



CITY OF WESTMINSTER

# MINUTES

## Licensing Sub-Committee (4)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (4)** held on **Thursday 17th February, 2022**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Karen Scarborough (Chairman), Susie Burbridge and Aicha Less

#### 1. MEMBERSHIP

1.1 There were no changes to the Membership.

#### 2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

#### 1. THE PRINCESS ROYAL, 47 HEREFORD ROAD, W2 5AH

#### **WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE No.4** **("The Committee")**

Thursday 17 February 2022

Membership: Councillor Karen Scarborough (Chairman)  
Councillor Susie Burbridge  
Councillor Aicha Less

Officer Support: Legal Advisor: Horatio Chance  
Policy Officer: Aaron Hardy  
Committee Officer: Kisi Smith-Charlemagne  
Presenting Officer: Kevin Jackaman

#### **Application for a Premises Variation Licence in respect of The Princess Royal** **47 Hereford Road London W2 5AH 21/13833/LIPV**

Other Parties Present: Mr Niall McCann – Keystone Law Solicitors (Applicant)  
Mr Georgie Pearman Director of Cubitt House Limited Material Facts (Applicant), Mr Ian Watson Environmental Health Service, Mr Richard Brown Westminster's Citizens

Advice, Mr John Zamit Chairman South East Bayswater Resident Association, Mr Robert Annibale Hereford Mansions Residents Association, Ms Gina Thomas Hereford Mansions Residents Association, Mr Yuval Zommer Hereford Mansions Residents Association, Mr David Moss Hereford Road Association

### **Premises**

47 Hereford Road London W2 5AH

### **Applicant**

Cubitt House Limited

### **Cumulative Impact Area**

None

### **Special Consideration Zone**

Queensway and Bayswater

### **Ward**

Bayswater

### **Summary of Application**

The Sub-Committee has determined an application for a Variation of a Premises Licence under the Licensing Act 2003 ("The Act"). The Premises are a Public House. The Applicant seeks to amend the Premises Licence as follows:-

- The layout of the Premises in accordance with the submitted plans.
- To amend the hours in relation to opening, late night refreshment and the sale of alcohol.
- To add, remove and amend conditions.

The Applicant wishes to renovate the site and open a food led pub with letting rooms above to be called The Princess Royal, in a similar manner to other pubs in the group. The application provides for the reconfiguration of the outside areas so that Area 2 on the current approved plan and the conservatory area can be used for drinkers/diners, with the terminal hour for use of the outside areas extended until 22:00 for all outside areas. The application also seeks to reduce the terminal hour for the sale of alcohol and opening in addition to the removal, modification and adding of conditions.

The Premises are located within the Bayswater Ward and Bayswater and Queensway Special Consideration Zone. The West End Cumulative Impact Zone does not apply.

There is a resident count of 193.

## **Activities and Hours applied for**

### **Regulated Entertainment:**

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

**Seasonal Variations:** Sundays before Bank Holidays: 12:00 to 23:30  
Licensable activities shall be permitted on 1st January to 01:00 with provision of Late Night Refreshment until 01:30

### **Late Night Refreshments: Indoors**

Monday to Wednesday 23:00 to 23:30 Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 23:30 Sunday N/A

**Seasonal Variations:** Sundays before Bank Holidays: 23:00 to 00:00  
Licensable activities shall be permitted on 1st January to 01:00 with provision of Late Night Refreshment until 01:30

### **Sale by Retail of Alcohol: On and Off Sales**

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

**Seasonal Variations:** Sundays before Bank Holidays: 10:00 to 23:30  
Licensable activities shall be permitted on 1st January to 01:00 with provision of Late Night Refreshment until 01:30

### **Opening Hours of the Premises**

Monday to Thursday 08:00 to 23:30 Friday to Saturday 08:00 to 00:00  
Sunday 10:00 to 22:30

**Seasonal Variations:** Sundays before Bank Holidays: 08:00 to 00:00  
On 1st January the premises shall close 30 minutes after the end of licensable activities. Opening hours will be 24 hours a day for residents

### **Layout Alterations**

#### **Ground Floor**

- Strip out existing bar and banquette seating
- Allow for new central horse shoe bar
- Multiple new banquette seating as illustrated
- Retain kitchen as existing, minor alterations to kit
- Cover pergola in polycarbonate sheeting

## First Floor

- Strip put existing external fire stair
- Form 4no. new bedrooms within first floor ancillary space
- Omit Gents toilets forming unisex toilet
- Retain private dining rooms as existing with exception of new access via supply kitchen to form protected lobby from bedrooms
- Office & Staff facilities to be retained as existing

### **Proposed conditions being varied**

9. Adequate sound proofing to the Conservatory wall abutting Hereford Mansions shall be affected.
- 11a. The private front area as shown hatched green on the plan. This will be the designated smoking area (which will be physically separated by way of barrier to keep the public pavement clear) and licensed for seated consumption of food and beverages only. No stand up drinking shall be allowed and this area shall be limited to a maximum of 15 customers at any time. All tables and chairs shall be removed from this area or rendered unusable at 22.30 each evening. The smoking area shall cease to be utilised to coincide with closure of the premises.
24. No rubbish shall be moved, removed or placed in outside areas between 22:30 hours and 08:00 hours and no bottles shall be moved, removed or placed in outside areas between 19:00 hours and 10:00 hours.
27. All persons under 18 years of age shall not be allowed to remain on the premises after 21:00 hours (unless they are attending a private function or dining and accompanied by an adult), or when happy hours or similar promotions are in operation.
29. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises except for the areas marked on the plan and used as a deli and market garden (Area 2) respectively during the hours of such operation. The only licensable activity permitted whilst the conservatory area is used as a deli will be the sale of alcohol for consumption off the premises.
42. Garden Area 3. In this area alcohol will be ancillary for only seated patrons dining with waiter/waitress service, conditional that the area is vacated by 20:00 hours during GMT extended to 21:30 hours during BST. The maximum capacity of patrons should be no more than 45 persons. No barbecues or gas heaters to be allowed in this area.

### **Conditions being removed**

12. Area 2. The open area as shown to the front right side as shown on the plan.
  - a. Such use will be subject to no tables and chairs being permitted in this area and to customers and staff not being permitted to smoke or take any refreshment there and the area shall be laid out to have restricted width passage for customers to enter and leave only. A manned reception desk shall be situated within the conservatory.
  - b. The existing gates shall be locked from 22:30 until 08.00 each day and entrance/exit shall then be via the central lobbied doors.
  - c. No barbecues or gas heaters to be allowed in Area 2 at any time.
28. The capacity for these premises shall not exceed 150 including staff and performers.
31. A noise limiter located in a separate and remote lockable cabinet from the volume control shall be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
32. 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.
33. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
41. Furniture used in area 1 shall be rendered incapable of use or securely stored (e.g. in area 2) by 23:30 hours.
45. All doors leading to external areas and the internal doors to the conservatory will remain closed (except for entrance and exit) at all times under this licence using self-closing mechanisms except that the door from the conservatory/delicatessen to Area 2 may be open whilst the deli is operated as such but no later than 20:00 hours and the front door may be open whilst a receptionist is on duty but no later than 18:00 hours.
46. A sound limiter is to be provided set to 5Db below the fire alarm level or link the amplifier to a power source, which is linked to the fire alarm to disconnect power on activation.
47. Regulated entertainment in the form of Live Music shall be limited to a maximum of 2 performers.
48. That the metal staircase and proposed new external door from the first floor to the rear garden area can only be used in the event of an emergency and signs attached indicating 'fire exit only'.

49. There shall be no new customer entry to the premises after 22:30hrs.
50. During the last 30 minutes of licensable activity, only customers taking table meals shall be permitted to remain on the premises.
51. The bar will be closed to the public one hour before the terminal hour and only used as a dispense bar by waiting staff to supply alcohol to customers taking a table meal.
52. After 23:00hrs the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

### **Conditions being added**

- There shall be no televisions or speakers in the conservatory area.
- When in use the entirety of the trading space in Garden Areas 2 and 3 will contain tables and chairs.
- The gates of the Garden Area leading onto the road shall be kept closed at all times save for fire escape and emergency access.
- The balcony on the first floor shall not be used by patrons after 22:00 hours. All tables and chairs in this area shall be rendered unusable at 22.30 each evening.
- Waiter or waitress service shall be available for the supply of alcohol and food.
- The variation of this premises licence (19/14245/LIPDPS) to vary hours, conditions and plans (ref. TCO\_LC\_101 and TCO\_LC\_102) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

### **Representations Received:**

- Hereford Mansions Residents Association (HMRA)
- Hereford Road Association (HRA)
- The South East Bayswater Residents' Association (SEBRA)
- 8 Local Residents

### **Summary of issues raised by objectors:**

Concerns raised were based on noise nuisance and, disturbance etc to the residents of Hereford Mansions along with residents in surrounding properties.

### **Policy Position:**

Policies PB1 (A) and SCZ1 apply under the City Council's Statement of Licensing Policy (SLP).

### **SUBMISSIONS AND REASONS**

The Presenting Officer Mr Kevin Jackaman introduced the application to the Sub-Committee, he advised this was a Variation application for a Public House. The Applicant wishes to renovate the Premises and open a food led pub with letting rooms above to be called The Princess Royal, in a similar manner to other pubs in its portfolio group. The Applicant seeks to amend the layout out of the Premises by reconfiguring the outside areas so that Area 2 on the current approved plan and the conservatory area can be used for drinkers/diners, with the terminal hour for use of the outside areas extended until 22:00 for all outside areas. The terminal hour for the sale of alcohol and opening are to be reduced. In addition, changes to other conditions are sought by either adding, amending or removing. The Applicant had sought pre-application advice from the EHS and there has been extensive negotiation with SEBRA and The Hereford Road Association in respect of hours and conditions. The application is being lodged now in a bid to ensure the re-opening is not delayed. The Premises are located within the Bayswater Ward and the Bayswater and Queensway Special Consideration Zone.

Mr Niall McCann, Solicitor appearing on behalf of the Applicant addressed the Sub-Committee. He stated there was an amendment to condition 43 (p.64 of the report) relating staff in the back garden and that condition is to be removed. Mr McCann used the Premises plan to describe the location of the Premises on Hereford Road and its proximity to the Hereford Mansions where the residents resided. Focusing on Area 1 he confirmed that the application was for 15 chairs on Hereford Road and was part of the Premises. There is to be no change here.

Mr McCann advised that Area 2 had previously been an open area and the Applicant now seeks to move the entrance and have it gated. Mr McCann stated that the previous delicatessen would become an enclosed seating area and this has resulted in disagreement between the Applicant and the objectors.

Mr McCann stated that Area 1 remained open from 08:00 until 22:30 with a capacity of 15 and Area 2 was open from 08:00 until 22:00. He confirmed that the objectors had disagreed with the capacity and the provision for smoking. Mr McCann advised that it would be the responsibility of the Applicant to manage the area and ensure that patrons do not cause nuisance. He confirmed that all the Applicant's other premises were well managed with no complaints. Mr McCann confirmed that with regards to smoking there were a number of open ventilated smoking spaces and sought permission for smoking in all applied areas until 22:00.

Mr McCann responded to concerns raised regarding noise escape from the conservatory and advised that a 65mm wall cavity was constructed, he confirmed that the sound engineer was confident that any noise from the Premises would not be heard in Hereford Mansions. Mr McCann confirmed that he would be happy to consider a capacity of 20 for the conservatory area and that the frosted glass in the

private bedrooms was an area of contention and suggested frosted glass in the bathroom and tasteful blinds.

Mr Richard Brown addressed the Sub-Committee and confirmed that he was representing a number of the residents' associations who have submitted relevant representations in respect of this application, namely: HMRA, HRA and SEBRA. Providing some background Mr Brown confirmed that Hereford Mansions was adjacent to the Premises and there were 5 floors of flats adjacent to the external areas of the Premises. He confirmed that the conservatory adjoined the master bedroom in flat 1.

Mr Brown said that the major focus of the concerns was regarding potential nuisance from the various external areas which included the conservatory at the Premises. Mr Brown said that there had been considerable consultation and mediation between the Applicant and the residents' associations both pre-and post-application. He advised that this had narrowed down the issues somewhat. Mr Brown said the current and proposed licence plans described 4 areas to the right of the main building (looking at the Premises from the front) Area 1, Area 2 and Area 3, and the conservatory and the extent of activities in these areas was key to the remaining concerns.

Mr Brown advised that the HMRA, HRA and SEBRA object to the proposed capacity, hours, and smoking. He stated that Area 2 leads into the conservatory and it directly borders Hereford Mansions. Mr Brown advised that this area had most recently been used as a reception area for the restaurant and before that a deli, with no customer usage for drinking or eating and now the applicant proposes to utilise this area for licensable activities. Mr Brown said that HMRA, HRA and SEBRA also object to the proposed capacity and hours.

Mr Brown advised that if the Sub-Committee were minded granting the application the new use or a change of potential style of operation as the case may be in Areas 1, 2, 3 and the conservatory, smoking is prohibited in Areas 2 and 3 (with Area 1 - along the pavement - being the only designated smoking area). He also suggested that the proposed capacity in the conservatory is reduced to 16 seated, Areas 2 to 16 seated, and Areas 3 to 45 seated; with no vertical drinking permitted. Regarding the proposed morning hours, he stated that the resident groups did not agree with reducing the opening hours in the back garden (Area 3) to 8:00 from 09:00 on Saturday.

Mr Brown said that from the residents' perspective the Applicant should retain the current hours of the back garden (Area 3) to 20:00 GMT/21:00pm BST and align Area 2 and conservatory hours with this. Mr Brown said that with the proposed extension of the licensed and dining area to the conservatory area, it should be carpeted. Regarding the private bedrooms he advised that there be a retention of frosted glass windows for the new hotel bedrooms directly facing into bedrooms in Hereford Mansions.

Mr John Zamit Chairman of SEBRA addressed the Sub-Committee, he confirmed that he had objected to the application due to concerns regarding noise nuisance and, disturbance etc to the residents of Hereford Mansions along with residents in surrounding properties. Mr Zamit advised that the conservatory and the doors were



the main area for concern. He commented on Environmental Health not making an objection and wondered if the application had been missed.

Mr Yuval Zommer of the Hereford Mansions Residents Association addressed the Sub-Committee, he confirmed that he lived on Bridstow Place, which along with Botts Mews, is directly behind the Premises. Mr Zommer welcomed The Princess Royal opening; he objected to a number of the areas within the Premises that had the potential to create noise related issues and cause public nuisance. Mr Zommer advised that he was concerned with any extension of hours for the pub's customers in the garden areas as well as the conservatory as any extra noise would ultimately impact the peace and quiet of the residents including his own property.

Mr Robert Annibale of the Hereford Mansions Residents Association addressed the Sub-Committee, he advised that the outside space had been used as a buffer between the residential homes and the commercial premises. He said that the Applicant was making an effort, however, he was concerned about the noise emanating from the Premises from without the doors that were removed from Area 1 and the licence hours for the outside areas. He felt that it would be easier to manage if the hours were harmonious instead of different closing times for different areas within the Premises. Mr Annibale said that the Applicant had corresponded with the residents' and objectors. He was of the view that they had listened and respond accordingly to their concerns.

The Sub-Committee sought further clarification on the private bedrooms and the meeting spaces on the first floor, specifically the mini bars for alcohol and any intention to install a bar. Mr McCann confirmed that there was no intention for mini bars, but the area would be licensed so that guest can bring glasses of wine up from the main bar and dining areas.

### **Conclusion**

The Sub-Committee noted that the Premises has been licensed since 2005. The Applicant is making a significant financial investment in transforming the Premises by creating a food led pub to be known as the Princess Royal with bedrooms to the same standard as the Applicant's sister sites in Belgravia, Knightsbridge, Pimlico, Marylebone and St James which all fall within the City of Westminster.

The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so when determining this application. There is no presumption to refuse the application. However, the Premises does fall within the Queensway and Bayswater Special Consideration Zone and consideration needs to be had to this policy requirement.

Based on the evidence the Sub-Committee was satisfied that the Applicant had taken account of the issues identified at Paragraphs D49 and D50 on Page 56 of the SLP when considering what likely impact the application would have on the Special Consideration Zone. Therefore, it was concluded that the Special Consideration Zone would not be adversely affected if the application were granted.

The Sub-Committee welcomed the fact that the Applicant had obtained pre-application advice from the EHS and that there had been extensive negotiations with SEBRA and the HRA in respect of hours and conditions. This approach

demonstrated to the Sub-Committee that the Applicant was willing to listen and engage effectively with local residents throughout the process and accepted its ongoing assurance and commitment that dialogue would be maintained in this respect.

Regulated Entertainment was now removed by the Applicant and was no longer part of the variation sought.

The Sub-Committee noted that the Premises has 3 outside areas where licensable activities are to take place and for the purposes of ease these are referred to as Areas 1, 2 and 3 and more particularly described below:

- Area 1 is the external area at the front of the Premises.
- Area 2 is a relatively small area to the front right-hand side (as you look at the Premises). It directly abuts Hereford Mansions. The premises licence does not permit use of this area for tables and chairs, smoking, or taking of refreshment. The Applicant proposes to utilise this area for licensable activities. The HMRA, HRA and SEBRA objected to the proposed capacity, hours, and smoking. Area 2 leads into the conservatory. It directly abuts Hereford Mansions. This has most recently been used as a reception area for the restaurant and before that a deli, with no customer usage for drinking or eating. The Applicant proposes to utilise this area for licensable activities. The Applicant has carried out sound-proofing works at the request of HMRA. The HMRA, HRA and SEBRA objected to the proposed capacity and hours.
- Area 3 is a larger garden area beyond the conservatory. In addition to directly abutting Hereford Mansions, it is metres away from residents in Botts Mews and Bridstow Place. This has most recently been used as an area for licensable activities, although subject to a condition that it is only for seated patrons dining. The Applicant proposes to utilise this area for the same licensable activities, but without a requirement for dining or for customers to be seated. Again, the HMRA, HRA and SEBRA objected to the proposed capacity, hours, smoking and vertical drinking.

The Applicant has agreed to provide a revised Premises Plan denoting these 3 specifics outside areas and accordingly this has been conditioned on the Premises Licence.

The Sub-Committee did feel that as the application was contentious in nature and not necessarily straightforward it might have been beneficial for the Applicant to have provided more in the way of detail when submitting the application as regards the 3 distinct outside areas as this would have provided clarity to the Sub-Committee and have reduced the time spent during the hearing trying to establish what the Applicant was seeking to achieve here and the likely impact this would have on local residents. However, the Sub-Committee was grateful for the time it had taken to tackle the key issues during the hearing. As always one of the main focuses for the Sub-Committee is to strike the right balance when considering the needs of local residents and the Applicant's ability to run and manage his commercial business well when it comes to the promotion of the licensing objectives.

The Sub-Committee noted the very passionate and heartfelt representations made by local residents during the hearing when it came to the issue of nuisance and the knowledge displayed about the local area which was very useful when determining the application. The Sub-Committee considers that the safeguards put in place by the extensive use of conditions and various undertaking given by the Applicant will deal with the concerns raised by residents regarding public nuisance. In any event the Environmental Health Service is to undertake an inspection of the Premises before licensable activities can take place and this will address the issue of the works to the Premises and capacity to be limited to as well as address noise issues emanating from the Premises

The Sub-Committee took comfort from the fact that the Applicant would be a responsible operator that would run the Premises to a very high standard and would seek to work with local residents on any potential issues. The Sub-Committee imposed Model Condition 24 which requires the number of the manager of the Premises to be publicly available.

Model Condition 41 has also been imposed on the Premises Licence which requires that substantial food and beverages other than intoxicating liquid shall be available during the whole of the permitted hours in all parts of the premises as well as the requirement for patrons to be seated and for waiter service to be provided. This will ensure that the Premises in particular Areas 2 and 3 will not become drink led with those persons using both areas capped at 65 patrons.

The Sub-Committee considered that the conditions it has imposed on the Premises Licence would mitigate the concerns raised by local residents when it came to noise emanating from the Premises, smoking, dispersal of customers and management off the outside areas by staff which in turn would have the desired effect of promoting the public nuisance licensing objective.

The Sub-Committee decided to grant the variation application with the removal, modification and adding of certain conditions. It did, however, conclude that Areas 1, 2 and 3 should be vacated daily by patrons at 22:00 hours. This was to ensure that potential nuisance occurring in the outside areas would not adversely affect nearby residents which a later terminal hour would undoubtedly do.

The fact that the Responsible Authorities did not object did strength the merits of the application in the Special Consideration Zone when considering in the final analysis all aspects of the application by the Sub-Committee and the promotion of the licensing objectives.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

Having carefully considered the committee papers and the submissions made by all the parties, both orally and in writing, **the Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission to vary **Late Night Refreshments: Indoors and Outdoors** Monday to Wednesday 23:00 to 23:30 Thursday 23:00 to 00:00

Friday and Saturday 23:00 to 23:30 Sunday N/A **Seasonal Variations:**  
Sundays before Bank Holidays: 23:00 to 00:00 Licensable activities shall be permitted on 1st January to 01:00 with provision of Late Night Refreshment until 01:30

2. To grant permission to vary the **Sale by Retail of Alcohol: On and Off Sales**  
Monday to Thursday 10:00 to 23:00 Friday to Saturday 10:00 to 23:30  
Sunday 10:00 to 22:00 **Seasonal Variations:** Sundays before Bank Holidays:  
10:00 to 23:30 Licensable activities shall be permitted on 1st January to 01:00  
with provision of Late Night Refreshment until 01:30
3. To grant permission to vary the **Opening Hours of the Premises**  
Monday to Thursday 08:00 to 23:30 Friday to Saturday 08:00 to 00:00  
Sunday 10:00 to 22:30 **Seasonal Variations:** Sundays before Bank Holidays:  
08:00 to 00:00 On 1st January the premises shall close 30 minutes after the  
end of licensable activities. Opening hours will be 24 hours a day for  
residents.
4. That Conditions 9, 11a, 24, 27, 29 and 42 on the Premises Licence are  
hereby modified and re-numbered below and remain in full force and effect.
5. That Conditions 12, 28, 31, 32, 33, 41, 45, 46, 47, 48, 49, 50, 51, 52 are  
hereby removed from the Premises Licence and cease to have effect.
6. That the varied licence is subject to any relevant mandatory conditions.
7. That the existing conditions on the licence shall apply in all respects except in  
so far as they are varied by this Decision.
8. That the varied licence is subject to the following additional conditions and  
Informative imposed by the Committee which are considered appropriate and  
proportionate to promote the licensing objectives.

#### **Conditions imposed by the Committee after a licensing hearing**

9. Adequate sound proofing to the Conservatory wall abutting Hereford  
Mansions shall be undertaken.
10. If it proves necessary to abate a noise nuisance arising from the floor surface  
in the Conservatory an adequate rug or other suitable sound deadening shall  
be provided.
11. Area 1 as shown on the plan, a) This will be the designated smoking area  
(which will be physically separated by way of barrier to keep the public  
pavement clear) and licensed for seated consumption of food and beverages  
only. No stand up drinking shall be allowed and this area shall be limited to a  
maximum of 16 customers at any time. All tables and chairs shall be rendered  
unusable at 22.30 each evening and removed whilst the premises is closed.  
The smoking area shall cease to be utilised to coincide with closure of the  
premises. b) There shall be no barbecues or gas heaters in this area.

12. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
13. 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.
14. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
16. Signs shall be displayed, which are clearly visible to prospective customers, stating the hours of the licensable activities.
17. Where a customer chooses to pay by credit card, they shall be supplied with an itemised bill upon final payment, showing details of all drink and food purchased.
18. No changes shall be made to the approved layout of the premises without the consent of the Council.
19. No alteration which would result in it being impossible to comply with an existing licence condition shall be made without first seeking variation of the Premises licence to delete or amend the condition(s) in question.
20. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to the Council where consent has not previously been given: ' Dry ice and cryogenic fog ' Smoke machines and fog generators ' Pyrotechnics including fireworks ' Firearms ' Lasers ' Explosives and highly flammable substances ' Real flame ' Strobe lighting.

21. No person shall give at the premises any exhibition, demonstration or performances of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism act 1952
22. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be permitted after 23:00 hours.
23. Noise and vibration shall not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
24. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
25. No rubbish shall be moved, removed or placed in outside areas between 22:30 hours and 08:00 hours and no bottles shall be moved, removed or placed in outside areas between 19:00 hours and 10:00 hours.
26. Noxious smells shall not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
27. Flashing or particularly bright lights on or outside the premises shall not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
28. All persons under 18 years of age shall not be allowed to remain on the premises after 21:00 hours (unless they are attending a private function or dining and accompanied by an adult), or when happy hours or similar promotions are in operation.
29. The internal conservatory, as shown on the premises plan, shall have a capacity not exceeding 20 persons seated, 0 standing.
30. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises.
31. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
32. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

33. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
34. Escape routes shall be kept clear and unobstructed, in good order with non slippery and even surfaces, free of hazards and clearly identified.
35. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
36. A telephone number for immediate contact of a member of the management team will be displayed in a position where it can easily be read from the outside. This telephone number will be supplied to Hereford Road Association and to Resident Associations of properties in the immediate vicinity and kept up-to-date.
37. The manager will arrange and/or attend representative residents' meeting at least quarterly so that any issues concerning the operation of the premises may be discussed.
38. There shall be no music relayed to nor to speakers used in external areas.
39. Areas 1, 2 and 3. These areas are vacated by 22:00 hours. The maximum capacity of patrons should be no more than 45 persons in Area 3 and 20 persons in Area 2 (excluding staff at any one time). There shall be no barbecues or gas heaters in this area.
40. There shall be no smoking in Area 3.
41. No speakers or television/film screens will be located in the large conservatory, which abuts Hereford Mansion, separating Areas 1 and 2.
42. All doors leading to external areas will remain closed (except for entrance and exit) at all times under this licence using self-closing mechanisms.
43. Licensable activities shall be permitted on 1st January to 01:00 with provision of Late Night Refreshment until 01:30.
44. On 1st January the premises shall close 30 minutes after the end of licensable activities.
45. There shall be no televisions or speakers in the conservatory area.
46. When in use the entirety of the trading space in Areas 2 and 3 will contain tables and chairs and no stand up drinking shall be permitted.
47. The gates of the Area 2 leading onto the road shall be kept closed at all times save for fire escape and emergency access.
48. Waiter or waitress service shall be available for the supply of alcohol and food at all times.

49. The variation of this premises licence (19/14245/LIPDPS) to vary hours, conditions and plans (ref. TCO\_LC\_101 and TCO\_LC\_102) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
50. The premises licence holder shall submit to the licensing authority within 7 days from the grant of this licence a revised premises plan showing the clearly defined areas known as Areas 1, 2, 3 and the conservatory.
51. The first floor balcony shall be closed by 22:00 each day.

**Informative**

- The Sub-Committee noted the concerns of the residents regarding noise emanating from the main bar area through the conservatory. However, as the Premises is not yet open to trading it is difficult to predict the extent of any noise nuisance and, if there were any such issue what mitigating measures would be most appropriate. The Premises Licence Holder has given an Undertaking that the issue will be monitored and appropriate mitigation will be put in place in consultation with interested parties.

**This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.**

**The Licensing Sub-Committee  
17 February 2022**



**2. BAARIA, 76-78 CHARING CROSS ROAD, WC2H 0BD**

**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE No.4**  
**("The Committee")**

Thursday 17 February 2022

Membership: Councillor Karen Scarborough (Chairman)  
Councillor Susie Burbridge  
Councillor Aicha Less

Officer Support: Legal Advisor: Horatio Chance  
Policy Officer: Aaron Hardy  
Committee Officer: Kisi Smith-Charlemagne  
Presenting Officer: Kevin Jackaman

**Application for a New Premises Licence in respect of Baaria, 76-78 Charing Cross Road London WC2H 0BD - 21/10493/LIPN**

Present also: Mr Thomas O'Maoileoin Thomas and Thomas, Solicitors (Applicant)  
Mr Riccardo Andreotti (Applicant)  
Mr Alex Piombino (Applicant)  
Mr Anil Drayan Environmental Health Service  
Ms Jessica Donovan Licensing Authority  
Mr David Kaner – Covent Garden Community Association

**Premises**

76-78 Charing Cross Road London WC2H 0BD

**Applicant**

Baaria Leicester Square Ltd

**Cumulative Impact Area**

West End

**Special Consideration Zone**

None

**Ward**

St James's

**Summary of Application**

The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003 ("The Act"). The Premises intends to trade as a café.

During consultation the Applicant reduced the hours applied for from 09:00 to 23:30 Monday to Thursday, 09:00 to 00:00 Friday and Saturday and 09:00 to 22:30 Sunday and removed late night refreshment from the application. The Premises are located within the St James's ward, in the West End Cumulative Impact Area, but not in a Special Consideration Zone.

### **Activities and Hours applied for**

#### **Sale by Retail of Alcohol (Off sales)**

Monday to Sunday 08:00 to 22:00

#### **Sale by Retail of Alcohol (On sales)**

Monday to Sunday 09:00 to 22:00

#### **Opening Hours of the Premises**

Monday to Sunday 08:00 to 22:00

### **Representations Received:**

- Reaz Guerra - Metropolitan Police Service (withdrawn)
- Anil Drayan – Environmental Health Service (EHS)
- Jessica Donovan - Licensing Authority
- David Kaner – Covent Garden Community Association (CGCA)
- 13 Local Residents (2 withdrawn)

### **Summary of issues raised by objectors:**

It was felt that the application would undermine the licensing objectives; in particular the Prevention of Public Nuisance and impact on the residents immediately above at first floor level with limited sound proofing. Objectors felt that the application would cause a massive increase in problems with noise, vermin, rubbish and smells. Objectors were also concerned with queues blocking the north side of the street as a number of residents were already having to alter their route home to avoid the queues caused by Bunsik with their customers and rubbish.

There is a resident count of 315.

### **Policy Position:**

Policies HRS1, CIP1 and RTN1 (B) apply under the City Council's Statement of Licensing Policy (SLP).

## **SUBMISSIONS AND REASONS**

The Presenting Officer Mr Kevin Jackaman introduced the application to the Sub-Committee, he advised this was an application by the Applicant Baaria Leicester

Square Ltd for a New Premises Licence in respect of 76-78 Charing Cross Road London WC2H 0BD. The Applicant intends to operate the Premises as a cafe and has sought the retail sale of alcohol On and Off the Premises and has amended the layout of the Premises in accordance with the submitted plans. The Premises are located within the St James's ward, in the West End Cumulative Impact Area, but not in a Special Consideration Zone.

Mr Thomas O'Maoileoin Solicitor appearing on behalf of the Applicant, addressed the Sub-Committee. He advised the Applicant intends to operate a small luxury Sicilian café and bakery with a maximum capacity of 60 people. He explained that the Applicant has over 40 years' experience between them running bars and restaurants. Mr O'Maoileoin advised that amendments to the application had been made following an on-site meeting with the EHS and on-going dialogue and discussions with the CGCA the Licensing Authority and local residents.

Mr O'Maoileoin stated that all the conditions proposed by the Responsible Authorities had been agreed and following dialogue with the CGCA, a set of conditions had also been agreed with them too. Mr O'Maoileoin said that whilst it is noted that the CGCA maintain their representation it is understood that they do so in order to assist the Sub-Committee with any questions, equally this applied to officers from the EHS. He added that the advice and assistance of both had been very much welcomed by the Applicant. Mr O'Maoileoin confirmed that the Police had withdrawn their objection as conditions had been agreed.

Mr O'Maoileoin advised that following the further dialogue with CGCA and EHS the application has been amended so that only one single licensable activity is now being sought, namely the sale of alcohol, the opening hours were also reduced so that they were now earlier than core hours. With regards to policy, Mr O'Maoileoin said that applications inside the West End Cumulative Impact Zone will generally be granted. He then went on to say that it was recognised that restaurants, as defined in Policy RTN1 (B) have a low risk of association with crime and disorder and this was perhaps best reflected by the withdrawal of the Police representation to the application.

Mr O'Maoileoin said that the Applicant had demonstrated on its individual merits that the licence sought was unlikely to add to cumulative impact in the West End Cumulative Impact Zone and should be granted the revised hours now that they are less than core hours and whilst residents have submitted representations many have withdrawn. Mr O'Maoileoin stated that it was the hope of both the Applicant and the local resident's association that this matter may have been able to be agreed without the need of a hearing. Mr O'Maoileoin confirmed that regulated entertainment had not been applied for and all alcohol sales are to comply with the full model restaurant condition MC66.

The Sub-Committee sought further clarification regarding the capacity in the basement and how the space would be used and how the Premises would not impact the CIA. In reply, Mr O'Maoileoin confirmed that there would be a maximum of 20 people in the basement and that the space would not be used for dining at this time, but it may be used in the future.

Referring to Policy CIP1, Mr O'Maoileoin said that 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. He commented that the application had been specifically amended with consideration of the location in mind and the operating schedule proposed some 24 conditions designed to promote the Licensing Objectives. Mr O'Maoileoin felt that with all the elements combined the Applicant had demonstrated that the grant of the licence will not add to cumulative impact. He added that the withdrawal of the Police representation should be noted.

Mr Alex Piombino of the Applicant addressed the Sub-Committee, he confirmed that the café would deliver affordable luxury, transcending customers into a first-class experience with dynamic lighting, mood orientated sound and infectious energy, He added that their experience-centric environment would adapt to each social setting throughout the day. Mr Piombino stated that the café' would become known for its enchanting delectables at great value, presented with a touch of Sicilian panache.

Mr Riccardo Andreotti of the Applicant addressed the Sub-Committee he advised that the Premises would be a café/delicatessen which would cater for all occasions, serving artisan coffee, specially selected wine on tap, and characterful cocktails carefully crafted and sourced by a seasoned professional.

The Sub-Committee sought further clarification on the air extractor system. Mr Piombino confirmed that their extracting units throughout the Premises circulated the air internally to ensure reduced noise and smells. He confirmed that there would be no primary cooking on site, just baking using odour free steam ovens (Unox).

Mr Anil Drayan on behalf of the EHS addressed the Sub-Committee. He advised that the main concern for the EHS was regarding the planning class permissions. He explained that the Premises were using the class E permissions under the planning policy. He said that the Premises was previously used for retail, prior, to the application and that the Applicant would need to submit an acoustics report outlining whether there would be any internal transfer of noise through the ceiling to the residents above the Premises. Mr Drayan stated that the Applicant would have previously supplied a full height ventilation plan and that he needed to view the Unox system before it could be signed off and this would be part of the works condition. Mr Drayan confirmed that he was happy with the acoustic report submitted by the Applicant and with the application.

Ms Jessica Donovan appearing on behalf of the Licensing Authority addressed the Sub-Committee. She advised that the Licensing Authority maintained their objection as the Premises was within the CIA and the application should be considered under Policies CIP1, HRS1 and RNT1. She said that the amendments to the application were welcomed by reducing the terminal hours of the application to within core hours and the agreement of conditions with the responsible authorities and interested parties and incorporating model condition 66. Ms Donovan said that it was down to the Sub-Committee to be satisfied whether the Applicant has demonstrated that the Premises would not add to the CIA.

Mr David Kaner of the CGCA addressed the Sub-Committee, he confirmed that the CGCA had agreed conditions with the Applicant and held discussions with some of

the residents. Mr Kaner stated that the representations were made earlier based on the original application and on the back of another premises 'Bunsik' which was not licensed as it did not sell alcohol but had been quite disruptive to residents. He said that if all the residents had withdrawn, then the CGCA would have also withdrawn, but he was present to support the Sub-Committee with any questions.

## **Conclusion**

The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so for the purposes of determining the application. There is no presumption to refuse the application but the Applicant must demonstrate that Policies CD1, PS1, PN1 and CH1 are met and will not be adversely affected.

The Sub-Committee was satisfied that the Premises would operate first and foremost as a café that would be food and not alcohol led and this was indicative of the conditions that were agreed particularly the restaurant condition MC66.

The Sub-Committee welcomed that the Applicant had reduced the application to less than core hours and had withdrawn late night-refreshment as a licensable activity so it was just now the sale of alcohol to be sold at the Premises. This demonstrated to the Sub-Committee that the Applicant was prepared to listen and engage effectively with the Responsible Authorities, local residents and the CGCA when looking at the specifics of the application and when considering in the wider context the likely effect the application would have on the West End Cumulative Impact Zone.

The Sub-Committee took comfort from the fact that the Police who originally objected to the application had withdrawn after agreeing conditions. Accordingly, the Sub-Committee was satisfied when looking at issues of crime and disorder in the area that that the conditions it has now imposed on the Premises Licence relating to CCTV, a Challenge 25 Policy, the requirement to have an incident log, a restriction on the strength of alcohol to be sold, that off sales of alcohol to be sealed containers and that 15% of the floor space shall be dedicated to the display of alcohol are all measures that will in turn help promote the crime and disorder licensing objective.

Similarly, conditions have been imposed which deal with noise and other instances of nuisance highlighted in the representations and these are specified below as conditions 8, 10, 11, 12, 17, 18, 20, 21, 25, 25 and 27. Again, the Sub-Committee considers these measures will help promote the public nuisance licensing objective.

The Sub-Committee concluded that the conditions it had imposed on the Premises Licence would mitigate the concerns raised by residents and have the overall effect of promoting the licensing objectives in addition to reducing the overall impact the application would have on the West End Cumulative Impact Zone.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

Having carefully considered the committee papers and the submissions made by all the parties, both orally and in writing, **the Committee has decided**, after taking into account all the individual circumstances of this case and the promotion of the four licensing objectives:

1. **To grant permission for the Sale by Retail of Alcohol (On Sales)** Monday to Sunday 09:00 to 22:00. There are no seasonal variations.
2. **To grant permission for the Sale by Retail of Alcohol (Off Sales)** Monday to Sunday 08:00 to 22:00. There are no seasonal variations.
3. **To grant permission for the Opening Hours** the Premises are open to the Public Monday to Sunday 08:00 to 22:00. There are no seasonal variations.
4. That the Licence is subject to any relevant mandatory conditions.
5. That the Licence is subject to the following additional conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

### **Conditions imposed by the Committee after a licensing hearing**

6.
  - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
  - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
7. 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.
8. No noise generated on the premises, or by any of its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. Sales of alcohol for consumption off the premises shall only be (a) in sealed containers, and shall not be consumed on the premises or (b) 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.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening

meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
11. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
12. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
13. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
14. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
15. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
16. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
19. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 40 persons on the ground floor and 60 in total.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

21. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 hours on the following day.
22. 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.
23. 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.
24. 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.
25. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
26. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
27. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
28. Any tables and chairs placed immediately outside the premises shall be removed or rendered unusable by 21.00 hours.
29. The premises shall only operate as a restaurant,
  - (i) in which customers are shown to their table or the customer will select a table themselves,
  - (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,
  - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
  - (v) 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.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
31. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway

**This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.**

**The Licensing Sub-Committee  
17 February 2022**

3. **UKIYO, GROUND AND BASEMENT FLOOR, 8 SLINGSBY PLACE, WC2E 9AB**
- 3.1 This application was Granted under Delegated Authority.