



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (6)**

Meeting Date: **Thursday 24 March 2022**

Time: **10.00 am**

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

Members: **Councillors:**
Tim Mitchell
Heather Acton
Rita Begum

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am. If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.

Email: scraddock@westminster.gov.uk

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. VACANT PITCH DE-DESIGNATIONS

(Pages 1 - 18)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Abbey Road, Churchill, Knightsbridge and Belgravia and St James	Street Trading - Isolated Pitches	Rescind designations for 7 vacant isolated pitches	22/02108/RESCIN
Cumulative Impact Area (N/A) Special Consideration Zone (N/A)			

2. REVOCATION OF PERSONAL LICENCE**(Pages 19 - 32)**

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
NA	NA	Revocation of Personal Licence	NA
Cumulative Impact Area (N/A) Special Consideration Zone (N/A)			

3. VICTORIA EXCHANGE FOOD & WINE, 30-31 LEINSTER TERRACE, LONDON W2 3ET**(Pages 33 - 66)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Lancaster Gate	Victoria Exchange Food & Wine 30-31 Leinster Terrace, London W2 3ET	New Premises Licence	21/14639/LIPN
Cumulative Impact Area (N/A) Special Consideration Zone (N/A)			

4. TAVUUK 3-5 BATEMAN STREET LONDON W1D 4AG**(Pages 67 -
132)**

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
West End	TAVUUK 3-5 Bateman Street London W1D 4AG	Premises Licence Variation	21/14423/LIPV
Cumulative Impact Area - West End Special Consideration Zone - (N/A)			

Stuart Love
Chief Executive
17 March 2022

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City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

22/02108/RESCIN

Date:

24 March 2022

Classification:

For General Release

Title of Report:

**Street Trading - Isolated Pitches
Rescind designations for 7 vacant isolated pitches**

Report of:

Director Public Protection & Licensing

Policy context:

To provide a safe, well-regulated environment.

Financial summary:

None

Report Author:

**Shannon Pring
Senior Practitioner Street Trading**

Contact Details:

**Telephone: 07971 920 413
E-mail: spring3@westminster.gov.uk**

PROPOSAL DETAILS

Proposal:	The designating resolution passed by the Council on 25 July 1990 be varied to rescind the designation of 7 street trading pitches across Westminster.
Pitches and Locations:	Pitch 911 – Acacia Road Pitch 1607 – Lupus Street Pitch 1630 – Knightsbridge Pitch 1644 – Dean Bradley Street Pitch 1660 – Broadway Pitch 1692 – Crown Passage Pitch 1738 – Bressenden Place
Ward Names:	Abbey Road, Churchill, Knightsbridge and Belgravia and St James

1. Purpose of the report

The Licensing Sub-Committee is asked to vary the designating resolution passed by the Council on 25 July 1990 to rescind the designation of the above vacant pitches as recommended by officers.

2. Summary

The Street Trading Policy adopted in December 2013 sets out in Policy ST5 –Designation & de-designation, the criteria for establishing suitable locations for street trading pitches and reasons for de-designation in cases where the location is unsuitable. The licensing authority will maintain an up-to-date record of all designated street trading pitches including those which are currently vacant. Designated pitches will be continually reviewed for their suitability.

In order to implement Policy ST5, the council must review the vacant isolated pitches located around the City. The pitches stipulated above have not been used for a number of years, the majority of the pitches have not been licensed for a period of 6 months or more.

3. Background

The Licensing Service has conducted a review of the vacant pitch status, assessing the duration that the pitch has been vacant for. A copy of the spreadsheet reviewing the pitches is included as **Appendix A**.

4. Consultation

In seeking to de-designate the vacant pitches the Licensing Service has undertaken the statutory consultation with the Highway Authority, Police Licensing Team and the West End Street Traders Association.

In addition, notification of the intention to de-designate the pitch was sent to the Council's Highways Planning Service and relevant Ward Members.

A copy of the notifications of intent to de-designate are included as **Appendix A**.

5. Consultation Responses:

- **Highways Planning**

Comments from Sean Dwyer were received commenting on the suitability of the pitches in their current designations and indicating whether Highways Planning support the de-designation of the pitches. The comments are included in **Appendix B**.

- **Metropolitan Police Service:**

No comments were received from the Police Licensing Team.

- **Ward Councillors:**

No comments were received from the Ward Councillors.

- **West End Traders Association (WESTA)**

Comments from Nichola Kerr on behalf of WESTA were received. These comments are included in **Appendix A**.

6. Street Trading Policy

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

Designation and De-designation- Policy ST5

- (i) The Licensing authority will designate specific resolution for licensed street trading.*
- (ii) The Licensing authority may de-designate pitches that are no longer suitable for licensed street trading.*
- (iii) The Licensing authority will not designate any new isolated street trading pitches, apart from in exceptional circumstances.*

Policy ST5(2) states that the Licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered not suitable include:

- (a) It has not been used for trading for a period of greater than six months;*
- (b) There has been altered circumstances due to the increased pedestrian footfall resulting from altered highways layouts, public realms improvements or construction projects;*
- (c) Where there is new development and the siting and operation of the trading pitch would adversely affect local pedestrian flow or cause congestion, including close to the transport stops or stations.*

7. Legal Framework

7.1 Designating Resolution

- Section 5(1)(a) of the City of Westminster Act 1999 (the Act) provides:
The council may pass a resolution designating a street or part of a street in the city as a licence street (a designating resolution).
- Section 5(2) of the Act provides:
The council may from time to time rescind or vary any such resolution
- Section 6(1) of the Act provides:
The council shall not pass a designating resolution or rescind or vary such a resolution unless they have first given notice in writing of their intention to do so—

- (a) to the Commissioner;
- (b) to the highway authority (except where the council is the highway authority);
- (c) to any body which appears to the council to represent the relevant street traders;
- (d) to all licence holders whom the council could reasonably expect would be affected by the proposed resolution; and
- (e) where the proposed resolution would designate private land, to the owner of that land or to the person assessed for the uniform business rate on it.

- Section 6(5) of the Act provides:

The council shall give to any person who makes representations by the due date an opportunity to make oral representations to the council and may at their discretion give to other persons making representations a similar opportunity.

8. Appeals

Section 19 of the Act provides that Appeals to A MAGISTRATES' COURT

Any person aggrieved—

by a resolution varying or rescinding a designating resolution;

by a specifying resolution or a resolution varying such a resolution;

by a standard condition; or

by the amount of a fee or charge under section 22 (Fees and charges) of this Act, may appeal to a magistrates' court acting for the area of the council.

List of Appendices

Appendix A	Notification of Intent to Rescind Designation for Isolated Pitches
Appendix B	Spreadsheet including consultation comments

If you have any questions about this report, or wish to inspect one of the background papers, please contact **Shannon Pring** at spring3@westminster.gov.uk

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

- City of Westminster Act 1999
- City of Westminster Statement of Street Licensing Policy adopted in December 2013
- Rules of Procedure for Licensing Sub-Committee
- Designating Resolution passed by the Council on 25 July 1990



Highways Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 07971 920 409
Date: 01 February 2022

Dear Highways Planning,

INTENTION TO RESCIND DESIGNATION: PITCH 911 – Acacia Road

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 911.

Pitch 911 is located on the Acacia Road. The following image is a photograph of where the pitch is currently designated:



Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”

Pitch 911 has not been licensed since 2018 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council’s application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.



Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Pring'.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Highways Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 07971 920 409

Date: 01 February 2022

Dear Highways Planning,

INTENTION TO RESCIND DESIGNATION: PITCH 1607 – Lupus Street

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1607.

Pitch 1607 is located on the Lupus Street. The following image is a photograph of where the pitch is currently designated:



Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”

Pitch 1607 has not been licensed since 2017 and as such we consider it appropriate to rescind the designation of this street trading pitch.



Anyone wishing to make representations about the Council's application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shannon Pring'.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Highways Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 07971 920 409

Date: 01 February 2022

Dear Highways Planning,

INTENTION TO RESCIND DESIGNATION: PITCH 1630 – Knightsbridge

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1630.

Pitch 1630 is located by Grosvenor Place, Knightsbridge.

Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”

Pitch 1630 has not been licensed since 2005 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council’s application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Highways Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 07971 920 409

Date: 01 February 2022

Dear Highways Planning,

INTENTION TO RESCIND DESIGNATION: PITCH 1644 – Dean Bradley Street

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1644.

Pitch 1644 is located on the Dean Bradley Street. The following image is a photograph of where the pitch is currently designated:



Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”



Pitch 1644 has not been licensed since 2016 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council's application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SP'.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Sean Dwyer – Highways Planning
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

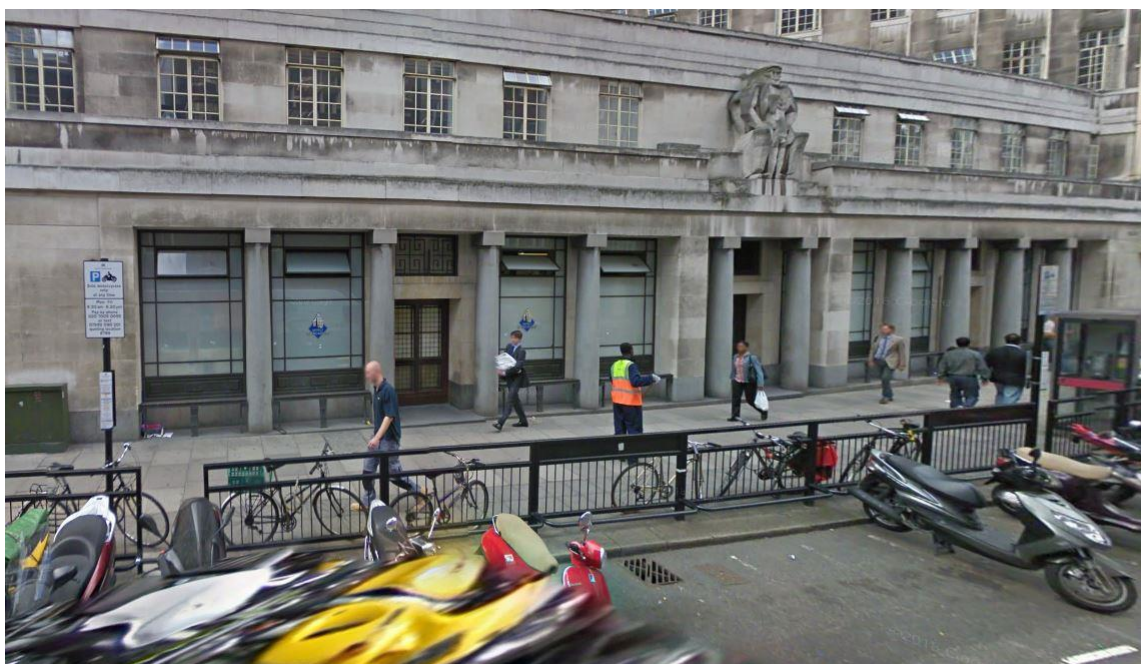
Tel. No: 07971 920374
Date: 01 February 2022

Dear Sean Dwyer,

INTENTION TO RESCIND DESIGNATION: PITCH 1660 – Broadway

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1660.

Pitch 1660 is located on the Broadway. The following image is a photograph of where the pitch is currently designated:



Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*



(a) It has not been used for trading for a period of greater than six months;
Pitch 1660 has not been licensed since 2011 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council's application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SP'.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Sean Dwyer – Highways Planning
Westminster City Council
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64 Victoria Street
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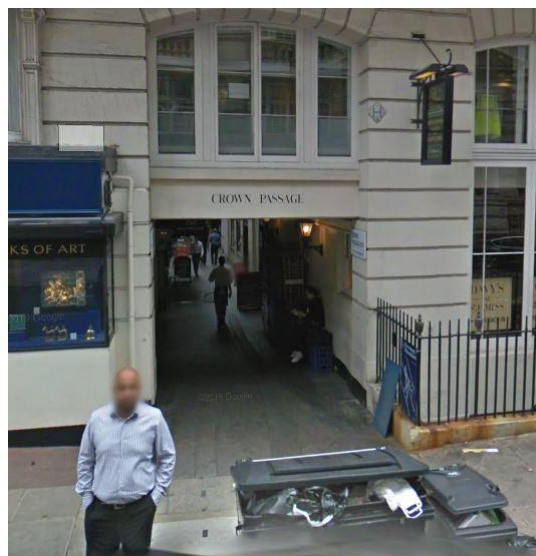
Tel. No: 07971 920374
Date: 01 February 2022

Dear Sean Dwyer,

INTENTION TO RESCIND DESIGNATION: PITCH 1692 – Crown Passage

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1692.

Pitch 1692 is located on Crown Passage. The following image is a photograph of where the pitch is currently designated:



Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”



Pitch 1692 has not been licensed since 2016 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council's application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SP'.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team



Transport for London
9B4, 5 Endeavour Square,
Westfield Avenue,
London
E20 1JN

Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 07971 920374
Date: 01 February 2022

Dear Transport for London,

INTENTION TO RESCIND DESIGNATION: PITCH 1738 – Bressenden Place

I write to inform you, in accordance with Section 6 of the City of Westminster Act 1999, that the City Council intends to rescind the designating resolution for street trading Pitch 1738.

Pitch 1738 is located on Bressenden Place. The following image is a photograph of where the pitch is currently designated:





Reason: Policy ST5 within the Statement of Street Trading Policy 2013 refers to the designation and de-designation of pitches. Section 5(2) specifies that *“The licensing authority may, subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the licensing authority, they are no longer suitable for street trading. The circumstances under which a location may be considered no longer suitable include:*

(a) It has not been used for trading for a period of greater than six months;”

Pitch 1738 has not been licensed since 2002 and as such we consider it appropriate to rescind the designation of this street trading pitch.

Anyone wishing to make representations about the Council’s application should do so by **02 March 2022**. Representations can be made in writing to streettradinglicensing@westminster.gov.uk or alternatively to the address above.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SP' or similar initials.

Shannon Pring
Senior Practitioner Street Trading
Licensing Team

Pitch Number	Location	Designation	Status	Consultation dates (Start & End)	Highways Authority Sean Dwyer	WESTA Wally Watson & Nichola Kerr	Commissioner of Police	License holders could be affected	Ward Councillors	Amenity Societies	Notes
911	Acacia Road	Acacia Road outside St John's Wood Station (footway). 34 Feet from East kerblines of Finchley Road.	Surrendered 2018	02/02/2022 to 02/03/2022	this pitch is far from ideal from a highways point of view. I think it might be difficult for me to argue that something had changed since we allowed it, that makes it worse now than it was then, but it leaves only a very narrow footway width with the kiosk in place. As you know from all our PL work we always seek to have a footway width of at least 2m for pedestrian passage and this looks less than that.	No objection	No comments received	N/A	No comments received	No comments received	Ward - Abbey Road
1607	Lupus Street	Outside 93 Lupus Street	Surrendered 2017	02/02/2022 to 02/03/2022	I presume this is the one that is in the carriageway. Again, I think it might be difficult for me to argue that something had changed since we allowed it, that makes it worse now than it was then, but having said that, I don't think in this day and age we would want to allow any new street trading pitches in a carriageway and for that reason alone I would support the de-designation of this.	No objection	No comments received	N/A	No comments received	No comments received	Ward - Churchill
1630	Knightsbridge	Footway outside St George's Hospital by Grosvenor Place	Licence Revoked 2005	02/02/2022 to 02/03/2022	Sorry, but I'm struggling to see where this one was.	No objection	No comments received	N/A	No comments received	No comments received	Ward - Knightsbridge and Belgravia
1644	Dean Bradley Street	Dean Bradley Street carriageway footway commencing at building line of Horseferry Road	Surrendered 2016	02/02/2022 to 02/03/2022	this appears to be at least in part on the carriageway. Again, I think it might be difficult for me to argue that something had changed since we allowed it, that makes it worse now than it was then, but having said that, I don't think in this day and age we would want to allow any new street trading pitches in a carriageway and for that reason alone I would support the de-designation of this.	No objection	No comments received	N/A	No comments received	No comments received	Ward - St James
1660	Broadway	Broadway Eastern side opposite wall of No. 20 Broadway and carriageway	Surrendered	02/02/2022 to 02/03/2022	this appears to have been both in the carriageway and immediately adjacent to what was not, but that is now a footway crossover that gives access to/from a hotel. It seems to me that it is a really poor position from a road safety point of view and the construction of the hotel has made it worse that it originally was. I would support its de-designation.	No objection	No comments received	N/A	No comments received	No comments received	Ward - St James
1692	Crown Passage	Crown Passage of junction with King Street. Westside 23'6" from backline of south kerb of King Street	Surrendered 2016	02/02/2022 to 02/03/2022	This is in a pedestrianised area which is also reasonably wide and my first thought is that it is in quite a sensible position compared to many of our pitches.	No objection	No comments received	N/A	No comments received	No comments received	Ward - St James
1738	Bressenden Place	Bressenden Place 6ft from automatic public WC, 14ft from	VACANT	02/02/2022 to 02/03/2022	TFL - No comment	No objection	No comments received	N/A	No comments received	No comments received	TFL station in pitch location Ward - St James



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>24th March 2022</i>
Classification:	<i>General Release</i>
Application:	<i>Revocation of Personal Licence – Paul Rajasegaram (21/00418/LIPERS)</i>

1. Executive Summary

- 1.1 The purpose of this report is for Members to consider a request from the Metropolitan Police Service for the revocation of the above personal licence due to a number of convictions pursuant to paragraph 18A, Schedule 4 of the Licensing Act 2003 (Personal Licence relevant offences)
- 1.2 The relevant offences are:
- 18A sexual offence, being an offence —
- (a) listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts);
- (aa) listed in Schedule 3 to the Sexual Offences Act 2003 (sexual offences for the purposes of notification and orders);]
- (b) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective);
- (c) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress).]

2. Recommendations

- 2.1 That following consideration of this report, any information given orally at the hearing and/or in writing by the applicants and objectors the Licensing Sub-Committee may determine that:
- No further action is required.
 - A warning letter is required.
 - They suspend the personal licence for a period not exceeding 6 months.
 - They revoke the personal licence.

3. Relevant history

- 3.1. On 3rd June 2021, the Licensing authority were notified that Mr Paul Rajasegaram had been convicted of offences and given a custodial sentence.

- 3.2 The Licensing Authority notified the Metropolitan Police Service of the offences and requested their submissions as to whether they deemed the offences to warrant a revocation of the personal licence.
- 3.3 After the Metropolitan Police Service had confirmed that the offences were “relevant” to the revocation of the personal licence the Licensing Service contacted the personal licence holder on 10th August 2021 advising that the Licensing Authority were considering the revocation of his personal licence and advising that any representations were to be received within a 28 day period beginning with the day the notice was issued. A copy of the correspondence appears at Appendix A

4. Police Submissions

- 4.1 After a thorough investigation into the charges and convictions, the Metropolitan Police Service provided a witness statement on 9th March 2022 detailing all the “relevant offences” of which the personal licence holder had been convicted and reaffirmed the need for the personal licence to be revoked. The witness statement of PC Reaz Guerra appears at Appendix B

5. Personal licence holder’s submissions

- 5.1 At the time of writing this report, no submissions have been received from the personal licence holder.

6. Legal Implications

- 6.1 Prior to April 2017, only the magistrates’ court had the power to revoke or suspend a personal licence where the licence holder had been convicted of a relevant offence. However, Section 138 of the Policing and Crime Act 2017 amended the Licensing Act 2003, by introducing Section 132A. This new section, gave licensing authorities the power to revoke or suspend personal licenses with effect from 6th April 2017.
- 6.2 The implication is that if a licensing authority has granted the personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or has been required to pay an immigration penalty on or after 6th April 2017, the authority has the discretionary power to revoke the licence or suspend it for a period of up to six months.
- 6.3 Section 138 of the Policing and Crime Act 2017 additionally confirmed that the decision to revoke or suspend a personal licence (following a relevant conviction or immigration penalty) may not be delegated to an officer.
- 6.4 In determining this matter, the Licensing Sub Committee may:
- Determine that no further action is required.
 - Issue a warning letter.
 - Suspend the personal licence for a period not exceeding 6 months.
 - Revoke the personal licence.
- 6.5 If the Sub-Committee determines to take no action, send a warning letter or suspend, then the Licensing Authority will notify the Chief of Police and/or Home Office (as appropriate).
- 6.5.1 Any comments, or lack of comments, received from the Chief of Police or Home Office within 14 days must be considered by the Sub-Committee and a final decision made. Where those comments request revocation a second Sub-Committee hearing will occur. Where other comments, or no comments, are received the Sub-Committee will determine if the original decision stands or if a second hearing will take place

6.5.2 Where the Chief of Police or Home Office have made comments and the Licensing Sub-Committee determines an action other than revocation, then they have a right to appeal to the magistrates' court.

6.5.3 In all cases, having made their decision the Sub-Committee must record the outcome of that decision and the reasons for the decision reached.

6.6 After completion of the full process and once a final decision has been made, the Licensing Authority will write to both the personal licence holder and the Chief of Police / Home Office (as appropriate) confirming the final decision reached by the Licensing Sub-Committee and confirming their right to appeal to the magistrates' court within 21 days from the date of the Full written Decision.

7. 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.

8. Appendices

Appendix A – Copy of Notices sent to Personal Licence holder

Appendix B – Witness Statement of PC Reaz Guerra

Appendix C - List of relevant offences pursuant to schedule 4 of the Licensing Act 2003

If you have any queries about this report or wish to inspect any of the background papers please contact: Kevin Jackaman at kjackaman@westminster.gov.uk

Background papers

Background papers used in the preparation of this report:

- (a) The Licensing Act 2003
- (b) Home Office Guidance issued under section 182 of the Licensing Act 2003
- (c) The Policing and Crime Act 2017
- (d) Section 132A of the Licensing Act 2003

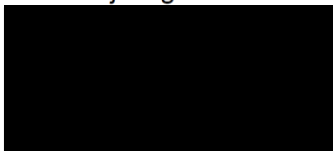
APPENDIX A: Notices sent to Personal Licence Holder



City of Westminster

15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Paul Rajasegaram



Tel: 0207 641 6500

Date: 10th August 2021

Ref: 21/00418/LIPERS

Dear Paul Rajasegaram,

Licensing Act 2003 – Notice to consider whether to revoke or suspend a Personal Licence.

I write regarding information provided by Metropolitan Police Service stating that on the 19th May 2021 you were convicted of;

- Three Counts of Making Indent images of Children
- Two Counts of Distributing Images of Children

The Licensing Act 2003, Schedule 4 sets out the relevant offences in regards to a personal licence holder. A conviction for Sexual Offence is classed as a relevant offence.

Under section 132A of the Licensing Act 2003, local authorities can revoke or suspend (maximum of 6 months) a personal licence.

In light of the above convictions for Sexual Offences (Schedule 4 Section 18 of the Licensing Act 2003 – Personal Licence: Relevant Offences), the licensing authority for City of Westminster is giving you notice that they are considering revoking or suspending your personal licence, **21/00418/LIPERS**.

You have 28 days beginning from the date this notice was issued to provide representations that will be considered before a final decision is made.

Your representation can make comments in regards to the following:

- The relevant offences that caused City of Westminster to issue this notice, namely the Three Counts of Making Indent images of Children and Two Counts of Distributing Images of Children.
- Any decision of the court under section 129 or 130 of the Licensing Act 2003 in relation to your personal licence. Section 129 allows the court to order the forfeiture of the licence or order its suspension for a period not exceeding six months. Section 130 relates to an appeal of the decision made by the court in regard to a decision made under section 129.
- Any other relevant information. This can include information regarding personal circumstances etc.

Please provide any representation by the **6th September 2021**.



City of Westminster

Once your representation is received, a meeting of the Licensing Sub-Committee will be held where a decision will be made to revoke your personal licence, suspend your personal licence, issue a written warning or take no further action. You will be informed of the date of the hearing and be invited to attend and speak if you wish to do so.

If the Sub-Committee decide to suspend, issue a written warning, or take no further action, we are required by law to inform the Chief of Police, and ask them to provide representations on your case considering the objective of the prevention of crime and disorder. Any response received from the police will be considered, and a second hearing may take place to consider the information available (e.g. if the police object to the original decision). Should such a second hearing be appropriate, then you will be informed of the date of the hearing and be invited to attend and speak if you wish to do so.

Following the hearing and decision process outlined above, you will be notified of the final decision.

If the decision of the Sub-Committee is to revoke or suspend your licence at either of these hearings you will have the right to appeal that decision. Further information will be provided to you in the event such a decision is made.

If you have any questions relating to this matter, please do not hesitate to contact the Licensing Service on 020 7641 6500 or email licensing@westminster.gov.uk

Yours faithfully

Karyn Abbott
Senior Licensing Officer
Licensing Team
Public Protection & Licensing



City of Westminster

15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

HMP Wandsworth
17 Heathfield Road
London
SW18 3HR

Tel: 0207 641 6500

Date: 10th August 2021

Ref: 21/00418/LIPERS

RE: Prisoner Name: Mr Paul Rajasegaram – Prisoner Number: [REDACTED]

Dear Mr Paul Rajasegaram,

Licensing Act 2003 – Notice to consider whether to revoke or suspend a Personal Licence.

I write regarding information provided by Metropolitan Police Service stating that on the 19th May 2021 you were convicted of;

- Three Counts of Making Indent images of Children
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If you have any questions relating to this matter, please do not hesitate to contact the Licensing Service on 020 7641 6500 or email licensing@westminster.gov.uk

Yours faithfully

pp Steven Rowe
Licensing Manager
Licensing Team
Public Protection & Licensing

APPENDIX B: Witness Statement of PC Reaz Guerra

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC Reaz Guerra 1614CW** URN:

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *Reaz Guerra 1614CW* Date: 09/03 2022.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit.

I joined the Metropolitan Police Service in 2002 and was posted to the Borough of Westminster in 2003, working in numerous operational roles. I moved to the Westminster Police Licensing Unit in April 2011. Since my appointment in the Licensing Unit I have dealt with a wide range of licensing matters including applications for new premises licences, variations to existing premises licenses, licensing committee hearings, licensing reviews and a large number of licensing visits to licensed premises within the City of Westminster. I am also a specially trained search officer, Licensed by the Home Office, with over 15 years experience performing this role.

I submit the below information in relation to an application for the revocation of a personal licence issued to Mr Paul Rajasegaram by Westminster City Council, on 4th March 2021, Reference 21/00418/LIPERS

The holder of the licence Mr Paul Rajasegaram has been convicted of the following offences

1. 19/05/21 SOUTHWARK CROWN
 1. DISTRIBUTING INDECENT PHOTOGRAPHS OR PSEUDO-PHOTOGRAPHS OF CHILDREN ON 01/01/12 - 31/01/12 (PLEA:NOT KNOWN) PROTECTION OF CHILDREN ACT 1978 s.1 IMPRISONMENT 27 MTHS SEXUAL HARM PREVENTION ORDER

2. 19/05/21 SOUTHWARK CROWN
 1. MAKING INDECENT PHOTOGRAPH OR PSEUDO-PHOTOGRAPH OF CHILDREN ON 04/01/18 (PLEA:GUILTY) PROTECTION OF CHILDREN ACT 1978 s.1(a) IMPRISONMENT 9 MTHS CONCURRENT T20210144

Signature: *Reaz Guerra 1614CW* Signature witnessed by:

RESTRICTED (when complete)

2006/07(1): MG 11(T)

Continuation of Statement of **PC Reaz Guerra 1614CW**

- | | |
|---|--|
| 2. MAKING INDECENT PHOTOGRAPH OR PSEUDO-PHOTOGRAPH OF CHILDREN ON 04/01/18 (PLEA:GUILTY) PROTECTION OF CHILDREN ACT 1978 s.1(a) | IMPRISONMENT 4 MTHS
CONCURRENT |
| 3. MAKING INDECENT PHOTOGRAPH OR PSEUDO-PHOTOGRAPH OF CHILDREN ON 04/01/18 (PLEA:GUILTY) PROTECTION OF CHILDREN ACT 1978 s.1(a) | IMPRISONMENT 2 MTHS
CONCURRENT |
| 4. DISTRIBUTING INDECENT PHOTOGRAPHS OR PSEUDO-PHOTOGRAPHS OF CHILDREN ON 09/06/14 - 24/03/15 (PLEA:GUILTY) PROTECTION OF CHILDREN ACT 1978 s.1 | IMPRISONMENT 27 MTHS
VICTIM SURCHARGE 120.00
SEX OFFENDERS NOTICE 10 YRS
SEXUAL HARM PREVENTION ORDER
LIFE |
| 5. DISTRIBUTING INDECENT PHOTOGRAPHS OR PSEUDO-PHOTOGRAPHS OF CHILDREN ON 09/06/14 - 24/03/15 (PLEA:GUILTY) PROTECTION OF CHILDREN ACT 1978 s.1 | IMPRISONMENT 12 WKS
CONCURRENT |

These are defined as a "specified offence" which is a violent, sexual or terrorism offence listed in Part 2, Schedule 15 Criminal Justice Act 2003, therefore a relevant offence which should prohibit Mr Paul Rajasegaram from holding a personal licence. Police seek that his personal licence is revoked.

Paul Rajasegaram 1614AW

Signature: *Paul Rajasegaram* 1614AW Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**.....

[Empty rectangular box for statement content]

Signature: Signature witnessed by:

2003(1)

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: Yes No N/A
(obtained in accordance with local practice)
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**

Time and place statement taken:

**LICENSING ACT 2003
SCHEDULE 4**

RELEVANT OFFENCES

This reproduces Schedule 4 of the Licensing Act 2003 as amended by SI 2005/2366 The Licensing Act 2003 (Personal licence : relevant offences) (Amendment) Order 2005. NB. A violent offence under paragraph 19 is 'any offence which leads, or is intended or likely to lead to a person's death or to physical injury to a person'. This would include Actual Bodily Harm and, common assault where it leads to physical injury.

SCHEDULE 4

Section 113

PERSONAL LICENCE: RELEVANT OFFENCES

1 An offence under this Act.

2 An offence under any of the following enactments-

- (a) Schedule 12 to the London Government Act 1963 (c. 33) (public entertainment licensing);
- (b) the Licensing Act 1964 (c. 26);
- (c) the Private Places of Entertainment (Licensing) Act 1967 (c. 19);
- (d) section 13 of the Theatres Act 1968 (c. 54);
- (e) the Late Night Refreshment Houses Act 1969 (c. 53);
- (f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30);
- (g) the Licensing (Occasional Permissions) Act 1983 (c. 24);
- (h) the Cinemas Act 1985 (c. 13);
- (i) the London Local Authorities Act 1990 (c. vii).

3 An offence under the Firearms Act 1968 (c. 27).

4 An offence under section 1 of the Trade Descriptions Act 1968 (c. 29) (false trade description of goods) in circumstances where the goods in question are or include alcohol.

5 An offence under any of the following provisions of the Theft Act 1968 (c. 60)-

- (a) section 1 (theft);
- (b) section 8 (robbery);
- (c) section 9 (burglary);
- (d) section 10 (aggravated burglary);
- (e) section 11 (removal of articles from places open to the public);
- (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
- (g) section 13 (abstracting of electricity);
- (h) section 15 (obtaining property by deception);
- (i) section 15A (obtaining a money transfer by deception);
- (j) section 16 (obtaining pecuniary advantage by deception);
- (k) section 17 (false accounting);

- (l) section 19 (false statements by company directors etc.);
- (m) section 20 (suppression, etc. of documents);
- (n) section 21 (blackmail);
- (o) section 22 (handling stolen goods);
- (p) section 24A (dishonestly retaining a wrongful credit);
- (q) section 25 (going equipped for stealing etc.).

6 An offence under section 7(2) of the Gaming Act 1968 (c. 65) (allowing child to take part in gaming on premises licensed for the sale of alcohol).

7 An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)-

- (a) section 4(2) (production of a controlled drug);
- (b) section 4(3) (supply of a controlled drug);
- (c) section 5(3) (possession of a controlled drug with intent to supply);
- (d) section 8 (permitting activities to take place on premises).

8 An offence under either of the following provisions of the Theft Act 1978 (c. 31)-

- (a) section 1 (obtaining services by deception);
- (b) section 2 (evasion of liability by deception).

9 An offence under either of the following provisions of the Customs and Excise Management Act 1979 (c. 2)-

- (a) section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc.);
- (b) section 170B (taking preparatory steps for evasion of duty).

10 An offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c. 7)-

- (a) section 8G (possession and sale of unmarked tobacco);
- (b) section 8H (use of premises for sale of unmarked tobacco).

11 An offence under the Forgery and Counterfeiting Act 1981 (c. 45) (other than an offence under section 18 or 19 of that Act).

12 An offence under the Firearms (Amendment) Act 1988 (c. 45).

13 An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)-

- (a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright);
- (b) section 107(3) (infringement of copyright by public performance of work etc.);
- (c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent);
- (d) section 297(1) (fraudulent reception of transmission);
- (e) section 297A(1) (supply etc. of unauthorised decoder).

14 An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52)-

- (a) section 3A (causing death by careless driving while under the influence of drink or drugs);
- (b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);
- (c) section 5 (driving etc. a vehicle with alcohol concentration above

prescribed limit).

15 An offence under either of the following provisions of the Food Safety Act 1990 (c.16) in circumstances where the food in question is or includes alcohol-

(a) section 14 (selling food or drink not of the nature, substance or quality demanded);

(b) section 15 (falsely describing or presenting food or drink).

16 An offence under section 92(1) or (2) of the Trade Marks Act 1994 (c. 26)

(unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.

17 An offence under the Firearms (Amendment) Act 1997 (c. 5).

18 A sexual offence, being an offence -

(a) listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003[2], other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts));

(b) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective);

(c) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress).

19 A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).

20 An offence under section 3 of the Private Security Industry Act 2001 (c. 12)

(engaging in certain activities relating to security without a licence)



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	24 March 2022
Licensing Ref No:	21/14639/LIPN - New Premises Licence
Title of Report:	Victoria Exchange Food & Wine 30-31 Leinster Terrace London W2 3ET
Report of:	Director of Public Protection and Licensing
Wards involved:	Lancaster Gate
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Practitioner Licensing
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	22 December 2021		
Applicant:	Victoria London Limited		
Premises:	Victoria Exchange Food & Wine		
Premises address:	30-31 Leinster Terrace London W2 3ET	Ward:	Lancaster Gate
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form, the premises proposes to operate as a convenience store.		
Premises licence history:	The premises previously had the benefit of a premises licence (09/03714/LIPN) which was granted in July 2009 and lapsed in October 2018, details can be found at Appendix 3 .		
Applicant submissions:	<p>The applicant has provided an email to interested parties to try and address their concerns. The applicant has also provided email correspondence with the Westminster's Citizen Advice Service in relation to conditions plus a copy of the lapsed premises licence. This can be found at Appendix 2.</p> <p>In summary the applicant has advised they have agreed conditions with responsible authorities, confirmed the hours applied for and provided assurances in regards to deliveries and waste.</p>		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Off
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Dave Morgan
Received:	12 January 2022 (Withdrawn 14th January 2022)
<p>Re: Application for a new Premise Licence: 30-31 Leinster Terrace, London, W2 3ET - 21/14639/LIPN</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and The Protection of Children from Harm.</p> <p>There is insufficient detail within the operating schedule to promote the Licensing Objectives and we have concerns that this application may cause further policing problems in an already demanding area.</p> <p>To move forward, I have attached a list of conditions that I would like to see added to the licence. Please have a read through and let me know if you are happy to accept them.</p> <p>If you wish to discuss any conditions in more detail, please feel to contact me.</p> <p>The Metropolitan Police Service withdrew their representation on 14th January 2022 due to conditions proposed agreed with the applicant. These conditions can be found at Appendix 5.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	13 January 2022 (Withdrawn 10th March 2022)
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking to supply alcohol for consumption off the premises Monday to Saturday 08:00 – 23:00 and Sunday 10:00 – 22:30 hours</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:</p> <p>The supply alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area</p> <p>As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area</p> <p>Conditions, to replace those contained within the operating schedule, have been proposed to support the licensing objectives of Prevention of Public Nuisance and Public Safety below. Applicant is advised to study these conditions and discuss same if they are minded.</p>	

Proposed Environmental Health Conditions

1. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises
2. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans
3. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
4. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV
5. 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
6. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
8. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
9. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
10. 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 from the Licence by the licensing authority

Please contact me if you wish to discuss these further.

The Environmental Health Service withdrew their representation on 10th March 2022 due to conditions proposed agreed with the applicant. These conditions can be found at Appendix 5.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	11 January 2022

Please let me know whether the application relates to an off licence or a licence to serve food and alcohol between 11pm and 6 am seven days a week. I spoke to someone in your department this morning but he was unable to help. We would certainly oppose the application for any night time trade because of noise, anti social behaviour and litter. We are already concerned about drinking in the roads in front and at the side of our building and the litter outside the Premises every morning not to mention shouting and general noise.

Further submissions received 15 January 2022
 Photo taken on 15th January 2022.



On 22nd February 2022 Mr Vance confirmed location of photo was taken of premises from other side of the road.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	12 January 2022

The [REDACTED] [REDACTED] object to this application on ground of potential nuisance and crime and disorder.

We note that there was a previous Premises Licence (attached) on these premises which had a number of conditions, some of which have not been offered on the new application.

[REDACTED] require, to satisfy our concerns, all conditions of previous Licence to be on any new Licence granted.

We also require additional condition that no deliveries, or refuse & recycling collections, between the hours of 20.00 and 08.00

As always, [REDACTED] is content for our representation and contact details to be forwarded to the applicant or their agent.

Also we are more than happy to discuss our concerns with the applicant or his agent with the view of agreeing the conditions on the proposed Licence, which may mean application does not need to go to a public hearing.

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> <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.

	<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. 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 this application for each premises use type as defined within this policy are:</p> <p>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</p> <p>Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p>
<p>Policy SHP1 applies</p>	<p>A. Applications for a shop outside 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 meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and 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.

	<p>3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</p> <p>4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a shop in Clause C.</p> <p>C. For the purposes of this policy:</p> <p>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</p> <p>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</p> <p>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</p>
--	--

4. Equality Implications

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

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

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

5. Appendices

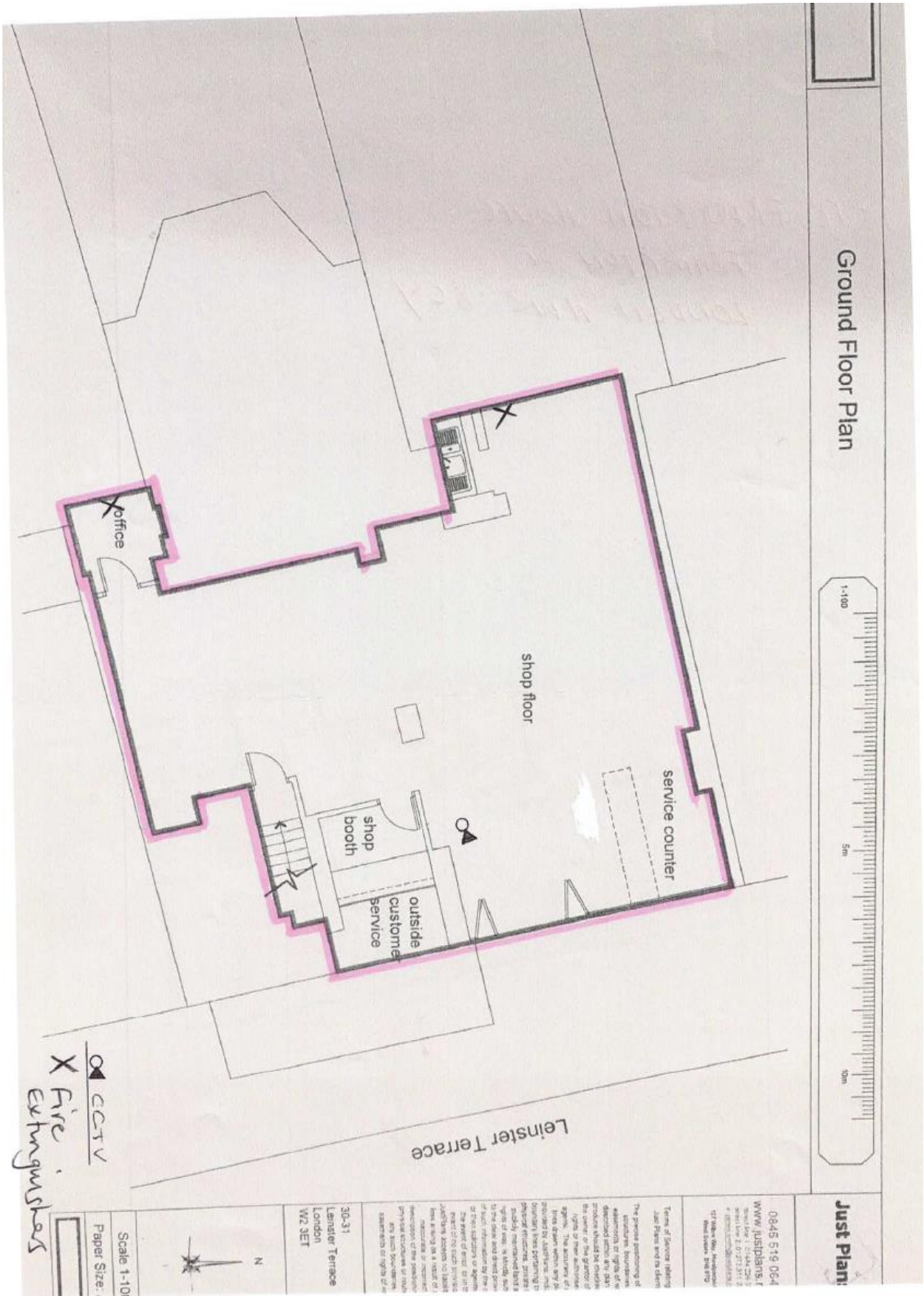
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Practitioner Licensing
Contact:	Telephone: 0207 641 6500 Email: kabbott@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 2022
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service (Withdrawn 14th January 2022)	12 January 2022
5	Environmental Health Service (Withdrawn 10th March 2022)	13 January 2022
6	Representation 1	11 January 2022
7	Representation 2	12 January 2022



From: John Hegarty
Sent: 20 January 2022 13:09
To: Pring, Mary: WCC <mpring@westminster.gov.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>; Koduah, Maxwell: WCC <mkoduah@westminster.gov.uk>; Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Gadd, Daisy: WCC <dgadd@westminster.gov.uk>
Subject: FW: 21/14639/LIPN - 30-31 Leinster Terrace, W2 3ET

Good afternoon Mary – I have received your email below from my colleague Fiona.

Thank you for confirming the reps received from the residents to which I would respond as follows:

██████████ – please confirm to ██████████ that the opening times of the premises are 08.00 to 23.00 Monday to Saturday, and 10.00 – 22.30 on Sundays. There will be no late opening after 23.00 on any day. The applicant and their staff will, 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. We hope that this will satisfy ██████████ and that he will withdraw his representation to the application.

██████████ We believe that we have agreed to the conditions contained in the previous Licence application, as per the attached conditions agreed with the Environmental Health Officer. The applicant also agrees that no deliveries or refuse and recycling collections will take place between the hours of 20.00 and 08.00. We hope that this will satisfy SEBRA and that they will withdraw their representation to the application.

We look forward to hearing that the representations of the residents have been withdrawn, and therefore the representation from EHO.

Kind regards,

John Hegarty
Licensing Agent | [email](#)

Correspondence with Westminster's Citizen Advice Service

From: [Richard Brown](#)
To: [John Hegarty](#); [REDACTED]
Cc: [Gadd, Daisy: WCC](#)
Subject: RE: Premises Licence : 30 - 31 Leinster Place.
Date: 28 February 2022 14:44:48
Attachments: [image001.png](#)

Hi John,

I can confirm that there is agreement as between your client and [REDACTED] on the basis of the email trail below i.e. that in addition to the police and EH conditions, the previous licence conditions will also be included (obviously in as much as they don't duplicate the police/EH conditions).

[REDACTED] practice is not to actually withdraw their rep unless/until other objectors do so. This is so that they can assist at any hearing which needs to take place if the other objector does not withdraw.

However, I can confirm that if the other objector does withdraw (I believe Daisy Gadd, cc'd, is chasing this) along with police/EH then [REDACTED] will withdraw too.

Kind regards,

Richard
Richard Brown
Licensing Advice Project
[Citizens Advice Westminster](#)

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From: John Hegarty <john@knighttraining.co.uk>
Sent: 28 February 2022 13:32
To: Richard Brown <licensing@westminstercab.org.uk>; [REDACTED]
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Good afternoon Richard and [REDACTED] is there anything still outstanding that we have not responded to below?

Regards,

John Hegarty
Licensing Agent | [email](#)



134 The Barracks | White Cross Business Park | South Road | Lancaster LA1 4XQ
tel 0330 999 3199 Direct Dial: 01524 917042 | [knight.training](#) | [email](#) | [map](#)

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From: John Hegarty
Sent: 25 February 2022 16:57
To: Richard Brown <licensing@westminstercab.org.uk>
Cc: [REDACTED]
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard

Attached:

Police conditions – agreed to
EHO Conditions – agreed to
Previous licence – conditions agreed to

Regards,

John Hegarty
Licensing Agent | [email](#)



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From: Richard Brown <licensing@westminstercab.org.uk>
Sent: 25 February 2022 16:25
To: John Hegarty <john@knighttraining.co.uk>
[REDACTED]
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

Thanks for confirming. This was not clear from the EH and police conditions WCC had previously sent to [REDACTED]

Do you have a complete list of the conditions now proposed with the application, [REDACTED] can consider?

Kind regards,

Richard
Richard Brown
Licensing Advice Project
[Citizens Advice Westminster](#)

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From: John Hegarty <john@knighttraining.co.uk>
Sent: 25 February 2022 14:51
To: Richard Brown <licensing@westminstercab.org.uk>
[REDACTED]
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard many thanks for coming back to me – on 20th January, via Westminster Licensing team, we agreed to all the conditions that were in the previous licence. Can we now agree that [REDACTED] representation can be withdrawn?

Regards,

John Hegarty
Licensing Agent | [email](#)



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From: Richard Brown <licensing@westminstercab.org.uk>

Sent: 25 February 2022 13:58

To: John Hegarty <john@knighttraining.co.uk>

Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

I have taken instructions and write to clarify the position.

The condition [REDACTED] has requested is model condition 28:

'Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.'

This mirrors condition 5 on the previous licence, which uses different wording:

'Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grilles or locked rigid shutters or secured behind locked cabinet doors.'

[REDACTED] position is that conditions on the previous licence should also be included on this licence. The wording means that if the premises is open before or after sale of alcohol has finished, the alcohol is locked away to prevent access to it. Whilst I appreciate that the opening and closing times in the application are the same as the hours for sale of alcohol, the following is relevant:

1. The opening hours on the previous licence were also the same as the hours for sale of alcohol, but nevertheless the condition was put on the licence.
2. In SEBRA's experience, there is something of a grey area as regards the enforcement of opening hours on a retail shop licence. Whilst SEBRA's view is that if a shop opens outside of the opening hours on the licence it would be amenable to enforcement action/require a variation, they would rather simply retain the condition (albeit reworded) on the licence.

Kind regards,

Richard
Richard Brown
Licensing Advice Project
[Citizens Advice Westminster](#)

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From: John Hegarty <john@knighttraining.co.uk>

Sent: 25 February 2022 11:47
To: Richard Brown <licensing@westminstercab.org.uk>
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard I'm afraid not as we cannot contact them, and the council are receiving no response, even though we have clarified their misunderstanding of the application.

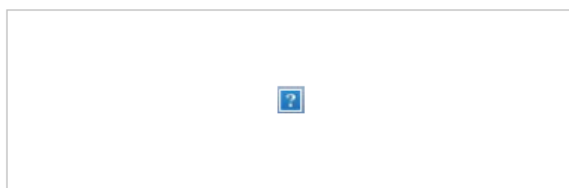
We feel the condition requested by [REDACTED] little contradictory - ***Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public*** – this is not a fact of the application as alcohol sales times match opening times to the public. Can I suggest the change of one word, so that we could then agree to the condition?:

*Outside of the hours authorised for the sale of alcohol and whilst the premises are **closed** to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.*

I look forward to hearing from you.

Regards,

John Hegarty
Licensing Agent | [email](#)



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From: Richard Brown <licensing@westminstercab.org.uk>
Sent: 24 February 2022 16:47
To: John Hegarty <john@knighttraining.co.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

John – has the other resident withdrawn their objection?

Thanks,

Richard
Richard Brown

Licensing Advice Project
Citizens Advice Westminster

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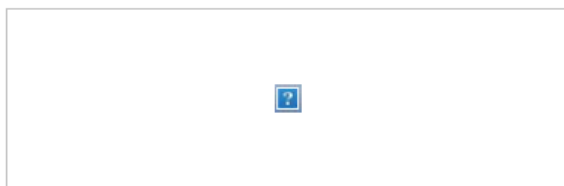
From: John Hegarty <john@knighttraining.co.uk>
Sent: 24 February 2022 15:19
To: Richard Brown <licensing@westminstercab.org.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Thanks Richard – we just don't understand what the wording means as there is no timings that the shop will be open and not selling alcohol, so no need to have it locked up, and when the shop is closed, it's locked with shutters.

The other objection has been responded to – he believed that the premises would be open from 11pm to 6am which is not the case as the premises will close at 11pm.

Regards,

John Hegarty
Licensing Agent | [email](#)



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From: Richard Brown <licensing@westminstercab.org.uk>
Sent: 24 February 2022 15:15
To: John Hegarty <john@knighttraining.co.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

I am just clarifying with [REDACTED] whether he still wants that condition. I believe that is the only

point in dispute. I will get back to you on this as soon as I hear back.

Have you managed to resolve the concerns of the other objector?

Kind regards,

Richard
Richard Brown
Licensing Advice Project
[Citizens Advice Westminster](#)

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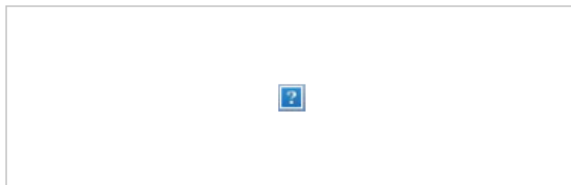


From: John Hegarty <john@knighttraining.co.uk>
Sent: 24 February 2022 15:08
To: Richard Brown <licensing@westminstercab.org.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>
Subject: RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard can you please come back to me on the below? The applicant at the premises is losing business every day the Licence is not granted. We are trying to mediate with representations but do not understand the wording below and would appreciate a quick chat.

Kind regards,

John Hegarty
Licensing Agent | [email](#)



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From: John Hegarty
Sent: 24 February 2022 13:10
To: To: Richard Brown <licensing@westminstercab.org.uk>
Cc: Fiona Smith <fiona@knighttraining.co.uk>

Subject: Premises Licence : 30 - 31 Leinster Place.

Importance: High

Hi Richard.

Further to your recent advisory e-mail to John Zamit regarding the above Premises Licence Application, the hours open to the public and the retail sale of alcohol are the same.

When closed to the public the Premises is secured with steel roller shutter blinds.

Hours for the retail sale of alcohol : Mon – Sat, 08:00 – 23:00.
Sun, 10:00 – 22:30.

Hours open to the public : Mon – Sat, 08:00 – 23:00.
Sun, 10:00 – 22:30

I hope this clarifies the situation, please do contact me as soon as possible to discuss further if required – my mobile number is 07860620765.

Kind Regards

John Hegarty

Licensing Agent | [email](#)



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Copy of Lapsed Licence 09/03714/LIPN



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Lancaster Gate
UPRN: 999000145063

Premises licence

Regulation 33, 34

Premises licence number:

09/03714/LIPN

Original Reference:

09/03714/LIPN

Part 1 – Premises details

Postal address of premises:

Medo Market
30-31 Leinster Terrace
London
W2 3ET

Telephone Number: 0207 723 3904

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 Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

The opening hours of the premises:

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

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

Alcohol is supplied for consumption off the Premises.

Part 2

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

Medo Market (Medo UK Ltd)
33 Leinster Terrace (30-31)
London
W2 3ET
Telephone Number: 0207 723 3904

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

06542633

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

Name: Nabil Guirguis

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: 001348
Licensing Authority: London Borough Of Hounslow

Date: _____ 14th July 2009 _____

Signed: pp
Director of Community Protection

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.

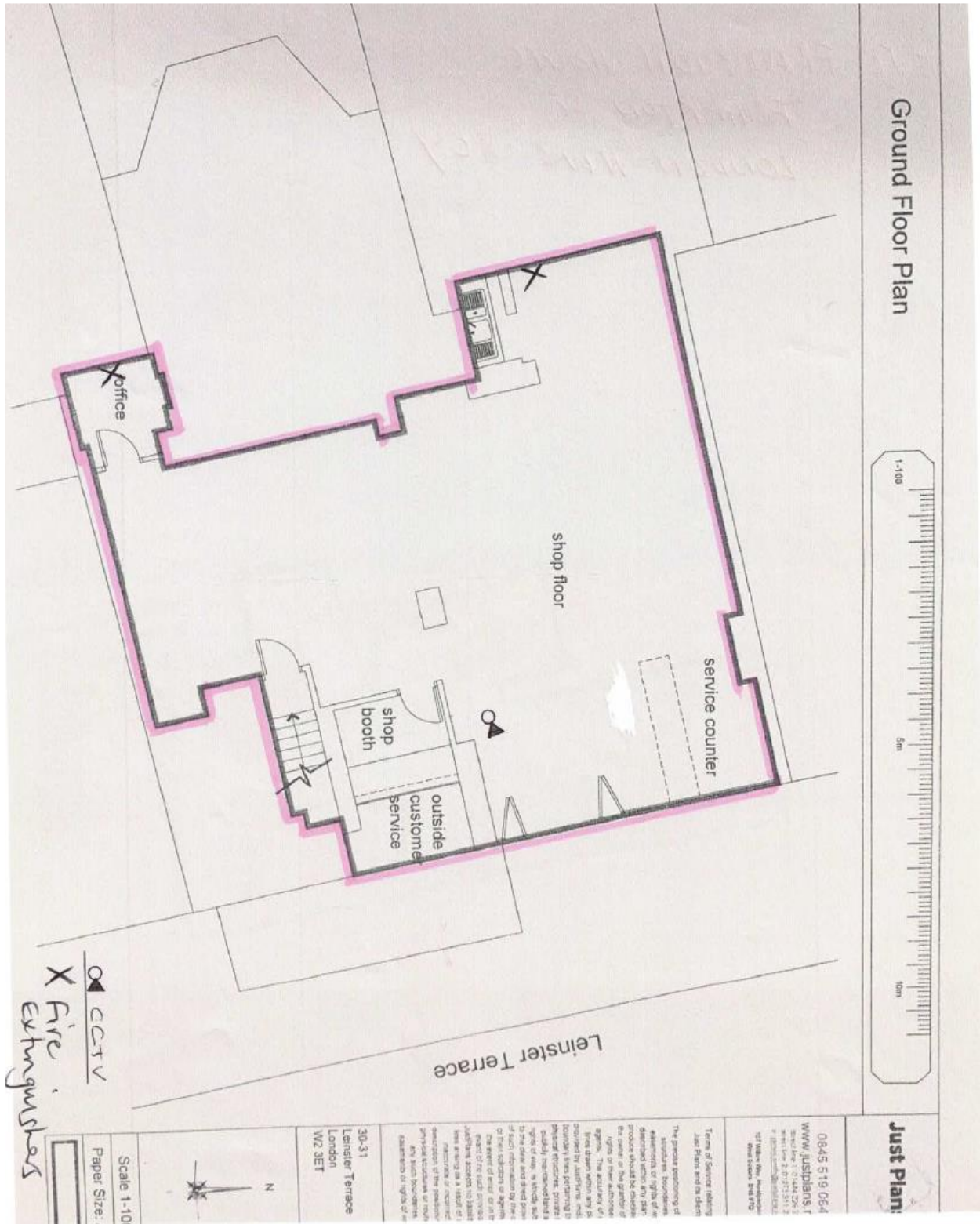
Annex 2 – Conditions consistent with the operating Schedule

4. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer . All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for Licensable Activities and during all times when customers remain on the premises. All recordings shall be kept available for a minimum period of 31 days with time and date stamping. Recordings shall be made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.
5. Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grills or locked rigid shutters or secured behind locked cabinet doors.
6. There shall be no more than 15% of the shop floor area being used to display alcohol for sale.
7. There shall be no sale of beer or cider above 5.5% Alcohol by Volume
8. The licence will have no effect until the CCTV and locked metal grills or locked rigid shutters or locked cabinet doors, have been assessed as satisfactory by the Metropolitan and this condition has been removed from the licence.
9. No self service of spirits except for 'spirit mixers' not above 5.5% Alcohol by Volume
10. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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: Lancaster Gate
UPRN: 999000145063

Premises licence
summary

Regulation 33, 34

Premises licence number:

09/03714/LIPN

Part 1 – Premises details

Postal address of premises:

Medo Market
30-31 Leinster Terrace
London
W2 3ET

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 Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

The opening hours of the premises:

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

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

Alcohol is supplied for consumption off the Premises.

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

Medo Market (Medo UK Ltd)
33 Leinster Terrace (30-31)
London
W2 3ET

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

06542633

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

Name: Nabil Guirguis

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

Restricted

Date: 14th July 2009

Signed: pp
Director of Community Protection

Temporary Event Notices

Application	Details of Application	Date Determined	Decision
21/14452/LITENP	Temporary Event Notice	21 December 2021	Notice Granted
21/14471/LITENP	Temporary Event Notice	21 December 2021	Notice Granted
21/14473/LITENP	Temporary Event Notice	21 December 2021	Notice Granted

Licensing Act 2003

Application	Details of Application	Date Determined	Decision
09/03714/LIPN	New Premises Licence Application Sale by Retail of Alcohol – Off Premises – Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30	14 July 2009	Granted under Delegated Authority

There is no appeal history for the premises.

**** Licence Lapsed due to Licence Holder dissolved in October 2018****

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 premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act

1979;

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Conditions consistent with the operating schedule

6. Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grills or locked rigid shutters or secured behind locked cabinet doors.

7. The licence will have no effect until the CCTV and locked metal grills or locked rigid shutters or locked cabinet doors, have been assessed as satisfactory by the Metropolitan and this condition has been removed from the licence.

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

Conditions proposed by the Police and agreed with the applicant to form part of the operating schedule.

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
14. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
15. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
16. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

Conditions proposed by the Environmental Health and agreed with the applicant to form part of the operating schedule.

17. 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.

18. 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 from the Licence by the licensing authority.

Conditions proposed by the Interested Party and agreed with the applicant to form part of the operating schedule.

19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
20. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.

Conditions proposed by the Interested Party and not yet agreed with the applicant.

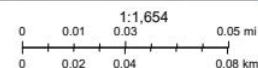
21. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

30-31 Leinster Terrace



10/03/2022, 10:05:57

- Property Mailing List
- Ward Labels
- Stress Areas
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- Special Consideration Zones



Resident Count = 255

Licensed premises within 75 metres of 30-31 Leinster Terrace, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
06/10306/WCCMAP	Zorba Greek Taverna	35-36 Leinster Terrace London W2 3ET	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 12:00 - 00:00
06/10324/WCCMAP	Annam Food And Wine	25 Leinster Terrace London W2 3ET	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
16/12760/LIPDPS	Craven Gardens Hotel	16 Leinster Terrace London W2 3EU	Hotel, 3 star or under	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/14641/LIPDPS	Leinster Arms Public House	17 Leinster Terrace London W2 3EU	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank

				Holidays; 12:00 - 00:30
06/10250/WCCMAP	Halepi Restaurant & Kebab House	18 Leinster Terrace London W2 3ET	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



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

24 March 2022

21/14423/LIPV - Premises Licence Variation

TAVUUK
3-5 Bateman Street
London
W1D 4AG

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Roxsana Haq
Senior Licensing Officer

Telephone: 020 7641 6500
Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	15 December 2021		
Applicant:	Mr Serdar Agriman		
Premises:	TAVUUK		
Premises address:	3-5 Bateman Street London W1D 4AG	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises currently operate as a café style restaurant.		
Variation description:	<p>To add late night refreshment (both indoors and outdoors) Monday-Wednesday 23:00-23:30 Thursday 23:00-00:00 Friday-Saturday 23:00-02:00</p> <p>Removal of condition 19 which states the following: “The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.”</p> <p>To vary the opening hours: Monday-Wednesday 10:00-23:30 Thursday 10:00-00:00 Friday-Saturday 12:00- 02:00 Sunday 12:00 – 21:00</p>		
Premises licence history:	The premises has had the benefit of a premises licence since 2018. The current premises licence (20/06195/LIPCHT) can be viewed at Appendix 3 of this report along with the premises history at Appendix 4 .		

Applicant submissions:		The applicant has provided a presentation which can be found at Appendix 2 . The presentation summarises the application, the objections that have been received and the applicant's submissions regarding the cumulative impact zone, including some proposed conditions.			
Applicant amendments:		None			
1-B Current and proposed licensable activities, areas and hours					
Late night refreshment					
Indoors, outdoors or both		Current :		Proposed:	
		N/A		Both	
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	Current:
Monday	No late-night refreshment currently provided.		23:00	23:30	See Plans at Appendix 1 .
Tuesday			23:00	23:30	
Wednesday			23:00	23:30	
Thursday			23:00	00:00	
Friday			23:00	02:00	
Saturday			23:00	02:00	
Sunday			N/A	N/A	
Seasonal variations/ Non-standard timings:		Current:		Proposed:	
				None	

Sale by Retail of Alcohol					
On or off sales		Current :		Proposed:	
		On		No change sought	
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	Current:
Monday	11:00	23:00	No change is sought		See Plans at Appendix 1 .
Tuesday	11:00	23:00			
Wednesday	11:00	23:00			
Thursday	11:00	23:00			
Friday	11:00	23:00			
Saturday	11:00	23:00			
Sunday	12:00	16:00			
Seasonal variations/ Non-standard timings:		Current:		Proposed:	
		None		None	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	11:00	23:00	10:00	23:30	See Plans at Appendix 1.	No Change
Tuesday	11:00	23:00	10:00	23:30		
Wednesday	11:00	23:00	10:00	23:30		
Thursday	11:00	23:00	10:00	00:00		
Friday	11:00	23:00	10:00	02:00		
Saturday	11:00	23:00	10:00	02:00		
Sunday	12:00	16:00	12:00	21:00		
Seasonal variations/ Non-standard timings:			Current:		Proposed:	
			None		None	

1-C Layout alteration
There is no proposed change in the layout.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<p>Removal of condition 19 which states the following: “The premises shall only operate as a restaurant</p> <p>(i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.”</p>	<p>1) The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.</p> <p><i>For the purpose of this condition a ‘Substantial Table Meal’ means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.</i></p> <p>2) The supply of alcohol shall be by waiter or waitress service only.</p> <p>3) Sale of alcohol will be ceased at 23:00.</p> <p>4) Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.”</p>

Adult entertainment:	Current position:	Proposed position:
	None	None

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Jessica Donovan
Received:	27 January 2022
<p>Dear Sirs</p> <p>I write in relation to the application submitted for a variation of the premises licence for TAVUUK, 3-5 Bateman Street, London, W1D 4AG.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm <p>The application seeks the following variations:</p> <ul style="list-style-type: none"> • To add Late Night Refreshment Monday to Wednesday 23:00 to 23:30, Thursday 23:00 to 00:00 & Friday to Saturday 23:00 to 02:00. • To vary the opening hours to Monday to Wednesday 10:00 to 23:30, Thursday 10:00 to 00:00, Friday to Saturday 10:00 to 02:00 & Sunday 12:00 to 21:00. • To remove condition 19. <p>The premises are located within the West End Cumulative Impact Zone and as such various policy points must be considered, namely CIP1, HRS1 & PB1.</p> <p>The Licensing Authority note that the applicant proposes to remove condition 19 which states:</p> <p>The premises shall only operate as a restaurant</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,</p> <p>(iv) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(v) which do not provide any take away service of food or drink after 23.00, and</p> <p>(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p> <p>The Licensing Authority encourages the applicant to provide further submissions in relation to the removal of model condition 66 above, as this application now falls within Westminster's PB1 Policy as there is no ancillary nature to the Sale by Retail of Alcohol.</p>	

Due to removal of this condition the Licensing Authority would like further information on how will the premises be operated and controlled, specifically how the alcohol will be served i.e. by waiter/waitress service and will the premises operate by way of a bar with vertical drinking?

Policy PB1(B) states

B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority note that the application does falls outside Westminster's core hours for Pubs and Bars.

The Core hours for Pubs and Bars are:
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.

The Licensing Authority require the applicant to provide submissions as to how the operation of the premises will not add to cumulative impact in the West End cumulative impact Zone, in accordance with policy CIP1.

This application falls within the PB1 Policy and the applicant will have to demonstrate exceptional circumstances to allow to depart from the Policy. Therefore, it is a decision for the Licensing Sub-Committee to determine whether the applicant has demonstrated any exceptional circumstances that would allow to depart from policy.

Please accept this as a formal representation.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Dave Morgan
Received:	30 December 2021

Dear Mr Yurdakul,

Application to vary a Premise Licence:
3-5 Bateman Street, London, W1D 4AG - 21/14423/LIPV

With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are **objecting** to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder.

At present, you are seeking the following:

1. Provide late night refreshment Indoors & outdoors at the following times:
 - Monday-Wednesday: 23:00-23:30 hours
 - Thursday: 23:00-00:00 hours
 - Friday-Saturday: 23:00-02:00 hours

2. Remove condition 19 which reads:

The premises shall only operate as a restaurant,

- (i) in which customers are shown to their table
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption
 - (v) which do not provide any takeaway service of food or drink after 23:00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal

The venue is situated in the West End Cumulative Impact, a locality where there is traditionally high crime and disorder and the hours sought are beyond those of Westminster's core hours policy.

There is insufficient detail within the operating schedule to promote the Licensing Objectives and we have concerns that if granted, this application will cause further policing problems in an already demanding area.

Please feel free to contact me should you wish to discuss the matter further.

Responsible Authority:	Environmental Health Consultation Service
Representative:	Maxwell Koduah
Received:	05 January 2022

I refer to the variation application for the above-mentioned premises. The premise is located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.

The applicant is seeking the following:

1. Provide late night refreshment Indoors & outdoors at the following times:
 - Monday-Wednesday: 23:00-23:30 hours
 - Thursday: 23:00-00:00 hours
 - Friday-Saturday: 23:00-02:00 hours
2. Remove condition 19 which reads

The premises shall only operate as a restaurant,

- (i) in which customers are shown to their table
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption
 - (v) which do not provide any take away service of food or drink after 23:00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal

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

The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

Removing condition 19 may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Conditions, to replace those contained within the operating schedule, have been proposed to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicant is advised to study these conditions and discuss same if they are minded.

Proposed Environmental Health Conditions

1. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

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

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

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

4. 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

Please contact me if you wish to discuss these matters further.

2-B Other Persons			
Name:		Soho Society	
Address and/or Residents Association:		Saint Anne's Tower 55 Dean Street London W1D 6AF	
Status:	Valid	In support or opposed:	Opposed
Received:	11 January 2022		

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

Late night refreshment: Mon-Wed 23.00-23.30. Thurs: 23.00-00.00. Fri-Sat: 23.00-02.00
Hours open to the public: Mon-Wed 10.00-23.30. Thurs: 10.00-00.00. Fri-Sat: 10.00-02.00.
 Sun 12.00-21.00

Removal of Condition 19: The premises shall only operate as a restaurant

Current Licence

Sale of Alcohol: Mon-Sat 11.00-23.00. Sun: 12.00-16.00

Opening Hours: Mon-Sat 11.00-23.00. Sun: 12.00-16.00

On sales only

The Soho Society's Position

These premises with a small number of internal seats sell wraps, sandwiches, fries, salads, chicken doner and rice boxes, it is situated in the heart of the evening and night time economy in Soho and falls within the West End Cumulative Impact Zone. We object to all parts of this application.

Late night refreshment to midnight on Thursday and 2am Friday and Saturday

Firstly we note the error in the application form, the box at the start states the opening hours as Friday - Saturday 21:00, however they specify the correct hours of 2am under the late night refreshment heading.

We object to the provision of late night refreshment and opening hours to midnight on Thursday and 2am Friday and Saturday. Soho is at the forefront of the evening and night time economy in Westminster with its numerous restaurants, bars, members clubs and entertainment establishments. The small area comprising of Old Compton St, Frith St, Greek St and Dean St is densely populated at night as the area contains the largest number of licensed premises in Soho. There are over 109 such premises offering the full range of venues with opening hours up to 3.30am and accommodating over 10,210 people. It goes without saying that another late night refreshment premises including fast food in such close proximity to these venues, will

attract people who have been drinking and who are more likely to be involved with anti-social behaviour including noise nuisance to residents, it will also create opportunities for crime.

Removal of Condition 19

We object to the removal of Condition 19 which states,

The premises shall only operate as a restaurant

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

The removal of this condition will enable these premises to,

- Cease to be a restaurant. The applicant has failed to provide any information regarding the nature of the proposed operation
- Sell alcohol without the provision of a table meal until 11pm
- Allow for off sales which the applicant has **NOT** applied for

Furthermore, under the heading; *'Please identify conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking,'* on the application form the applicant states the following,

1. *'The supply of alcohol at the premises shall only be to persons seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.'* We object to its removal, as above, patrons will be able to drink alcohol without taking a table meal.

2. *'Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to food that is available to take away for immediate consumption (and/or delivery).'* We are confused with this proposal as it is not a current condition, it appears to be what the applicant wants. This will create a new fast food premises in the West End CIZ and sell alcohol as an off sale, as stated above the applicant has not applied for off sales.

On these grounds this application should be rejected.

Statement of Licensing Policy 2021

This application as presented it is contrary to Core Hours Policy HRS1, Fast Food Policy FFP1, Cumulative Impact Policy CIP1

Fast Food Premises Policy FFP1: it is policy to refuse such applications in the West End CIZ, F.56 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.57). The applicant will need to demonstrate why they are an exception to this policy.

Cumulative Impact Policy CIP1; this area has been identified by the Westminster City Council 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 policy provides an assumption 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).

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16). 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.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 183 Guidance does not provide for any circumstance, exceptional or otherwise, which would permit an application to be granted if the licensing objectives were harmed. We now consider the impact of this application on these objectives.

Prevention of Crime and Disorder CD1

Under this Policy the criteria applied is, *'whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.'*

The recently published Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, ***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,

- **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.

For residents living in Soho the findings of the Cumulative Impact Assessment is unsurprising, Soho transforms in the evening and night-time into an area which feels very unsafe and where levels of crime and disorder are high. As evidenced above criminal activity associated with the large number of late-night venues and the numbers of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night, people are targeted as they leave late night venues which is borne out by the crime figures. Drug dealing is a particular problem, groups of dealers congregate to sell drugs and specifically target people as they leave premises, there are more dealers in the area at night than during the day, this is directly linked to the large number of late night venues which creates the drug market.

These premises are situated in the heart of the late night entertainment area, the area is a known hotspot of crime and disorder, crime statistics between September 2019 to February 2020 shows high levels of crimes,

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.

People will be attracted to the area on the search for food late at night, it will increase their risk of becoming victims of crime. A new late night refreshment licence providing food for immediate consumption cannot be justified.

Prevention of Public Nuisance Policy PN1

Under this Policy the criteria applied states, *'the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of a nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'*

Residents live along Bateman Street and those that surround it, due to the high number of licensed premises in this small area residents already suffer from late night noise, disturbance (pedicabs playing loud music, waiting taxis) anti-social behaviour including street fouling. We are particularly concerned that residents will be disturbed by people leaving these premises and those eating and drinking outside.

Conclusion

We are in no doubt that a new late night refreshment licence which includes the removal of the restaurant condition will fail to promote the licensing objectives and increase crime and disorder and public nuisance in the West End Cumulative Impact Zone.

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

3. Delivery Centres

Monday to Saturday: 8am to 11pm.

Sunday: 9am to 10.30pm.

4. Hotels

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

For the sale of alcohol to guests for consumption in

hotel/guest rooms only: Anytime up to 24 hours.

5. Outdoor Spaces

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

	<p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>7. Qualifying Clubs Monday to Thursday 9am to 11.30pm Friday and Saturday 9am to Midnight Sunday: 9am to 10.30pm Sunday immediately prior to a bank holiday: 9am to Midnight.</p> <p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>9. Sexual Entertainment Venues and Sex Cinemas Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>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.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>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 11pm.</p>
<p>Restaurant Policy RNT1 applies.</p>	<p>B. Applications inside the West End Cumulative Impact 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 are 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 demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <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
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Roxsana Haq Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: rhaq@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	1 st October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority	27 January 2022
5	Metropolitan Police Service	30 December 2021
6	Environmental Health Service	05 January 2022
7	Interested Party 1	11 January 2022



PLAN



-  FIRE EXIT
-  SMOKE DETECTOR
-  SECURITY CAM
-  FIRE EXTINGUISHER STATION

NOT FOR CONSTRUCTION



<p>BELMOR 955 Sunningdale Road, Suite 8-11, N19 5, PL T: 0203 865 8200 M: 07951 734 7466 E: info@belmor-solutions.co.uk http://www.belmor-solutions.co.uk</p>	<p>CLIENT TURGUT ERBIL</p>	<p>PROJECT TAVUUK GEMUSE DONER PROJECT</p>	<p>DATE 16.03.2020</p>	<p>DRAWN BY UMUT CAN</p> 	<p>DESCRIPTION PLAN</p>	<p>CLIENT ADDRESS 3, 5 BATEMAN ST, SOHO, LONDON, W1D 4AG</p> <p>A4 SIZE 1/1</p>
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TAVUUK GEMUSE

SITE: 3 – 5 BATEMAN STREET LONDON W1D 4AG

Premise Licence (20/06195/LIPCHT):

Tavuuk Gemuse has a premise Licence (20/06195/LIPCHT) for retail sale of alcohol **on** the premise.

Sale of Retail Alcohol Hours:

Monday-Saturday: 11:00 to 23:00

Sunday: 12:00-16:00

Opening Hours to Public:

Monday-Saturday: 11:00 to 23:00

Sunday: 12:00-16:00

Full Variation- Proposal

1. Removal of Condition 19

2. Late night refreshment:

Monday-Wednesday 23:00- 23:30

Thursday 23:00-00:00

Friday- Saturday 23:00-02:00

Removal of Condition 19

The premises shall only operate as restaurant

- (i) in which customers are shown to their table
- (ii) where the supply of alcohol is by waiter or waitress service only
- (iii) which provide food in the form of substantial table meal
- (iv) which do not provide any takeaway service of food or drink for immediate consumption
- (v) which do not provide any takeaway service of food or drink after 23:00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

Proposed Conditions

We would like to include the following conditions to replace Condition 19:

- **The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.**

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

- **The supply of alcohol shall be by waiter or waitress service only.**

Sale of alcohol will be ceased at 23:00. Therefore, we would like to propose the below condition:

- **Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.**

Proposed Environmental Health Conditions

1. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

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

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

3. A direct phone number of manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

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

Core Hours

DAYS	APPLICATION	CORE HOURS OF WESTMINISTER*
Monday	23:00-23:30	23:30
Tuesday	23:00-23:30	23:30
Wednesday	23:00-23:30	23:30
Thursday	23:00-00:00	23:30
Friday	23:00-02:00	00:00
Saturday	23:00-02:00	00:00
Sunday	-	10:30

*Core hours of restaurant

Objections

- METROPOLITAN POLICE
- ENVIRONMENTAL HEALTH
- LICENSING DEPARTMENT
- THE SOHO SOCIETY

TEN

Late night refreshment to serve hot food from 23:00-02:00 on the premise.

TEN 1- 11/02/2022-12/02/2022 23:00-02:00

TEN 2- 17/02/2022-19/02/2022 23:00-02:00

TEN 3- 24/02/2022-26/02/2022 23:00-02:00

TEN Applications

▪ During these TENS, we kept incidence and refusal logs. No incidence were recorded.

▪ Number of people visited the premise:

▪ During these TENS :

On average 55 customers visited the premise
with average spend 6 pounds.



Customer Profile

Most of the customers are working staff at Soho area:

The customer profile is:

Bartenders

Managers

Door Supervisors

Waiters&Waitresses

Chefs

Other customers who are visiting the Soho area for other reasons.

Supporting Letters

11.03.2022

Dear Licensing Department,

TAVUK GEMUSE has applied for late night refreshment for Friday-Saturday from 23:00-02:00. As a working staff at the SOHO area, we are delighted to have hot food from TAVUK GEMUSE at night.

I have been supporting this application.

Many thanks,
Kind Regards,

Name	Position	Phone Number	Signature
Kwai Sze	Doctor	0746837938	[Signature]
George Mendon	Surgeonist	0730510150	[Signature]
Demetris	Chef	0479783585	[Signature]
Soma Gundayyaba	Bar tender	0789928978	[Signature]
Reshmi Sankar	SECURITY	0747331663	[Signature]
DEL DIND MAREO	BAR TENDER		[Signature]
Vladan Gaganic	BARBACK	07804476958	[Signature]
SAMY DIOGOT	BAR MANAGER	0738324262	[Signature]
GURJI BJI	CASIER	0364661820	[Signature]
Ezra Edg	Engineer	0782891580	[Signature]
NANA PORNANATH	BAR	07892170092	[Signature]
K C P M	BARBER	075065662	[Signature]
Isebul Hidar	Buyer	07487385581	[Signature]
TABAN VANDAN	Buyer	0738484423	[Signature]
Dumelo Tapa	Buyer	0744678882	[Signature]
Chloe D'Cunha	New Business	07910908090	[Signature]

11.03.2022

Dear Licensing Department,

TAVUK GEMUSE has applied for late night refreshment for Friday-Saturday from 23:00-02:00. As a working staff at the SOHO area, we are delighted to have hot food from TAVUK GEMUSE at night.

I have been supporting this application.

Many thanks,
Kind Regards,

Name	Position	Phone Number	Signature
Riya	Waiter	0752746277	[Signature]
REYAN	BAR HEAD BARMAN	07316753852	[Signature]
MATT	Bar Supervisor	07443194435	[Signature]
Jemel	Teacher	07302063190	[Signature]
Akif	Architect	07392951888	[Signature]
MICHAEL	ARCHITECT	0739040124	[Signature]
Paul	MANAGER	0744318085	[Signature]
Chinmoy	C.A.C	07302944334	[Signature]
Veli	Dom	0750716403	[Signature]
GARA	Assistant Manager	07399381068	[Signature]
Musa	Product role	07443835897	[Signature]
Della	Early Year Tutor	07399281700	[Signature]
SHIVY	I	07435524524	[Signature]
Saba	waiter	0735572577	[Signature]
EMER	waiter	0738832011	[Signature]
AMIR	Barman	07577376747	[Signature]

Supporting Letters

11.03.2022

Dear Licensing Department,

TAVUK GEMUSE has applied for late night refreshment for Friday-Saturday from 23:00-02:00. As a working staff at the SOHO area, we are delighted to have hot food from TAVUK GEMUSE at night.

I have been supporting this application.

Many thanks,
Kind Regards,

Name	Position	Phone Number	Signature
KRESHNIK	BARTENDER	0790194464	[Signature]
Tina	Manager	07955664274	[Signature]
KRISTIAN	MUCC	07931662690	[Signature]
ROBIE VICKHRE GM	GM	07407411877	[Signature]
Saba	Manager	07611492660	[Signature]
Seema	Supervisor	07306666412	[Signature]
ESSE	Security	0735470518	[Signature]
BAR	ALL	0772721993	[Signature]
RIP	Barman	0758262566	[Signature]
MURPHY	BAR JIL	0722222346	[Signature]
Mansha	Technician	0787921208	[Signature]
KINDIA	MICHAEL	0750051928	[Signature]
SABI	HEAD WATER	0738870953	[Signature]
DHARITEL	Sous chef	0777666082	[Signature]
ROSTIOSA	COOKS CHIEF	0743777775	[Signature]
GALEA BERNARD	Executive	07434477031	[Signature]

11.03.2022

Dear Licensing Department,

TAVUK GEMUSE has applied for late night refreshment for Friday-Saturday from 23:00-02:00. As a working staff at the SOHO area, we are delighted to have hot food from TAVUK GEMUSE at night.

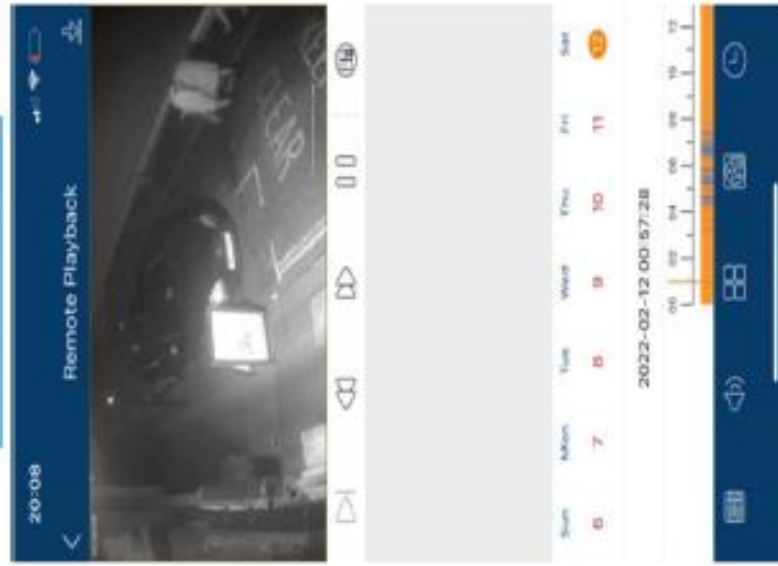
I have been supporting this application.

Many thanks,
Kind Regards,

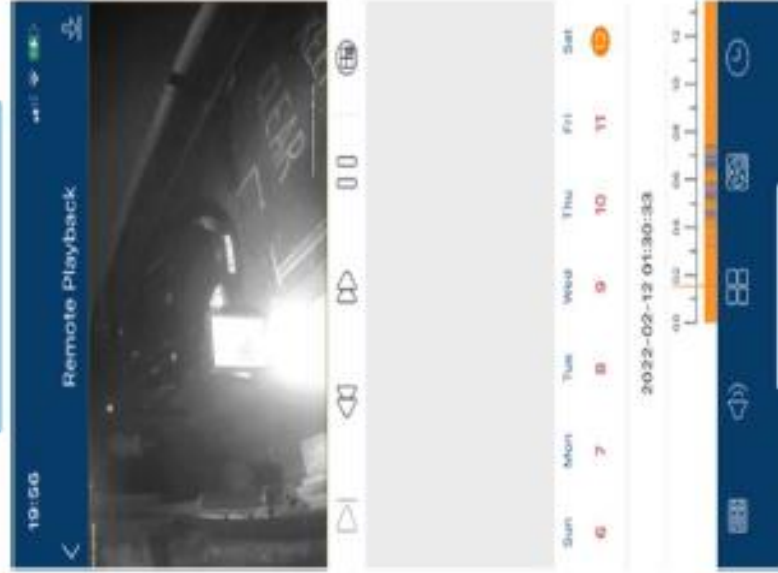
Name	Position	Phone Number	Signature
Diyau Zhanov	Rider	0792320542	[Signature]
Kadir Dohoshkun	Rider	07726427695	[Signature]
Kamal Arifur	Barista	07635221030	[Signature]
Musafa An	Rider	07730131020	[Signature]
Fahim Akmal	Supervisor	07838734747	[Signature]
S Akhwar	waiter	07673509890	[Signature]
Mary Sabert	waitress	07376127563	[Signature]

CCTV Footage During

12.02.2022 00:57



12.02.2022 01:30



12.02.2022 01:41



Cumulative Impact

- According to the data shared by the Soho Society, at the area there are 109 premises accommodating over 10,210 people. TAVVUK GEMUSE is fairly small business with a capacity of 15 people and it will not add cumulative impact on West End Cumulative Area. We have applied for 3 TEN during this time and on average 55 people visited the premise.
- There were no loitering or long ques in front of the premise.
- The area offers full range venues with opening hours up to 3.30 am, therefore TAVVUK GEMUSE will not attract people but will be offering late night refreshment to be people who are already at the area for other reasons and mainly to the staff who is working at the area.
- We are requesting restaurant conditions. Thus, the customers will be spending at least 30 minutes for late night refreshment. During this time, we will be providing complementary tea and coffee to customers.
- According to medical data, eating and offering tea&coffee make people feel more alert and appear soberer. Blood Alcohol Concentration (BAC) drop is about 0.015 percent every hour, so 30 minutes interval will reduce the Blood Alcohol Concentration of customer.
- The WC shall always be made available to customers during hours of operation.

Cumulative Impact

- My client will be displaying his number at the premise. He can be contacted any time if there are any concerns. He will be taking all the necessary action in order to not to disturb any neighbours.
- We will have a sign in place saying **No takeaway orders after 23:00 from the premise.**
- No incidences were reported during the TEN application.
- Additionally, my client has been trading at the same location since 2018 without any concerns which is indicator that he is capable of managing the place confidently. He has 5 star hygiene rating.

Conclusion

We understand the area, however every application should be considered in its own merit. The premise has a capacity of 15 people, Soho area accommodates over 10,210 people additional 2 hours of late night refreshment will not have impact on the cumulative area.

We kindly ask Licensing Sub Committee to grant our application.



Schedule 12
Part A

WARD: West End
UPRN: 100023472476

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/06195/LIPCHT

Original Reference:

18/03103/LIPN

Part 1 – Premises details

Postal address of premises:

TAVUUK
3-5 Bateman Street
London
W1D 4AG

Telephone Number: Not Supplied

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 Saturday:	11:00 to 23:00
Sunday:	12:00 to 16:00

The opening hours of the premises:

Monday to Saturday:	11:00 to 23:00
Sunday:	12:00 to 16:00

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:

Mr Serdar Agriman
109 Gospatrick Road
N17 7JD
Undefined
Electronic Mail: mail@designtect.co.uk

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

N/A

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

Name: Mr Serdar Agriman

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: 14098
Licensing Authority: London Borough of Islington

Date: 28 July 2020

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

Where -

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
14. There shall be no self-service of alcohol.
15. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
16. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
17. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
18. 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.
19. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and

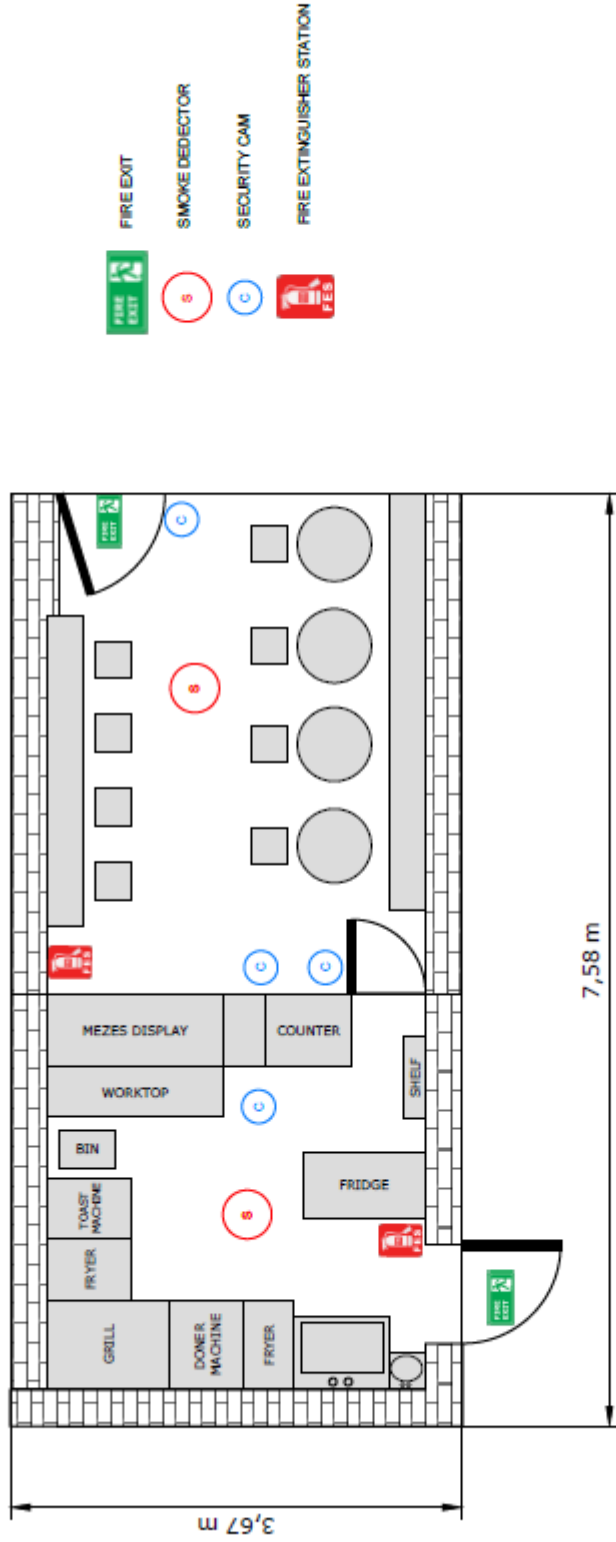
provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

20. The number of seated persons inside the premises (excluding staff) shall not exceed 15 persons.
21. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
22. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
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. 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.
27. The WC shall always be made available to customers during hours of operation.


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

None.

PLAN



NOT FOR CONSTRUCTION

<p>BELMOR 155 Sunnata Road, Suite 8-1, N.W.6, 3PL T: 0203 856 8059 M: 079 1784 7466 E: info@belmor-estimators.co.uk http://www.belmore-estimators.co.uk</p>	<p>CLIENT TURGUT ERBIL</p>	<p>PROJECT TAVUK GEMUSE DONER PROJECT</p>	<p>DATE 16.03.2020</p>	<p>DRAWN BY UMUT CAN</p> 	<p>DESCRIPTION PLAN</p>	<p>CLIENT ADDRESS 3, 5 BATEMAN ST, SOHO, LONDON, W1D 4AG</p> <p>A4 SIZE 1/1</p>
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City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: West End
UPRN: 100023472476

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/06195/LIPCHT

Part 1 – Premises details

Postal address of premises:

TAVUUK
3-5 Bateman Street
London
W1D 4AG

Telephone Number: Not supplied

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 Saturday:	11:00 to 23:00
Sunday:	12:00 to 16:00

The opening hours of the premises:

Monday to Saturday:	11:00 to 23:00
Sunday:	12:00 to 16:00

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:

Mr Serdar Agriman
109 Gospatrick Road
N17 7JD

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

N/A

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

Name: Mr Serdar Agriman
Personal Licence Number: H14098
Local Authority: London Borough of Islington

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

Restricted

Date: 28 July 2020

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
18/03103/LIPN	New licence application	16.10.2018	Granted Under Delegated Authority
20/06053/LIPVM	Minor variation	Application Withdrawn	N/A
20/06195/LIPCHT	Change of trading name	28.07.2020	Granted Under Delegated Authority
21/03638/LIPV	Full Variation	Invalid application	N/A
21/03701/LIPVM	Application for late night refreshments to sell hot food indoors and takeaway	05.05.2021	Refused Under Delegated Authority
21/04206/LIPV	Full variation	Application Withdrawn	N/A
21/14165/LIPV	Full Variation	Invalid Application	N/A

Application	Details of Application	Date Determined	Decision
22/01069/LITENP	Temporary Event Notice – Late night refreshment 23:00-02:00	24.02.2022	Event allowed to proceed
22/01065/LITENP	Temporary Event Notice - Late night refreshment 23:00-02:00	17.02.2022	Event allowed to proceed
22/01061/LITENP	Temporary Event Notice - Late night refreshment 23:00-02:00	10.02.2022	Event allowed to proceed

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
14. There shall be no self-service of alcohol.
15. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
16. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
17. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
18. 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.

Condition 19 is proposed to be removed and replaced by the applicant:

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

Proposed condition to replace condition 19 by the applicant, Environmental Health Service, and the Metropolitan Police Service. (agreed)

19. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

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

20. The number of seated persons inside the premises (excluding staff) shall not exceed 15 persons.
21. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
22. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
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. 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.
27. The WC shall always be made available to customers during hours of operation.

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

None

Conditions proposed by the applicant in the operating schedule and additional submissions.

28. Sale of alcohol will be ceased at 23:00.
29. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

Conditions proposed by the Metropolitan Police Service and agreed with the applicant so as to form part of the operating schedule.

30. The supply of alcohol shall be by waiter or waitress service only.

Conditions proposed by the Metropolitan Police Service (this condition has not been agreed by the applicant)

31. At least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises between the hours of 2300 to 0200 every Friday and Saturday.

Conditions proposed by the Environmental Health Service and agreed with the applicant so as to form part of the operating schedule.

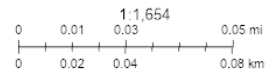
32. All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons
33. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity
34. 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

3-5 Bateman Street London W1D 4AG



09/03/2022, 20:08:54

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count: 106

Licensed premises within 75 Metres of 3-5 Bateman Street London W1D 4AG				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/05525/LIPDPS	Chotto-Matte	11-13 Frith Street London W1D 4RB	Restaurant	Sunday; 12:00 - 00:30 Monday to Saturday; 10:00 - 01:30
20/06195/LIPCHT	TAVUUK	3-5 Bateman Street London W1D 4AG	Cafe	Sunday; 12:00 - 16:00 Monday to Saturday; 11:00 - 23:00
06/07744/WCCMAP	Garlic & Shots	Basement And Ground Floor 14 Frith Street London W1D 4RD	Restaurant	Sunday; 12:00 - 23:30 Monday to Saturday; 10:00 - 01:00

17/08427/LIPV	Nandos	Ground Floor 10 Frith Street London W1D 3JF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/01631/LIPCH	Simmons	2 Bateman Street London W1D 4AE	Public house or pub restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/11342/LIPVM	Negroni	15 Frith Street London W1D 4RE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/05637/LIPDPS	Suvlaki	Ground Floor 21 Bateman Street London W1D 3AL	Restaurant	Friday to Saturday; 12:00 - 03:00 Sunday to Thursday; 12:00 - 00:00
19/09656/LIPDPS	La Capannina Club	Basement 21 Bateman Street London W1D 3AL	Night clubs and discos	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 03:30
21/08664/LIPVM	Union Club	50 Greek Street London W1D 4EQ	Restaurant	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00

18/03606/LIPDPS	Lina Stores	Basement And Ground Floor 51 Greek Street London W1D 4EH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/11842/LIPDPS	Bonnie Gull	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/06878/LIPDPS	Truffle Burgers	Ground Floor 22 Bateman Street London W1D 3AN	Cafe	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
15/03152/LIPVM	Club 49	Basement And Ground Floor 49 Greek Street London W1D 4EG	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 03:30
19/12191/LIPN	Not Recorded	48 Greek Street London W1D 4EF	Restaurant	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Saturday; 10:00 - 01:00 Sunday; 10:00 - 01:00
20/08309/LIPN	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Saturday to Sunday; 10:00 - 23:30
18/08454/LIPT	Not Recorded	55 Frith Street London W1D 4SJ	Restaurant	Sunday; 12:00 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 23:59

21/11120/LIPDPS	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 01:30
14/02772/LIPV	Thirst	23 - 24 Bateman Street London W1D 3AW	Night clubs and discos	Sunday; 12:00 - 23:00 Monday to Saturday; 09:00 - 03:30
19/06212/LIPN	Not Recorded	Basement And Ground Floor 47 Greek Street London W1D 4EE	Cafe	Sunday; 12:00 - 22:30 Monday to Saturday; 12:00 - 23:00
19/06836/LIPDPS	Dog & Duck Public House	18 Bateman Street London W1D 3AJ	Public house or pub restaurant	Sunday; 07:00 - 22:30 Sunday; 07:00 - 00:00 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Sunday; 09:00 - 23:00 Monday to Wednesday; 09:00 - 02:00 Thursday to Saturday; 09:00 - 05:00
20/07618/LIPDPS	Mimis	56-57 Frith Street London W1D 3JG	Hotel, 3 star or under	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00

21/10890/LIPN	Here Soho	First Floor 56 Greek Street London W1D 3DU	Office	Monday to Sunday; 09:30 - 22:30
19/14930/LIPVM	Manzis	Basement North 1-8 Bateman's Buildings London W1D 3EN	Restaurant	Sunday; 11:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
08/06508/LIPDPS	The Arts Theatre Club	50 Frith Street London W1D 4SQ	Shop	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30
16/09930/LIPDPS	Koya Bar	Ground Floor 50 Frith Street London W1D 4SQ	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
18/01285/LIPDPS	Hazlitts Hotel	6 Frith Street London W1D 3JA	Hotel, 3 star or under	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30

21/05164/LIPDPS	Pix	16 Bateman Street London W1D 3AH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 New Year's Eve; 12:00 - 00:00
16/13602/LIPV	Pix	16 Bateman Street London W1D 3AH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 New Year's Eve; 12:00 - 00:00
21/06755/LIPDPS	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
20/10046/LIPN	Tomato (Shadow Licence)	54 Frith Street London W1D 4SL	Premises Licence - Shadow Licence	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 10:00 - 01:00

20/11539/LIPDPS	Tomato	54 Frith Street London W1D 4SL	Restaurant	Sunday; 10:00 - 01:00 Monday to Saturday; 10:00 - 01:30
20/06963/LIPN	Not Recorded	Ground Floor 57 Greek Street London W1D 3DX	Cafe	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 01:30
21/08175/LIPDPS	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 00:30
21/10602/LIPN	Not Recorded	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Sunday; 10:00 - 23:30
20/03241/LIPT	Salon 64	14 Bateman Street London W1D 3AG	Hairdresser or beauty salon	Monday; 08:00 - 22:30 Tuesday; 08:00 - 22:30 Wednesday; 08:00 - 22:30 Thursday; 08:00 - 22:30 Friday; 08:00 - 22:30 Saturday; 08:00 - 22:30
22/01408/LIPDPS	The Little Scarlet Door	Basement 12 - 13 Greek Street London W1D 4DL	Restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Sunday; 09:00 - 23:00

16/10525/LIDPSR	Miabella	Basement 12 - 13 Greek Street London W1D 4DL	Restaurant	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30
09/09864/LIPN	Bibimbap Korean Restaurant	11 Greek Street London W1D 4DJ	Restaurant	Sunday; 17:00 - 00:00 Monday to Wednesday; 17:00 - 00:00 Monday to Sunday; 12:00 - 15:00 Thursday to Saturday; 17:00 - 02:00
21/07004/LIPN	Unit 4, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
21/07023/LIPN	Unit 1, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
17/09323/LIPST	Unit 4	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00

21/07024/LIPN	Unit 2, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
21/07006/LIPN	Unit 3, Ilona Rose House	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
17/09330/LIPST	Unit 2	Development Site At 111-119 Charing Cross Road, 1-12 Manette Street, 1-4 Wedgwood Mews And 12 - 14 Greek Street London	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00
20/11525/LIPDPS	Patara	Basement And Ground Floor 15 Greek Street London W1D 4DP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/03210/LIPN	Be At One (Shadow)	16-17 Greek Street London W1D 4DR	Premises Licence - Shadow Licence	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 06:00
21/13534/LIPVM	Be At One	16-17 Greek Street London W1D 4DR	Night clubs and discos	Monday; 09:00 - 06:00 Tuesday; 09:00 - 06:00 Wednesday; 09:00 - 06:00 Thursday; 09:00 - 06:00 Friday; 09:00 - 06:00 Saturday; 09:00 - 06:00 Sunday; 09:00 - 00:00

19/06444/LIPCH	10 Greek Street	10 Greek Street London W1D 4DH	Restaurant	Sunday; 11:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
16/09901/LIPV	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/09644/LIPDPS	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 01:00 New Year's Eve; 00:00 - 00:00
06/05103/WCCMAP	Jazz After Dark	Ground Floor 9 Greek Street London W1D 4DQ	Night clubs and discos	Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00 Monday to Thursday; 09:00 - 02:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 09:00 - 03:30
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30
19/08060/LIPT	Zebrano	Basment And Ground Floor 18 Greek Street London W1D 4DS	Night clubs and discos	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:30 New Year's Eve; 00:00 - 00:00

17/09349/LIPRW	Circa	Basement And Ground Floor 62 Frith Street London W1D 3JN	Night clubs and discos	Monday to Sunday; 11:00 - 01:00
13/01625/LIPDPS	Gopal's Of Soho	Basement And Ground Floor 12 Bateman Street London W1D 4AH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
18/03674/LIPN	Not Recorded	59 Greek Street London W1D 3DZ	Cafe	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 - 23:00 New Year's Eve; 00:00 - 00:00
21/09121/LIPDPS	Sussex Restaurant	63 - 64 Frith Street London W1D 3JW	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/11145/LIPDPS	Burger & Lobster	36 - 38 Dean Street London W1D 3TE	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:00 Sundays before Bank Holidays; 12:00 - 00:30

11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 03:30
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
18/09098/LIPDPS	Sunset Strip	Basement To First Floor 30 Dean Street London W1D 3SA	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 01:30
21/14629/LIPVM	The Crown & Two Chairmen	31-32 Dean Street London W1D 3SB	Pub or pub restaurant with lodge	Sunday; 07:00 - 22:50 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
21/13795/LIPN	Pillar Of Hercules	7 Greek Street London W1D 4DF	Public house or pub 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 - 23:00
16/04124/LIPV	Cookhouse Joe	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00

19/03723/LIPT	Oliver Maki	33 Dean Street London W1D 4PW	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/06001/LIPT	Gunpowder	Basement And Ground Floor 20 Greek Street London W1D 4DU	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
18/10183/LIPDPS	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:00
14/03170/LIPVM	Londis	21 Greek Street London W1D 4DX	Shop	Monday to Sunday; 08:00 - 03:00
19/00938/LIPDPS	Not Recorded	Basement 23 Frith Street London W1D 4RR	Restaurant	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 03:30

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