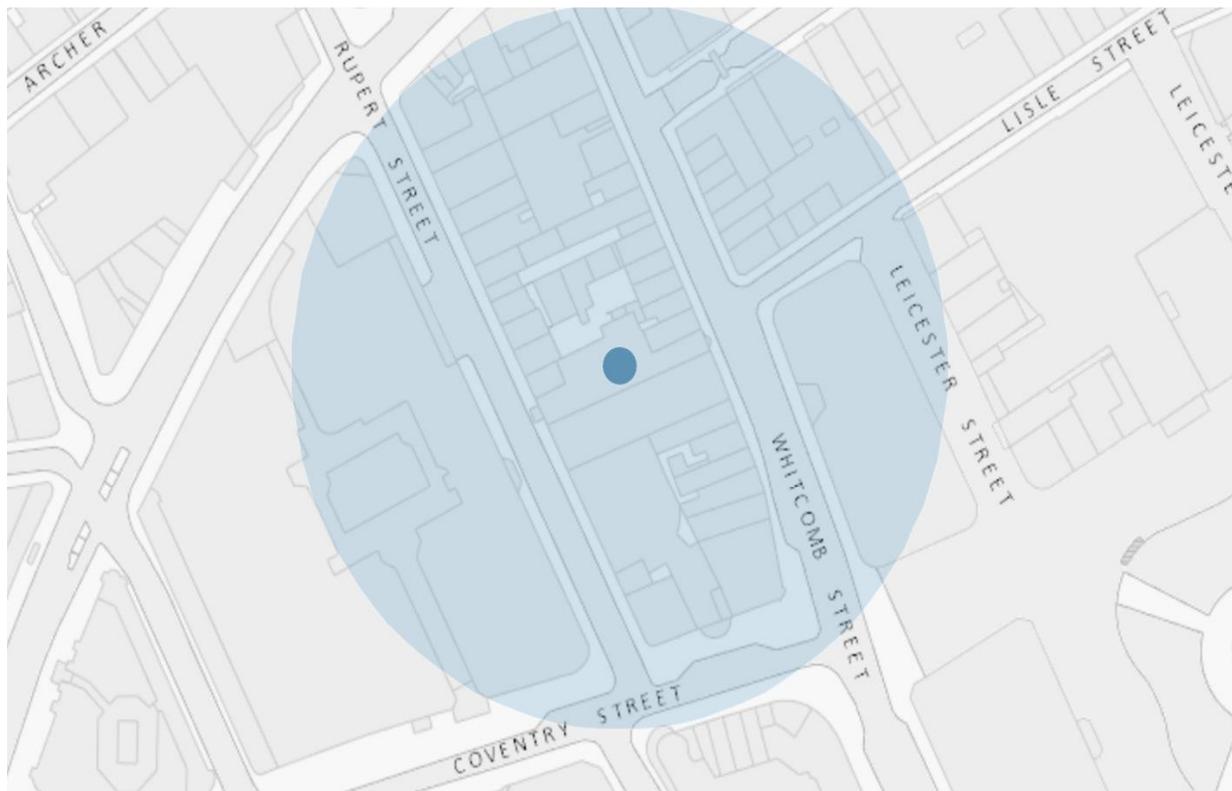
35. No licensable activities shall take place at the premises until premises 20/00408/LIPDPS (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].
36. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
37. No drinks shall be taken outside the premises save for persons seated at any external table and chairs duly authorised under a current tables and chairs licence.

**Conditions proposed by the Environmental Health**

None

**Conditions proposed by the Police**

None



Resident Count: 52

Licensed Premises within 75 metres of 18 Rupert Street, London, W1D 6DD				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/02226/LIPDPS	Morden & Lea	17 Wardour Street London W1D 6PJ	Restaurant	Monday to Wednesday; 10:00 - 00:30   Thursday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
20/00408/LIPDPS	Heritage	18 Rupert Street London W1D 6DD	Restaurant	Monday to Wednesday; 10:00 - 00:30   Thursday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00

15/05385/LIPT	London Jade Garden	15 Wardour Street London W1D 6PH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/10204/LIPV	London Jade Garden	15 Wardour Street London W1D 6PH	Restaurant	Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 23:00
19/09537/LIPDPS	Waxy O'Connor's	Basement And Ground Floor 14 - 16 Rupert Street London W1D 6DD	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Monday to Saturday; 10:00 - 00:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00   Sunday; 12:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
19/17177/LIPT	Old Town 97	19 Wardour Street London W1D 6PL	Restaurant	Monday to Saturday; 10:00 - 04:00   Sunday; 12:00 - 04:00
18/02061/LIPT	Old Town 97	19 Wardour Street London W1D 6PL	Restaurant	Monday to Saturday; 10:00 - 04:00   Sunday; 12:00 - 04:00
06/12381/WCCMAP	Cafe T.P.T.	21 Wardour Street London W1D 6PN	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 01:00
19/03860/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Restaurant	Monday to Saturday; 10:00 - 05:00   Sunday; 12:00 - 05:00

06/04892/WCCMAP	Misato Restaurant	11 Wardour Street London W1D 6PG	Restaurant	Monday to Sunday; 11:00 - 00:00
19/03757/LIPVM	Sugar	First Floor And Second Floor 11 Wardour Street London W1D 6PG	Club or institution	Monday; 09:00 - 03:30   Monday to Thursday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 06:00   Friday to Saturday; 09:00 - 06:00   Saturday; 09:00 - 06:00   Sunday; 09:00 - 23:00
19/12736/LIPDPS	Hungs Chinese Restaurant	Ground Floor To Second Floor 27 Wardour Street London W1D 6PR	Restaurant	Monday to Saturday; 10:00 - 04:30   Sunday; 12:00 - 04:30
06/12437/WCCMAP	C & R Cafe Restaurant	3-4 Rupert Court London W1D 6DY	Shop	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/13036/LIPDPS	Pizza Express	29 Wardour Street London W1D 6PS	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 10:00 - 00:00
18/04102/LIPDPS	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Restaurant	Monday to Thursday; 10:00 - 23:30   Thursday to Friday; 10:00 - 00:00   Sunday; 12:00 - 23:00

18/02894/LIPDPS	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
07/10675/WCCMAP	Sunrise Cafe And News	Ground Floor 31 Wardour Street London W1D 6PT	Shop	Monday to Saturday; 08:00 - 05:00   Sunday; 10:00 - 05:00
17/03149/LIPCHT	XU	30 Rupert Street London W1D 6DL	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
18/04125/LIPT	Basement Of 3-5 Wardour Street	3-5 Wardour Street London W1D 6PB	Restaurant	Monday to Saturday; 12:00 - 23:00   Sunday; 12:00 - 22:30
19/09529/LIPDPS	Waxy's Little Sister	20 Wardour Street London W1D 6QG	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:50
19/07902/LIPDPS	Ichi Buns (22-22A)	22A Wardour Street London W1D 6QQ	Restaurant	Monday to Thursday; 10:00 - 00:00   Monday to Saturday; 10:00 - 02:00   Friday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 23:00   Sunday; 12:00 - 02:00   Sundays before Bank Holidays; 12:00 - 00:00
14/01354/LIPVM	The Palomar	34 Rupert Street London W1D 6DN	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00

				- 00:00
19/07587/LIPDPS	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	Night clubs and discos	Monday to Sunday; 09:00 - 06:00
18/16078/LIPDPS	G. Casino Piccadilly	Upper Ground Floor To Third Floor 3-4 Coventry Street London W1D 6BL	Casino or gambling club	Monday to Saturday; 10:00 - 10:00   Sunday; 12:00 - 12:00
19/01354/LIPVM	O'Neills Public House	33 Wardour Street London W1D 6PU	Public house or pub restaurant	Monday to Tuesday; 08:00 - 02:30   Wednesday to Saturday; 08:00 - 03:30   Sunday; 08:00 - 02:00   Sundays before Bank Holidays; 08:00 - 02:30
19/13265/LIPCH	Shake Shack	1 - 2 Coventry Street London W1D 6BH	Food store	Monday to Saturday; 10:00 - 03:00   Sunday; 10:00 - 02:30
16/08990/LIPVM	Shake Shack	1 - 2 Coventry Street London W1D 6BH	Restaurant	Monday to Saturday; 23:00 - 03:00   Sunday; 23:00 - 02:30
11/01048/LIPDPS	Little Korea Ltd	2 - 3 Lisle Street London WC2H 7BG	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
06/13240/WCCMAP	Mr Wu Restaurant	28 Wardour Street London W1D 6QN	Restaurant	Monday to Sunday; 11:00 - 00:00

19/15030/LIPDPS	Hovarda	36 - 40 Rupert Street London W1D 6DN	Restaurant	Not Recorded; XXXX - XXXX
17/14804/LIPV	Young Cheng Restaurant	39 Wardour Street London W1D 6PX	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
19/00522/LIPDPS	Not Recorded	Unit 34B Trocadero 19 Rupert Street London W1D 7PN	Not Recorded	Monday to Saturday; 10:00 - 00:30   Sunday; 10:00 - 00:00
19/02859/LIPCH	Platinum Lace Gentleman's Club	Unit 33 Trocadero 13 Coventry Street London W1D 7AB	Night clubs and discos	Monday to Saturday; 15:00 - 06:30   Sunday; 15:00 - 03:30
19/14854/LIPDPS	Bubba Gump Shrimp Co.	Basement To First Floor Unit 75 Trocadero 13 Coventry Street London W1D 7AB	Restaurant	Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30   Sundays before Bank Holidays; 09:00 - 00:00
18/16233/LIPN	Not Recorded	Unit 34B Trocadero 19 Rupert Street London W1D 7PN	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 10:00 - 00:00

19/04772/LIPDPS	HaiDiLao	Units 4 And 5 Trocadero 13 Coventry Street London W1D 7AB	Restaurant	Tuesday to Thursday; 08:00 - 00:00   Friday to Saturday; 08:00 - 00:30   Sunday; 08:00 - 23:00   Sundays before Bank Holidays; 08:00 - 00:30
20/00949/LIPDPS	Not Recorded	Unit 29 Trocadero 13 Coventry Street London W1D 7AB	Not Recorded	Monday to Sunday; 00:00 - 00:00
19/07844/LIPN	United Chip, Unit 34a, The Trocodero	19A Rupert Street London W1D 6DF	Restaurant	Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00   Sunday; 12:00 - 22:30
15/03177/LIPDPS	Gerrard's Corner	25 Gerrard Street London W1D 6JL	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
17/11814/LIPDPS	W Hotel	W London Leicester Square 10 Wardour Street London W1D 6QF	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
19/14826/LIPDPS	Burger & Lobster	W London Leicester Square 10 Wardour Street London W1D 6QF	Not Recorded	Monday to Sunday; 08:00 - 01:00
19/12509/LIPDPS	London Chinatown Restaurant	27 Gerrard Street London W1D 6JN	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00

14/01871/LIPDPS	Wong Kei Restaurant	41-43 Wardour Street London W1D 6PY	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/14394/LIPDPS	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BF	Public house or pub restaurant	Monday to Wednesday; 07:00 - 23:20   Thursday to Saturday; 07:00 - 00:30   Sunday; 07:00 - 23:00
19/11416/LIPV	Thai Tho Soho	42 Rupert Street London W1D 6DP	Restaurant	Monday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/04805/LIPDPS	Caffe Concerto	50 Shaftesbury Avenue London W1D 6LW	Cafe	Monday to Sunday; 08:00 - 23:30
19/05366/LIPT	La Scala	45 Wardour Street London W1D 6PZ	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/00578/LIPDPS	MW Buffet	Astoria House 58-60 Shaftesbury Avenue London W1D 6LS	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
14/01226/LIPT	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/02850/LIPDPS	Bar Rumba	Ground Floor Unit 17d Trocadero 13 Coventry	Restaurant	Monday to Saturday; 09:00 - 06:00   Sunday; 09:00

		Street London W1D 7ER		- 03:30
14/10567/LIPVM	Fratelli La Bufala	40 Shaftesbury Avenue London W1D 7ER	Restaurant	Monday to Sunday; 09:00 - 01:00
16/06186/LIPN	Viet Food	34-36 Wardour Street London	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00



# Licensing Sub-Committee Report

## Agenda Item 3

Item No:	
Date:	30 July 2020
Licensing Ref No:	19/14057/LIPV - Premises Licence Variation
Title of Report:	HaiDiLao Units 4 And 5 Trocadero 13 Coventry Street
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: msteward1@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	28 October 2019		
<b>Applicant:</b>	Uk Haidilao Pte. Ltd		
<b>Premises:</b>	HaiDiLao		
<b>Premises address:</b>	Units 4 And 5	<b>Ward:</b>	St James's Ward
	Trocadero 13 Coventry Street London	<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises operates as a restaurant with on and off sales for late night refreshment and sale by retail of alcohol.		
<b>Variation description:</b>	This is an application for variation seeks to extend the hours for licensable activities including the sale by retail for alcohol until 02:00am		
	<p>There are no changes to the licensing plans. One of the main reasons for the application is that persons attending the premises to dine take a much longer time than a normal restaurant due to the Chinese Hot Pot style of cuisine where customers cook their own food.</p> <p>The applicant will consider such other conditions as may be recommended by any interested party.</p>		
<b>Premises licence history:</b>	The premises has had the benefit of a Premises Licence since 2018 and a copy of the current Premises Licence <b>20/01462/LIPDPS</b> is attached at <b>Appendix 3</b> of this report together with the full licence history.		
<b>Applicant submissions:</b>	During the consultation period the applicant agreed with the interested parties to remove this element of the application and therefore the sale by retail for alcohol remains as Monday to Thursday 10:00 to 23:30, Friday to Saturday 10:00 to 00:00 and Sundays 12:00 to 22:30.		

1-B Current and proposed licensable activities, areas and hours						
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	10:00	02:00	Basement and Ground Floor	No Variation Sought
Tuesday	10:00	01:00	10:00	02:00		
Wednesday	10:00	01:00	10:00	02:00		
Thursday	10:00	01:00	10:00	02:00		
Friday	10:00	00:00	10:00	02:00		
Saturday	10:00	00:00	10:00	02:00		
Sunday	12:00	22:30	12:00	02:00		
<b>Seasonal variations/ Non-standard</b>	<b>Current:</b>				<b>Proposed:</b>	
	All licensable activities shall be extended from the end of permitted				All licensable activities shall be extended from the end of permitted	

<b>timings:</b>	<p>hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.</p>	<p>hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.</p> <p>Hotel residents and their guests shall be unrestricted.</p> <p>Sundays before Bank Holidays 12.00 to 02:00.</p>
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<b>Plays, Recorded Music, Performance of Dance and anything of a similar nature to Regulated Entertainment:</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	10:00	02:00	Ground Floor and Basement	No Variation Sought
<b>Tuesday</b>	10:00	23:30	10:00	02:00		
<b>Wednesday</b>	10:00	23:30	10:00	02:00		
<b>Thursday</b>	10:00	23:30	10:00	02:00		
<b>Friday</b>	10:00	00:00	10:00	02:00		
<b>Saturday</b>	10:00	00:00	10:00	02:00		
<b>Sunday</b>	12:00	22:30	12:00	02:00		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	<p>All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.</p>			<p>All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.</p> <p>Hotel residents and their guests shall be unrestricted.</p> <p>Sundays before Bank Holidays 12.00 to 02:00.</p>		

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No Variation Sought	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	02:00	Ground Floor and Basement only	No Variation Sought
Tuesday	23:00	23:30	23:00	02:00		
Wednesday	23:00	23:30	23:00	02:00		
Thursday	23:00	23:30	23:00	02:00		
Friday	23:00	00:00	23:00	02:00		
Saturday	23:00	00:00	23:00	02:00		
Sunday	N/A	N/A	23:00	02:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight				All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.  Hotel residents and their guests shall be unrestricted.  Sundays before Bank Holidays 12.00 to 02:00.	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No Variation Sought	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No Variation Sought		Ground Floor and Basement Only	No Variation Sought
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.				All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.	

		<p>Hotel residents and their guests shall be unrestricted.</p> <p>Sundays before Bank Holidays 12.00 to 02:00.</p>
--	--	--

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	N/A	N/A	08:00	02:00	Ground Floor and Basement Only	No Variation Sought
<b>Tuesday</b>	08:00	00:00	08:00	02:00		
<b>Wednesday</b>	08:00	00:00	08:00	02:00		
<b>Thursday</b>	08:00	00:00	08:00	02:00		
<b>Friday</b>	08:00	00:30	08:00	02:00		
<b>Saturday</b>	08:00	00:30	08:00	02:00		
<b>Sunday</b>	08:00	00:30	08:00	02:00		
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.			All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.		
	Non-standard Timings: Sundays before Bank Holidays 12.00 to 00:30.			Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight.		
				Hotel residents and their guests shall be unrestricted.		
				Sundays before Bank Holidays 12.00 to 02:00.		

<b>1-C Layout alteration</b>
There are changes sought to the layout by way of this variation.

<b>1-D Conditions being varied</b>	
<b>Condition</b>	<b>Proposed variation</b>
9. Access and egress to the premises between 23:30hrs (Monday to Thursday), midnight (Friday and Saturday), and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 08:00hrs shall only be via the internal door (as shown on the attached plans) from the hotel	9. Access and egress to the premises between 01:00 and 08:00 shall only be via the internal door (as shown on the attached plans) from the hotel
10. The supply of alcohol and the provision of late night refreshment between the hours of 23:30 (Monday to Thursday), midnight	10a. The supply of alcohol between the hours of 23:30 (Monday to Thursday), midnight (Friday and Saturday) and 22:30hrs (Sunday,

<p>(Friday and Saturday) and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.</p>	<p>midnight on Sundays before bank holidays) and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.</p> <p>10b. The provision of late night refreshment between the hours of 02:00 and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.</p>
<b>1-D Conditions being added</b>	
<b>Condition</b>	
<ul style="list-style-type: none"> <li>• SIA Staff will be deployed at the Premises as follows: <ul style="list-style-type: none"> <li>• 1 SIA Door Supervisor from 7pm to 11pm</li> <li>• 2 SIA Door Supervisors from 11pm to 3am</li> </ul> </li> <li>• There shall be no new entries to the premises after 1am until close, daily (notwithstanding the effect of conditions 9 and 10 above)</li> </ul>	

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>Withdrawn 11 November 2019</i> )
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	6 November 2019
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Would it be possible to meet at the venue to discuss the application further?</p> <p><b>Response received from the applicant to the Metropolitan Police Service dated 11 November 2019:</b></p> <p>Sorry for the delay in getting this to you but I and the Applicant have worked to focus on what they really need from this Application, allowing us to put forward something that addresses the Applicant's needs in terms of customer experience whilst actively promoting the Licensing Objectives. Please see the outcome of this work below:</p> <p>The Applicant proposes the following amendments by way of compromise:</p> <ul style="list-style-type: none"> <li>• 24 Hour provision of Licensable Activities to "hotel residents and their guests"</li> <li>• Extension of hours for Sale of Alcohol from [Existing] to 2am</li> </ul> <p>The Applicant proposes the following additional Conditions:</p>	

1. SIA Staff will be deployed at the Premises as follows:
  - a. 1 SIA Door Supervisor from 7pm to 11pm
  - b. 2 SIA Door Supervisors from 11pm to 3am (30mins after close)
2. There shall be no new entries to the premises after 1am until close, daily.

#### Consequential Amendments

Given that the 24 hour permission for hotel residents has been withdrawn, I would suggest Condition 9 is no longer required. I am informed that this condition was put forward for the original application as part of the request at the time for 24 hours hotel use. The hotel exception was withdrawn at the hearing and so the condition was not longer required, however it was overlooked and so is still on the licence. I am happy to see it amended to suit the longer hours we are now applying for but would suggest the more effective way of dealing with it is to remove it entirely.

I have attached a revised copy of the Draft Proposed Conditions bringing the above matters together.

**The Metropolitan Police Service agreed to the amendments proposed by the applicant and subsequently withdrew their representation on the 11 November 2019.**

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Sally Fabbriatore
<b>Received:</b>	22 November 2019

I refer to the variation application for the Premises Licence, 19/04772/LIDPS for the above premises.

**The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.**

This representation is based on the Operating Schedule and the plans attached to the current licence.

The applicant is seeking the following on the **ground floor and lower ground floor**:

1. To increase the hours for the current licensable activities of plays, films, recorded music, performance of dance and anything similar and the supply of alcohol from Monday- Sunday 10:00-02:00 hours.
2. To increase the terminal hour of late night refreshment to 02:00 hours Monday to Sunday.
3. To amend and remove some of the existing conditions.

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

1. The increase of hours for licensable activities may cause an increase in Public Nuisance in the cumulative impact area.
2. The amendment and removal of some conditions may cause an increase in Public Nuisance in the cumulative impact area and may impact on public safety.

**The granting of the variation as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.**

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

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	25 November 2019

I write in relation to the application submitted for a variation of the premises licence for Units 4 and 5, Trocadero, 13 Coventry Street, London.

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 four Licensing Objectives:

- Public Nuisance

- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following variations:

**Plays, Films, Recorded Music, Performance of Dance, Anything of a similar description to that falling within (e), (f) or (g),**

Monday to Sunday 10:00 to 02:00

**Seasonal Variation:**

Sundays before Bank Holidays 12.00 to 02:00

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Non-Standard Timings:**

Hotel residents and their guests shall be unrestricted.

All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**Late Night Refreshment**

Monday to Sunday 23:00 to 02:00

**Seasonal Variation:**

Sundays before Bank Holidays 12.00 to 02:00

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Non-Standard Timings:**

Hotel residents and their guests shall be unrestricted.

All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**Supply of Alcohol On & Off Premises**

Monday to Sunday 10:00 to 02:00

**Seasonal Variation:**

Sundays before Bank Holidays 12.00 to 02:00

An additional hour to the standard and non-standard times on the day when British Summertime commences.

**Non-Standard Timings:**

Hotel residents and their guests shall be unrestricted.

All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, RNT2 and CIP1.

The Licensing Authority notes that the application proposes the terminal hour for all licensable activities be extended to 2am which falls outside of Westminster's HSR1 core

hours. The Licensing Authority encourages the applicant to provide further submissions to the questions below;

1. Is the extension of licensable activities just for the Restaurant in the Basement or is it for the ground floor as well?
2. In regards to the 'Off Sales' will the Sale of Alcohol be permitted until 2am?

The Licensing Authority has concerns as to how the additional hours for licensable activities proposed in this variation application will not add to cumulative impact in the West End cumulative impact area.

Paragraph 2.4.5 states, The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1.

The Licensing Authority notes that the applicant has proposed to remove condition 44 which reads as the following.

*44. There shall be no sale of alcohol or provision of late night refreshment from the ground floor*

The Licensing Authority encourages the applicant provide further submissions as to why this condition is to be removed and what the operation of the Ground Floor will be going forward. With this information, the Licensing Authority will be able to set out the relevant policy considerations for the ground floor. It may be that policy PB2, which is the Council's pubs and bars policy, is relevant to this application, however this will be clarified once the applicant has addressed the necessary questions.

Regardless of the above, the applicant will need to satisfy the concerns of the Licensing Authority by demonstrating that the application will not add to cumulative impact if granted. It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed hours of operation.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

2-B Other Persons			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	10 November 2019		
<p>I was a keen supporter on the initial planning application and the restaurant is a welcome addition to Coventry Street, however I would like to object to the extension of hours. Coventry House, opposite, has 18 residential units and it would set an uncomfortable precedent on the street for late opening/licencing. The street already has a lot of noisy pedicabs touting for business and noisy buskers have started to pitch up outside the unit as they know they can 'entertain' as customers enter/leave. Luckily at the moment the closing hours mean residents know that Coventry Street will be quiet when the units all close, and extending noise to 2am will have a detrimental impact on sleep of some residents. As I said, I was very much in favour of them opening in the area, but I don't think that 'people eat hot pots slower' is a justified reason to push for an extension - they are a very successful company that has been</p>			

operating for 25 years so this would have come to no surprise to them when they opened this unit and agreed with Westminster to the terms of the original licence.

### 3. Policy & Guidance

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

<b>Policy CIP1 applies:</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<b>Policy RNT2 applies:</b>	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</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 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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 4. Appendices

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

<b>Report author:</b>	Michelle Steward Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: msteward1@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service (Withdrawn)	6 November 2019
<b>5</b>	Environmental Health Service	22 November 2019
<b>6</b>	Licensing Authority	25 November 2019
<b>7</b>	Public Representation 1	10 November 2019





There are no submissions from the applicant.

## Licence &amp; Appeal History



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

Schedule 12  
Part A

WARD: St James's  
UPRN: 010033637496

Premises licence

Regulation 33, 34

Premises licence number:

20/01462/LIPDPS

Original Reference:

18/03530/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

HaiDiLao  
Units 4 And 5  
Trocadéro  
13 Coventry Street  
London  
W1D 7AB

**Telephone Number: Not Supplied**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
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 Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Hotel residents and their bona fide guests 00:00 to 00:00

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Exhibition of a Film**

Monday to Thursday: 10:00 to 01:00  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Playing of Recorded Music**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

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

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Performance of a Play**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30 (Indoors)  
Friday to Saturday: 23:00 to 00:00

Seasonal Details: N/A

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30 (On and off)  
Friday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 22:30

Seasonal Details: N/A

Non-standard Timings: Sundays before Bank Holidays 12:00 to midnight

**The opening hours of the premises:**

Tuesday to Thursday: 08:00 to 00:00  
Friday to Saturday: 08:00 to 00:30  
Sunday: 08:00 to 23:00  
Sundays before Bank Holidays: 08:00 to 00:30

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

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

**Part 2**

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

Uk Haidilao Pte. Ltd  
10-11 Austin Friars  
London  
EC2N 2HG

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

10931069

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

**Name:** Gioia Zhan

*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:** 27288  
**Licensing Authority:** London Borough Of Tower Hamlets

**Date:** 14 July 2020

This licence has been authorised by Bushara Hamida on behalf of the Director - Public Protection and Licensing.

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

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

None

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

9. Access and egress to the premises between 23:30hrs (Monday to Thursday), midnight (Friday and Saturday), and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 08:00hrs shall only be via the internal door (as shown on the attached plans) from the hotel.

10. The supply of alcohol and the provision of late night refreshment between the hours of 23:30 (Monday to Thursday), midnight (Friday and Saturday) and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.

11. The basement of the premises shall only operate as a restaurant:

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

12. All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a take away meal only and shall not be consumed on the premises.

13. 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.

14. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event the capacity of the premises shall not exceed 280 persons (excluding staff)

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 entrance doors and windows to be kept closed after 23:00 hours or when regulated entertainment is taking place except for immediate access and egress of persons.

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. 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.

19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
21. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
22. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day.
23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
25. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
27. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) 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.
28. There shall be no cinema style showing of films
29. 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.
30. 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.
31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

35. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental health Services and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with the Environmental health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

36. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

37. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

38. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them unless seated in an authorised external area.

39. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

40. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

41. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.

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

43. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

44. There shall be no sale of alcohol or provision of late night refreshment from the ground floor.

45. Licensable activities shall not take place until the existing licence for the premises (11/05820/LIPN) has been surrendered.

# Annex 4 – Plans

**IMPORTANT:** Unmolested activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.



**LEGEND**

- ① EXISTING STRUCTURE
- ② EXISTING STRUCTURE
- ③ EXISTING STRUCTURE
- ④ EXISTING STRUCTURE
- ⑤ EXISTING STRUCTURE

**SYMBOLS**

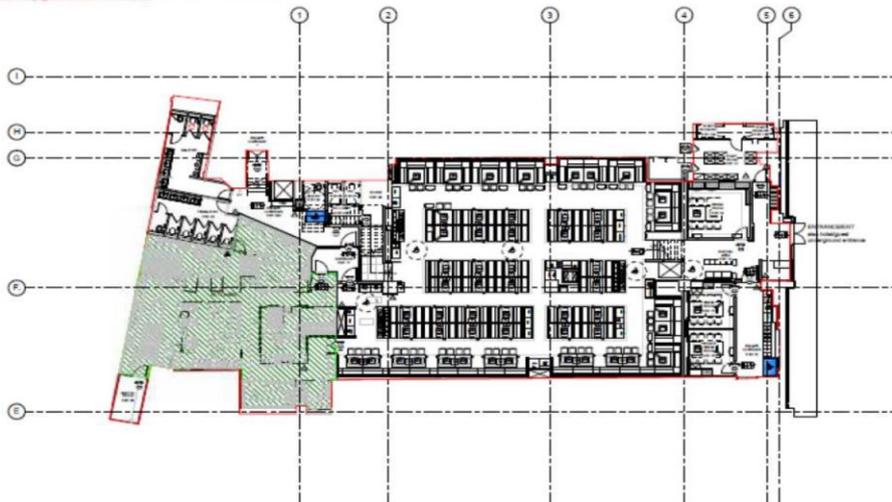
- ➡ EXISTING DOOR
- ➡ EXISTING WINDOW
- ➡ EXISTING GLASS DOOR
- ➡ EXISTING GLASS WINDOW
- ➡ EXISTING GLASS PARTITION
- ➡ EXISTING GLASS WALL
- ➡ EXISTING GLASS CURTAIN WALL
- ➡ EXISTING GLASS BALCONY
- ➡ EXISTING GLASS TERRACE
- ➡ EXISTING GLASS PORCH
- ➡ EXISTING GLASS CANOPY
- ➡ EXISTING GLASS ROOF
- ➡ EXISTING GLASS FLOOR
- ➡ EXISTING GLASS CEILING
- ➡ EXISTING GLASS ELEVATOR
- ➡ EXISTING GLASS STAIR
- ➡ EXISTING GLASS LIFT
- ➡ EXISTING GLASS RAMP
- ➡ EXISTING GLASS BALCONY
- ➡ EXISTING GLASS TERRACE
- ➡ EXISTING GLASS PORCH
- ➡ EXISTING GLASS CANOPY
- ➡ EXISTING GLASS ROOF
- ➡ EXISTING GLASS FLOOR
- ➡ EXISTING GLASS CEILING
- ➡ EXISTING GLASS ELEVATOR
- ➡ EXISTING GLASS STAIR
- ➡ EXISTING GLASS LIFT
- ➡ EXISTING GLASS RAMP

**PROJECT INFORMATION**

PROJECT: MCM LONDON  
 LOCATION: TROCADERO, PICCADILLY, LONDON  
 DRAWING: FLOOR LAYOUT PLAN  
 DATE: 15/01/2024  
 SCALE: 1:500  
 DRAWN BY: MCM  
 CHECKED BY: MCM  
 APPROVED BY: MCM

**MCM.**

**IMPORTANT:** Unmolested activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.



**LEGEND**

- ① EXISTING STRUCTURE
- ② EXISTING STRUCTURE
- ③ EXISTING STRUCTURE
- ④ EXISTING STRUCTURE
- ⑤ EXISTING STRUCTURE

**SYMBOLS**

- ➡ EXISTING DOOR
- ➡ EXISTING WINDOW
- ➡ EXISTING GLASS DOOR
- ➡ EXISTING GLASS WINDOW
- ➡ EXISTING GLASS PARTITION
- ➡ EXISTING GLASS WALL
- ➡ EXISTING GLASS CURTAIN WALL
- ➡ EXISTING GLASS BALCONY
- ➡ EXISTING GLASS TERRACE
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 DRAWN BY: MCM  
 CHECKED BY: MCM  
 APPROVED BY: MCM

**MCM.**



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

Schedule 12  
Part B

**WARD: St James's**  
**UPRN: 010033637496**

Premises licence  
summary

Regulation 33, 34

Premises licence number:

20/01462/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

HaiDiLao  
Units 4 And 5  
Trocadero  
13 Coventry Street  
London  
W1D 7AB

**Telephone Number: Not Supplied**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
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 Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Hotel residents and their bona fide guests 00:00 to 00:00

Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Exhibition of a Film**

Monday to Thursday:	10:00 to 01:00
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  
Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Playing of Recorded Music**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  
Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

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

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  
Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Performance of a Play**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.  
Non-standard Timings: Sundays before Bank Holidays 12.00 to midnight

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30 (Indoors)
Friday to Saturday:	23:00 to 00:00

Seasonal Details: N/A

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30 (On and off)
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Seasonal Details: N/A

Non-standard Timings: Sundays before Bank Holidays 12:00 to midnight

**The opening hours of the premises:**

Tuesday to Thursday:	08:00 to 00:00
Friday to Saturday:	08:00 to 00:30
Sunday:	08:00 to 23:00
Sundays before Bank Holidays:	08:00 to 00:30

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

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

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
18/03530/LIPN	Application for a New Premises Licence	14.06.2018	Granted by Licensing Sub-Committee
19/00869/LIPVM	Application for a Minor Variation	11.02.2019	Granted under Delegated Authority
19/04772/LIPDPS	Application to Vary the Designated Premises Supervisor	30.05.2019	Granted under Delegated Authority
20/01414/LIPDPS	Application to Vary the Designated Premises Supervisor	Not Applicable	Invalid Application
20/01462/LIPDPS	Application to Vary the Designated Premises Supervisor	16.04.2020	Granted under Delegated Authority

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

None

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

9. Access and egress to the premises between 23:30hrs (Monday to Thursday), midnight (Friday and Saturday), and 22:30hrs (Sunday, midnight on Sundays before bank

holidays) and 08:00hrs shall only be via the internal door (as shown on the attached plans) from the hotel.

**The applicant has proposed the following amended condition**

9. **Access and egress to the premises between 01:00 and 08:00 shall only be via the internal door (as shown on the attached plans) from the hotel**
10. The supply of alcohol and the provision of late night refreshment between the hours of 23:30 (Monday to Thursday), midnight (Friday and Saturday) and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.

**The applicant has proposed the following amended condition**

- 10a. The supply of alcohol between the hours of 23:30 (Monday to Thursday), midnight (Friday and Saturday) and 22:30hrs (Sunday, midnight on Sundays before bank holidays) and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.
- 10b. The provision of late night refreshment between the hours of 02:00 and 10:00 hours on the following day shall be limited to hotel residents and their guests. Hotel residents' bona fide guests shall be limited to a maximum of 5 guests per resident.
11. The basement of the premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

12. All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a take away meal only and shall not be consumed on the premises.
13. 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.
14. There shall be no more than 280 customers (excluding staff) in the basement of the premises at any one time.
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.

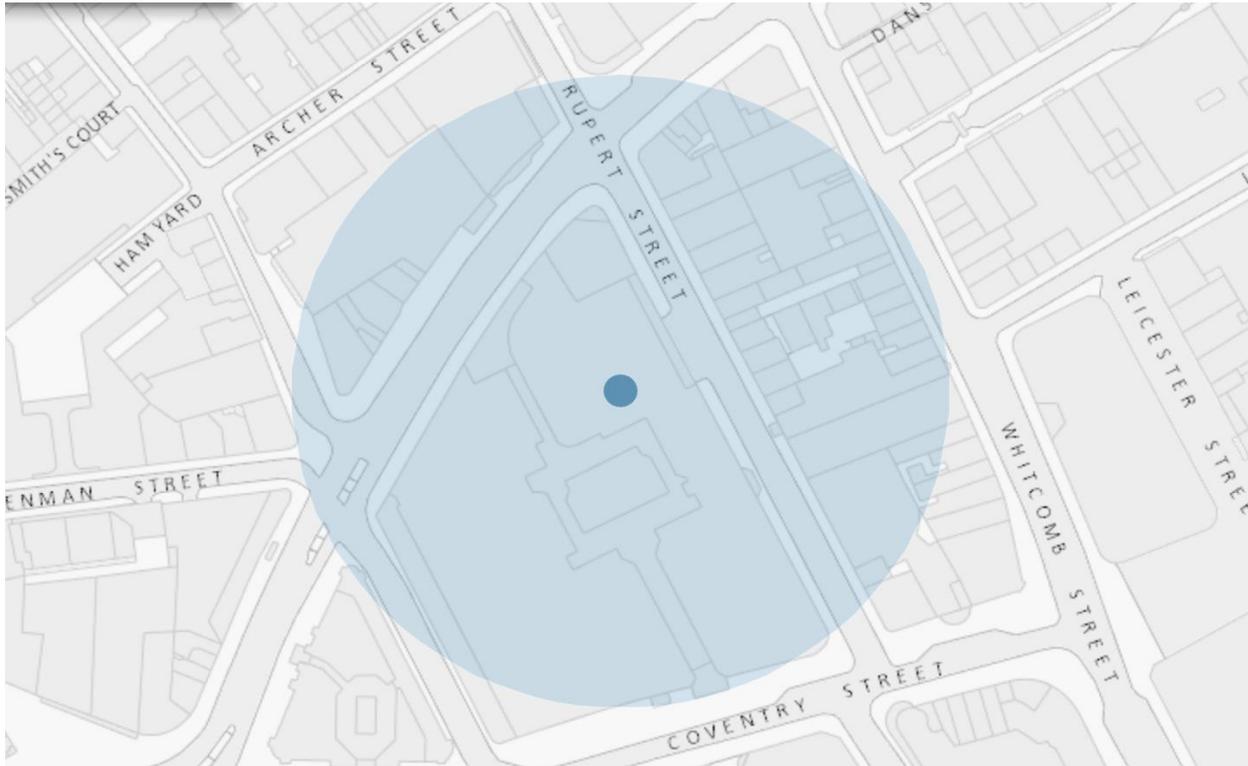
16. All entrance doors and windows to be kept closed after 23:00 hours or when regulated entertainment is taking place except for immediate access and egress of persons.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. 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.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
21. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
22. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day.
23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
25. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
27. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) 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.

28. There shall be no cinema style showing of films
29. 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.
30. 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.
31. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
32. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
34. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
35. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental health Services and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with the Environmental health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
36. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
37. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
38. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them unless seated in an authorised external area.
39. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
40. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
41. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.

42. There shall be no sale of alcohol or provision of late night refreshment from the ground floor.

**Conditions agreed with the Police so as to form part of the operating schedule**

43. SIA Staff will be deployed at the Premises as follows:
- 1 SIA Door Supervisor from 7pm to 11pm
  - 2 SIA Door Supervisors from 11pm to 3am
44. There shall be no new entries to the premises after 1am until close, daily (notwithstanding the effect of conditions 9 and 10 above)



Resident Count: 32

Licensed Premises within 75 metres of HaiDiLao Units 4 And 5 Trocadero 13 Coventry Street London				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/00656/LIPN	Trocadero Hotel/Sky Bar & Restaurant	Trocadero 13 Coventry Street London W1D 7DH	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
20/02784/LIPCH	Picturehouse Central	Trocadero 13 Coventry Street London W1D 7DH	Cinema	Monday to Sunday; 00:00 - 23:59
17/08106/LIPN	Unit 4 - Happy Bar And Grill	Trocadero 13 Coventry Street London W1D 7DH	Restaurant	Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
19/16921/LIPDPS	Five Guys	Trocadero 13 Coventry Street London W1D 7DH	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 10:00 - 22:30

18/12412/LIPN	Not Recorded	The London Pavillion 1 Piccadilly London W1J 0DA	Not Recorded	Monday to Sunday; 10:00 - 00:30
15/03210/LIPDPS	Ripley's Believe It Or Not!	The London Pavillion 1 Piccadilly London W1J 0DA	Amusement Arcade	Monday to Sunday; 10:00 - 00:00
19/14513/LIPT	Not Recorded	Ground Floor Unit G2 The London Pavillion 1 Piccadilly London W1J 0DA	Not Recorded	Monday; 00:00 - XXXX   Tuesday; 00:00 - XXXX   Wednesday; 00:00 - XXXX   Thursday; 00:00 - XXXX   Friday; 00:00 - XXXX   Saturday; 00:00 - XXXX   Sunday; 00:00 - XXXX
12/03809/LIPVM	Aberdeen Steak House	21-22 Coventry Street London W1D 7AE	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 10:00 - 00:00   Sundays before Bank Holidays; 10:00 - 01:00
19/05762/LIPDPS	Hard Rock Cafe	Criterion Building 225- 229 Piccadilly London W1J 9HR	Restaurant	Friday to Saturday; 10:00 - 02:30   Sunday to Thursday; 10:00 - 01:30
20/02193/LIPRW	Happy Bar & Grill	25-29 Coventry Street London W1D 7AG	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:30   Sundays before Bank Holidays; 12:00 - 01:00
18/09335/LIPT	Golden Nugget Casino	22 - 32 Shaftesbury Avenue London W1D 7EJ	Casino or gambling club	Monday to Saturday; 10:00 - 06:30   Sunday; 12:00 - 06:30

19/16538/LIPDPS	Rainforest Cafe	20-24 Shaftesbury Avenue London W1D 7EU	Miscellaneous	Monday to Sunday; 09:00 - 04:00
20/03425/LIPDPS	Rainforest Cafe	20-24 Shaftesbury Avenue London W1D 7EU	Restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 03:00
17/02769/LIPDPS	The Comedy Store	Ground Floor Right Haymarket House 1A Oxendon Street London SW1Y 4EE	Theatre	Monday to Saturday; 09:00 - 05:00   Sunday; 09:00 - 01:00
19/11154/LIPV	Criterion Brasserie	224 Piccadilly London W1J 9HP	Restaurant	Monday; 10:00 - 05:00   Tuesday; 10:00 - 05:00   Wednesday; 10:00 - 05:00   Thursday; 10:00 - 05:00   Friday; 10:00 - 05:00   Saturday; 10:00 - 05:00   Sunday; 12:00 - 05:00

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