



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 3 March 2022**

Time: **10.00 am**

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

Members: **Councillors:**

Matthew Green (Chairman)
Melvyn Caplan
Maggie Carman

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.00am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

If you require any further information, please contact Sarah Craddock, Committee and Councillor Co-ordinator.

Email: scraddock@westminster.gov.uk **Tel:** 07790980186
Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before 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. WINGSTOP RESTAURANTS, BASEMENT TO SECOND FLOOR, 138 SHAFTESBURY AVENUE, WC2H 8HB

(Pages 1 - 48)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's * West End ** None	Wingstop Restaurants Basement to Second Floor 138 Shaftesbury Avenue WC2H 8HB	Premises Licence Variation	21/07770/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

2. CROCKERS FOLLY, 23-24 ABERDEEN PLACE, NW8 8JR

(Pages 49 - 92)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Regents Park * None ** None	Crockers Folly 23-24 Aberdeen Place NW8 8JR	Premises Licence Variation	21/09487/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

3. SHADOW LICENCE, GROUND FLOOR, 6 BEDFORD STREET, WC2E 9HZ

(Pages 93 - 128)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's * West End ** None	Shadow Licence Ground Floor 6 Bedford Street WC2E 9HZ	New Premises Licence	21/09030/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
23 February 2022**

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 January 2021.

Guidance Considerations

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

Core hours When Customers Are Permitted to Be on The Premises

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours
Friday and Saturday: 09:00 hours to 24:00 hours
Sunday: 09:00 hours to 22:30 hours
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours
Friday and Saturday: 09:00 hours to 24:00 hours
Sunday: 09:00 hours to 22:30 hours
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours
Friday and Saturday: 09:00 hours to 24:00 hours
Sunday: 09:00 hours to 22:30 hours
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	3 March 2022
Licensing Ref No:	21/07770/LIPV - Premises Licence Variation
Title of Report:	Wingstop Restaurants Basement To Second Floor 138 Shaftesbury Avenue London WC2H 8HB
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	4 August 2021		
Applicant:	Lemon Pepper Holdings Ltd		
Premises:	Wingstop Restaurants		
Premises address:	Basement To Second Floor 138 Shaftesbury Avenue London WC2H 8HB	Ward:	St James's
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form the premises operates as a restaurant with ancillary takeaway.		
Variation description:	<p>This variation is to:</p> <p>(1) extend the sale of alcohol, late night refreshment and opening hours from midnight to 1am Thursday Friday and Saturday. No changes on other days</p> <p>(2) vary existing condition 42. from "On Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest." to "On Thursdays, Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest."</p> <p>(3) remove existing condition 43</p> <p>(4) vary existing condition 44. from "There shall be no supply of alcohol for consumption off the premises after 23:00 hours Monday to Saturday and 22:30 on Sunday " to "There shall be no supply of alcohol for consumption off the premises after 23:30 hours Monday to Wed, 00.30 Thurs to Sat and 23:30 on Sunday "</p>		
Premises licence history:	<p>The premises has had the benefit of a premises licence since March 2018. The current premises licence reference is 19/09087/LIPDPS, a copy of which is attached as Appendix 1 of this report.</p> <p>Please see Appendix 4 of the report for a full licence history</p>		
Applicant submissions:	Applicant submissions appear at appendix 2		
Applicant amendments:	<p>The applicant had applied for extended hours for off sales of alcohol and late night refreshment at the premises, and the removal of condition 43 of the licence.</p> <p>These amendments to the licence are no longer sought, having read the representations.</p>		

	<p>The variation application is therefore limited to extending the hours for alcohol, late night refreshment and opening hours from midnight to 1am Thursday, Friday and Saturday. No changes are sought for the other days of the week.</p> <p>Following on from this, condition 42 would be amended so security was also provided on Thursday as per the application form.</p> <p>The premises will also add to its conditions the following condition: <i>A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a Police officer and/or an authorised officer of Westminster City Council.</i></p> <p>Details of the application as now applied for are set out at 1-B to 1-E below.</p>
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1-B							Current and proposed licensable activities, areas and hours						
Regulated Entertainment													
Late night refreshment													
Indoors, outdoors or both				Current :					Proposed:				
				Both					No change				
		Current Hours		Proposed Hours		Licensable Area							
		Start:	End:	Start:	End:	Current:			Proposed:				
Monday	23:00	00:00	No change		Ground and first floors			No change					
Tuesday	23:00	00:00											
Wednesday	23:00	00:00											
Thursday	23:00	00:00	23:00	01:00									
Friday	23:00	00:00	23:00	01:00									
Saturday	23:00	00:00	23:00	01:00									
Sunday	23:00	00:00	No change										
Seasonal variations/ Non-standard timings:		Current:					Proposed:						
		The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day					No change						

Sale by Retail of Alcohol								
On or off sales			Current :			Proposed:		
			Both			No change		
	Current Hours		Proposed Hours		Licensable Area			
	Start:	End:	Start:	End:	Current:	Proposed:		
Monday	11:00	00:00	No change		Ground and first floors	No change		
Tuesday	11:00	00:00						
Wednesday	11:00	00:00						
Thursday	11:00	00:00					11:00	01:00
Friday	11:00	00:00					11:00	01:00
Saturday	11:00	00:00					11:00	01:00
Sunday	11:00	00:00					No change	
Seasonal variations/ Non-standard timings:	Current: The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day				Proposed: No change			

Hours premises are open to the public								
	Current Hours		Proposed Hours		Premises Area			
	Start:	End:	Start:	End:	Current:	Proposed:		
Monday	10:00	00:00	No change		Ground and first floors	No change		
Tuesday	10:00	00:00						
Wednesday	10:00	00:00						
Thursday	10:00	00:00					10:00	01:00
Friday	10:00	00:00					10:00	01:00
Saturday	10:00	00:00					10:00	01:00
Sunday	10:00	00:00					No change	
Seasonal variations/ Non-standard timings:	Current: The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day				Proposed: No change			

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being varied	
Condition	Proposed variation	
42. On Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest.	42. On Thursdays, Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest.	

1-E	Conditions being added	
A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a Police officer and/or an authorised officer of Westminster City Council.		
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Metropolitan Police Service	
Representative:	Nicole Sondh	
Received:	24 August 2021	
<p>I am writing with reference to the above application for which I am in receipt of. The premises is located within the Cumulative Impact Area and it is our belief that the changes applied for will have a negative impact on Crime and disorder. Therefore the Metropolitan Police as a responsible authority are making a representation against this application.</p> <p>The changes of greatest concern are those applied to increase the hours of sale for take away alcohol and late night refreshment. Premises offering late night refreshment as takeaway particularly those that are open later than the surrounding bars and or other fast food restaurants, this will lead to an increase of footfall in the area and with the addition of intoxication this can increase crime and disorder. The most common crimes being those of Theft, Robbery and Assault. Whilst I appreciate consideration has been taken to amend the need for SIA staff, this will not suffice for the impact caused by take away sales.</p> <p>Therefore I am proposing that Condition 43 remains on the licence.</p> <p>Please let me know if you would like to discuss this further.</p>		
Responsible Authority:	Environmental Health	
Representative:	Anil Drayan	
Received:	31 August 2021	
I refer to the application to vary the Premises Licence for the above premises which is located in the West End Cumulative Impact Zone (WECIZ)		

The applicant is seeking the following:

1. Extend the sale of alcohol, late night refreshment and opening hours from midnight to 1am Thursday, Friday and Saturday with consequent changes to conditions as follows:

- Condition 42 to read; "On Thursdays, Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest"
- Remove existing condition 43
- Condition 44 to read " to "There shall be no supply of alcohol for consumption off the premises after 23:30 hours Monday to Wed, 00.30 Thurs to Sat and 23:30 on Sunday "

I wish to make the following representations based on the plans and operating schedule submitted:

1. The extension in hours for the licensable activities sought and subsequent changes to conditions may have the effect of increasing Public Nuisance in the WECIZ.

Environmental Health also makes the following comments:

- The extension in hours sought go further beyond 'core' hours and insufficient mitigation has been provided to take account of the fact that the premises is located in the WECIZ
- The changes in conditions are insufficient to allay Environmental Health concerns and particular concern is registered for the removal of condition 43
- The Council revised its Statement of Licensing Policy earlier this year. One of the new requirements under the Policy is that greater emphasis has been placed on licensed premises demonstrating compliance with policy CH1, Protection of Children from Harm, (see page 36 of policy)

The applicant is requested to contact the undersigned to discuss the above issues and arrange a site visit after which Environmental Health may propose additional conditions

Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	31 August 2021

I write in relation to the application submitted for a variation of the premises licence for Basement To Second Floor, 138 Shaftesbury Avenue, London, WC2H 8HB

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:

- (1) extend the sale of alcohol, late night refreshment and opening hours from midnight to 1am

Thursday Friday and Saturday. NO changes on other days

(2) vary existing condition 42. from "On Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest." to "On Thursdays, Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest."

(3) remove existing condition 43 - There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.

(4) vary existing condition 44. from "There shall be no supply of alcohol for consumption off the premises after 23:00 hours Monday to Saturday and 22:30 on Sunday " to "There shall be no supply of alcohol for consumption off the premises after 23:30 hours Monday to Wed, 00.30 Thurs to Sat and 23:30 on Sunday "

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, RTN1 and CIP1.

Policy CIP1 states:

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

Policy RTN1(B) states:

B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
4. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption.
4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

Policy HRS1 (C) (8) states that the core hours for restaurants are:

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to 12am.

Sunday: 9am to 22.30pm.

Sundays immediately prior to a bank holiday: 9am to 12am

HRS1 (D) states: Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted

The applicant is seeking to vary the hours outside of core hours in the West end cumulative impact zone, therefore the Licensing Authority encourage the applicant to provide submissions on how this will not add to cumulative impact in the West End Cumulative Impact.

The Licensing Authority has concerns over the removal of condition 43 below and encourages the applicant to provide further submissions on how this will be operated and controlled to have no adverse impact on the cumulative impact area.

43. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.

Paragraph F101 states; Fast food premises provide late night refreshment either by way of take-away food for immediate consumption, or fast food on a counter or self-seating basis. These types of premises are in general more likely than restaurants (as defined in this section) to lead to people remaining on the streets of the West End Cumulative Impact Zone or returning rapidly to those streets. If no fast food premises were available people would be more inclined to disperse, and in retaining people until a later hour these fast food premises undermine the objective of timely dispersal. Late at night, it is likely that they would be attractive to persons who have been drinking elsewhere.

The Licensing Authority considers that seeking to minimize the number of people on the street late at night, through rapid dispersal, especially those who have been drinking, is fundamental to promoting the licensing objectives of the prevention of crime and disorder, public nuisance, and public safety. The Licensing Authority comes to this view notwithstanding the benefits which may be offered by well run fast food premises in terms of security, staff, CCTV, toilets, and the provision of a safe environment in which to wait until transport is available. These aspects have been considered by the council but are outweighed by the need for more rapid dispersal from the area in order to promote the licensing objectives.

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 extension in hours and removal of condition 43 will not add to cumulative impact in the West End cumulative impact area, as per policy CIP1 and RNT1.

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

Please accept this as a formal representation.

2-B Other Persons	
Name:	Soho Society
Address and/or Residents Association:	Saint Anne's Tower 55 Dean Street London W1D 6AF
Received:	31 August 2021
We write to make a relevant representation to the above application on behalf of The Soho Society.	
The Soho Society objects to this application as it is currently presented, on the grounds of	

prevention of crime and disorder, prevention of public nuisance, and cumulative impact in the West End Cumulative Impact Area.

About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

Application summary

Premises variation

Sale of alcohol: Thurs - Sat: 11:00 - 01:00.

No changes to other days: **Mon/Tue/Weds/Sun: 11:00 - 00:00**

Late night refreshment: Mon-Weds: 23:00-00:00. Thurs- Sat: 23:00 - 01:00. Sun: 23:00-00:00

Opening hours: Mon-Weds: 10:00 - 00:00. Thurs- Sat: 10:00 - 01:00. Sun: 10:00 - 00:00

- Premises operates as a restaurant with ancillary takeaway. Alcohol sold is already ancillary to a meal.
- Vary condition 42; on Thursday, Fridays and Saturday until close, there will be a minimum of 1 SIA.
- Remove condition 43 (see below)
- Vary condition 44; **From:** no supply of alcohol for consumption off the premises after 23:00
Mon - Sat. Sun 22.30. To: no supply of alcohol for consumption off the premises after 23:30
Mon - Weds. 00.30 Thurs - Sat. 23:30 Sun.

Current Licence 19/09087/LIPDPS

Sale of alcohol: Mon - Sun: 11:00 - 00:00.

Late night refreshment: Mon - Sun: 23:00 - 00:00.

Opening hours: Mon - Sun: 10:00 - 00:00.

Condition 36: All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a takeaway meal only, and shall not be consumed on the premises or in the immediate vicinity of the premises.

Condition 40: The number of persons permitted in the premises (excluding staff) shall not exceed, first floor 80 persons, with no more than 120 persons at any one time.

Condition 43: there shall be no sales of hot food or hot drink or consumption off the premises after 23.30 hours.

The Soho Society's position

The application: this 'restaurant' / fast food premises is situated in very close proximity to Soho and has applied to extend its alcohol licence on Thursday to Saturday by 1 hour from 12pm to 1am. It also proposes to vary condition 44 which would facilitate the supply of food and alcohol off the premises on Mon - Weds by 30 minutes to 11.30pm, Thurs - Sat by 1.5 hours to 1am, and Sunday 1 hour to 11.30pm.

These premises on the junction with Cambridge Circus, Charing Cross Road, Shaftesbury Avenue and Soho is in an area already known for its high level of crime and public nuisance. The proposed extension to its licence, with a capacity of 120 people and a takeaway offer for immediate consumption will increase these levels and have a detrimental impact on residents living on Charing Cross Road, Shaftesbury Avenue and in Soho. We therefore object to this application as it will fail to promote the licensing objectives and increase cumulative impact in the West End CIZ.

Night time economy: Soho is at the forefront of the late-night economy in Westminster with its

numerous restaurants, bars and entertainment establishments. The area is already densely populated at night with people drinking on the street, creating loud levels of noise, causing disturbance and anti-social behaviour. In Soho between **01:00 - 06:00 there are 114 licensed premises for the sale of alcohol in Soho, with a capacity of well over 20,483.**

Old Compton Street: just beyond Shaftesbury Avenue lies Old Compton St and the neighbouring Greek, Frith and Dean Streets offer a range of mixed uses including, restaurants, retail shops, bars, cafes, night clubs, pubs and residential accommodation. These streets attract large numbers of people during the daytime and even greater numbers at night due to the high number of evening and late night premises on offer. This area has the largest concentration of licensed premises in Soho, **106 in total between the hours of 00:00 - 03:30 and with a capacity of over 10,000.** A new late night restaurant / takeaway on the other side of the street will have a huge impact in this part of Soho.

Statement of Licensing Policy 2021

Reviewing the Statement of Licensing Policy, the following policies apply to this application.

Core Hours Policy HRS1: this application seeks to extend its alcohol on and off sales licence outside of core hours. When considering such applications the Council must consider the effect of later opening hours on compliance with the requirements of other policies, in particular CD1 and PN1, and also have regard to the following which are relevant in this case; residential accommodation in the proximity of the premises and its impact, and the hours of licensable premises in the vicinity.

Restaurants Policy RTN1: The Policy states, '*B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to...*' and goes on to list four criteria one of which being,

3. '*The application has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.*'

Section C provides the definition of a restaurant which includes,

3. '*Which do not provide any takeaway service or food and a drink for immediate consumption.*'

Fast Food Premises FFP1: although these premises is described as a 'restaurant' with a takeaway offer (including alcohol) the operation is more aligned to the operating model of McDonalds, counter service serving chicken and chips in disposable paper containers, in our view it meets the criteria associated with fast food premises as defined in section D,

1. '*A premises that provides late-night refreshment, either by way of fast food over a counter, via a self seating basis or takeaway for immediate consumption.*'

3. '*The food and drink are provided in pre-sealed or opened disposable packaging which is intended for immediate consumption.*'

It is policy to refuse such applications in the West End CIZ, F.30 states premises, '*....open after 11 pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars or nightclubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance...*'. The Licensing Authority and Met Police are also concerned with the levels of crime and disorder outside such premises (F.31). The applicant will need to demonstrate why they are an exception to policy, we believe there is none.

Cumulative Impact Policy CIP1

This area has been identified by the Westminster City Council (Statement of Licensing Policy, 2021) as under stress because of the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public

nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy). The policy provides a presumption to refuse pubs and bars, music and dance venues and fast food premises, the policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (D.11 of the policy). The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of this historic area. Any addition to the number of people on the streets late at night will increase cumulative impact in the West End Cumulative Impact Zone.

The Licensing Objectives

In our view this application will fail to promote the following licensing objectives.

Prevention of Crime and Disorder

The recently published Westminster City Council Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1 which includes Soho, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.** It goes on to detail the number and types of crimes in the West End as presented below.

- **Public realm crimes:** (serious violence, robberies, theft and drug offences), alcohol-related callouts incidents, anti-social behaviour and demands on services were prevalent in Westminster between 2017 and 2019, among the highest in London and the country. All incidents observed concentrated in the West End many occurring in the evening and at night as well as weekends.
- **Total incident type 2017-2019:** serious violent crimes Night, 795 - proportion of Borough's incidents (31%). Robberies Night, 2237 (33%). Theft and Handling Night, 24,407 (33%). Drug Offences Night, 1529 (40%). Noise Complaints Night, 1389 (16%). Reactive Waste Management, 6630 (10%). Ambulance call outs to locations of licensed premises, 5353 (22%). Anti-Social behaviour on transport Night, 592 (13%), Anti-Social behaviour MPS, 9662 (16%). Total = 50,594.
- **Data description of incidents in 2017-2019** found all incident categories observed varied both in space and time. Many occurred in the evening and at night and on weekends when alcohol related activities typically peak. Incidents were primarily concentrated in the West End where licensed premises are disproportionately concentrated.
- **Robberies:** clustered within the West End, Charing Cross, Oxford Street in the evening and night.
- **Serious violent crimes:** recorded between **6pm and 6am** concentrated overwhelmingly in the West End.
- **Drug related crimes:** Westminster recorded the highest volume of drug offences of any borough between 2017-2019. Half of crimes were reported (48%) in the evening and night time. Drug related crimes between **6pm - 6am** were significantly clustered in and around the west end to varying degrees.
- **Theft and Handling:** most common crime type in the borough, in the evening and night they are particularly concentrated in the West End and along Oxford Street.

Comparing crime statistics in and around Old Compton St between September 2019 to

February 2020 shows high levels of crimes in this small area of Soho,

Old Compton St: Robbery= 19. Theft person = 162. Violence with injury = 47. All crime = 429.

Dean St : Robbery = 12. Theft person = 57. Violence with injury = 30. All crime = 280.

Greek St : Robbery = 12. Theft person = 76. Violence with injury = 33. All crime = 244

Frith St : Robbery = 13. Theft person = 46. Violence with injury = 23. All crime = 143.

Criminal activity is not limited to these types of crimes at night, these streets and especially Old Compton St also attracts drug dealers who are in the area targeting people as they leave premises, there are more dealers in the area at night than during the daytime, this is linked to the large number of late night venues which in turn creates the drug market.

The CIA 2020 highlights the rise in crime late at night, people already intoxicated will be drawn to these premises from other pubs and bars in the area on the search of late night food, with a capacity of 120 there is a real prospect of people becoming victims of crime as they leave these premises, the same also applies to those buying off sales of food and alcohol.

We have provided evidence of the high levels of crime in the area. We believe if the application is granted it will increase the level of crime and disorder.

Prevention of Public Nuisance

There are a significant number of residential properties in this area and residents already suffer from noise disturbance and antisocial behaviour from the huge number of licensed premises. This area attracts large numbers of people on a night out either eating or drinking in the numerous premises or just walking through and hanging around, it is an extremely busy and noisy place late at night attracting pedicabs playing very loud music, intoxicated people shouting and screaming and without public toilets the streets and private doorways become the outdoor toilets.

We are in no doubt patrons from these premises will enter Soho searching for more entertainment, adding to the existing noise and disturbance suffered by residents living on these streets. If granted this application will result in a further reduction in residential amenity.

Conclusion

The application proposes to extend its on and off sales licence in an area already saturated with late night licences. If granted these premises will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone. We respectfully request this application is rejected.

Please do not hesitate to contact us if you require any further information.

3. Policy & Guidance

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

Policy HSR1 applies	A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy. B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following: 1. The demonstration of compliance in the requirements of policies
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	<p>CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</p> <p>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</p> <p>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</p> <p>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>8. Restaurants</p> <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will</p>
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	<p>be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
Policy RNT1(B) applies	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

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
Appendix 1	Premises Licence 19/09087/LIPDPS
Appendix 2	Applicant supporting documents
Appendix 3	Interested Party supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	24 August 2021
5	Environmental Health representation	31 August 2021
6	Licensing Authority representation	31 August 2021
7	Interested Party representation	31 August 2021



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

Premises licence

Regulation 33, 34

Premises licence number:	19/09087/LIPDPS
Original Reference:	18/00145/LIPN

Part 1 – Premises details

Postal address of premises:

Wingstop Restaurants
Basement To Second Floor
138 Shaftesbury Avenue
London
WC2H 8HB

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol	
Monday to Sunday	11:00 to 00:00
Late Night Refreshment	
Monday to Sunday	23:00 to 00:00

The opening hours of the premises:

Monday to Sunday: 10:00 to 00:00

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

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:

Lemon Pepper Holdings Ltd
7-9 Whitfield Street
London W1t 2AS

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

10589672

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

Name: Ilker Enver

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: 0500619LPER
Licensing Authority: London Borough Of Bromley

Date: 16 September 2019

This licence has been authorised by Mary Pring 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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. The sale of alcohol for consumption on the premises shall only be to persons purchasing a substantial table meal there and as an ancillary to that meal, which is to be eaten seated at a table or counter in the premises.
11. 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.
12. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
13. There shall be no self service of alcohol.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
15. The 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.
16. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 0000 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
19. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. Persons temporarily leaving the premises onto the public highway for the purposes of smoking shall not take any drinks with them.
22. 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.
23. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

24. 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.
25. 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.
26. 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.
27. 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.
28. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
33. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
34. 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.
35. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
36. All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a takeaway meal only, and shall not be consumed on the premises or in the immediate vicinity of the premises.

37. The sale of alcohol shall be limited to a selection of 3 beers.
38. 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.
39. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
40. The number of persons permitted in the premises (excluding staff) shall not exceed
First floor: 80 persons
With no more than 120 persons at any one time
41. There shall be no licensable activity in the basement or on the second floor of the premises.
42. On Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest.
43. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.
44. There shall be no supply of alcohol for consumption off the premises after 23:00 hours
Monday to Saturday and 22:30 on Sunday

Annex 4 – Plans

Attached

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE FIRE REGULATIONS 2002. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURE.

REVISIONS

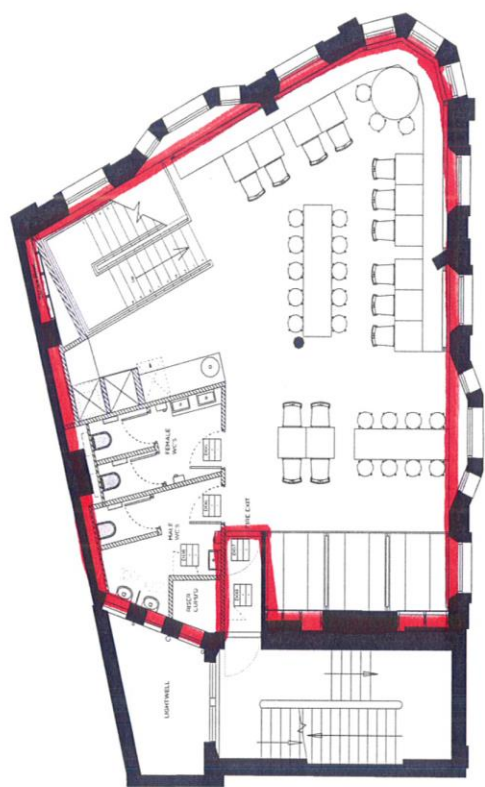
TENDER

BRINKWORTH

PROJECT: 444 0000 000 000
DRAWN: BRINKWORTH
DATE: 15/01/2018

ALL DIMENSIONS UNLESS OTHERWISE STATED ARE TO FACE UNLESS OTHERWISE STATED. ALL DIMENSIONS UNLESS OTHERWISE STATED ARE TO FACE UNLESS OTHERWISE STATED. ALL DIMENSIONS UNLESS OTHERWISE STATED ARE TO FACE UNLESS OTHERWISE STATED.

CLIENT	WINGO • STOOP
JOB	CAMBRIDGE CIRCUS
TITLE	PROPOSED GA PLAN_1F
SCALE	1:50
DRAWN BY	C. CHALCOTTE
CHECKED BY	J. CHALCOTTE
DATE	15/01/2018
PROJECT NO.	444 0000 000 000
DRAWING NO.	1F_01
DATE	15/01/2018



ALL LICENSABLE ACTIVITIES
TAKE PLACE ON THE
GROUND & FIRST FLOOR

* LOOSE FURNITURE
IS INDICATIVE ONLY



FIRST FLOOR



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033600434

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/09087/LIPDPS

Part 1 – Premises details

Postal address of premises:

Wingstop Restaurants
Basement To Second Floor
138 Shaftesbury Avenue
London
WC2H 8HB

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol

Monday to Sunday

11:00 to 00:00

Late Night Refreshment

Monday to Sunday

23:00 to 00:00

The opening hours of the premises:

Monday to Sunday:

10:00 to 00:00

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

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

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

Lemon Pepper Holdings Ltd
7-9 Whitfield Street
London W1t 2AS

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

10589672

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

Name: Ilker Enver

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

Restricted

Date: 16 September 2019

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

Wingstop

This is a chain of restaurants where the sole focus is on the flavour of chicken wings. The restaurant chain was founded in 1994 in Garland, Texas and their headquarters are in Dallas, Texas.

1997 saw the opening of their first franchised Wingstop location and by 2002 they had served the world one billion wings. Its' flavour that defines them and has made Wingstop one of the fastest growing brands in the restaurant industry attracting top entrepreneurs and operators with the drive and passion to own their own business.

There are more than 1,000 restaurants open across the United States, Mexico, Singapore, the Philippines, Indonesia, and the United Arab Emirates. This restaurant on Shaftesbury Avenue is the flagship for the UK and has been operating for almost 6 months.

The Food

Wingstop is the destination when you crave fresh (never faked) wings, hand-cut seasoned fries and any of their famous sides. It is for people who demand flavour in everything they do because it's more than a meal, it's a flavour experience. The average spend per person is around £15.

The Location

The restaurant is located on the corner of Shaftesbury Avenue and Charing Cross Road, at Cambridge Circus. The unit was previously occupied by HSBC bank and comprises basement, ground, first and second floors, with a total floor area of 395.6sqm.

The restaurant is be laid out with the kitchen and a seating area at ground floor level and an accessible WC, the main seating area and customer toilets at first floor level and ancillary storage and staff facilities at basement level.

Transport Links

The site is well served by a variety of modes of public transport including many 24hr bus services and three nearby underground stations; namely Charing Cross Road, Tottenham Court Road and Leicester Square Station which all provide 24 hour tube services on weekends.

The area surrounding the premises is predominantly commercial with a number of similar premises within a few yards of Wingstop. The management and staff at Wingstop have developed good working relationships with a number of local businesses, of which several businesses have taken the time to provide letters in support of our variation; which are included in the licensing hearing report.

Waste Management

Wingstop have allocated an area of the ground floor as a bin storage area to accommodate wheelie bins for storage of waste and recycling.

All waste and recycling is collected on a daily basis by a private waste service provider or by the Local Authority.

Amendments to Application

The applicant had applied for extended hours for off sales of alcohol and late night refreshment at the premises, and the removal of condition 43 of the licence.

These amendments to the licence are no longer sought, having read the representations.

The variation application is therefore limited to extending the hours for alcohol, late night refreshment and opening hours from midnight to 1am Thursday, Friday and Saturday. No changes are sought for the other days of the week.

Following on from this, condition 42 would be amended so security was also provided on Thursday as per the application form.

The operation would therefore be restricted to condition 10 on the existing licence which reads:

The sale of alcohol for consumption on the premises shall only be to persons purchasing a substantial table meal there and as an ancillary to that meal, which is to be eaten seated at a table or counter in the premises.

The premises will also add to its conditions the following condition:

A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a Police officer and/or an authorised officer of Westminster City Council.

We confirm that the average customer must wait between 8 and 12 minutes for their order to be ready as the food is freshly prepared dependant on the flavours ordered. In turn, we feel Wingstop does not operate as a fast food premises and therefore should not be associated with the cumulative impact often caused by such venues.

The premises is located on the Cambridge Circus junction and surrounded by a number of premises operating to a similar concept and to a later hour. The premises benefits from not having residents as neighbours therefore any concerns with operations later in the evening impacting on local residents is minimized.



Health & Safety/Food Safety Trainings at WINGSTOP UK

Each of our employee completes their Health & Safety/Food safety trainings on our E-learning platform as well as being trained on site once completing site specific risk assessments.

All e-learning modules are to be completed within 5 days from the beginning of employment.

Flow supports the business to ensure that all employees are sufficiently trained and developed, from a Food and Health and safety perspective and to make sure that all employees and customers are kept safe within our sites.

The completion of the training is a legal requirement and all employees must adhere to the below process to ensure efficient completion.

MODULES	
Food Safety Introduction Module	1.5 hours
Food Safety Level 2	3 hours
Food Allergens	1.5 hours
First Aid Awareness	1.5 hours
Emergency First Aid at Work (1 day course, managers only)	1 full day
Fire Marshall Training	
Health & Safety Level 2	1.5 hours
Licensing Law Awareness – Challenge 25 (for all employees working within the business)	3-4 hours
DPS – Alcohol Licence Training (management only)	

CGCA Document supporting Soho Society Representation

Application No.: 21/07770/LIPV

Premises: Wingstop

Address: 138 Shaftesbury Avenue London WC2H 8HB

This document is being provided by the Covent Garden Community Association (CGCA) in support of the Soho Societies Representation regarding the application by Wingstop, 138 Shaftesbury Avenue London WC2H 8HB to vary its licence (Application **21/07770/LIPV**).

The CGCA’s area of interest is on the East side of Charing Cross Road. Although these premises are on the West they have an impact in the immediate vicinity. The CGCA, with the Soho Societies support, recently opposed an application to Camden for a New Late Night Refreshment Licence on the East side of Cambridge Circus (German Doner Kebab). This application was refused because of the risk of harm to the Licensing Objectives. We believe that the proposed extension of hours for Wingstop risks the same type of harm.

Application

This is an application for to vary the Licence for Wingstop. The variation seeks to make the following changes to **ending** times for Licensable Activities. There are no changes to start times

Day	Existing			Proposed		
	On Premises	Off Premises		On Premises	Off Premises	
	LNR+Alcohol	LNR	Alcohol	LNR+Alcohol	LNR	Alcohol
Mon – Wed	00:00	23:30	23:00	00:00	00:00	23:30
Thursday	00:00	23:30	23:00	01:00	01:00	00:30
Frid-Sat	00:00	23:30	23:00	01:00	01:00	00:30
Sun	00:00	23:30	22:30	00:00	00:00	23:30

These changes mean that the premises could operate an additional 3 hours per week for licensable activities on the premises and an additional 5.5 hours for the sale of hot food and 6 hours for the sale of alcohol for consumption off the premises.

The CGCA supports the Soho Society’s view that the grant of a variation to allow these additional hours will fail to support the Licensing Objectives related to Public Nuisance and Crime and Disorder. Given their location in the heart of the CIZ, and next door to Camden’s CIA, they already attract large numbers of customers in the late evening who make substantial amounts of noise. The customers who purchase food and drink for takeaway cause noise away from the premises in the areas where they consume their purchases, and also leave litter in those locations.

Premises Location

The premises are situated on the South-West corner of Cambridge Circus. There are significant amounts of residential property on the East side of Charing Cross Road both North and South of the

Circus which fall within the CGCA's area, even though the premises are outside this area. A map showing residential accommodation in the vicinity is given as Attachment 1. This is not complete as we are not aware of all of the location of residents in Soho, to the North-West of the Circus.

The area within 0.5 miles of the premises typically has a very high level of reported crime as illustrated in Attachment 2. In 2019 (the last full year before COVID19) this area had 38,209 reported crime, or 42% of the total reported crime in the whole of Westminster for the same period, in 9.5% of the area of the City.

Much of this crime is associated with the high number of visitors to the area, as they are attractive targets for criminals, and with the night-time economy. Both Camden and Westminster have designated this part of their respective Boroughs as Cumulative Impact Areas because of the harm to the Licensing Objectives from the large number of licensed premises in the area.

Impact on the Licensing Objectives

In considering the impact of the proposed variation on the Licensing Objectives we believe that it is appropriate to look at the different elements of the variation separately and consider each of them on its merits.

Extension of operations on the premises from 00:00-01:00 Thursday to Saturday

The premises propose to open for an additional hour on 3 nights of the week. These premises are not a traditional restaurant with waiter service etc. This is a Quick Service Restaurant (QSR), making it more similar to a McDonalds. QSR premises have a high throughput of people eating on the premises. The proposal to remain for 1 hour after core hours on Friday and Saturday and 1.5 hours later on Thursday will encourage customers to come to these premises from other parts of the CIZ, or Camden's CIA, when the pubs and bars there close, rather than dispersing from the area. This will add to the number of people in the area in the early morning, contributing to the cumulative impact from all licenced premises in the area. The fact that the customers will be eating on the premises does not make any difference, they can still cause issues in the area arriving and leaving the premises.

Later hours for food to be sold for consumption off the premises

The application proposes to remove of condition 43, which restricts the last time when food can be sold for consumption off the premises, to 23:30, 30 minutes before the premises close. This would allow consumption of food off the premises to continue for an additional 30 minutes every day, and when combined with the extension on Thursday – Saturday mentioned above for an extra 90 minutes on each of these days.

The sale of hot food for consumption off the premises retains people in the area who might otherwise have left. They also tend to find "quiet" areas in which to sit and eat their meals, whilst themselves making noise and leaving litter. This is particularly an issue in the Seven Dials area where there are large numbers of residential properties above ground floor level but plenty of locations where customers of LNR premises can sit and consume their purchases. The issue of noise and littering associated with LNR premises is noted in the SoLP as a reason for Policy FFPI.

As an illustration of this issue we attach an image in Attachment 3 of packaging and food left by customers from Wingstop. This was left a 200m walk from the premises, although within a 120m radius on the map. This illustrates the point that nuisance can be caused over a wide area from this type of premises. It also illustrates the point that nuisance in one Borough can be generated by licensed premises in another. Wingstop is in Westminster and the litter was left in Camden.

Extension of period for off-sales of alcohol

The application proposes to extend the off-sales of alcohol until 30 minutes before the premises are able to sell hot food for takeaway. This presumably is to allow customers who buy hot food during the extended period for which this may be permitted to buy alcohol to accompany this.

The sale of alcohol to people who have already been drinking, to accompany their meal to consume in the area will fail to support the Licensing Objective of the Prevention of Public Nuisance and Crime and Disorder. Until 23:00 this is permitted under the current licence. Allowing this to extend beyond this time will only lead to a higher level of alcohol consumption, most likely by people who have already been drinking. This will give rise to additional noise, littering and most likely to street urination, as the people will be away from the premises and not have access to the toilets available to those eating and drinking on the premises.

The sale of alcohol alongside takeaway food is not permitted from the more traditional restaurant after 23:00 and we can see no way in which allowing it in this case can be done whilst supporting the Licensing Objectives.

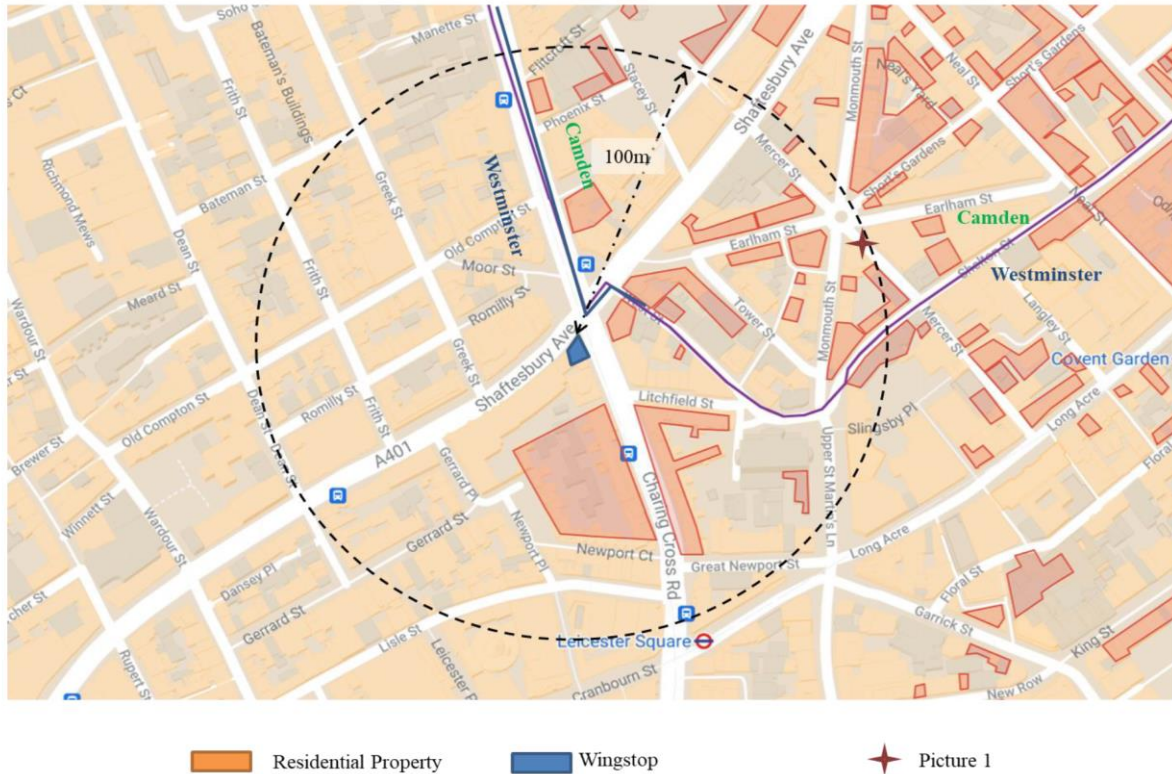
We support the Soho Society's position in this case.

Yours faithfully,

David Kaner
CGCA Licensing Sub-Committee
licensing@coventgarden.org.uk
07868 753549

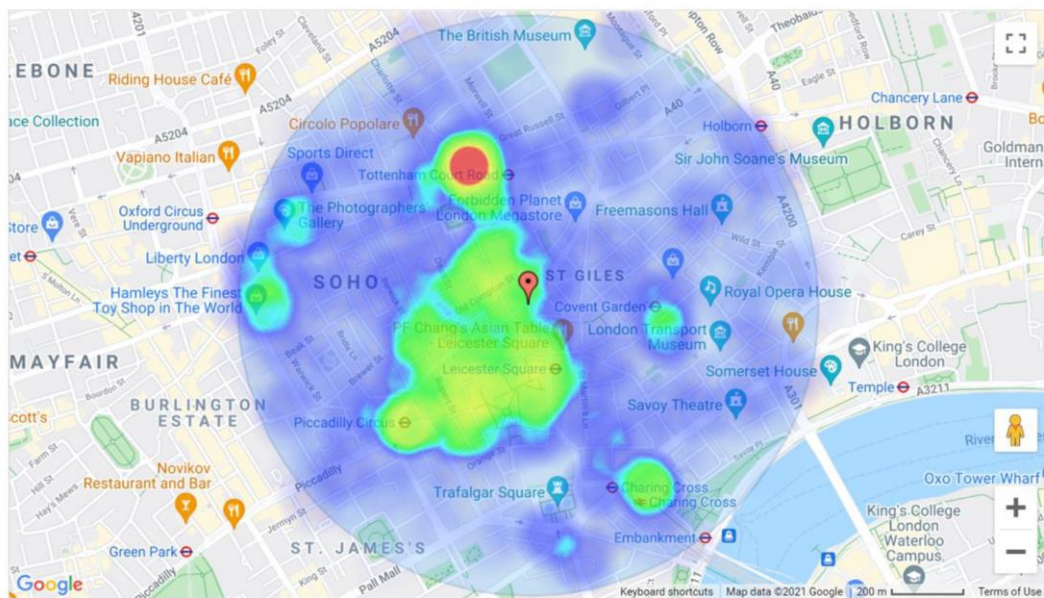
The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5th December 2017.

Attachment 1 – Residential Property in the Vicinity of the Premises



Map 1 – Residential Property within 100m of premises - NB there is residential West of Charing Cross Road not included on this map

Attachment 2 – Crime Heatmap



ASB	Burglary	Other	Robbery	Vehicle	Violent	PD&W	Shoplifting	CD&A	Other Theft	Drugs	Bike Theft	Theft From the Person	Weapons	Public Order	Total Selected
4637	1255	94	1741	819	3337	0	1950	542	11266	1215	467	9829	101	956	38209

Map 2
 Crime Heatmap within 0.5miles of Premises – Jan-Dec 2019
 Source - data.police.uk via UKCrimeStats.com

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
18/00145/LIPN	New premises Licence	01.03.2018	Granted by Licensing Sub Committee
18/15187/LIPDPS	Variation of Designated Premises Supervisor	30.12.2018	Granted under delegated authority
19/00950/LIPV	Full variation – Extend hours to 00:00 Monday to Sunday and add light night refreshment	25.04.2019	Granted by Licensing Sub Committee
19/05375/LIPDPS	Variation of Designated Premises Supervisor	08.07.2019	Granted under delegated authority
19/09087/LIPDPS	Variation of Designated Premises Supervisor	16.09.2019	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. The sale of alcohol for consumption on the premises shall only be to persons purchasing a substantial table meal there and as an ancillary to that meal, which is to be eaten seated at a table or counter in the premises.
11. 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.
12. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
13. There shall be no self service of alcohol.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
15. The 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.
16. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 0000 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours.
19. No deliveries of alcohol to the premises shall take place between 23:00 hours and 06:00 hours on the following day
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. Persons temporarily leaving the premises onto the public highway for the purposes of smoking shall not take any drinks with them.
22. 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.

23. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. 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.
25. 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.
26. 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.
27. 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.
28. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
33. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
34. 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.

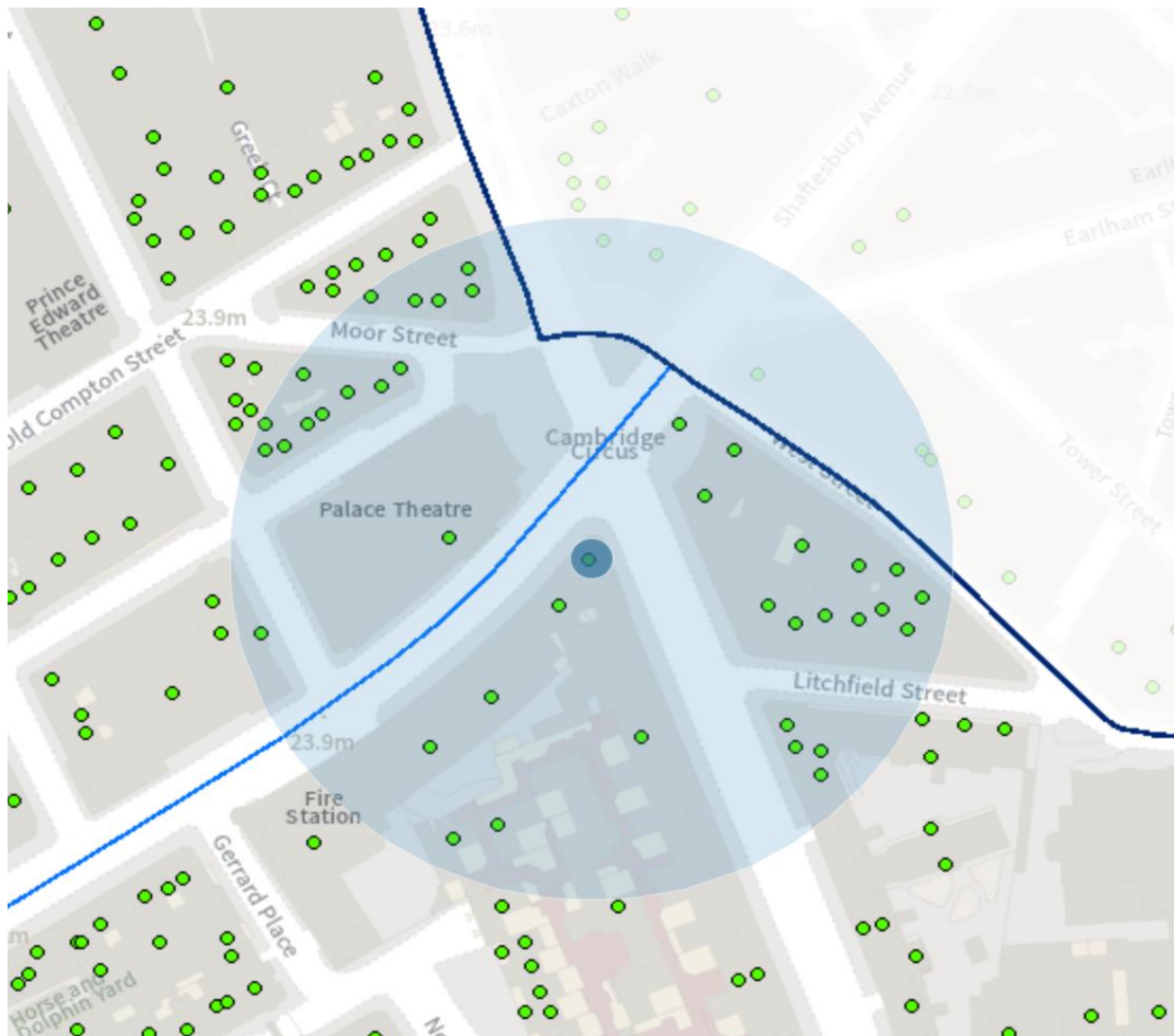
35. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
36. All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a takeaway meal only, and shall not be consumed on the premises or in the immediate vicinity of the premises.
37. The sale of alcohol shall be limited to a selection of 3 beers.
38. 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.
39. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
40. The number of persons permitted in the premises (excluding staff) shall not exceed
First floor: 80 persons
With no more than 120 persons at any one time
41. There shall be no licensable activity in the basement or on the second floor of the premises.
42. On Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest.

Condition 42 is proposed to be varied by the applicant to the following:

42. On Thursdays, Fridays and Saturdays, from 22:00 until close, there shall be a minimum of 1 SIA door supervisor on duty at the premises. They shall wear either a high visibility yellow jacket or vest.
43. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.
44. There shall be no supply of alcohol for consumption off the premises after 23:00 hours Monday to Saturday and 22:30 on Sunday

The applicant is proposing the addition of the following condition:

45. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a Police officer and/or an authorised officer of Westminster City Council



Resident count:45

Licensed premises within 75m of 138-140 Shaftesbury Avenue				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/00145/LIPN	Wingstop Restaurants	Basement To Second Floor 138 Shaftesbury Avenue London WC2H 8HB	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 10:00 - 22:30
13/05563/LIPDPS	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Pub or pub restaurant with lodge	Monday to Saturday; 09:00 - 04:00 Sunday; 10:00 - 04:00

18/15994/LIPDPS	Shake Shack	1 Cambridge Circus London WC2H 8PA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/08981/LIPVM	Palace Theatre	Palace Theatre 109 - 113 Shaftesbury Avenue London W1D 5AY	Theatre	Monday to Sunday; 09:00 - 00:00
10/10268/LIPT	Subway	82 Charing Cross Road London WC2H 0BA	Shop	Monday to Saturday; 08:00 - 06:00 Sunday; 08:00 - 00:00
19/01312/LIPDPS	L'Atelier De Joel Robuchon	13-15 West Street London WC2H 9NE	Restaurant	Monday to Saturday; 09:00 - 02:00 Sunday; 12:00 - 22:30
08/06532/LIPN	Karine Jackson Hair Beauty	24 Litchfield Street London WC2H 9NJ	Hairdresser or beauty salon	Monday; 10:00 - 19:00 Tuesday; 10:00 - 21:00 Wednesday; 10:00 - 20:00 Thursday; 10:00 - 21:00 Friday; 10:00 - 19:00 Saturday; 09:00 - 18:00
16/04558/LIPT	Le Beaujolais Wine Bar	25 Litchfield Street London WC2H 9NJ	Wine bar	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
16/04565/LIPT	Le Beaujolais Restaurant Club	25 Litchfield Street London WC2H 9NJ	Wine bar	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
17/09476/LIPRW	London Grace	11 West Street London WC2H 9NE	Hairdresser or beauty salon	Monday to Wednesday; 09:00 - 21:00 Thursday to Friday; 09:00 - 22:00 Saturday; 09:00 - 20:00 Sunday; 10:00 - 16:00

17/12519/LIPV	The Spice Of Life	37-39 Romilly Street London W1D 5NA	Pub or pub restaurant with lodge	Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 23:00 Sundays before Bank Holidays; 09:00 - 00:00 New Year's Eve; 00:00 - 00:00
12/11305/LIPDPS	The Spice Of Life	37-39 Romilly Street London W1D 5NA	Pub or pub restaurant with lodge	Monday to Saturday; 09:00 - 23:30 Sunday; 09:00 - 23:00
09/01988/LIPD	Souk Restaurant	Ground 27 Litchfield Street London WC2H 9NJ	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/01925/LIPDPS	The Cambridge Hotel	93 Charing Cross Road London WC2H 0DP	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 00:00 Sunday; 07:00 - 22:50 Sundays before Bank Holidays; 07:00 - 00:00
19/03552/LIPCHT	The Ivy Club	9 West Street London WC2H 9NE	Shop	Monday to Saturday; 08:00 - 02:30 Sunday; 10:00 - 23:00
18/09016/LIPDPS	Z Hotel	The Z Hotel Soho 17 Moor Street London W1D 5AP	Hotel, 4+ star or major chain	Monday to Sunday; 00:01 - 00:00
18/07826/LIPDPS	La Bodega Negra	Basement And Ground Floor 16 Moor Street London W1D 5AP	Restaurant	Monday to Sunday; 00:00 - 00:00
16/07722/LIPV	The Ivy	1 - 7 West Street London WC2H 9NQ	Restaurant	Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 01:00

11/06024/LIPT	Coach & Horses Public House	29 Greek Street London W1D 5DH	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:50 Sundays before Bank Holidays; 12:00 - 00:00
15/11904/LIPT	Restaurant	Basement And Ground Floor 8-9 Moor Street London W1D 5ND	Not Recorded	Monday to Thursday; 08:00 - 00:30 Friday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:00
16/11180/LIPN	Maison Berteaux	28 Greek Street London W1D 5DQ	Food store (large)	Monday to Sunday; 08:00 - 23:00



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

3 March 2022

21/09487/LIPV - Premises Licence Variation

Crockers Folly
23 - 24 Aberdeen Place
London
NW8 8JR

Director of Public Protection and Licensing

Regent's Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	14 September 2021		
Applicant:	Crocker's Folly Limited		
Premises:	Crocker's Folly		
Premises address:	23 - 24 Aberdeen Place London NW8 8JR	Ward:	Regents Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises re a public house with a an external seating area.		
Variation description:	Condition 27 shall be varied to read: 'All outside table and chairs shall be rendered unusable by 22:30 hours.' This will permit customers to sit on the entire Terrace until 22:30		
Premises licence history:	The premises have had the benefit of a premises licence since July 2010. The current premises licence (licence number 20/00972/LIPT) is attached as appendix 1 of this report. A full licence history for the premises appears at appendix 5.		
Applicant submissions:	None		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Basement and ground floor	No change
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:	
	Sundays before Bank Holidays 12:00 to 00:00. The hours for Regulated Entertainment may be extended from				No change	

	the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	
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Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Basement and ground floor	No change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before Bank Holidays 12:00 to 00:00. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Years Day.			No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Basement and ground floor	No change
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:	
		Sundays before Bank Holidays 12:00 to 00:00. The hours for the sale of alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Basement and ground floor	No change
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	22:50			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	None			No change	

1-C	Layout alteration
No change of layout is proposed.	

1-D	Conditions being varied, added or removed	
Condition	Proposed variation	
27. All outside tables and chairs shall be rendered unusable by 21:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.	27. All outside table and chairs shall be rendered unusable by 22:30 hours	
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	Reaz Guerra
Received:	07 October 2021
<p>With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>There is insufficient detail contained within the operating schedule to promote the licensing objectives.</p> <p>It is for these reasons that we object to this application.</p> <p>Following agreement of and updated CCTV condition, the Metropolitan Police withdrew their representation on 19 October 2021. The updated condition can be found at appendix 5</p>	
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	12 October 2021
Representation is made as the proposal may result in an increase in Public Nuisance in the area.	

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	12 October 2021		
<p>I live with my family [REDACTED] - since lockdown we have experienced significant more noise from the restaurant and bar as they have put tables outside in the street . We have had people throwing their rubbish in our drive , urinating and groups of staff using the area to smoke .</p> <p>There are often very noisy people hanging around after hours , leaving litter and broken glass behind them . We have also experienced lorries parked in our drive in the daytime on a regular basis</p> <p>This area is residential and an area where lots of families with young children live . Please do not extend their licensing hours , it will be intolerable for my family and the neighbourhood</p>			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	11 October 2021		
<p>I oppose this application.</p> <p>For reasons I won't go into as you timed me out on my first attempt to explain how awful extended hours would be for the residents who live in this area. I am disabled, suffering from multiple sclerosis.</p> <p>I STRONGLY OPPOSE EXTENDED OPENING HOURS FOR THESE PREMISES!!</p>			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	18 September 2021		
<p>We live [REDACTED] on Cunningham Place. There is a consistent pattern to Crockers Folly's planning applications, to extend opening hours, to extend the number of table where people can sit outside the premises, and also extend the times when people can sit outside.</p> <p>It's not clear that Crockers Folly have ongoing permission to have tables and chairs on the pavement on the Cunningham Place side of the premises. This measure was brought in during the pandemic, when customers were only able to be served outside. We understood this to be a temporary measure, which would not continue when restrictions on customers being inside were lifted - which is now the case. [REDACTED] [REDACTED]</p>			

This is a quiet residential neighbourhood, and we do not want the hours when people are drinking outside to be extended further. The new proposed time of customers leaving at 23.00 is too late for a neighbourhood of this kind. We also see no reason why opening hours should be extended on the Sundays before bank holidays until 24.00.

One other question. Crockers Folly used to have a security person monitoring the behaviour of people sitting or standing outside. This no longer seems to be the case

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	28 September 2021		

Wharnccliffe Residents' Association object to extending the outside hours until 10.30pm because this is too late for a residential area where young families, disabled and older residents will be directly affected. Most of the flats in Elnton Court have living rooms and bedrooms directly overlooking Crocker's Folly so cannot avoid any noise made by the customers. We also feel that this will impact the whole of Wharnccliffe Gardens' Estate encouraging more traffic and people walking through the estate later in the evening.

Crocker's Folly has added more tables on Cunningham Place in the last year, increasing the number of people who can now sit outside. It is already often too noisy after 9pm in the evening especially when: there are parties; there are matches at Lords; or while people wait for taxis after leaving the restaurant/bar. There is also disturbance from regular deliveries connected to the premises in the early mornings; and in the last 2 years they have added a takeaway service further adding to the noise nuisance with motorbikes and scooters.

The impact of an extended time for outside dining and drinking will mean even fewer undisturbed hours in the night for sleeping in what should be a quiet residential area. We have also noted that Crockers' Folly has often exceeded the 9pm deadline in the last year

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	25 September 2021		

I object to extending the outside hours because this is too late for a residential area where there are young families and older residents who need their sleep. I personally look after my grandchildren on some school nights and as both my bedrooms directly overlook the Crocker's Folly we are affected by all noise generated from the premises.

The pub now has tables on both the Aberdeen and Cunningham Place sides, which have been added in the last year, so even more people can now sit outside. It is already noisy after 9 on some evenings particularly when there are parties; when there are matches at Lords; or while people wait for taxis. We also have regular deliveries to the pub waking us in the early morning; followed by a rubbish pickup every day for Crockers; and in the last 2 years motorbike there are takeaway pick ups have as well.

The impact of an extended time for outside dining and drinking will mean we have even fewer undisturbed hours at the night for sleeping.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	12 October 2021		
<p>I hereby object to this proposal.</p> <p>Any extension of hours will further affect the peace and quiet of our residential neighbourhood specially for our children, reducing our quality of life and turning our area into a late-hour food and drinks hub.</p> <p>We do not wish to lose amenity nor have an increased risk of drunk and disorderly conduct which would surely result if drinkers consume alcohol later into the night as proposed.</p> <p>Specially in the outdoor area, we often hear loud noises already with the license hours ending at 930pm. The current licensing hours, by the way, are often being violated.</p> <p>Though the existing operating hours have proven to be a somewhat acceptable balance, there is still plenty of boisterous noise from people leaving the premises already at 10 or 11pm. After eating and drinking for hours, people are not that mindful if there is a sign 'Please leave quietly' in case they get to read it all.</p> <p>So the hours do not need be changed and certainly NOT extended or this fine balance will severely affect the amenity of the local residents.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	12 October 2021		
<p>As a working mother of three children living on the same street as the property in question, I already struggle with noise and crowds of people spilling in to the road after matches.</p> <p>I ask the committee to please REFUSE this application and NOT extend the hours of music, noise and operation further than they are already.</p> <p>While I like the people who work in the restaurant and do wish them success, I ask that they remember that they are in a residential area. There are no other shops or restaurants on either street that the corner venue intersects.</p> <p>We neighbours need to put our kids to bed quietly, walk our dogs without fear of being harassed by drunken revellers on the curb, and go to sleep ourselves. The current hours are a good compromise.</p> <p>Thank you so much for your consideration.</p>			

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	12 October 2021		
<p>I am a neighbour and this is an objection to the above-mentioned application for extension of hours. I object to the proposed application for the following reasons:</p> <ul style="list-style-type: none"> - This is very residential area which is quiet, safe, orderly and clean. To have more hours of eating and drinking crowds would be detrimental to this and affect the amenity of all local residents, specially the elderly. - The Crokers Folly has been already having people eat and drink past the existing licensing hours, both inside and in the external terrace area. We the neighbours have barely tolerated that. But therefore no extensions to the existing hours should be permitted - Having more drinking crowds in our area later into the night will cause public disturbance and risk - We live very close to a cricket ground (Lord's) which attracts all-day/late-night drinkers on match days. Thousands of people from Lord's come to our residential area after drinking at the ground and cause noise, vandalism, litter and fouling. This goes on for half a year during the cricket season. It is impossible for any local resident to accept the risk of even later hours, encouraging more risk - I also object to the health and safety risk that longer hours represents: meaning more litter, broken glass, crowds of cigarette smokers, large crowds in our pavements blocking access. - Most important: No glasses or food outside (the building had a patio) after 930pm as already required by the current license. <p>NO TO EXTENSION OF HOURS FOR THIS PUB IN THE MIDDLE OF OUR NIGHBOURHOOD</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	10 October 2021		
<p>I object to expand opening hours at Crockers Folly</p> <p>The reason being it causes stress for women who walk out and see men urinating outside there door . A risk to people walking home late at night and into antisocial behaviour including violence in street. User of the bar sitting on public property smoking and drinking including staff. There is also disrespect for the elderly who are easily disturbed by the noise which can affect there mental health.</p>			

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	04 October 2021		
<p>As the father of two young children and working professional living [REDACTED] from the premises, I object to the extension of hours applied for.</p> <p>The current license's hours for both the internal and specially to the external terrace area have over the past couple of years proven to be an acceptable balance between noise/nuisance and commercial operation of the premises since the license was granted and the current hours fixed.</p> <p>Absolutely nothing has changed since then in the needs of local residents, our young children and the elderly for rest and quiet in such a densely residential area. Therefore the continuation of the current licensing hours is optimal.</p> <p>Any attempt to disruptively extend the well-balanced operation hours would simply increase the incidence of disorder and drunkenly boisterous behaviour, raise public safety issues and affect the environmental concerns that we have been avoiding with the current hours.</p> <p>So to preserve the existing hours unchanged achieves the best continuation for the premises within this otherwise very quiet residential area.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	10 October 2021		
<p>I object to the expanded pub hours Object to more noise. Object to customers leaving there half filled drinks and rubbish left on garden walls. Object to people using the walls as toilets, you walk outside your door and someone is standing there urinating, We have elderly people who don't like to come out specially when there is cricket on as it gets very rowdy and disorderly. Object to more traffic as cars and mopeds are up and down the roads.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	28 September 2021		
<p>I strongly object to the extended outdoor opening hours.</p>			

This is a quiet residential estate and the excess noise, including cars, customer disturbance, as the establishment is just a few feet away including parking on the estate is unacceptable, along with as has been the case previously people sitting on walls on the estate and using the area as a toilet!
The current hours being so close this estate and other residences is perfectly adequate.
Thank you

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	12 October 2021		

We object to any extension of licensing hours for all of the reasons set out in the original objection in 2017. We are sympathetic to the challenges facing business owners over the last 18 months, however, we must object on grounds of public nuisance. The current restrictions strike a fair balance between the needs of residents (many of whom are working families with school age children - 8 school age children alone on the west side of Cunningham Place, and a great many in the Wharncliffe estate) and the commercial needs of Crockers. The current license has been occasionally breached - particularly when there are cricket matches on at Lords - with many customers drinking on the street and pavements - but residents put up with this as it is occasional and we want to support Crockers. However, amendments to licensing would increase this as a nuisance and likely result in this not being occasional. Further, the area on Cunningham Place, unlike Northwick Terrace, is not at all suitable for pavement licensing as there are no structures to support pedestrian traffic.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	23 September 2021		

Crocker's Folly is an amenity of great benefit to the neighbourhood. The owner has refurbished the wonderful interiors, and has provided a venue that replaces the pub that closed years ago. The restaurant should be able to serve customers outside during the summer months as this will increase the attraction of the place.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <p>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect</p>

	<p>of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</p> <p>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</p> <p>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</p> <p>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p>Policy RTN1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p> <p>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</p> <p>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>4. The applicant has taken account of the Special Consideration</p>

	Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.
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4. Equality Implications

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

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

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

5.	Appendices
Appendix 1	Premises Licence 20/00972/LIPT
Appendix 2	Applicant supporting documents
Appendix 3	Interested Party Submissions
Appendix 4	Environmental Health submissions
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	07 October 2021 (withdrawn 19 October 2021)
5	Environmental Health representation	07 October 2021
6	Interested Party representation (1)	12 October 2021
7	Interested Party representation (2)	11 October 2021
8	Interested Party representation (3)	18 September 2021
9	Interested Party representation (4)	28 September 2021
10	Interested Party representation (5)	25 September 2021
11	Interested Party representation (6)	12 October 2021
12	Interested Party representation (7)	12 October 2021
13	Interested Party representation (8)	12 October 2021
14	Interested Party representation (9)	10 October 2021
15	Interested Party representation (10)	04 October 2021
16	Interested Party representation (11)	10 October 2021
17	Interested Party representation (12)	28 September 2021
18	Interested Party representation (13)	12 October 2021
19	Interested Party representation (14)	23 September 2021



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

**Schedule 12
Part A**

**WARD: Regent's Park
UPRN: 100023121806**

Premises licence

Regulation 33, 34

Premises licence number:	20/00972/LIPT
Original Reference:	14/03784/LIPN

Part 1 – Premises details

Postal address of premises:

Crocker's Folly
24 Aberdeen Place
London
NW8 8JR

Telephone Number: 020 7286 6608

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 Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Non-standard Timings:	See condition 39

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	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 on the Premises.

Part 2

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

Crockersfolly Limited
21 Edgware Road
London
W2 2JE

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

09245735

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

Name: Maarouf Abouzaki

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: 05/09506/LIPERS
Licensing Authority: City Of Westminster Council

Date: 5 March 2020

This licence has been authorised by Angela Seaward 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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None.

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

10. No deliveries to the premises shall take place between 17:00 and 09:00 on the following day.
11. Rubbish to be collected during the usual City of Westminster rubbish collection hours.
12. The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of a Metropolitan 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 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 immediately arranged by a member of staff for hand over to Police or authorised officer following their request, throughout the preceding 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 are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested.
14. An incident log shall be kept for 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) any complaints received regarding crime and disorder;
 - (c) any incidents of disorder;
 - (d) any faults in the CCTV system;
 - (e) any visit by a relevant authority or emergency service.
15. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 hours whilst it is open for business on Friday and Saturday. SIA licences worn by door staff shall be on display at all times, carried within yellow high visibility arm bands.
16. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises during the hours of licensable activity on Lord's Cricket Ground match days.
17. 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.
18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
21. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

22. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. After 21:00 hours 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.
25. Notices shall be prominently displayed at all exits and all areas used for smoking requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
27. All outside tables and chairs shall be rendered unusable by 21:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 21.00 hours and 08.00 hours.
30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
31. 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.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed 150 with a maximum of 40 in the external areas.
33. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
34. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
35. 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.

36. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
37. 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.
38. The hours for Regulated Entertainment and Sale of Alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
39. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Years Day.



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

Schedule 12
Part B

WARD: Regent's Park
UPRN: 100023121806

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/00972/LIPT

Part 1 – Premises details

Postal address of premises:

Crocker's Folly
24 Aberdeen Place
London
NW8 8JR

Telephone Number: 020 7286 6608

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 Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Non-standard Timings:	See condition 39

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	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 on the Premises.

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

Crockersfolly Limited
21 Edgware Road
London
W2 2JE

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

09245735

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

Name: Maarouf Abouzaki

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

Restricted

Date: 5 March 2020

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

27 January 2022

[]
[]
[]
London
NW8 [



Dear Neighbour

Crocker's Folly – Premises Licence Variation

We have received documentation from Westminster Licensing Department informing us you are objecting to our application to vary the Premises Licence. With this letter, we'll like to take this opportunity to say why we are seeking this variation to the Licence.

The Pandemic has hit the Hospitality sector hard, and we have suffered too. However, where we have received help, is the various Pavement Licences introduced to allow customers to sit outside to enjoy their food and drink. Indeed, many of customers seem to like this rather than sit inside.

Our current Licence is quite prohibitive on the use of the terrace; one section of the terrace has to close at 7:00pm and the entire terrace must close by 9:00pm. We have applied to Westminster to allow the use of the terrace until 10:30pm. We don't know how and when the Pandemic will end, but we would like to be able to offer to our customers, and especially those not comfortable with sitting inside our Pub, the option to sit outside and have a meal, hence this application.

We would like to think we offer something to the community. Many of our local residents took advantage of our take-away meals in lockdown and enjoyed them. We would like to think also, if you, or any resident, has any concerns you would call or pop in to Crocker's to tell us.

We hope this letter assists, but should you require any further information please contact Betty Freedman.

Yours Sincerely

The Team at Crocker's

- Maroush**
21 Edgware Road
London W2 2JE
Tel: 020 7723 0773
- Maroush**
37-39 Blank Hanp. Place
London SW1 1NU
Tel: 020 758 5434
- Maroush**
4 West Street
London W1U 0DG
Tel: 020 7493 3030/3030
Fax: 020 7493 9330
- Maroush**
131 Eam's Court Road
London SW6 9BZ
Tel: 020 7313 4324
- Maroush Express**
68 Edgware Road
London W2 2EG
Tel: 020 7224 9339
- Maroush Gardens**
1 Connaught St east
London W2 2BN
Tel: 020 7262 0222
- Beirut Express**
65 Old Brington Road
London SW7 3LS
Tel: 020 7591 0123
- Sidi Maarouf**
56-58 Edgware Road
London W2 2JE
Tel: 020 7724 0525
- Ranoush Juice**
318 Kings Road
London SW3 5UR
Tel: 020 7352 0044
- Ranoush Juice**
43 Edgware Road
London W2 2JE
Tel: 020 7723 5929
- Ranoush Juice**
86 High Street
Kensington
London W8 4SG
Tel: 020 7938 2234
- Randa**
23 Kensington
Church Street
London W8 4LF
Tel: 020 7937 5363
- Maroush Bakehouse**
45-49 Edgware Road
London W2 2JZ
Tel: 020 7723 3666
- Maroush Bakehouse**
40 Beauchamp Place
London SW3 1NU
Tel: 020 7581 5434
- Crocker's Folly**
23 24 Aberdeen Place
St John's Wood
London NWS 8, R
Tel: 020 7289 9898

MAROUSH GROUP LTD.
Registration no. 8030800
21 Edgware Road, London W2 2JE Tel: 020 7723 3666 / Fax: 020 7723 3161
DIRECTORS: M. ABOU ZAKI, W. ABOU ZAKI, R. ABOU ZAKI

OBJECT!

SAY NO TO EXPANDED PUB HOURS IN OUR STREET!

Dear Neighbour,

The owners of 'Crocker's Folly' (24 Aberdeen Place NW8) want to expand their hours of commercial operations to late at night.

They are proposing to have people eating and drinking both outside and in until much later than the current operating times. The current operating hours strike a barely acceptable balance between the commercial operations and the local residents as they are. So no need to change them!

If not opposed, the extension will destroy the peace and quiet of our residential neighbourhood, reducing our quality of life and turning our area into a late-hour food and drinks hub. It would also have a serious impact on our property values.

We as local residents have the right to oppose this extension as it would cause severe detriment to our neighbourhood and daily lives:

- NO to later hours than the already barely acceptable night times
- NO to even larger crowds of drinkers and eaters later at night, seven days a week throughout the year
- NO to increased boisterous customers noise and more music playing round the clock
- NO to further parking disruptions to local residents making it even more difficult for us to find park near our homes
- NO to increased lorry delivery traffic, noise and fumes
- NO to greater overall customer vehicle traffic and environmental pollution to our area
- NO to even more fan extractors noise and food fumes spewing into our neighbourhood
- NO to greater litter and debris such as empty beer glasses, bottles, broken glass, snack wrappings and cigarette butts strewn daily around the area
- NO increased risk to public safety from larger crowds in our streets and walkways

There should already NOT be any commercial operations on our peaceful residential streets at all, so this extension of operating hours CANNOT BE PERMITTED

YOU CAN HELP by

- 1) Registering your Comment to 'Oppose' on www.westminster.gov.uk/licensing/comment-licence-application and searching for: 21/09487/LIPV
- 2) Saying "NO TO EXTENDED HOURS" in writing to the Westminster Planning Department Quoting Ref. 21/09487/LIPV to northplanning@westminster.gov.uk

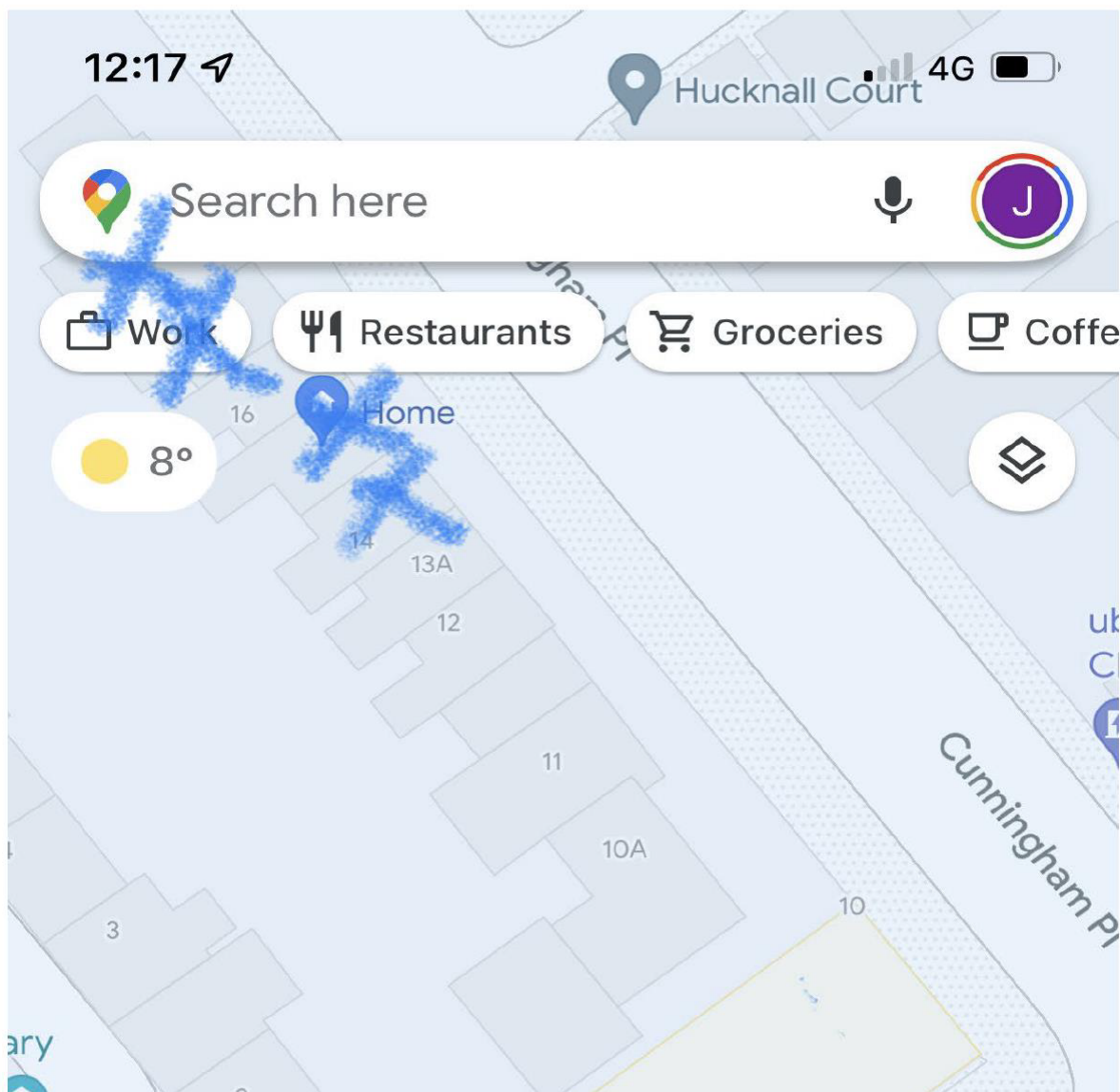
EACH OF OUR INDIVIDUAL MESSAGES COUNTS!
URGENT DEADLINE: 12 OCTOBER

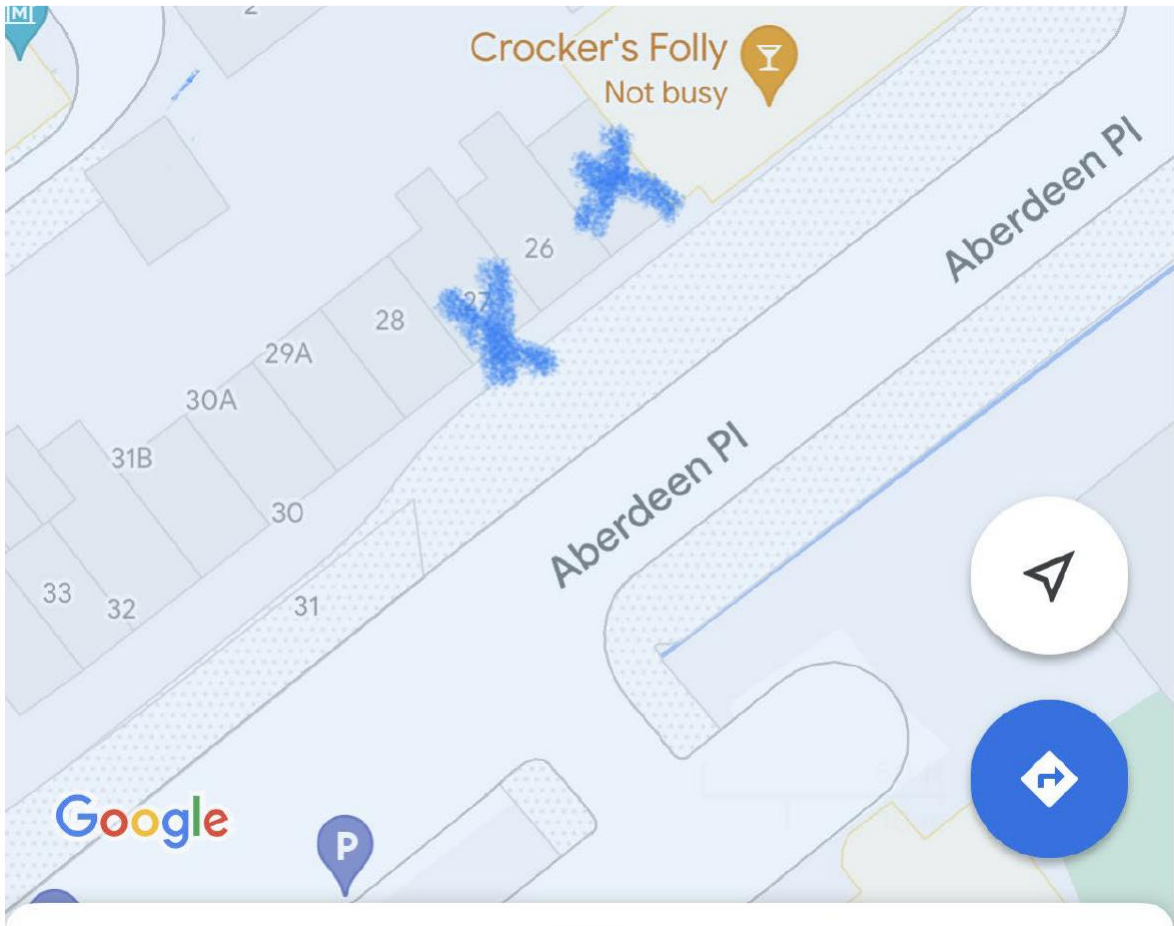
**DEFEND YOUR COMMUNITY -
OPPOSE THE EXTENSION OF HOURS NOW**

From: [Redacted]
To: [Jackaman, Kevin: WCC](#)
Cc: [Redacted]
Subject: Re: Crockers Folly, 23-24 Aberdeen Place, London, NW8 8JR - 21/09487/LIPV
Date: 31 January 2022 13:10:06

Hello,

I thought it might be helpful to attach the following maps to help the Sub-committee understand the high density residential nature of the area immediately around crockers folly (if they are not already familiar with it). On the first map I have marked with a blue X the houses on Aberdeen place and Cunningham place where families with young school age children reside (those that I know of - there may well be further children on Aberdeen and Northwick Terrace). The second map shows in blue circles high density housing estates with a mix of vulnerable residents and families (Wharncliffe estate & lisson grove estate).





Latest in Little Venice

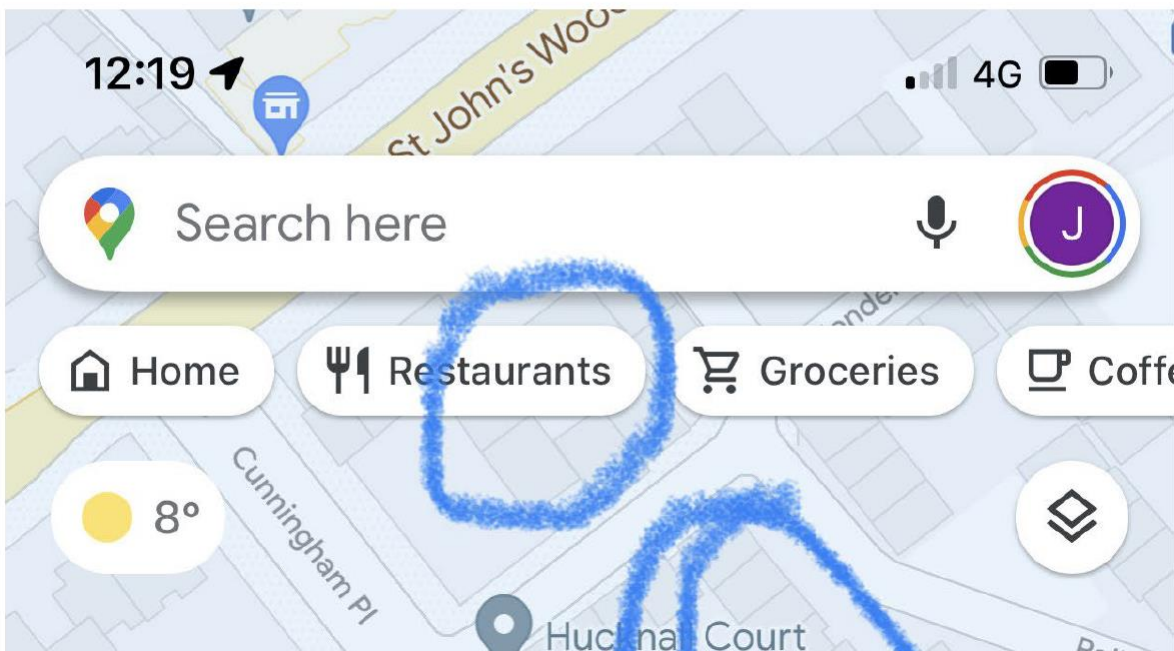
 Explore

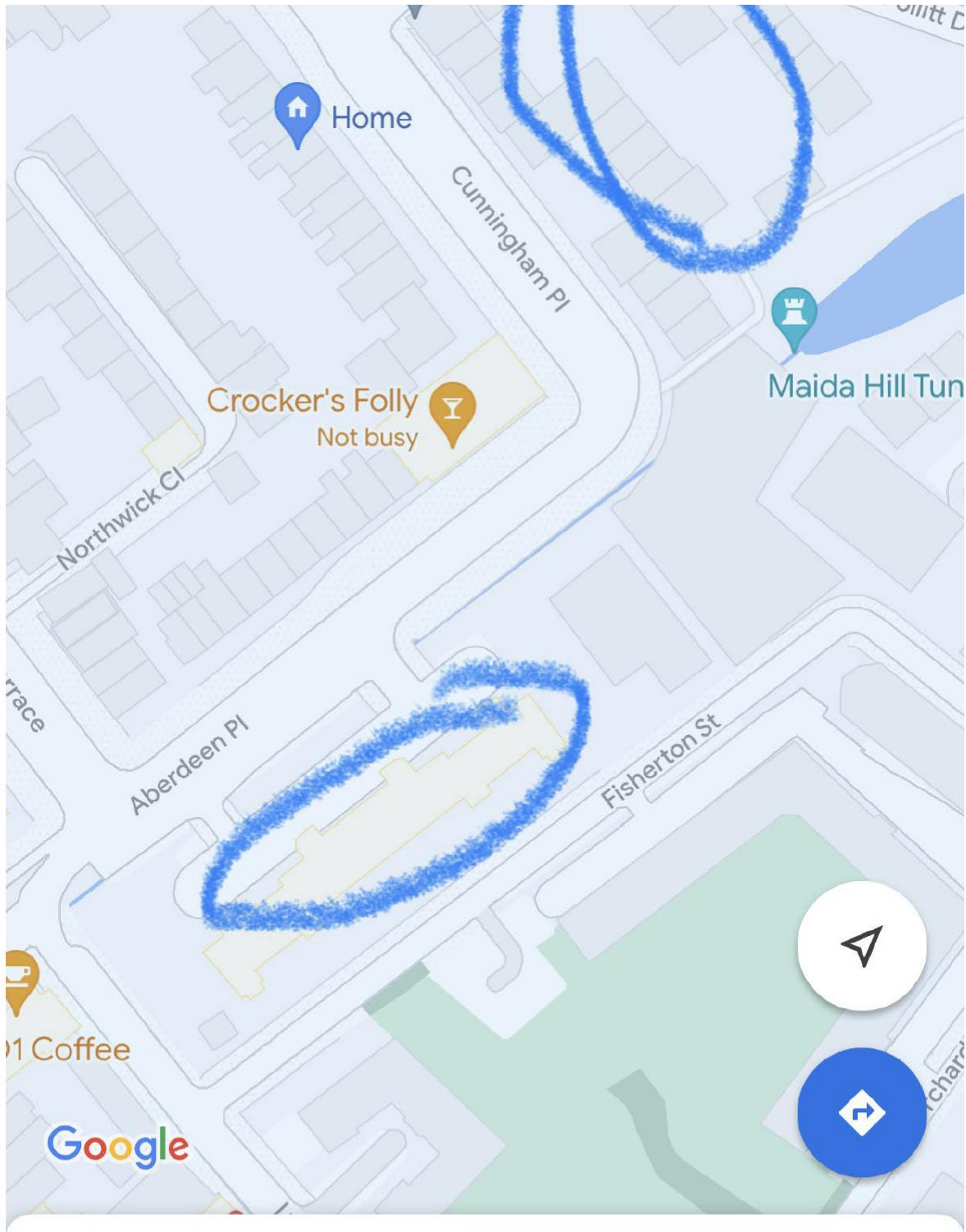
 Go

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 Contribute

 Updates





Latest in Little Venice


Explore


Go


Saved


Contribute


Updates

CITY OF WESTMINSTER

MEMORANDUM 1

TO Mary Pring
REFERENCE 21/09487/LIPV

FROM EH Consultation Team, 15th Floor, City Hall
REFERENCE 21/040345/EHCT
BEING DEALT WITH BY Anil Drayan
TELEPHONE EXT. 07931546137
DATE 21 February 2022

CROCKERS FOLLY, 23 - 24 ABERDEEN PLACE, LONDON, NW8 8JR

I refer to the application to vary the Premises Licence which seeks extended hours of use of the external areas at the above premises and further to my representation on Public Nuisance grounds made on 12 October 2021

For information please find below a relevant premises history check as recorded on the Environmental Health database:

1. Visits by EHO's and/or City Inspectors in the last 3 years:

i. Reason for visit; 04.09.2021, Saturday - Tasking request to visit & check for noise

- City Inspector comments: *visited 00:30 and compliant*

ii. Reason for visit; 06.08.2021, Friday - Tasking request to visit & check for noise

- City Inspector comments: *Visited 22.00 hours Tasked to observe & to monitor compliance with licence & observe noise levels. Premises more or less closed at 22.05, just some staff members. Area quiet.*

iii. Reason for visit; 27.07.2019, 23:36 hours, Saturday - Called to report a restaurant that currently has a wedding party. Caller advised they are spilling into the street causing noise.

- EHO comments: *Visited at 00:25. Wedding party over and guests leaving but noise from music clearly audible from across the street. Spoke to GM / DPS Fayez Moukrim who said he had a TEN believing he was allowed to have party. We checked TEN that said there should be no noise breakout and he was apologetic and said it would not happen again. Not a good venue to have music late into the night. Thin single glazing and a residential area. TEN was until 00:30hrs. Normal closing 2300?.*

2. TENs granted in the last year:

- i. Private Party: 17-18/01/2022 to 01:00, capacity 80, Saturday/Sunday, Saturday/Sunday, regulated entertainments, alcohol and LNR
- ii. Engagement Party: 14-15/01/2022 to 01:00, capacity 65, Saturday/Sunday, regulated entertainments, alcohol and LNR
- iii. Engagement Party: 27-28/12/2021 to 01:00, capacity 90, Saturday/Sunday, regulated entertainments, alcohol and LNR
- iv. Christmas Party: 09-10/12/2021 to 01:00, capacity 70, Saturday/Sunday, regulated entertainments, alcohol and LNR
- v. Engagement Party: 27-28/11/2021 to 01:00, capacity 100, Saturday/Sunday, regulated entertainments, alcohol and LNR
- vi. Engagement Party: 30-31/10/2021 to 01:00, Saturday/Sunday, capacity 110, regulated entertainments, alcohol and LNR

3. TABLES and CHAIRS Licences, Cunningham Place granted in the last year:

- i. 11 October 2021 until 10 April 2022, TABLES: 6 CHAIRS: 14, midday to 22:30 hours Monday to Sunday
- ii. 10 May 2021 until 30 September 2021, TABLES: 6 CHAIRS: 16, midday to 22:30 hours Monday to Sunday
- iii. 18 March 2021 until 29 September 2021, TABLES: 6 CHAIRS: 16, midday to 21:00 hours Monday to Sunday

Anil Drayan
Environmental Health Officer
Environmental Health Consultation Team

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
14/03784/LIPN	New premises licence	10.07.2014	Granted by Licensing Sub Committee
16/00715/LIPV	Variation of the premises licence – extend external hours to 22:00	14.04.2016	Refused by Licensing Sub Committee
17/00767/LIPV	Variation of the premises licence – extend external hours to 22:00	03.05.2017	Refused by Licensing Sub Committee
20/00972/LIPT	Transfer - Firestone Management Limited to Crockersfolly Limited	12.02.2020	Granted under delegated authority

There is no appeal history

Temporary Event Notices	Date of Event	Activities/Hours	Decision
18/01191/LITENP	23.02.2018 to 01.03.2018	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:30 to 01:00	Event permitted
18/10017/LITENP	15.09.2018 to 16.09.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/10888/LITENP	06.10.2018 to 07.10.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/11716/LITENP	13.10.2018 to 14.10.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/12597/LITENP	02.11.2018 to 03.11.2018	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/02714/LITENP	24.03.2019 to 25.03.2019	Late night refreshment and Supply of Alcohol –	Event permitted

		23:59 to 01:00	
19/06685/LITENP	21.06.2019 to 22.06.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
19/08267/LITENP	27.07.2019 to 27.07.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
19/11579/LITENP	12.10.2019 to 13.10.2019	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/15015/LITENP	29.11.2019 to 30.11.2019	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/14563/LITENP	13.12.2019 to 14.12.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:45	Event permitted
19/15409/LITENP	07.12.2019 to 08.12.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/10916/LITENP	30.10.2021 to 31.10.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/13117/LITENP	27.11.2021 to 28.11.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/13679/LITENP	09.12.2021 to 10.12.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/14436/LITENP	27.12.2021 to 28.12.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
22/00094/LITENP	14.01.2021 to 15.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted

22/00095/LITENP	17.01.2021 to 18.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
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Tables and Chairs History

Application	Details of Application	Duration	Decision
21/01608/STTCPL	6 Tables, 16 chairs	18.03.2021 to 29.09.2021	Granted under delegated authority
21/04059/STTCPL	6 Tables, 16 chairs	10.05.2021 to 30.09.2021	Granted under delegated authority
21/09293/STTCPL	6 Tables, 16 chairs		Refused
21/10480/STTCPL	6 Tables, 14 chairs	11.10.2021 to 10.04.2022	Granted under delegated authority

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

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

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. No deliveries to the premises shall take place between 17:00 and 09:00 on the following day.
11. Rubbish to be collected during the usual City of Westminster rubbish collection hours.
12. The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of a Metropolitan 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 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 immediately arranged by a member of staff for hand over to Police or authorised officer following their request, throughout the preceding 31 day period.

The Metropolitan Police have purposed the following updated condition which has been agreed by the applicant s as to form part of the operating schedule

- (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 are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested.
 14. An incident log shall be kept for 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) any complaints received regarding crime and disorder;
 - (c) any incidents of disorder;
 - (d) any faults in the CCTV system;
 - (e) any visit by a relevant authority or emergency service.
 15. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 hours whilst it is open for business on Friday and Saturday. SIA licences worn by door staff shall be on display at all times, carried within yellow high visibility arm bands.
 16. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises during the hours of licensable activity on Lord's Cricket Ground match days.

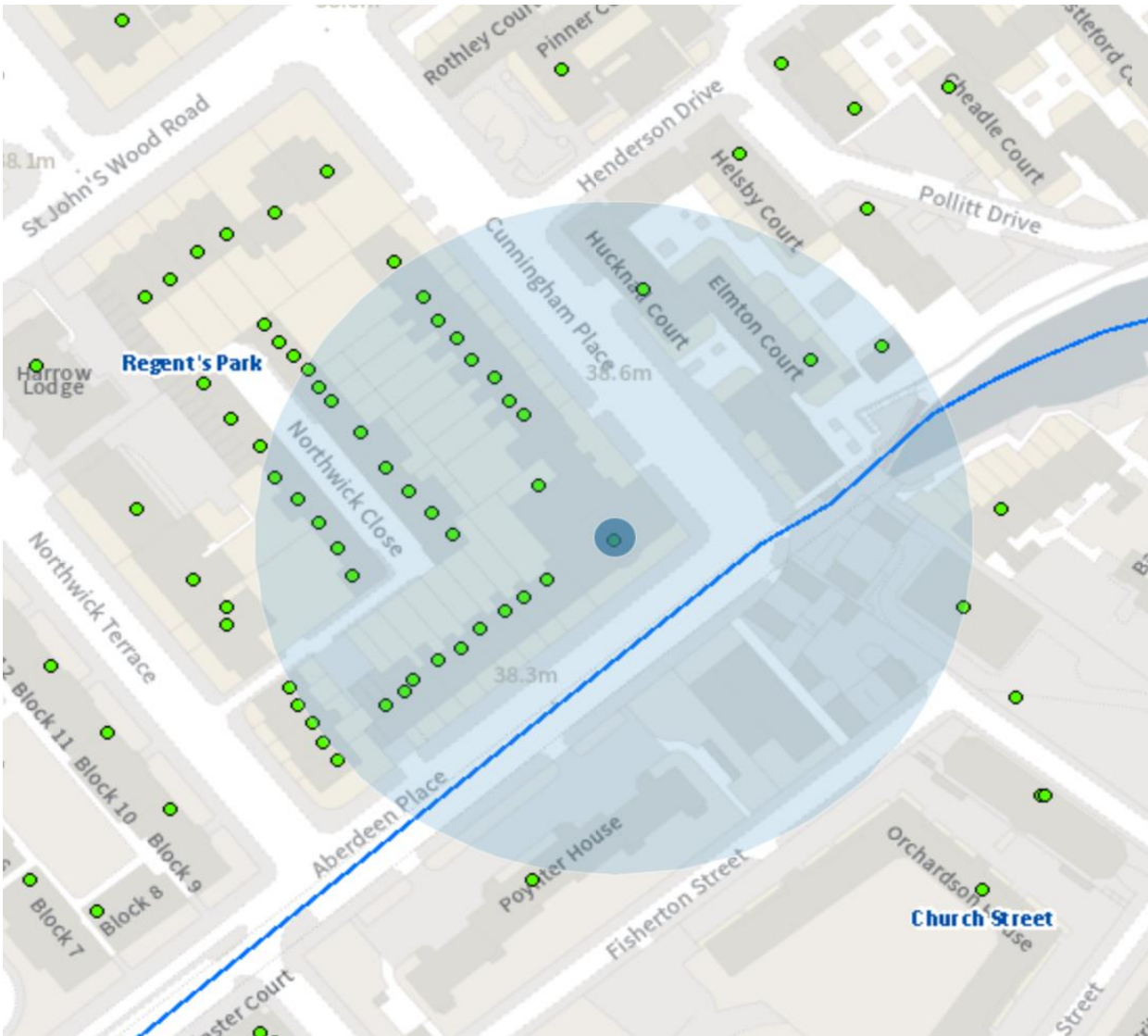
17. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
21. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
22. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. After 21:00 hours 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.
25. Notices shall be prominently displayed at all exits and all areas used for smoking requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
27. All outside tables and chairs shall be rendered unusable by 21:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.

The applicant has proposed to vary condition 27 to the following:

All outside table and chairs shall be rendered unusable by 22:30 hours

28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 21.00 hours and 08.00 hours.

30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
31. 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.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed 150 with a maximum of 40 in the external areas.
33. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
34. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
35. 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.
36. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
37. 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.
38. The hours for Regulated Entertainment and Sale of Alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
39. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Years Day.



Resident count: 144

There are no other Licensed premises within 75m of the premises

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Licensing Sub-Committee Report

Agenda Item 3.

Item No:	
Date:	3 March 2022
Licensing Ref No:	21/09030/LIPN - New Premises Licence
Title of Report:	Shadow Licence Ground Floor 6 Bedford Street London WC2E 9HZ
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:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 September 2021		
Applicant:	Legal And General Assurance (Pensions Management) Limited		
Premises:	Shadow Licence		
Premises address:	Ground Floor 6 Bedford Street London WC2E 9HZ	Ward:	St James's
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises currently operate as a restaurant. This application seeks a premises licence on the same terms, plans and conditions as 21/00270/LIPCH.		
Premises licence history:	The premises has had the benefit of a premises licence since 2005. The current premises licence (21/00270/LIPCH) can be viewed at Appendix 3 of this report along with the premises history.		
Applicant submissions:	Following consultation, the applicant provided a mediation email for the interested party which can be found at Appendix 2 .		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			N/A				

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit :				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			N/A				

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:30	00:30	00:30	00:30	01:30	01:30	00:00
Seasonal variations/ Non-standard timings:		For times authorised for Christmas, New Year and Good Friday see the conditions at Annex 1 of the licence which can be found at Appendix 3 .					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	00:00	00:00	00:00	00:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:		For times authorised for Christmas, New Year and Good Friday see the conditions at Annex 1 of the licence which can be found at Appendix 3 .					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	00:30	00:30	00:30	00:30	01:30	01:30	00:00
Seasonal variations/ Non-standard timings:		N/A					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Kevin Jackaman
Received:	30 September 2021

I write in relation to the application submitted for a new premises licence for Ground Floor, 6 Bedford Street, London, WC2E 9HZ

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

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

The application is for a 'shadow' licence of premises licence 21/00270/LIPCH. Please can you confirm the interest of the Legal And General Assurance (Pensions Management) Limited in the property?

The Licensing Authority has reviewed the application against the current premises Licence and it has been made on the same terms and with the same conditions as the existing licence.

In the Council's statement of Licencing Policy, point D.20 and F.39 state:

"The Licensing Authority may consider granting applications for licences within the West End Cumulative Impact Zone that duplicate the terms and conditions of the current operational licence for that same premises but are issued to the landowner, or other person with an interest in the property and that the licence has no affect by condition. These 'Shadow Licences' are normally sought by the landowner to protect the interest of their property due to the policy to refuse certain new applications. A Shadow Licence will, in the event that a licence lapses, is surrendered or is revoked the property own can look to market the property with the licence. The holder of the Shadow Licence would in those circumstances need to apply to the Licensing Authority to vary the licence to remove any conditions preventing the use of that licence. At that point the Licensing Authority will consider whether the operation of the premises is likely to be an exception to policy. It will be for the Shadow Licence licensee to demonstrate that they are an exception within the applications operating schedule."

With this in mind the Licensing Authority would like the applicant to accept the Council's amended model condition 97 which states:

"The shadow licence will not take effect when the current licence is in operation."

Subject to the above the Licensing Authority will be minded to withdraw its objection.

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

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	17 September 2021		
<p>As the application is incomplete, see below, we must assume it is non-compliant, as a license cannot be issued either in perpetuity, or to a non-disclosed individual responsible for the implementation of the license on the nominated premises:</p> <ul style="list-style-type: none"> - no supervisor nominated - conditions referenced have not been attached for: <ul style="list-style-type: none"> - general licensing - prevention of crime & disorder - public safety - protection of children from harm <p>Application is uncompliant:</p> <ul style="list-style-type: none"> - states the premises will only be open no later than 0130 on any given day, however will play recorded music on all days from 0000-2400 (ie all the time) - see Part F of the application. As there is no detail on the noise pollution levels of the recorded music we must assume this is non-compliant until further detail is provided. <p>[REDACTED] I am not against encourage good business in the local area, however as we have ongoing crime, disturbance, traffic, public safety & hygiene issues on the intersection of Bedford & Chandos St, we must ensure compliance with a full submission that allows the council to work with the business to mitigate risks.</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel

home safely.

12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. **Cinemas, Cultural Venues and Live Sporting Premises:**

Monday to Sunday: 9am to 12am

3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

6. **Pubs and bars, Fast Food and Music and Dance venues:**

Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.

7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.

<p>Policy RNT1 (B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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4. Equality Implications

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

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

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

5. Appendices

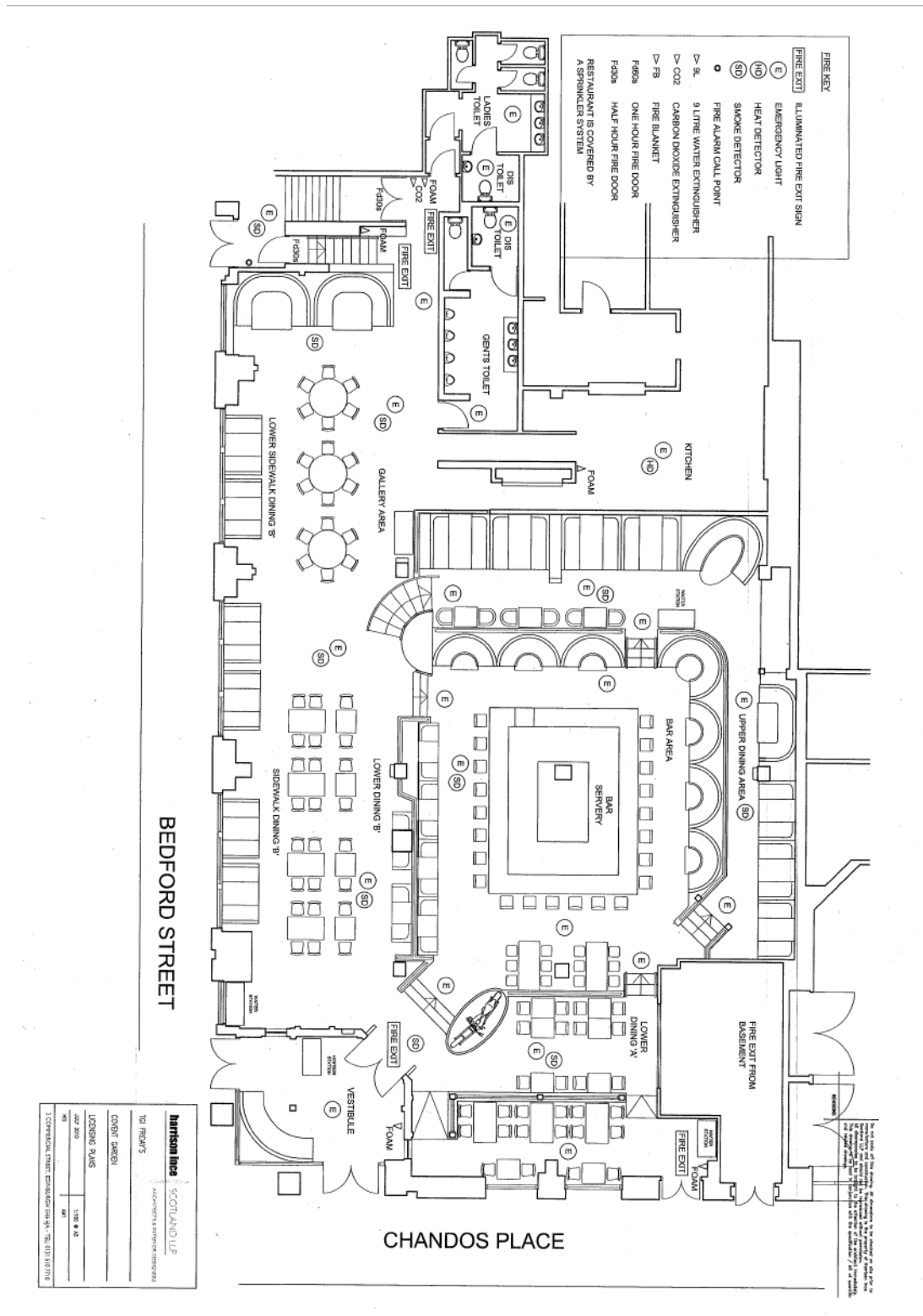
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Existing premises licence and premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	The Licensing Authority	30 September 2021
5	Interested party	17 September 2021



Mediation email to interested party

From: Alun Thomas

Subject: 6 Bedford Street, London, WC2E 9HZ - 21/09030

Date: 10 February 2022 15:36:23

Attachments: image001.png

Dear [REDACTED]

I act for the applicant in the above matter and the City Council has, belatedly, passed me a copy of your representation dated 17 September.

May I explain: my client is the landlord and is simply seeking a “shadow” licence on the exact same terms as the existing premises licence. Landlords often do this to have a safeguard particularly in these uncertain and difficult times.

The application seeks no changes above and above than the existing licence. I hope that satisfies your concerns. If it does, please could you let the licensing authority know.

Please let me know should you have any queries arising in the meantime.

Yours sincerely

Alun Thomas

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP
D: 020 7042 0412
M: 07956 805464
W: www.tandtp.com



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

**Schedule 12
Part A**

**WARD: St James's
UPRN: 010033529951**

Premises licence

Regulation 33, 34

**Premises licence
number:**

21/00270/LIPCH

Original Reference:

05/06114/LIPC

Part 1 – Premises details

Postal address of premises:

TGI Fridays
Ground Floor
6 Bedford Street
London
WC2E 9HZ

Telephone Number: 020 7379 0585

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Thursday:	23:00 to 00:30
Friday to Saturday:	23:00 to 01:30
Sunday:	23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

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

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Thursday:	10:00 to 00:30
Friday 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:

Thursdays (UK) Limited
Grant House
101 Bourges Boulevard
Peterborough
PE1 1NG

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

06034603

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

Name: Sergio Miguel Lopes Soares

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: PHL2021024
Licensing Authority: Thurrock Council

Date: 13 January 2021

This licence has been authorised by Michelle Steward 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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Sale of Alcohol

9. 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 where intoxicating liquor is sold or supplied.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

10. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
- (c) On Good Friday, 12:00 to 22:30;
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30;
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15:00 and 19:00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (iii) (a) On Fridays and Saturdays only alcohol may be sold or supplied until 01:00 in the morning to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
- (b) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (c) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight or less than half an hour before the entertainment is due to end, except in accordance with condition number 10 (ii) above.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

11. The terminal hour for Late Night Refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

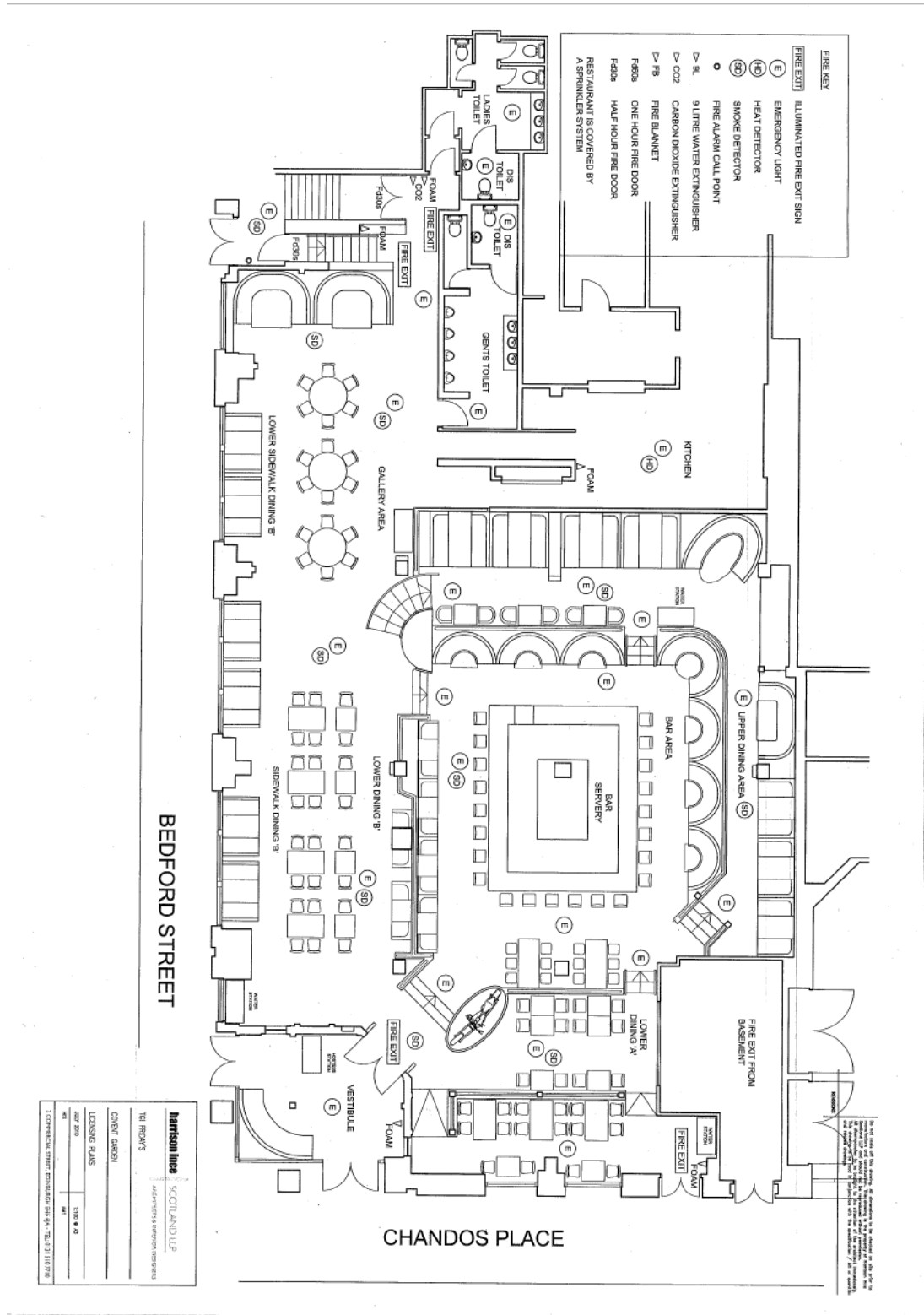
Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans





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

Schedule 12
Part B

WARD: St James's
UPRN: 010033529951

Premises licence
summary

Regulation 33, 34

Premises licence
number:

21/00270/LIPCH

Part 1 – Premises details

Postal address of premises:

TGI Fridays
Ground Floor
6 Bedford Street
London
WC2E 9HZ

Telephone Number: 020 7379 0585

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

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

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

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

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Thursday:	10:00 to 00:30
Friday 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:

Thursdays (UK) Limited
Grant House
101 Bourges Boulevard
Peterborough
PE1 1NG

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

06034603

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

Name: Sergio Miguel Lopes Soares

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

Restricted

Date: 13 January 2021

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

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06114/LIPC	<p>Conversion Licence</p> <p>Recorded Music: Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 01:00 Sunday 12:00 to 23:30</p> <p>Sale by Retail of Alcohol: Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 01:00 Sunday 12:00 to 23:30</p> <p>Late Night Refreshment: Monday to Thursday 23:00 to 00:30 Friday to Saturday 23:00 to 01:30 Sunday 23:00 to 00:00</p>	28.08.2005	Granted under Delegated Authority
07/02210/LIPT	Transfer application - T.G.I. Friday's UK Limited	21.03.2007	Granted under Delegated Authority
06/08071/WCCMAP	<p>Master Licence</p> <p>Recorded Music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted</p> <p>Sale by Retail of Alcohol: Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 01:00 Sunday 12:00 to 23:30</p>	04.04.2007	Granted under Delegated Authority

	<p>Late Night Refreshment: Monday to Thursday 23:00 to 00:30 Friday to Saturday 23:00 to 01:30 Sunday 23:00 to 00:00</p>		
07/09830/LIPV	<p>Variation application: To extend the terminal hour for late night refreshment and sale of alcohol until 01:00 Monday to Saturday and until 00:00 on Sundays within the restaurant area of the premises.</p>	24.01.2008	Refused by Licensing Sub-Committee
08/04821/LIPDPS	<p>Application to vary the Designated premises supervisor</p>	06.06.2008	Granted under Delegated Authority
08/06684/LIPDPS	<p>Application to vary the Designated premises supervisor</p>	06.08.2008	Granted under Delegated Authority
09/06914/LIPV	<p>Variation application: To remove the restriction on persons under 14 in relation to their presence at the premises.</p>	15.10.2009	Granted under Delegated Authority
09/07473/LIPV	<p>Variation application: To remove the restriction on persons under 14 in relation to their presence at the premises.</p>	05.11.2009	Granted under Delegated Authority
10/04082/LIPRW	<p>Removal of a works condition</p>	06.07.2010	Granted under Delegated Authority
10/04282/LIPVM	<p>Minor Variation: To provide revised plans following internal alterations</p>	27.07.2010	Granted under Delegated Authority
10/10587/LIPCH	<p>Change of details</p>	24.12.2010	Granted under Delegated Authority

11/04221/LIPDPS	Application to vary the Designated premises supervisor	10.06.2011	Granted under Delegated Authority
13/06386/LIPDPS	Application to vary the Designated premises supervisor	13.09.2013	Granted under Delegated Authority
14/01049/LIPDPS	Application to vary the Designated premises supervisor	04.03.2014	Granted under Delegated Authority
15/00260/LIPDPS	Application to vary the Designated premises supervisor	11.02.2015	Granted under Delegated Authority
15/01096/LIPDPS	Application to vary the Designated premises supervisor	29.07.2015	Granted under Delegated Authority
16/10358/LIPDPS	Application to vary the Designated premises supervisor	26.01.2017	Granted under Delegated Authority
18/05832/LIPDPS	Application to vary the Designated premises supervisor	28.09.2018	Granted under Delegated Authority
20/03033/LIPDPS	Application to vary the Designated premises supervisor	09.04.2020	Granted under Delegated Authority
20/11148/LIPDPS	Application to vary the Designated premises supervisor	13.01.2021	Granted under Delegated Authority
21/00270/LIPCH	Change of details	13.01.2021	Granted under Delegated Authority

There is no Temporary Event Notice or appeal history.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Sale of Alcohol

9. 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 where intoxicating liquor is sold or supplied.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

10. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00;
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30;
 - (c) On Good Friday, 12:00 to 22:30;
 - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
 - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00;
 - (f) On New Year's Eve on a Sunday, 12:00 to 22:30;
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15:00 and 19:00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (iii) (a) On Fridays and Saturdays only alcohol may be sold or supplied until 01:00 in the morning to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
- (b) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (c) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight or less than half an hour before the entertainment is due to end, except in accordance with condition number 10 (ii) above.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 11. The terminal hour for Late Night Refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

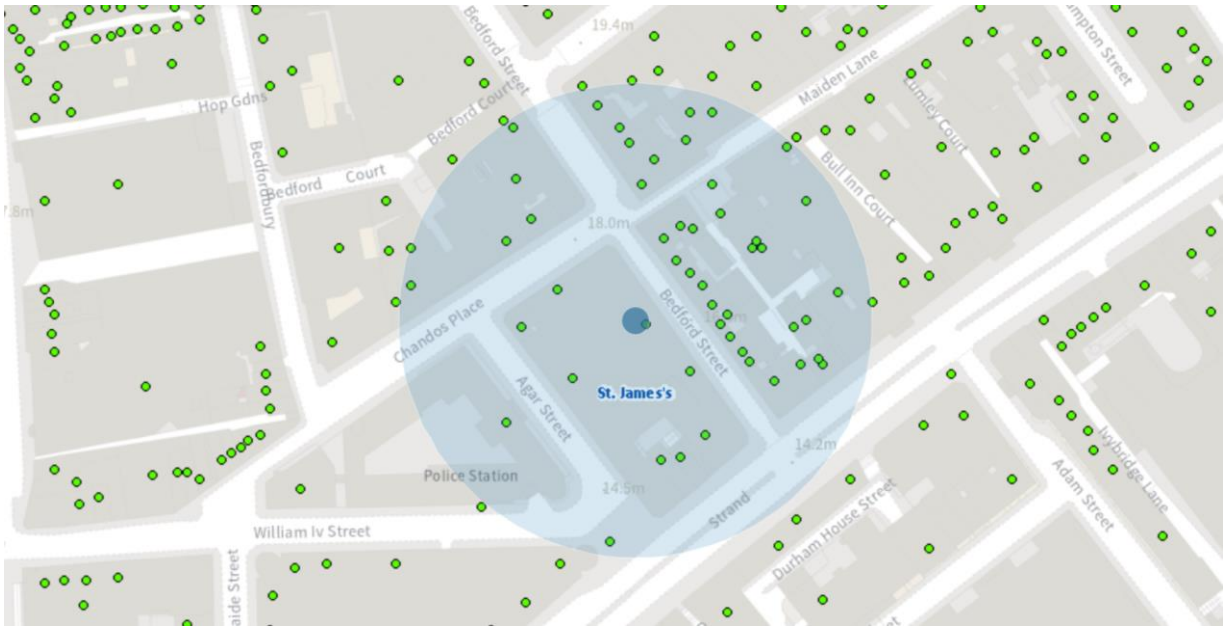
None

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

None

Conditions proposed by the Licensing Authority and agreed with the applicant so as to form part of the operating schedule.

- 12. The shadow licence will not take effect when the current licence is in operation.



Resident count: 60

Licensed premises within 75 metres of Ground Floor, 6 Bedford Street, London, WC2E 9HZ				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/00270/LIPCH	TGI Fridays	Ground Floor 6 Bedford Street London WC2E 9HZ	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
20/03033/LIPDPS	TGI Fridays	Ground Floor 6 Bedford Street London WC2E 9HZ	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
17/08375/LIPT	Strand Tandoori	45 Bedford Street London WC2E 9HA	Not Recorded	Sunday; 12:00 - 00:00 Monday to Sunday; 10:00 - 00:30
18/14542/LIPDPS	Carbon (Bedford Street)	46 Bedford Street London WC2E 9HA	Restaurant	Sunday; 11:00 - 23:00 Monday to Thursday; 11:00 - 23:00 Friday to Saturday; 11:00 - 00:00
19/00356/LIPN	Kalamaki Street Greek	Basement And Ground Floor 49 Bedford Street London WC2E 9HA	Restaurant	Monday to Sunday; 11:00 - 23:00
17/14664/LIPDPS	Ping Pong	23 - 24 Maiden Lane London WC2E 7NP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/14676/LIPV	Not Recorded	50 Bedford Street London WC2E 9HA	Hotel, 3 star or under	Monday; 00:00 - 00:00 Tuesday; 00:00 - 00:00 Wednesday; 00:00 - 00:00 Thursday; 00:00 - 00:00 Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00
17/09999/LIPV	Bakery Covent	Basement	Cafe	Not Recorded;

	Garden	And Ground Floor 6 - 7 Chandos Place London WC2N 4HU		XXXX - XXXX
15/03758/LIPN	The Whisky Exchange	2 Bedford Street London WC2E 9HD	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/00229/LIPDPS	Bedford And Strand	1A Bedford Street London WC2E 9HD	Wine bar	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/05025/LIPDPS	Mr Fogg's SOE	1A Bedford Street London WC2E 9HD	Wine bar	Monday; 08:00 - 02:30 Tuesday; 08:00 - 02:30 Wednesday; 08:00 - 02:30 Thursday; 08:00 - 02:30 Friday; 08:00 - 02:30 Saturday; 08:00 - 02:30 Sunday; 10:00 - 00:30
14/06782/LIPVM	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 09:00 - 00:30
18/01407/LIPVM	Nandos	67-68 Chandos Place London WC2N 4HG	Restaurant	Not Recorded; XXXX - XXXX
21/11698/LIPT	Wahaca	66 Chandos Place London SW1A 1AB	Restaurant	Sunday; 10:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/07321/LIPDPS	Not Recorded	419 - 420 Strand London WC2R 0PT	Restaurant	Sunday; 12:00 - 22:00 Monday to Saturday; 11:00 - 23:00
19/14898/LIPT	Garfunkels Restaurants	Basement To Ground Floor 419 - 420 Strand London WC2R 0PT	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
12/09819/LIPVM	The Port House	417 Strand London WC2R 0PD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/11850/LIPN	Z Hotels Strand, Heathcock	Ground Floor Rear 1	Hotel, 4+ star or major chain	Sunday; 09:00 - 22:30 Monday

	Court, 415 Strand	Heathcock Court London WC2R 0NT		to Thursday; 09:00 - 23:03 Friday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 09:00 - 00:00
20/11122/LIPDPS	Adelphi Theatre	411 Strand London WC2R 0NS	Theatre	Monday to Friday; 09:00 - 04:00 Saturday to Sunday; 09:00 - 00:00
21/02120/LIPDPS	Cinnamon (First Second Floors)	28 Maiden Lane London WC2E 7JS	Restaurant	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 12:00 - 00:00
21/02130/LIPDPS	Cinnamon (Basement Ground Floor)	28 Maiden Lane London WC2E 7JS	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/01316/LIPDPS	All Bar One	Basement And Ground Floor 35-36 Bedford Street London WC2E 9EN	Public house or pub restaurant	Sunday; 08:00 - 22:50 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sundays before Bank Holidays; 08:00 - 00:00
21/07735/LIPVM	Ave Mario - 15 Henrietta Street &	29-30 Maiden Lane London WC2E 7JS	Restaurant	Monday; 08:00 - 01:00 Tuesday; 08:00 - 01:00 Wednesday; 08:00 - 01:30 Thursday; 08:00 - 01:30 Friday; 08:00 - 01:30 Saturday; 08:00 - 01:30 Sunday; 08:00 - 01:00
13/02658/LIPN	School Of Wok	61 Chandos Place London WC2N 4HG	Educational	Monday to Saturday; 10:00 - 23:00
19/08907/LIPN	Unit 2	15 Bedford	Restaurant	Monday; 10:00

		Street London WC2E 9HE		- 23:30 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
21/13942/LIPVM	Unit 2	15 Bedford Street London WC2E 9HE	Restaurant	Monday; 10:00 - 23:30 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