



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 14 July 2022**

Time: **10.00 am**

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

Members: **Councillors:**
Maggie Carman (Chair)
Judith Southern
Caroline Sargent

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

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

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

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

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

Note for Members: Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. UNIT 1, GROUND FLOOR AND BASEMENT, ILONA ROSE HOUSE, MANETTE STREET, W1D 4AL

(Pages 1 - 70)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Unit 1 Ground Floor and Basement Ilona Rose House Manette Street W1D 4AL	New Premises Licence	22/03403/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. UNIT 2, GROUND FLOOR AND BASEMENT, ILONA ROSE HOUSE, MANETTE STREET, W1D 4AL

(Pages 71 - 140)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Unit 2 Ground Floor and Basement Ilona Rose House Manette Street W1D 4AL	New Premises Licence	22/03404/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

3. CAFE ESPANA, BASEMENT TO FIRST FLOOR, 63 OLD COMPTON STREET, W1D 6HT

(Pages 141 - 180)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Café Espana Basement to First Floor 63 Old Compton Street W1D 6HT	Premises Licence Variation	22/03850/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

4. 29A ST JOHN'S WOOD HIGH STREET, NW8 7NJ

**(Pages 181 -
208)**

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Regent's Park * None ** None	29a St John's Wood High Street NW8 7NJ	New Premises Licence	22/03569/ LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
7 July 2022**

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

Policy Considerations

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

Guidance Considerations

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

Core hours When Customers Are Permitted to Be on The Premises

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

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

1. Casinos

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

2. Cinemas, Cultural Venues and Live Sporting Premises

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

3. Hotels

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

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

Sunday: 09:00 hours to 22:30 hours

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

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

4. Off licences

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

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

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

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

Sunday: 09:00 hours to 22:30 hours

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

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

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

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

Sunday: 12:00 hours to 22:30 hours

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

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

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

Sunday: 09:00 hours to 22:30 hours

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

8. Restaurants

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

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

Sunday: 09:00 hours to 22:30 hours

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

9. Sexual Entertainment Venues and Sex Cinemas

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

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

Sunday: 09:00 hours to 22:30 hours

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



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	14 July 2022
Licensing Ref No:	22/03403/LIPN - New Premises Licence
Title of Report:	Unit 1 Ground Floor & Basement Ilona Rose House Manette Street London W1D 4AL
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: kjackaman@westminster.gov.uk

1.	Application						
1-A	Applicant and premises						
Application Type:	New Premises Licence, Licensing Act 2003						
Application received date:	29 March 2022						
Applicant:	Soho Estates Portfolio Limited						
Premises:	Unit 1 Ground Floor & Basement						
Premises address:	Ilona Rose House Manette Street London W1D 4AL	Ward:		West End			
		Cumulative Impact Area:		West End			
		Special Consideration Zone:		None			
Premises description:	According to the application form the premises will trade as a restaurant with ancillary bar.						
Premises licence history:	<p>The premises currently has the benefit of a Premises Licence under reference number 21/07023/LIPN. This application for Unit 1, along with another application for Unit 2 subsume the whole of the current Unit 4 (21/07004/LIPN).</p> <p>The existing licences for Unit 1 and Unit 4 will be surrendered in the event that this application is granted. A copy of the existing licences for Unit 1 and Unit 4 can be found at appendix 3</p> <p>The application otherwise mirrors the terms and conditions of the existing units in the development and follows pre-application advice.</p>						
Applicant submissions:	After 21:00 hours the premises shall only operate as a restaurant. Before 21:00, the intention is that alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified.						
Applicant amendments:	None						

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.				

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	08:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:			These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.				
Adult Entertainment:			None				

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Dave Nevitt
Received:	26 April 2022
I wish to make Representations on the following grounds:	
Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.	
Responsible Authority:	The Licensing Authority
Representative:	Ms Karen Abbott
Received:	26 April 2022
Dear Sirs	
I write in relation to the application submitted for a new premises licence for Unit 1, Basement And Ground Floor, Ilona Rose House, Manette Street, London, W1D 4AL	
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:	
<ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm 	

The application seeks the following:

- **Late Night Refreshment**

Monday to Saturday 23:00 to 01:00

Sunday 23:00 to 23:30

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

- **Supply of Alcohol On and Off Premises**

Monday to Saturday 10:00 to 01:00

Sunday 12:00 to 23:30

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

- **Opening Hours to Public**

Monday to Saturday 08:00 to 01:00

Sunday 00:00 to 23:30

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PB1.

The Licensing Authority notes that Ilona Rose House comprises of four units which all currently benefit from premises licences. The applicant is proposing to amalgamate part of Unit 4 (basement) into Unit 1 with the same hours and conditions that were granted at Licensing Sub-Committee on the 2nd of December 2021. The applicant has proposed MC61 within the operating schedule so both licences will be surrendered if this application is granted.

MC61 - No licensable activities shall take place at the premises until premises licence 21/07023/LIPN and 21/07004/LIPN (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

The proposed operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises and other licensable activities, the Licensing Authority encourage that the applicant reduce the hours to be within Westminster's Core hours under HRS1 Policy.

The applicant has proposed within the operating schedule a varied version of MC66;

After 21:00 the premises shall only operate as a restaurant:

in which customers are shown to their table or the customer will select a table themselves,

a. where the supply of alcohol is by waiter or waitress service only,

b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,

c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,

d. 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.

- e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
- f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
- g. Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.

Westminster's PB1 Policy states that a premises would be considered as a bar under the policy if it is providing alcohol as its primary function and has the general presumption to refuse applications within the Cumulative Impact Zone. The Licensing Authority cannot consider this application to be that of a restaurant as the applicant has only proposed model condition 66 after 9pm. Before 9pm the applicant has proposed part g or MC 66 for persons to be seated, served by waiter/waitress service and restricted to no more than 50 persons but the as the hours are significantly greater than those proposed with the Sale of Alcohol with a table meal the applicant will need to demonstrate exceptional circumstances to depart from this policy.

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

The Licensing Authority looks forward to receiving further submissions from the applicant in due course to be able to assess any further relevant policy considerations.

Please accept this as a formal representation.

2-B	Other Persons		
Name:	Soho Society		
Address and/or Residents Association:	<div style="background-color: black; width: 100%; height: 1em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1em;"></div>		
Status:	Valid	In support or opposed:	Opposed
Received:	25 April 2022		

We write to make a relevant representation to the above application on behalf of The Soho Society.

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
New Premises Licence**

The premises currently has the benefit of a Premises Licence under reference number 21/07023/LIPN. The application for Units 1 and 2 subsume the whole of Unit 4 (21/07004/LIPN) which will be surrendered prior to completion of works. The applications otherwise mirror the terms and conditions of the existing units in the development and follows pre-application advice.

Supply of Alcohol: Mon - Sat : 10:00 - 01:00. Sun : 12:00 - 23:30
Late Night Refreshment: Mon - Sat : 23:00 - 01:00. Sun : 23:00 - 23:30
Opening Hours: Mon - Sat: 08:00 - 01:00. Sun : 08:00 - 23:30
Capacity (from the plans): Internal : 315. External : 116 Total : 431

Includes condition No.25, After 21:00 the premises shall only operate as a restaurant
g: Before 21:00, alcohol may be sold to persons seated and served by waiter/waitress service restricted to no more than **90** customers at any one time, as specified.

Current Licence Unit 1: 21/07023/LIPN

Supply of Alcohol: Mon - Sat : 10:00 - 01:00. Sun : 12:00 - 23:30
Late Night Refreshment: Mon - Sat : 23:00 - 01:00. Sun : 23:00 - 23:30
Opening Hours: Mon - Sat: 08:00 - 01:00. Sun : 08:00 - 23:30
Capacity (from the plans): Internal : 100. External : 116. Total : 216.

Condition 25. After 21:00 the premises shall only operate as a restaurant
g: Before 21:00, alcohol may be sold to persons seated and served by waiter/waitress service restricted to no more than **50** customers at any one time, as specified.

Current Licence Unit 2 : 21/07024/LIPN

Mirrors Unit 1 above (21/07023/LIPN) and Unit 4 (21/07004/LIPN)
Capacity (from the plans): Internal : 88. External 48. Total : 136
Includes 50 : Before 21:00 where alcohol may be sold

Current Licence Unit 4 :21/07004/LIPN

Mirrors Unit 1 above (21/07023/LIPN) and Unit 2 (21/07024/LIPN)
Capacity: Capacity (from the plans): Internal : 285. External - Total : 285
Includes 50 : Before 21:00 where alcohol may be sold

The Soho Society's Position

We object to this application for a new 1am restaurant with a capacity of 431 which includes 90 customers where before 9pm alcohol may be sold to patrons seated, on the grounds of prevention of crime and disorder, prevention of public nuisance, and cumulative impact in the West End Cumulative Impact Zone.

The Soho Society was unaware of the 4 applications granted for these premises in 2021, had we been aware we would have submitted representations against all four applications presenting a robust case for refusal. The reason for this omission is the Society relies on Licensing News for the list of applications within the West End Ward, reviewing the 2021 editions we were surprised to find these applications appeared under the ward heading of N/A and not West End unlike all other applications relating to Ilona Rose House. We now present different evidence to that before the Licensing Sub-Committee in 2021 and therefore look afresh at these new applications.

As background the Sub-Committee will be aware that four 2017 provisional statement licences were granted with a terminal hour of 1am, and on the understanding that the restaurant condition MC66 would always operate throughout all four premises. However, in 2021 four new licences were granted again until 1am, but MC66 was replaced with after 9pm the premises will only operate as a restaurant, before 9pm alcohol may be sold to person seated. Overall this scheme is huge, with a capacity of **837**, **601** being **internal seating and 236 external**, the number where alcohol maybe sold until 9pm (without a substantial table meal) being **200**. It is against this backdrop this application and that of Unit 2 22/03404/LIPN needs to be considered not only as standalone applications, but also within the context of the whole scheme and its impact on cumulative impact and the licensing objectives.

Of importance is the publication of the Cumulative Impact Assessment in 2020 which highlighted the rise in cumulative impact between 2017 - 2019 resulting in the West End being identified as being the only area suffering from cumulative impact. The assessment 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.

The evidence presented in the Cumulative Impact Assessment is not surprising considering Soho has a large concentration of licensed premises, **466** with a large proportion (25%) being late night licences, **118** licensed between the hours of 1am - 6am, with a capacity of over **22,480**. There are over 200 restaurants, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises. The area is densely populated at night with people drinking on the streets, creating loud levels of noise, causing disturbance and anti-social behaviour, the area has the highest level of cumulative impact in Westminster.

These premises are situated next to Greek Street which is at the heart of the evening and night time economy, alongside Old Compton Street, Frith Street and Dean Street this area has the highest concentration of licensed premises in Soho, a total **of 110 from 12am - 3.30am with a capacity of over 10,002**. Greek Street has 13 licences post 1am, and 6 with a terminal hour of 3am, patrons from these premises will be attracted to continue their night out and will find a number of late night establishments on this street and those that surround it. There's also a high probability they will become victims of crime as Greek Street has the highest recorded level of crime and is a known robbery hotspot late at night. (See Prevention of Crime and Disorder).

It is our position that the licences granted in 2021 and the application proposed today will fail to promote the licensing objectives and increase cumulative impact in Soho.

Statement of Licensing Policy

This application fails a number of policy tests which includes the Cumulative Impact Policy CIP1, Hours Policy HRS1, Restaurant Policy RNT1 and Pubs and Bars Policy PB1.

This area has been identified by the Westminster City Council as under stress because 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 evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019, the subsequent Statement of Licensing Policy 2021 Cumulative Impact Policy CIP1 states,

*'The West End Cumulative Impact Zone has been identified because the cumulative effect of the concentration of late night and drink led premises and/or night cafés has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. **The extent of crime and disorder and public nuisance in the West End Cumulative Impact Zone arises from the number of people there late at night; a considerable number of them being intoxicated (our emphasis).** Public services, including police, health and emergency, transport, environmental services (cleansing and refuse services) are placed under chronic strain by existing levels of activity, as are civic amenities and the quality of residential life. The urban infrastructure cannot sustain any further growth in licensed premises that provide a significant risk of a variety of harmful outcomes. Over a period of three years (2017 - 2019) 45% of violent crimes, as well as over half of all robberies, thefts and drug offences in the city were recorded within West End Cumulative Impact Zone. Additionally, 43% of ambulance callouts between that same period to the locations of licensed premises fell within this zone.'*
(D4)

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels

(D1). Soho is fully open for business and thriving, there are more people on the streets in the evening now that at pre-COVID times, in our view we have already reached pre-March 2020 levels and this is further supported by recent crimes statistics which show an increase in serious crime (see the Prevention of Crime and Disorder).

The policy test for this new late night restaurant is that it will not add to commutative impact,

' Applicants for licences for premises uses that do not have a presumption to refuse must provide evidence that they will not add to cumulative impact zone the West End Impact Zone. The applicant must provide significant mitigation within the operation schedule and the rationale on how their operation will not add to cumulative impact.' (D2)

'Applicants that fail to add sufficient information within their operating scheduled and don't adequately demonstrate how they will not add to cumulative impact may have all or part of they application refused, if representations are received.' (D2)

Furthermore, the applicant also proposes bar use until 21:00 for no more than 90 customers at any one time, in relation to this the Cumulative Impact Policy states,

'The 2020 Cumulative Impact Assessment identified that incident rates associated with cumulative impact increased rapidly from 9pm. Although there is a general presumption to refuse applications for music and dance venues and pubs and bars within the West End Cumulative Impact Zone under this policy, an exception may be permitted to applications that have a terminal hours of no later than 9pm and meet other policies within this statement.' (D13)

We have seen a number of these types of applications in 2021 where a 9pm licence for bar use has been granted for restaurants which then stay open for much later. Our understanding of this policy is that it is not intended for restaurants to have bar use until 9pm, the relevant sections of the RNT policy still apply to this type of application, i.e. that the Licensing Authority is not in general minded to relax conditions permitting bar use. Therefore, the applicant needs to demonstrate a genuine exception to policy.

The Restaurant Policy RNT1 is clear in raising concerns regarding restaurants turning into bars, it states,

'The Licensing Authority is particularly concerned that restaurant premises within the West End Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as 'vertical drinking' premises where customers consume alcohol throughout the evening.' (F112)

However, it continues, *'Submission has been made that not every individual in a group may wish to eat but should not be prevented from accompanying diners and having a drink. The Licensing Authority, however, is not minded to relax the conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.'*

Section C; defines restaurants as,

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 of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.'*

This application proposes to strip away the restaurant condition, changing the operation in part by creating the opportunity for 90 customers (not an insignificant number) to drink all day without taking a substantial table meal, everything the Statement of Licensing Policy aims to prevent.

The Cumulative Impact Assessment clearly states cumulative impact exists from 6pm - 6am and with a rapid increase from 9pm; however the fact that it exists from 6pm and continues to build is an important point, that it increases from 9pm is no justification to grant such an application

when the evidence against it is so overwhelming. What is forgotten is this is an increase of 90 'new' people in Soho drinking until 9pm, adding to cumulative impact as the hours go by and they will without doubt go on to continue drinking in the large number of bars in the area, in short this policy just adds to cumulative impact. The applicant needs to demonstrate there is a genuine exception to policy and that they will not add to cumulative impact, this is an impossible task.

It goes without saying that an additional 431 people in Soho, including 90 who have been drinking until 9pm will add to cumulative impact, we find no reason for an exception in this case.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including 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 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:

- Drug Offences Night: **1529** (proportion of Borough's incidents **40%**)
- Robberies Night: **2237** (**33%**)
- Theft and Handling Night: **24,407** (**33%**)
- Serious violent crimes Night: **795** (**31%**)
- Ambulance call outs to locations of licensed premises: **5353** (**22%**)
- Noise Complaints Night: **1389** (**16%**)
- Anti-Social behaviour MPS: **9662** (**16%**)
- Anti-Social behaviour on transport Night: **592** (**13%**)
- Reactive Waste Management: **6630** (**10%**)

Total = 52,594

- **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:** the most common crime type in the borough and in the evening and night this is particularly concentrated in the West End and along Oxford Street.

These premises are situated in the heart of the food and beverage / entertainment area, the area is a known hotspot for crime and disorder, the current statistics for the *top crime streets in Soho shows a total of 1,827 crimes; Greek Street 1st on the list with 239 and Old Compton

Top Streets all crime –1st Nov 21 – 28th Feb 22

GREEK STREET	239	GOLDEN SQUARE	14
OLD COMPTON STREET	231	ARCHER STREET	14
WARDOUR STREET	138	GREAT PULTENEY STREET	14
SHAFTESBURY AVENUE	117	GLASSHOUSE STREET	13
DEAN STREET	105	SOHO STREET	13
CARNABY STREET	99	LEXINGTON STREET	13
GREAT MARLBOROUGH STREET	75	GOSLETT YARD	12
FRITH STREET	70	SOHO PLACE	12
SOHO SQUARE	60	NEWBURGH STREET	11
BREWER STREET	58	PETER STREET	11
BATENMAN STREET	44	CARUSLE STREET	10
GREAT WINDMILL STREET	45	ROMILLY STREET	9
KINGLY STREET	41	KINGLY COURT	9
BROADWICK STREET	37	CAMBRIDGE CIRCUS	9
CHARING CROSS ROAD	36	D'ARBLAY STREET	8
BERWICK STREET	35	MARSHALL STREET	8
GANTON STREET	32	HAM YARD	7
BEAK STREET	29	RAMILLES STREET	7
POLAND STREET	24	DUPOURS PLACE	6
MANETTE STREET	24	WALKER'S COURT	6
MOOR STREET	23	MEARD STREET	6
RUPERT STREET	18	WARWICK STREET	5
LITTLE MARLBOROUGH STREET	17	FOUBERT'S PLACE	5
INGESTRE PLACE	15	NIEL STREET	5

Street 2nd with 231.

Comparing the top reported crimes from *November 2021 - February 2022 to pre- COVID times highlights the number of serious and violent crimes are on the increase;

Violence against the person serious wounding: 32 up 78% (18 pre - COVID)

Violence against the person assault with injury: 59 up 31% (45 pre-COVID)

Violence against the person common assault: 70 up 18% (59 pre-COVID)

Drugs possession: 115 up 79% (64 pre-COVID)

Sexual offences: 34 up 70% (20 pre-COVID)

* Data provided by the Metropolitan Police

For residents living in this area the findings of the Cumulative Impact Assessment and the recent crime figures are 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 venues and the numbers of people on the streets at night results in high levels of serious crime.

The crime figures highlighted above provides the evidence that this area has the highest level of crime in Soho. The majority of robberies take place at night and these take place on Greek Street, it being a known robbery hotspot where people are targeted as they leave venues. Alongside this is drug dealing, which is a real problem with groups of dealers congregating to sell drugs and specifically targeting 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 venues and people out on the streets which creates the drugs market.

Intoxicated people become victims of crime, adding a further 431 intoxicated people in this area at night will without doubt increase crime and disorder and fail to promote this licensing objective.

Public Safety Policy PS1

Under Criteria number 1, the applicant needs to,

'...demonstrate that the public will be safe within and in the vicinity of the premises'

Drunk and highly intoxicated people on the streets late at night are very vulnerable requiring support and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out the Council with the LGBT Foundation has established the Soho Angels. As the Committee will know, these are groups of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people on a night out. They work with St. John Ambulance who provide medical assistance at a eight bedded night hub at St. Anne's Church on Dean Street.

In their first year of operation they helped over 1,200 people, with medical assistance being given to 230 cases of which 80 were classed as serious incidents, and 40 crimes were reported. This is further evidence of the impact of the large number of late night premises and people out on the streets that a dedicated team of volunteers are required to help keep them safe from harm.

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.'*

The Sub-Committee will beware this scheme contains 8 affordable housing units at 12-14 Greek Street, these being two bedded units with dual aspect onto Greek Street and the inner courtyard which contains the outdoor seating. All homes also have an external balcony space which overlooks the courtyard. We are therefore very concerned that these residents will be disturbed by **116** patrons eating and drinking on the external tables and chairs until 11pm and also by the **315** patrons as they leave these premises at 1am. Add to this the two other restaurants in the courtyard and the total figure is **834** (**598** internal, external **236**) including **200** drinking until 9pm, it creates an environment where noise nuisance and disturbance is inevitable. We all know patrons do not leave premises quietly, they hang around outside speaking in loud voices, some waiting for taxi's others just chatting, at night noise travels and these residents will be disturbed by it.

Patrons will also be attracted to continue their night out in Soho, going into Greek St and the streets that surround it. Residents live all the way along these streets and during the evening and night time the area changes, it attracts large numbers of people on a night out, either eating or drinking in the numerous restaurants, bars and clubs, entertainment establishments, or those arriving from elsewhere to continue their evening, people just walking through and others hanging around and loitering. Coupled with its narrow streets it creates the perfect environment

where large numbers of intoxicated people create noise and disturbance, criminals wait to prey on the vulnerable alongside drugs dealers and where pedicabs seize the opportunity to park up blaring out amplified music waiting for an unsuspecting victim, anti-social behaviour of street fouling, including doors ways and entrances to flats. It is therefore unsurprising that residents constantly experience noise nuisance and disturbed sleep.

In summary

The application proposes a new late night restaurant, with an overall capacity of 431 and where 90 patrons can consume alcohol until 9pm without taking a substantial meal. We have presented evidence of an area with increasing levels of serious crime and noise nuisance, this application will increase cumulative impact and fail to support the licensing objectives, it should therefore be rejected.

Name:		[REDACTED] (CGCA)	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	26 April 2022		

This Representation is being made on behalf of the Covent Garden Community Association. Although the premises are not situated in the CGCA's area the route away from the premises along Manette Street will bring customers onto Charing Cross Road close to residential accommodation on the East side of the road in the CGCA's area of concern.

The CGCA was not aware of the original applications for this site. We usually review West End applications in order to be aware of ones in the vicinity but it appears that these were not published in Licensing List as West End applications. We would ask that the Licensing Authority reviews its process for this.

We would ask that, as we were unable to comment on the original application, that the Licensing Authority considers, when discussing this application for a New Licence, whether a large restaurant/bar operation until 01:00 is appropriate for this location.

At a minimum we would ask that you note the following:

The application seeks to join 2 existing licences which allow the premises to operate until 01:00 as a restaurant, with bar use for up to 90 people (all seated). The total capacity appears to be in excess of 430.

Given the large capacity and late hour of operation we believe it is appropriate that the premises has a dispersal policy which requires that the premises encourage customers leaving the premises after 23:00 depart via Manette Street to Charing Cross Road (as this has the greatest availability of public transport and have staff on Charing Cross road to encourage customers to disperse without causing a nuisance by way of noise.

The wording of the condition we propose should be:

The premises will have a Dispersal Policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licence Holder becomes aware of an issue associated with dispersal. At a minimum it will include the requirement that customers are encouraged to disperse to the East after 23:00 and that staff will encourage them to do so quietly and without giving rise to a nuisance.

We hope that this is clear. If you have any questions please contact us.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	25 April 2022		
<p>While I do not object to the application I do object to the extension beyond midnight. As a neighbour, we are sure it will result in increased noise and potentially lead to an increase in crime, and our neighbourhood already encounters high levels of both already.</p>			

3.	Policy & Guidance
The following policies within the City of Westminster Statement of Licensing Policy apply:	
Hours Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time

	<p>before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</p> <p>2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am</p> <p>3. Hotels: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p>4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>5. Outdoor Spaces: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</p> <p>7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</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>Restaurant Policy RNT1(B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council’s Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council’s Ancillary Delivery of Alcohol and/or

	<p>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> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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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	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: kjackaman@westminster.gov.uk

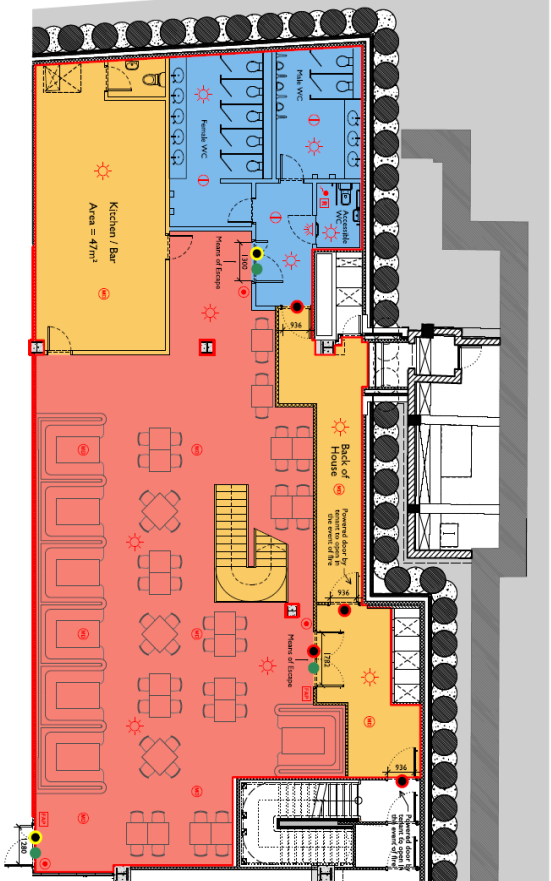
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service representation	26 April 2022
5	Licensing Authority representation	26 April 2022
6	Interested party representation (1)	25 April 2022
7	Interested party representation (2)	26 April 2022
8	Interested party representation (3)	25 April 2022



0 | Retail Unit No.1 - Ground
1/73 @ A1



02 | Retail Unit No.1 - Basement
1/73 @ A1

Unit No. 1
Internal Seated Area = 335m ²
Internal Capacity = 315
External Seating = 116
Total Capacity = 431
Assumed Ratio = 50% Male / 50% Female

- General Notes:
1. Units are to be licensed under the Licensing Act 2003.
 2. Units are to be licensed under the Licensing Act 2003.
 3. All fire safety measures are to be installed in writing.
 4. All fire safety measures are to be installed in writing.
 5. All fire safety measures are to be installed in writing.
 6. All fire safety measures are to be installed in writing.

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 e connect@mattarchitecture.com
 c connect@mattarchitecture.com

Project:
 Ilona Rose House
 111-119 Charing Cross Road
 London, WC2

The
 Retail Unit No. 1
 Proposed Plan
 Level B01 & 00

Scale @ A1
 1:75

Scale @ A2
 1:150

AS-SK-592

DATE: 11/10/2023

BY: H

Thomas & Thomas
Partners LLP

**Units 1 & 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 WC2H 0DU**

SUMMARY OF PROPOSALS

**THOMAS & THOMAS PARTNERS LLP
38A MONMOUTH STREET
LONDON
WC2H 9EP**

**Reference: AT/SOH.4.8
Solicitors for the Applicant**

Thomas & Thomas Partners LLP is a limited liability partnership registered in England & Wales under number OC363873. A list of members is available for inspection at our registered office at 38a Monmouth Street, London WC2H 9EP. Thomas & Thomas Partners LLP is regulated by the Solicitors Regulation Authority under number 561362.

Introduction

1. The applications for determination relate to units 1 and 2 Ilona Rose House (“**the Applications**”).
2. The applicant currently holds four premises licence in the Ilona Rose House purpose-built development granted in December 2021 (“**the Existing Licences**”). *Unit 3 does not form part of the Applications. The licence for unit 3 will not change as a result of the Applications, nor is it included in any of the calculations set out in these submissions*

Unit 1	21/07023/LIPM
Unit 2	21/07024/LIPN
Unit 3	21/07006/LIPN*
Unit 4	21/07004/LIPN

3. The intention is for units 1 and 2 to subsume the whole of existing unit 4; the corresponding licences will be surrendered prior to the completion of works. The Applications mirror the terms and conditions of the Existing Licences. Whilst the internal capacity figures for existing units 1 and 2 will change to reflect the proportion of unit 4 gained, there is no change to the external capacity set out in the Existing Licences as unit 4 had no external seating and indeed a marginal overall decrease. The redistribution of capacities is set out in the table at the end of these submissions.
4. The Applications follow original pre-application advice with the Licensing Authority, Environmental Health and District Surveyor (ref: 21/04583/PREAPM) and the Existing Licences granted for the units in December 2021.

The Application

5. The following licensable activities and hours have been applied for in line with the timings of the Existing Licences:

Sale by Retail of Alcohol	Late Night Refreshment	Opening Hours
Monday – Saturday 10:00 to 01:00 Sunday: 12:00 to 23:30	Monday – Saturday 23:00 to 01:00 Sunday: 23:00 to 23:30	Monday – Saturday 08:00 to 01:00 Sunday: 08:00 to 23:30
Non standard timings: These hours to be extended from the end of permitted hours on New Year’s Eve to the start of permitted hours of New Year’s Day.		

The Applicant

6. The applicant is Soho Estates Portfolio Limited. Soho Estates is a long-standing and well-respected local business with experience of developing and restoring properties across its portfolio.
7. The development site is wholly owned by Soho Estates. This affords particular safeguarding elements to the units as part of the development site, including:
 - on site CCTV;
 - private security arrangements;
 - carefully selected and curated tenant occupiers and operators;
 - additional street and façade lighting;
 - urban greening and upgrading; &
 - additional private cleansing.

The Location

8. The location is perfectly situated so customers and staff will have excellent access to public transport when arriving and leaving the premises especially at night and with such close proximity to the Cross Rail site and Tottenham Court Road for tube and buses. There has been a long stakeholder engagement, particularly through the planning process.
9. The location of the site is just along from the new Crossrail site at Tottenham Court Road, as such when work on that is complete, footfall in the area is expected to rise significantly with 100,000 alighting daily at Tottenham Court Road. Regeneration is therefore needed in the area and this extract from the planning sub-committee report states how important and welcome the development is:

*“A new pedestrian route is proposed between Greek Street and Manette Street, via the new courtyard. **The aim is to provide an additional pedestrian route into Soho given the increase in footfall in the area expected as a consequence of Crossrail. The route is welcomed.**”*

10. A Dispersal Policy is attached. The following additional Model Condition (MC99) could apply if deemed necessary:

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

Representations

11. Each application has a representation from the Licensing Department as a responsible authority, EH, the CGCA, The Soho Society and a local resident.

12. No representation has been made by the Police. **There are no changes to the hours, overall capacity, use or conditions.**
13. The floor space sought in the Applications is identical to that currently licenced, whilst the resulting internal capacity of unit 1 and 2 is less than existing. The capacity is redistributed as follows, with no change to the external area:

Internal capacity of unit 4: 285 persons		+/-
Unit 1 Proposed: 315 +215	Unit 2 Proposed: 155 +67	-3
Pre 21:00 bar use capacity of unit 4: 50 persons		+/-
Unit 1 Proposed: 90 +40	Unit 2 Proposed 60 +10	0

July 2022
THOMAS & THOMAS PARTNERS LLP

TABLE OF CURRENT AND REVISED CAPACITIES AS SHOWN ON THE PLANS:

PREMISES	CURRENT	REVISED
Unit 1	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 90 customers at any time, as specified.
Internal	100	315
External	116	116
Unit 2	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified.
Internal	88	155
External	48	48
Unit 4	Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	
Internal	285	N/A

Internal capacity of unit 4: 285		+/-
Unit 1 Proposed: 315 +215	Unit 2 Proposed: 155 +67	-3

Pre 21:00 bar use capacity of unit 4: 50		+/-
Unit 1 Proposed: 90 +40	Unit 2 Proposed 60 +10	0

Applications for a Premises Licence

**Units 1 and 2
Ilona Rose House**

London W1D 4AL

Dispersal Policy

July 2022

1 Introduction

- 1.1 This document is submitted in respect of Premises Licences for Units 1 and 2 Ilona Rose House, Manette Street, London W1D 4AL (“**the Premises**”).
- 1.2 The development scheme in which the Premises are located is mixed-use, with a substantial retail store fronting Charing Cross Road and a new walkway providing cafés and 3 restaurants, linking Manette Street to Greek Street within a new courtyard.
- 1.3 The location of the site is just along from the new Crossrail site at Tottenham Court Road, with excellent transport link benefits.
- 1.4 The applicant is committed to securing tenants with high standards of professional and responsible management at the Premises. This Policy is indicative of the procedures the applicant will expect from incoming tenants. The implemented management systems envisaged will ensure that the Premises are operated successfully and sympathetically to local residents.
- 1.5 The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal of customers.
- 1.6 The standard operating hours sought are as follows:

Sale by Retail of Alcohol	Late Night Refreshment	Opening Hours
Monday – Saturday 10:00 to 01:00 Sunday: 12:00 to 23:30	Monday – Saturday 23:00 to 01:00 Sunday: 23:00 to 23:30	Monday – Saturday 08:00 to 01:00 Sunday: 08:00 to 23:30
Non-standard timings: These hours to be extended from the end of permitted hours on New Year’s Eve to the start of permitted hours of New Year’s Day. The external seating is not used after 23:00.		

2 Planned Management Measures for Control of Noise

Executive Summary

- 2.1 The main entrance/exit points for customers shall be Manette Street and Greek Street.
- 2.2 After 23:00 guests can and as necessary will be encouraged to depart the Premises via Manette Street towards Charing Cross Road and the transport hubs.
- 2.3 The departure of customers will be managed in accordance with a Dispersal Policy, such as that at section 4 of this document. The management controls set out in the Dispersal Policy are designed to ensure all customers leave the area as quickly and as quietly as possible.

Noise Criteria

Noise and Vibration

- 2.4 Management controls are included in the Dispersal Policy at section 4 and the Deliveries, Collection and Servicing Procedures at section 5 of this document. The objective of these procedures is to ensure local residents are not disturbed by noise from the Premises in accordance with Policy PN1.
- 2.5 The following conditions are proposed:
 - 2.5.1 *“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.”*
 - 2.5.2 *“Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.”*
 - 2.5.3 *“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.”*

Eating, Drinking and Smoking Outside Premises

- 2.6 The external areas are located in James Court.
- 2.7 The external areas will be carefully managed by staff.
- 2.8 Gates are provided to the boundaries of the external areas shared with the adopted highway to allow James Court to be closed off in accordance with permitted hours of operation.

- 2.9 The following conditions are from the existing premises licences:
- 2.9.1 *“There shall be no sales of alcohol for consumption off the premises after 23.00.”*
 - 2.9.2 *“There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.”*
 - 2.9.3 *“Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.”*
 - 2.9.4 *“The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.”*
 - 2.9.5 *“Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.”*

3 General Operational Controls

3.1 Management controls shall include:

3.1.1 Extensive employee induction and on-going refresher training, including:

3.1.1.1 Responsibilities in the local area and towards local residents.

3.1.1.2 Customer care and hospitality.

3.1.1.3 Complaint handling.

3.1.1.4 Food Safety.

3.1.1.5 Health and Safety.

3.1.1.6 Fire Safety.

3.1.1.7 Obligations under the Licensing Act 2003.

3.2 Operational procedures to mitigate nuisance in the local area, including:

3.2.1 External tables and chairs rendered unusable after 23:00.

3.2.2 No sale of alcohol, hot food or hot drink for consumption off the Premises after 23:00.

3.2.3 Controlled management of the arrival and departure of customers, including encouragement of customers to disperse quickly and quietly to their onwards direction of travel, utilising Manette Street for access to Charing Cross Road after 23:00.

3.2.4 Sympathetic servicing of the Premises, with deliveries kept to a minimum wherever possible and no deliveries to the Premises between 23:00 and 07:00.

3.2.5 Internal CCTV coverage including full frontal imaging of anyone entering the Premises. At any given time, there will be at least one member of staff on duty who is fully trained to operate the CCTV system.

3.3 24 hour sitewide security will ensure that the 23:00 external area curfew is adhered to by operators as well as providing additional security provisions in the immediate vicinity. Ilona Rose House will have:

3.3.1 2 x day guard from 07:00 to 19:00;

3.3.2 1 x day/evening guard from 10:00 to 22:00; &

3.3.3 2 x night guards from 19:00 to 07:00

4 People Arriving, Departing & in the Vicinity

Dispersal Policy

- 4.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 4.2 The Dispersal Policy promotes a professional and responsible management of customers as they leave the Premises to ensure they make their journey home without any adverse impact on local residents.
- 4.3 Despite the Premises' central location, employees will be made aware that local residents live close by.
- 4.4 This Dispersal Policy will be followed throughout the opening hours, although particular attention will be paid to customers leaving at night.

Entrances and Exits

- 4.5 The entrance/exits of the Premises are located off Manette Street and Greek Street. These areas will be monitored by staff inside the Premises during busy periods where deemed necessary.
- 4.6 In the event of an emergency, a full fire evacuation plan will be in place.

Dispersal

- 4.7 Given the staggering of sittings in a restaurant environment there is envisaged a natural, gradual dispersal of patrons throughout the evening. Customers are expected to depart the Premises in a gradual and controlled manner until close.
- 4.8 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 4.9 Where appropriate, customers will be directed to nearby transport links and requested to leave quietly.
- 4.10 Customers leaving the premises after 23:00 can be encouraged to depart via Manette Street towards Charing Cross Road.

Transport

- 4.11 Customers arrive and depart by various modes of transport, including by foot and private car.
- 4.12 The Premises are serviced by various public transport options, as set out below, including excellent proximity to Tottenham Court Road with the benefits of Crossrail/Elizabeth Line. All staff will be familiar with the transport links so they can advise customers when required.

Tube

4.13 The Premises are ideally located for tube services, including:

- Tottenham Court Road / 0.1 mile / Central and Northern Line;
- Leicester Square / 0.3 mile / Piccadilly and Northern Line;
- Covent Garden / 0.4 mile / Piccadilly Line; &
- Holborn / 0.5 mile / Piccadilly and Central Line;

with the Night Tube operating on Piccadilly, Central and Northern Lines.

4.14 Where necessary customers will be given directions to the relevant station and reminded to reach the station as quietly and as quickly as possible when they leave.

Crossrail

4.15 Tottenham Court Road also offers an interchange between the Northern, Central and Elizabeth line services with more than 170,000 passengers expected to pass through the station every day.

Buses

4.16 The Premises is serviced by public buses. TFL bus services, including night buses, go to a variety of destinations throughout London from nearby bus stops.

4.17 Nearby bus routes include: 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41, N279

Taxi

4.18 Black cabs are readily available right through the day and night in the area.

4.19 Staff will assist customers calling a taxi if required and the Premises may enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers.

Private Car Service

4.20 The Premises may recommend a private car booking service. In the event a customer wants to book a car home, the customer can wait inside the Premises until their car has arrived to ensure a quick and quiet exit.

5 Deliveries, Collections & Servicing

- 5.1 Servicing vehicles shall be encouraged to load and unload goods quietly and quickly to ensure vehicle waiting time is limited.
- 5.2 The following, inter alia, conditions are proposed:
 - 5.2.1 *“All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.”*
 - 5.2.2 *“No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.”*
 - 5.2.3 *“No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 hours on the following*
 - 5.2.4 *“No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.”*

Premises Licence 21/07023/LIPN (Unit 1)



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

Schedule 12
Part A

WARD:
UPRN: 010033631493

Premises licence

Regulation 33, 34

Premises licence number:	21/07023/LIPN
Original Reference:	21/07023/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

Part 2

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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: TBA
Licensing Authority: TBA

Date: 7 February 2022

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

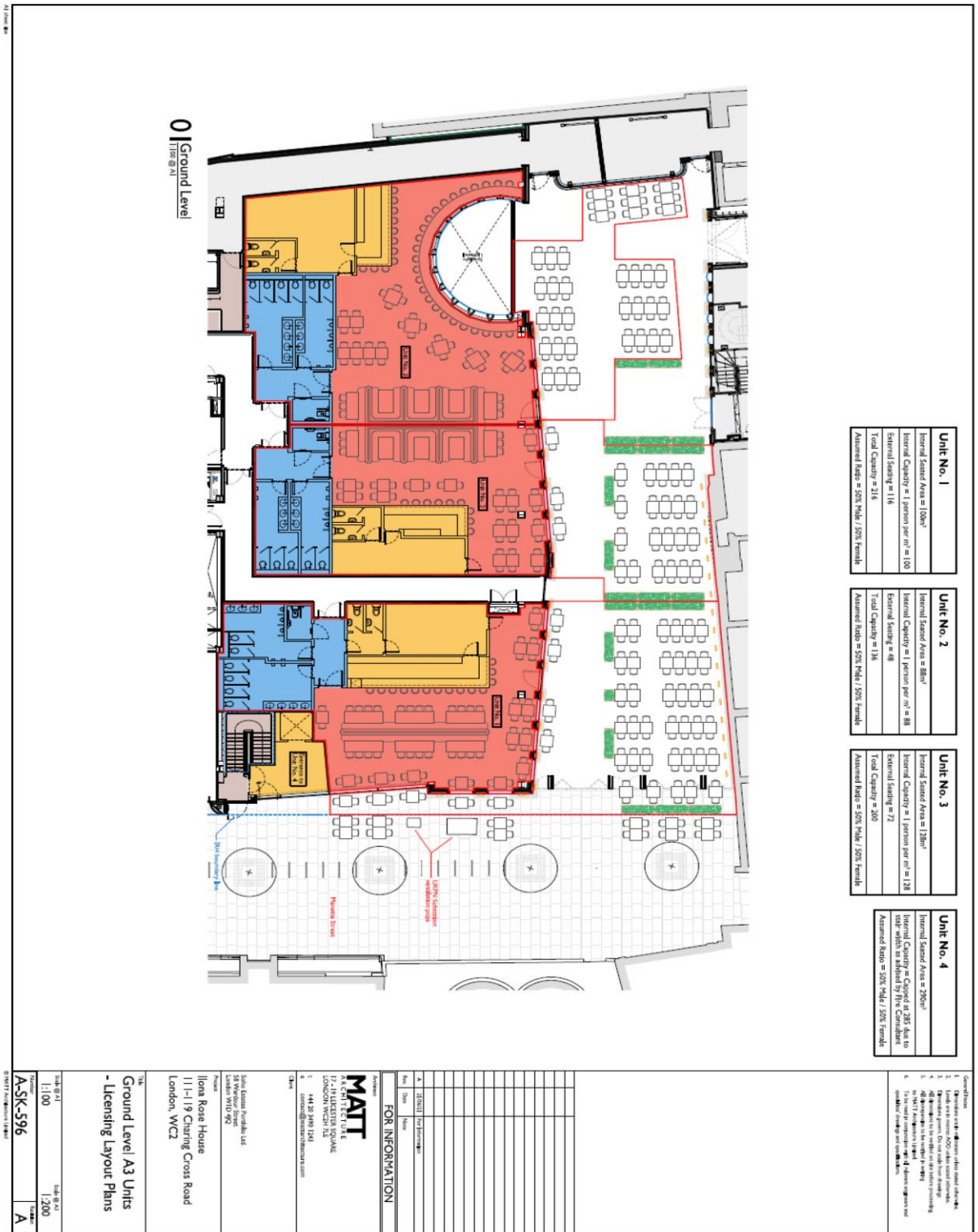
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.
21. 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
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.
25. After 21:00 the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
- a. where the supply of alcohol is by waiter or waitress service only,
 - b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - d. 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.
 - e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
 - f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
 - g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.
26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning

product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

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

Annex 4 – Plans





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

Schedule 12
Part B

WARD:
UPRN: 010033631493

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/07023/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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

Restricted

Date: 7 February 2022

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

Premises Licence 21/07004/LIPN (Unit 4)



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

Schedule 12
Part A

WARD:
UPRN: 010033631493

Premises licence

Regulation 33, 34

Premises licence number:

21/07004/LIPN

Original Reference:

21/07004/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

Part 2

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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: TBA
Licensing Authority: TBA

Date: 8 February 2022

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

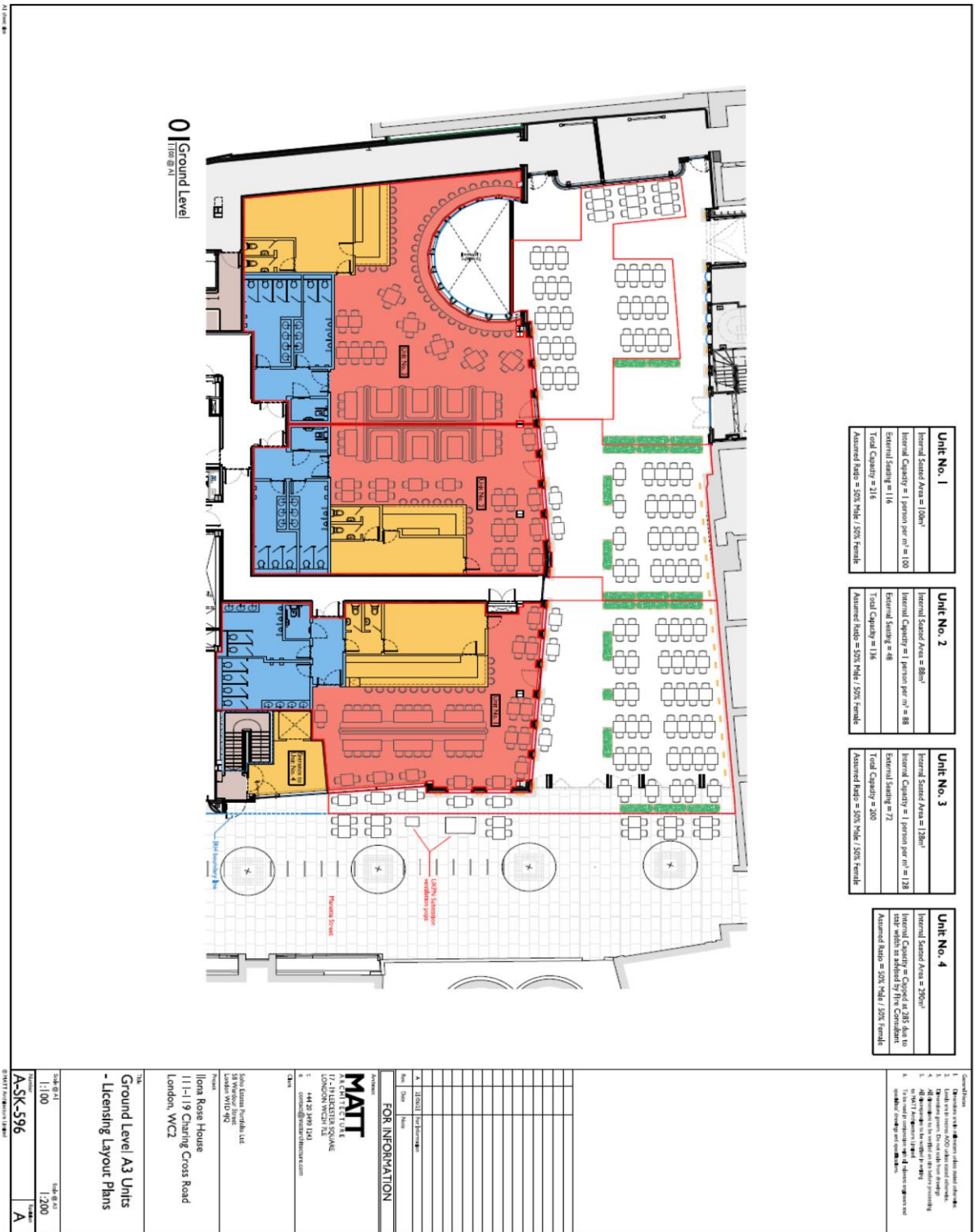
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.
21. 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
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.
25. After 21:00 the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
- a. where the supply of alcohol is by waiter or waitress service only,
 - b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - d. 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.
 - e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
 - f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
 - g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.
26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning

product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

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

Annex 4 – Plans





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

Schedule 12
Part B

WARD:
UPRN: 010033631493

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/07004/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday:	08:00 to 01:00
Sunday:	08:00 to 23:30

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

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

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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

Restricted

Date: 8 February 2022

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

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule.

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.
21. 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
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.
25. **After 21:00** the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
a. where the supply of alcohol is by waiter or waitress service only,
b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
d. 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.
e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 90 customers at any time, as specified.
26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product

referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
31. No licensable activities shall take place at the premises until premises licences 21/07023/LIPN and 21/07004/LIPN (or such other number subsequently issued for the premises) has been surrendered.

Conditions proposed by Interested Party

32. The premises will have a Dispersal Policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licence Holder becomes aware of an issue associated with dispersal. At a minimum it will include the requirement that customers are encouraged to disperse to the East after 23:00 and that staff will encourage them to do so quietly and without giving rise to a nuisance

Conditions proposed by the Environmental Health Service.

None.

Conditions proposed by the Metropolitan Police Service

None.



Resident count: 48

Licensed premises within 75 metres of Unit 1 Ground Floor & Basement, Ilona Rose House, Manette Street, London W1D 4AL				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/14394/LIPN	Acacia - 1st Floor	Ilona Rose House Manette Street London W1D 4AL	Restaurant	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 09:00 - 00:30
21/14327/LICN	De Lane Lea Sports And Social Club	Ilona Rose House Manette Street London W1D 4AL	Not Recorded	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30

17/09329/LIPST	Unit 1	113 - 119 Charing Cross Road London W1D 4AT	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00 New Year's Eve; 00:00 - 00:00
17/09312/LIPST	Unit 3	113 - 119 Charing Cross Road London W1D 4AT	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00 New Year's Eve; 00:00 - 00:00
22/04980/LIPT	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
17/09323/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
21/07004/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

17/09330/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
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	Shadow Licence	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
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
22/01834/LIPDPS	The Borderline	Borderline Orange Yard London W1D 4JB	Night clubs and discos	Sunday; 09:00 - 23:00 Monday to Wednesday; 09:00 - 03:30 Thursday to Saturday; 09:00 - 06:00
19/13507/LIPN	SHADOW LICENCE	Borderline Orange Yard London W1D 4JB	Premises Licence - Shadow Licence	Sunday; 09:00 - 23:00 Thursday to Saturday; 09:00 - 06:00 Sunday to Wednesday; 09:00 - 03:30

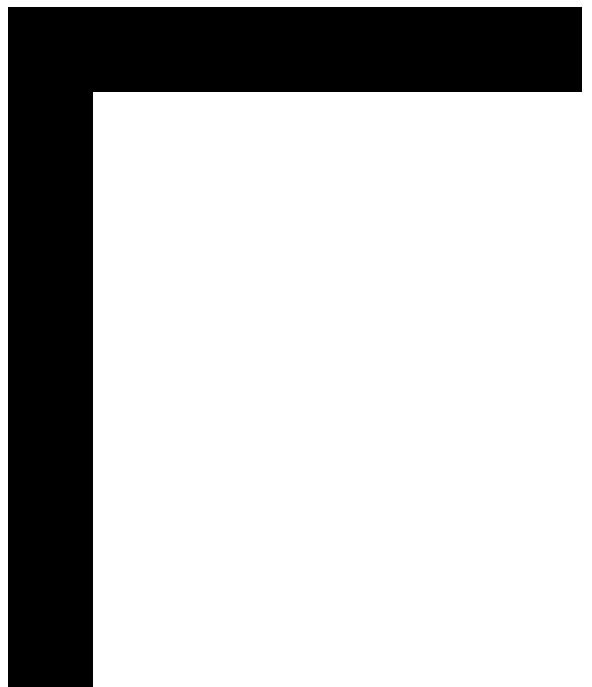
21/04707/LIPN	Not Recorded	Basement And Ground Floor 16 Manette Street London W1D 4AR	Cafe	Monday to Sunday; 07:00 - 23:00
06/05103/WCCMAP	Jazz After Dark	Ground Floor 9 Greek Street London W1D 4DQ	Night clubs and discos	Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00 Monday to Thursday; 09:00 - 02:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 09:00 - 03:30
22/01629/LIPCH	Crobar	Ground Floor 17 Manette Street London W1D 4AS	Night clubs and discos	Sunday; 12:00 - 23:00 Monday to Saturday; 09:00 - 03:30
22/01170/LIPN	Pillars Of Hercules	7 Greek Street London W1D 4DF	Not Recorded	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
22/05761/LIPVM	Simmons	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
21/12282/LIPN	Not Recorded	Basement And Ground Floor 6 Greek Street London W1D 4DE	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30

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
12/10955/LIPDPS	The Gallery Soho	Basement And Ground Floor 125 Charing Cross Road London WC2H 0EW	Shop	Monday to Sunday; 00:00 - 00:00
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
20/08314/LIPN	Not Recorded	4 Greek Street London W1D 4DB	Not Recorded	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Saturday; 09:00 - 02:30 Sunday; 09:00 - 02:00
21/10072/LIPVM	Louche Soho	4 Greek Street London W1D 4DB	Night clubs and discos	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Sunday; 09:00 - 02:00 Sundays before Bank Holidays; 09:00 - 02:30
17/13397/LIPV	Milroys Of Soho	Basement And Ground Floor 3 Greek Street London W1D 4NX	Shop	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 -

				00:00
18/15446/LIPDPS	Foyles Bookshop	107 Charing Cross Road London WC2H 0DT	Cafe within another property	Sunday; 10:00 - 22:30 Monday to Saturday; 09:00 - 23:00 Sundays before Bank Holidays; 10:00 - 23:00
22/00653/LIPDPS	House Of St Barnabas	The House Of St Barnabas In Soho 1 Greek Street London W1D 4NQ	Civic/public building	Monday to Sunday; 08:00 - 01:30
21/10890/LIPN	Here Soho	First Floor 56 Greek Street London W1D 3DU	Office	Monday to Sunday; 09:30 - 22:30
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
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 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
22/03894/LIPVM	Zebrano	Basment And Ground Floor 18 Greek Street London W1D 4DS	Night clubs and discos	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 Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00 New Year's Eve; 00:00 - 00:00
19/15446/LIPDPS	The Gay Hussar	2 Greek Street London W1D 4NB	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00

20/11105/LIPN	Not Recorded	2 Greek Street London W1D 4NB	Not Recorded	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
21/10602/LIPN	Not Recorded	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Sunday; 10:00 - 23:30
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
13/01185/LIPVM	Montagu Pyke	Ground Floor 105 Charing Cross Road London WC2H 0DT	Public house or pub restaurant	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
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
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
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
21/07365/LIPDPS	Royal George Public House	Royal George 133 Charing Cross Road London WC2H 0EA	Public house or pub restaurant	Sunday; 07:00 - 22:50 Monday to Wednesday; 07:00 - 23:30 Thursday to Saturday; 07:00 - 01:30 Sundays before Bank Holidays; 07:00 - 00:00

21/09718/LIPDPS	G-A-Y Late	Royal George 133 Charing Cross Road London WC2H 0EA	Night clubs and discos	Sunday; 12:00 - 04:30 Monday to Saturday; 09:00 - 04:30
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
22/04179/LIPDPS	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
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
19/09656/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
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
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



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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	14 July 2022
Licensing Ref No:	22/03404/LIPN - New Premises Licence
Title of Report:	Unit 2 Ground Floor & Basement Ilona Rose House Manette Street London W1D 4AL
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	29 March 2022		
Applicant:	Soho Estates Portfolio Limited		
Premises:	Unit 2 Ground Floor & Basement		
Premises address:	Ilona Rose House Manette Street London W1D 4AL	Ward:	West End
		Cumulative Impact Area:	West End CIZ
		Special Consideration Zone:	None
Premises description:	According to the application form the premises will trade as a restaurant with ancillary bar.		
Premises licence history:	<p>The premises currently has the benefit of a Premises Licence under reference number 21/07023/LIPN. This application for Unit 2, along with another application for Unit 1 subsume the whole of the current Unit 4 (21/07004/LIPN).</p> <p>The existing licences for Unit 2 and Unit 4 will be surrendered in the event that this application is granted. A copy of the existing licences for Unit 2 and Unit 4 can be found at appendix 3</p> <p>The application otherwise mirrors the terms and conditions of the existing units in the development and follows pre-application advice.</p>		
Applicant submissions:	<p>“After 21:00 hours the premises shall only operate as a restaurant. Before 21:00, the intention is that alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified”.</p> <p>The applicant has provided an “Applicant’s Summary of Proposals” and a “Dispersal Plan.” Both of which can be seen at Appendix 2.</p>		
Applicant amendments:	There have been no amendments.		

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:		These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:		These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.					

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	08:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	23:30
Seasonal variations/ Non-standard timings:		These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.					
Adult Entertainment:		None					

2.	Representations	
2-A	Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Service	
Representative:	Mr Dave Nevitt	
Received:	26 April 2022	
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p>		

Responsible Authority:	The Licensing Authority
Representative:	Ms Karen Abbott
Received:	26 April 2022

I write in relation to the application submitted for a new premises licence for Unit 2, Basement and Ground Floor, Ilona Rose House, Manette Street, London, W1D 4AL

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

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

The application seeks the following:

- **Late Night Refreshment**

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

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

- **Supply of Alcohol On and Off Premises**

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

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

- **Opening Hours to Public**

Monday to Saturday 08:00 to 01:00
Sunday 00:00 to 23:30

Non-Standard Timings: These hours to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours of New Year's Day.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PB1.

The Licensing Authority notes that Ilona Rose House comprises of four units which all currently benefit from premises licences. The applicant is proposing to amalgamate part of Unit 4 (basement) into Unit 2 with the same hours and conditions that were granted at Licensing Sub-Committee on the 2nd of December 2021. The applicant has proposed MC61 within the operating schedule so both licences will be surrendered if this application is granted.

MC61 - No licensable activities shall take place at the premises until premises licence 21/07024/LIPN and 21/07004/LIPN (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

The proposed operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises and other licensable activities, the Licensing Authority encourage that the applicant reduce the hours to be within Westminster's Core hours under HRS1 Policy.

The applicant has proposed within the operating schedule a varied version of MC66;

After 21:00 the premises shall only operate as a restaurant:

in which customers are shown to their table or the customer will select a table themselves,

- a. where the supply of alcohol is by waiter or waitress service only,
- b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
- c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
- d. 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.
- e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
- f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
- g. Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified.

Westminster's PB1 Policy states that a premises would be considered as a bar under the policy if it is providing alcohol as its primary function and has the general presumption to refuse applications within the Cumulative Impact Zone. The Licensing Authority cannot consider this application to be that of a restaurant as the applicant has only proposed model condition 66 after 9pm. Before 9pm the applicant has proposed part g of MC66 (above) for persons to be seated, served by waiter/waitress service and restricted to no more than 60 persons. Even with these restrictions in place there is no ancillary food nature plus the hours are significantly greater than those proposed with the Sale of Alcohol with a table meal so the applicant will need to demonstrate exceptional circumstances to depart from this policy.

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

The Licensing Authority looks forward to receiving further submissions from the applicant in due course to be able to assess any further relevant policy considerations.

2-B	Other Persons		
Name:	Soho Society		
Address and/or Residents Association:	██████████ ██████████ ██████ ██████		
Status:	Valid	In support or opposed:	Opposed
Received:	25 April 2022		

We write to make a relevant representation to the above application on behalf of The Soho Society.

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

New Premises Licence

The premises currently has the benefit of a Premises Licence under reference number 21/07024/LIPN. The application for Units 1 and 2 subsume the whole of Unit 4 (21/07004/LIPN) which will be surrendered prior to completion of works. The applications otherwise mirror the terms and conditions of the existing units in the development and follows pre-application advice.

Supply of Alcohol: Mon - Sat : 10:00 - 01:00. Sun : 12:00 - 23:30

Late Night Refreshment: Mon - Sat : 23:00 - 01:00. Sun : 23:00 - 23:30

Opening Hours: Mon - Sat: 08:00 - 01:00. Sun : 08:00 - 23:30

Capacity (from the plans): Internal : 155. External : 48. Total : 203

Includes condition No.25, After 21:00 the premises shall only operate as a restaurant
g: Before 21:00, alcohol may be sold to persons seated and served by waiter/waitress service restricted to no more than **60** customers at any one time, as specified.

Current Licence Unit 2 : 21/07024/LIPN

Supply of Alcohol: Mon - Sat : 10:00 - 01:00. Sun : 12:00 - 23:30

Late Night Refreshment: Mon - Sat : 23:00 - 01:00. Sun : 23:00 - 23:30

Opening Hours: Mon - Sat: 08:00 - 01:00. Sun : 08:00 - 23:30

Capacity (from the plans): Internal : 88. External : 46. Total : 136.

Condition 25. After 21:00 the premises shall only operate as a restaurant
g: Before 21:00, alcohol may be sold to persons seated and served by waiter/waitress service restricted to no more than **50** customers at any one time, as specified.

Current Licence Unit 1: 21/07023/LIPN

Mirrors Unit 2 above (21/07234/LIPN) and Unit 4 (21/07004/LIPN)

Capacity (from the plans): Internal : 100. External : 116 Total : 216.

Includes 50: Before 21:00 where alcohol may be sold.

Current Licence Unit 4 :21/07004/LIPN

Mirrors Unit 1 above (21/07023/LIPN) and Unit 2 (21/07024/LIPN)

Capacity: Capacity (from the plans): Internal : 285. External - Total : 285

Includes 50: Before 21:00 where alcohol may be sold.

The Soho Society's Position

We object to this application for a new 1am restaurant with a capacity of 431 which includes 90 customers where before 9pm alcohol may be sold to patrons seated, on the grounds of prevention of crime and disorder, prevention of public nuisance, and cumulative impact in the West End Cumulative Impact Zone.

The Soho Society was unaware of the 4 applications granted for these premises in 2021, had we been aware we would have submitted representations against all four applications presenting a robust case for refusal. The reason for this omission is the Society relies on Licensing News for the list of applications within the West End Ward, reviewing the 2021 editions we were surprised to find these applications appeared under the ward heading of N/A and not West End, unlike all other applications relating to Ilona Rose House. We now present different and new evidence to that before the Licensing Sub-Committee in 2021 and therefore look afresh at these new applications.

As background the Sub-Committee will be aware that four 2017 provisional statement licences were granted with a terminal hour of 1am, and on the understanding that the restaurant condition MC66 would always operate throughout all four premises. However, in 2021 four new licences were granted again until 1am, but MC66 was replaced with after 9pm the premises will only operate as a restaurant, before 9pm alcohol may be sold to person seated. Overall this scheme is huge, with a capacity of **837, 601 internal seating and 236 external**, the number where alcohol maybe sold until 9pm (without a substantial table meal) being **200**. It is against this backdrop this application and that of Unit 1 22/03403/LIPN needs to be considered not only as standalone applications, but also within the context of the whole scheme and its impact on cumulative impact and the licensing objectives.

Of importance is the publication of the Cumulative Impact Assessment in 2020 which highlighted the rise in cumulative impact between 2017 - 2019 resulting in the West End being identified as being the only area suffering from cumulative impact. The assessment 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.

The evidence presented in the Cumulative Impact Assessment is not surprising considering Soho has a large concentration of licensed premises, **466** with a large proportion (25%) being late night licences, **118** licensed between the hours of 1am - 6am, with a capacity of over **22,480**. There are over 200 restaurants, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises. The area is densely populated at night with people drinking on the streets, creating loud levels of noise, causing disturbance and anti-social behaviour, the area has the highest level of cumulative impact in Westminster.

These premises are situated next to Greek Street which is at the heart of the evening and night time economy, alongside Old Compton Street, Frith Street and Dean Street this area has the highest concentration of licensed premises in Soho, a total **of 110 from 12am - 3.30am with a capacity of over 10,002**. Greek Street has 13 licences post 1am, and 6 with a terminal hour of 3am, patrons from these premises will be attracted to continue their night out and will find a number of late night establishments on this street and those that surround it. There's also a high probability they will become victims of crime as Greek Street has the highest recorded level of crime and is a known robbery hotspot late at night. (See Prevention of Crime and Disorder).

It is our position that the licences granted in 2021 and the application proposed today will fail to promote the licensing objectives and increase cumulative impact in Soho.

Statement of Licensing Policy

This application fails a number of policy tests which includes the Cumulative Impact Policy CIP1, Hours Policy HRS1, Restaurant Policy RNT1 and Pubs and Bars Policy PB1.

This area has been identified by the Westminster City Council as under stress because 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 evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019, the subsequent Statement of Licensing Policy 2021 Cumulative Impact Policy CIP1 states, *'The West End Cumulative Impact Zone has been identified because the cumulative effect of the concentration of late night and drink led premises and/or night cafés has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. **The extent of crime and disorder and public nuisance in the West End Cumulative Impact Zone arises from the number of people there late at night; a considerable number of them being intoxicated (our emphasis).** Public services, including police, health and emergency, transport, environmental services (cleansing and refuse services) are placed under chronic strain by existing levels of activity, as are civic amenities and the quality of residential life. The urban infrastructure cannot sustain any further growth in licensed premises that provide a significant risk of a variety of harmful outcomes. Over a period of three years (2017 - 2019) 45% of violent crimes, as well as over half of all robberies, thefts and drug offences in the city were recorded within West End Cumulative Impact Zone. Additionally, 43% of ambulance callouts between that same period to the locations of licensed premises fell within this zone.'* (D4)

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, there are more people on the streets in the evening now than at pre-COVID times, in our view we have already reached pre-March 2020 levels and this is further supported by recent crimes statistics which show an increase in serious crime (see the Prevention of Crime and Disorder).

The policy test for this new late night restaurant is that it will not add to cumulative impact,

'Applicants for licences for premises uses that do not have a presumption to refuse must provide evidence that they will not add to cumulative impact zone the West End Impact Zone. The applicant must provide significant mitigation within the operation schedule and the rationale on how their operation will not add to cumulative impact.' (D2)

'Applicants that fail to add sufficient information within their operating scheduled and don't adequately demonstrate how they will not add to cumulative impact may have all or part of their application refused, if representations are received.' (D2)

Furthermore, the applicant also proposes bar use until 21:00 for no more than 60 customers at any one time, in relation to this the Cumulative Impact Policy states,

'The 2020 Cumulative Impact Assessment identified that incident rates associated with cumulative impact increased rapidly from 9pm. Although there is a general presumption to refuse applications for music and dance venues and pubs and bars within the West End Cumulative Impact Zone under this policy, an exception may be permitted to applications that have a terminal hours of no later than 9pm and meet other policies within this statement.' (D13)

We have seen a number of these types of applications in 2021 where a 9pm licence for bar use has been granted for restaurants which then stay open for much later. Our understanding of this policy is that it is not intended for restaurants to have bar use until 9pm, the relevant sections of the RNT policy still apply to this type of application, i.e. that the Licensing Authority is not in general minded to relax conditions permitting bar use. Therefore, the applicant needs to demonstrate a genuine exception to policy.

The Restaurant Policy RNT1 is clear in raising concerns regarding restaurants turning into bars, it states,

'The Licensing Authority is particularly concerned that restaurant premises within the West End Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as 'vertical drinking' premises where customers consume alcohol throughout the evening.' (F112)

However, it continues, *'Submission has been made that not every individual in a group may wish to*

eat but should not be prevented from accompanying diners and having a drink. The Licensing Authority, however, is not minded to relax the conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.'

Section C; defines restaurants as,

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 of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.'*

This application proposes to strip away the restaurant condition, changing the operation in part by creating the opportunity for 60 customers (not an insignificant number) to drink all day without taking a substantial table meal, everything the Statement of Licensing Policy aims to prevent. The Cumulative Impact Assessment clearly states cumulative impact exists from 6pm - 6am and with a rapid increase from 9pm; however the fact that it exists from 6pm and continues to build is an important point, that it increases from 9pm is no justification to grant such an application when the evidence against it is so overwhelming. What is forgotten is this is an increase of 60 'new' people in Soho drinking until 9pm, adding to cumulative impact as the hours go by and they will without doubt go on to continue drinking in the large number of bars in the area, in short this policy just adds to cumulative impact. The applicant needs to demonstrate there is a genuine exception to policy and that they will not add to cumulative impact, this is an impossibility. It goes without saying that an additional 203 people in Soho, including 60 who have been drinking until 9pm will add to cumulative impact, we find no reason for an exception in this case.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including 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 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:

- Drug Offences Night: **1529** (proportion of Borough's incidents **40%**)
- Robberies Night: **2237 (33%)**
- Theft and Handling Night: **24,407 (33%)**
- Serious violent crimes Night: **795 (31%)**
- Ambulance call outs to locations of licensed premises: **5353 (22%)**
- Noise Complaints Night: **1389 (16%)**
- Anti-Social behaviour MPS: **9662 (16%)**
- Anti-Social behaviour on transport Night: **592 (13%)**
- Reactive Waste Management: **6630 (10%)**

Total = 52,594

- **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:** the most common crime type in the borough and in the evening and night this is particularly concentrated in the West End and along Oxford Street.

These premises are situated in the heart of the food and beverage / entertainment area, the area is a known hotspot for crime and disorder, the current statistics for the *top crime streets in Soho shows a total of 1,827 crimes; Greek Street 1st on the list with 239 and Old Compton Street 2nd with 231.

Top Streets all crime – 1st Nov 21 – 28th Feb 22

GREEK STREET	239	GOLDEN SQUARE	14
OLD COMPTON STREET	231	ARCHER STREET	14
WARDOUR STREET	138	GREAT PULTENEY STREET	14
SHAFTESBURY AVENUE	117	GLASSHOUSE STREET	13
DEAN STREET	105	SOHO STREET	13
CARNABY STREET	99	LEKINGTON STREET	13
GREAT MARLBOROUGH STREET	75	GOSLETT YARD	12
FRITH STREET	70	SOHO PLACE	12
SOHO SQUARE	60	NEWBURGH STREET	11
BREWER STREET	58	PETER STREET	11
BATEMAN STREET	44	CARLISLE STREET	10
GREAT WINDMILL STREET	45	ROMILLY STREET	9
KINGLY STREET	41	KINGLY COURT	9
BROADWICK STREET	37	CAMBRIDGE CIRCUS	9
CHARING CROSS ROAD	36	D'ARBLAY STREET	8
BERWICK STREET	35	MARSHALL STREET	8
GANTON STREET	32	HAM YARD	7
BEAK STREET	29	RAMILLES STREET	7
POLAND STREET	24	DUPOURS PLACE	6
MANETTE STREET	24	WALKER'S COURT	6
MOOR STREET	23	MEARD STREET	6
RUPERT STREET	18	WARWICK STREET	5
LITTLE MARLBOROUGH STREET	17	FOUBERT'S PLACE	5
INGESTRE PLACE	15	NOEL STREET	5

Comparing the top reported crimes from *November 2021 - February 2022 to pre- COVID times highlights the number of serious and violent crimes are on the increase;

Violence against the person serious wounding: 32 up 78% (18 pre - COVID)

Violence against the person assault with injury: 59 up 31% (45 pre-COVID)

Violence against the person common assault: 70 up 18% (59 pre-COVID)

Drugs possession: 115 up 79% (64 pre-COVID)

Sexual offences: 34 up 70% (20 pre-COVID)

* Data provided by the Metropolitan Police

For residents living in Soho the findings of the Cumulative Impact Assessment and the recent crime figures are 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 venues and the numbers of people on the streets at night results in high levels of serious crime.

The crime figures highlighted above provides the evidence that this area has the highest level of crime in Soho. The majority of robberies take place at night and these are on Greek Street, it being a known robbery hotspot where people are targeted as they leave venues which is evidenced by the figures. Alongside this is drug dealing, which is a real problem with groups of dealers congregating to sell drugs and specifically targeting 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 venues and people out on the streets which creates the drugs market.

Intoxicated people become victims of crime, adding a further 203 intoxicated people in this area at night will without doubt increase crime and disorder and fail to promote this licensing objective.

Public Safety Policy PS1

Under Criteria number 1, the applicant needs to,

'...demonstrate that the public will be safe within and in the vicinity of the premises'

Drunk and highly intoxicated on the streets late at night are very vulnerable requiring support and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out the Council with the LGBT Foundation has established the Soho Angels. As the Committee will know, these are groups of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people. They work with St. John Ambulance who provide medical assistance at a eight bedded night hub at St. Anne's Church on Dean Street.

In their first year of operation they helped over 1,200 people, with medical assistance being given to 230 cases of which 80 were classed as serious incidents, and 40 crimes were reported. This is further evidence of the impact of the large number of late night premises and numbers of people out on the streets that such a dedicated team of volunteers are required to help keep people safe.

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.'*

The Sub-Committee will beware this scheme contains 8 affordable housing units at 12-14 Greek Street, these being two bedded units with dual aspect onto Greek Street and the inner courtyard which contains the outdoor seating. All homes also have an external balcony space which overlooks the courtyard. We are therefore very concerned that these residents will be disturbed by 48 patrons eating and drinking on the external tables and chairs until 11pm and also by the 155 patrons as they leave these premises at 1am. Add to this the two other restaurants in the courtyard and the total figure is **834 (598 internal, external 236) including 200 drinking until 9pm**, it creates an environment where noise nuisance and disturbance is inevitable. We all know patrons do not leave premises quietly, they hang around outside speaking in loud voices, some waiting for taxi's others just chatting, at night noise travels and these residents will be disturbed by it. Patrons will also be attracted to continue their night out in Soho, going into Greek St and the streets that surround it. Residents live all the way along these streets and during the evening and

night time the area changes, it attracts large numbers of people on a night out, either eating or drinking in the numerous restaurants, bars and clubs, entertainment establishments, or those arriving from elsewhere to continue their evening, people just walking through and others hanging around and loitering. Coupled with its narrow streets it creates the perfect environment where large numbers of intoxicated people create noise and disturbance, criminals wait to prey on the vulnerable alongside drugs dealers and where pedicabs seize the opportunity to park up blaring out amplified music waiting for an unsuspecting victim, anti-social behaviour of street fouling, including doors ways and entrances to flats. It is therefore unsurprising that residents constantly experience noise nuisance and disturbed sleep.

In summary

The application proposes a new late night restaurant, with an overall capacity of 203 and where 60 patrons can consume alcohol until 9pm without taking a substantial meal. We have presented evidence of an area with increasing levels of serious crime and noise nuisance, this application will increase cumulative impact and fail to support the licensing objectives and should therefore be rejected.

Name:	[REDACTED] - Covent Garden Community Association		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	26 April 2022		

This Representation is being made on behalf of the Covent Garden Community Association. Although the premises are not situated in the CGCA's area the route away from the premises along Manette Street will bring customers onto Charing Cross Road close to residential accommodation on the East side of the road in the CGCA's area of concern.

The CGCA was not aware of the original applications for this site. We usually review West End applications in order to be aware of ones in the vicinity but it appears that these were not published in Licensing List as West End applications. We would ask that the Licensing Authority reviews its process for this. We would ask that, as we were unable to comment on the original application, that the Licensing Authority considers, when discussing this application for a New Licence, whether a large restaurant/bar operation until 01:00 is appropriate for this location.

At a minimum we would ask that you note the following:

The application seeks to join 2 existing licences which allow the premises to operate until 01:00 as a restaurant, with bar use for up to 90 people (all seated). The total capacity appears to be in excess of 150.

Given the capacity and late hour of operation we believe it is appropriate that the premises has a dispersal policy which requires that the premises encourage customers leaving the premises after 23:00 depart via Manette Street to Charing Cross Road (as this has the greatest availability of public transport and have staff on Charing Cross road to encourage customers to disperse without causing a nuisance by way of noise.

The wording of the condition we propose should be:

The premises will have a Dispersal Policy and all relevant staff will be trained in its implementation. The Policy will be reviewed regularly and whenever the Licence Holder becomes aware of an issue associated with dispersal. At a minimum it will include the requirement that customers are encouraged to disperse to the East after 23:00 and that staff will encourage them to do so quietly and without giving rise to a nuisance.

We hope that this is clear. If you have any questions please contact us. We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	25 April 2022		
<p>While I do not object to the application I do object to the extension beyond midnight. As a neighbour, we are sure it will result in increased noise and potentially lead to an increase in crime, and our neighbourhood already encounters high levels of both already.</p>			

3.	Policy & Guidance
The following policies within the City of Westminster Statement of Licensing Policy apply:	
Hours Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises.

10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.

11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.

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

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

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

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

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

2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am

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

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

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

6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.

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

8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and

	<p>Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</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>Restaurant Policy RNT1(B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

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:	Ms 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	Environmental Health Service representation	26 April 2022
5	The Licensing Authority representation	26 April 2022
6	Interested party 1	25 April 2022
7	Interested party 2	26 April 2022
8	Interested party 3	25 April 2022

Thomas & Thomas
Partners LLP

**Units 1 & 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 WC2H 0DU**

SUMMARY OF PROPOSALS

**THOMAS & THOMAS PARTNERS LLP
38A MONMOUTH STREET
LONDON
WC2H 9EP**

**Reference: AT/SOH.4.8
Solicitors for the Applicant**

Thomas & Thomas Partners LLP is a limited liability partnership registered in England & Wales under number OC363873. A list of members is available for inspection at our registered office at 38a Monmouth Street, London WC2H 9EP. Thomas & Thomas Partners LLP is regulated by the Solicitors Regulation Authority under number 561362.

Introduction

1. The applications for determination relate to units 1 and 2 Ilona Rose House (“**the Applications**”).
2. The applicant currently holds four premises licence in the Ilona Rose House purpose-built development granted in December 2021 (“**the Existing Licences**”). *Unit 3 does not form part of the Applications. The licence for unit 3 will not change as a result of the Applications, nor is it included in any of the calculations set out in these submissions*

Unit 1	21/07023/LIPM
Unit 2	21/07024/LIPN
Unit 3	21/07006/LIPN*
Unit 4	21/07004/LIPN

3. The intention is for units 1 and 2 to subsume the whole of existing unit 4; the corresponding licences will be surrendered prior to the completion of works. The Applications mirror the terms and conditions of the Existing Licences. Whilst the internal capacity figures for existing units 1 and 2 will change to reflect the proportion of unit 4 gained, there is no change to the external capacity set out in the Existing Licences as unit 4 had no external seating and indeed a marginal overall decrease. The redistribution of capacities is set out in the table at the end of these submissions.
4. The Applications follow original pre-application advice with the Licensing Authority, Environmental Health and District Surveyor (ref: 21/04583/PREAPM) and the Existing Licences granted for the units in December 2021.

The Application

5. The following licensable activities and hours have been applied for in line with the timings of the Existing Licences:

Sale by Retail of Alcohol	Late Night Refreshment	Opening Hours
Monday – Saturday 10:00 to 01:00 Sunday: 12:00 to 23:30	Monday – Saturday 23:00 to 01:00 Sunday: 23:00 to 23:30	Monday – Saturday 08:00 to 01:00 Sunday: 08:00 to 23:30
Non standard timings: These hours to be extended from the end of permitted hours on New Year’s Eve to the start of permitted hours of New Year’s Day.		

The Applicant

6. The applicant is Soho Estates Portfolio Limited. Soho Estates is a long-standing and well-respected local business with experience of developing and restoring properties across its portfolio.
7. The development site is wholly owned by Soho Estates. This affords particular safeguarding elements to the units as part of the development site, including:
 - on site CCTV;
 - private security arrangements;
 - carefully selected and curated tenant occupiers and operators;
 - additional street and façade lighting;
 - urban greening and upgrading; &
 - additional private cleansing.

The Location

8. The location is perfectly situated so customers and staff will have excellent access to public transport when arriving and leaving the premises especially at night and with such close proximity to the Cross Rail site and Tottenham Court Road for tube and buses. There has been a long stakeholder engagement, particularly through the planning process.
9. The location of the site is just along from the new Crossrail site at Tottenham Court Road, as such when work on that is complete, footfall in the area is expected to rise significantly with 100,000 alighting daily at Tottenham Court Road. Regeneration is therefore needed in the area and this extract from the planning sub-committee report states how important and welcome the development is:

*“A new pedestrian route is proposed between Greek Street and Manette Street, via the new courtyard. **The aim is to provide an additional pedestrian route into Soho given the increase in footfall in the area expected as a consequence of Crossrail. The route is welcomed.**”*

10. A Dispersal Policy is attached. The following additional Model Condition (MC99) could apply if deemed necessary:

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

Representations

11. Each application has a representation from the Licensing Department as a responsible authority, EH, the CGCA, The Soho Society and a local resident.

12. No representation has been made by the Police. **There are no changes to the hours, overall capacity, use or conditions.**
13. The floor space sought in the Applications is identical to that currently licenced, whilst the resulting internal capacity of unit 1 and 2 is less than existing. The capacity is redistributed as follows, with no change to the external area:

Internal capacity of unit 4: 285 persons		+/-
Unit 1 Proposed: 315 +215	Unit 2 Proposed: 155 +67	-3
Pre 21:00 bar use capacity of unit 4: 50 persons		+/-
Unit 1 Proposed: 90 +40	Unit 2 Proposed 60 +10	0

July 2022
THOMAS & THOMAS PARTNERS LLP

TABLE OF CURRENT AND REVISED CAPACITIES AS SHOWN ON THE PLANS:

PREMISES	CURRENT	REVISED
Unit 1	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 90 customers at any time, as specified.
Internal	100	315
External	116	116
Unit 2	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	Before 21:00, alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified.
Internal	88	155
External	48	48
Unit 4	Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.	
Internal	285	N/A

Internal capacity of unit 4: 285		+/-
Unit 1 Proposed: 315 +215	Unit 2 Proposed: 155 +67	-3

Pre 21:00 bar use capacity of unit 4: 50		+/-
Unit 1 Proposed: 90 +40	Unit 2 Proposed 60 +10	0

Applications for a Premises Licence

**Units 1 and 2
Ilona Rose House**

London W1D 4AL

Dispersal Policy

July 2022

1 Introduction

- 1.1 This document is submitted in respect of Premises Licences for Units 1 and 2 Ilona Rose House, Manette Street, London W1D 4AL (“**the Premises**”).
- 1.2 The development scheme in which the Premises are located is mixed-use, with a substantial retail store fronting Charing Cross Road and a new walkway providing cafés and 3 restaurants, linking Manette Street to Greek Street within a new courtyard.
- 1.3 The location of the site is just along from the new Crossrail site at Tottenham Court Road, with excellent transport link benefits.
- 1.4 The applicant is committed to securing tenants with high standards of professional and responsible management at the Premises. This Policy is indicative of the procedures the applicant will expect from incoming tenants. The implemented management systems envisaged will ensure that the Premises are operated successfully and sympathetically to local residents.
- 1.5 The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal of customers.
- 1.6 The standard operating hours sought are as follows:

Sale by Retail of Alcohol	Late Night Refreshment	Opening Hours
Monday – Saturday 10:00 to 01:00 Sunday: 12:00 to 23:30	Monday – Saturday 23:00 to 01:00 Sunday: 23:00 to 23:30	Monday – Saturday 08:00 to 01:00 Sunday: 08:00 to 23:30
<p>Non-standard timings: These hours to be extended from the end of permitted hours on New Year’s Eve to the start of permitted hours of New Year’s Day.</p> <p>The external seating is not used after 23:00.</p>		

2 Planned Management Measures for Control of Noise

Executive Summary

- 2.1 The main entrance/exit points for customers shall be Manette Street and Greek Street.
- 2.2 After 23:00 guests can and as necessary will be encouraged to depart the Premises via Manette Street towards Charing Cross Road and the transport hubs.
- 2.3 The departure of customers will be managed in accordance with a Dispersal Policy, such as that at section 4 of this document. The management controls set out in the Dispersal Policy are designed to ensure all customers leave the area as quickly and as quietly as possible.

Noise Criteria

Noise and Vibration

- 2.4 Management controls are included in the Dispersal Policy at section 4 and the Deliveries, Collection and Servicing Procedures at section 5 of this document. The objective of these procedures is to ensure local residents are not disturbed by noise from the Premises in accordance with Policy PN1.
- 2.5 The following conditions are proposed:
 - 2.5.1 *“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.”*
 - 2.5.2 *“Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.”*
 - 2.5.3 *“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.”*

Eating, Drinking and Smoking Outside Premises

- 2.6 The external areas are located in James Court.
- 2.7 The external areas will be carefully managed by staff.
- 2.8 Gates are provided to the boundaries of the external areas shared with the adopted highway to allow James Court to be closed off in accordance with permitted hours of operation.

- 2.9 The following conditions are from the existing premises licences:
- 2.9.1 *“There shall be no sales of alcohol for consumption off the premises after 23.00.”*
 - 2.9.2 *“There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.”*
 - 2.9.3 *“Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.”*
 - 2.9.4 *“The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.”*
 - 2.9.5 *“Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.”*

3 General Operational Controls

3.1 Management controls shall include:

3.1.1 Extensive employee induction and on-going refresher training, including:

3.1.1.1 Responsibilities in the local area and towards local residents.

3.1.1.2 Customer care and hospitality.

3.1.1.3 Complaint handling.

3.1.1.4 Food Safety.

3.1.1.5 Health and Safety.

3.1.1.6 Fire Safety.

3.1.1.7 Obligations under the Licensing Act 2003.

3.2 Operational procedures to mitigate nuisance in the local area, including:

3.2.1 External tables and chairs rendered unusable after 23:00.

3.2.2 No sale of alcohol, hot food or hot drink for consumption off the Premises after 23:00.

3.2.3 Controlled management of the arrival and departure of customers, including encouragement of customers to disperse quickly and quietly to their onwards direction of travel, utilising Manette Street for access to Charing Cross Road after 23:00.

3.2.4 Sympathetic servicing of the Premises, with deliveries kept to a minimum wherever possible and no deliveries to the Premises between 23:00 and 07:00.

3.2.5 Internal CCTV coverage including full frontal imaging of anyone entering the Premises. At any given time, there will be at least one member of staff on duty who is fully trained to operate the CCTV system.

3.3 24 hour sitewide security will ensure that the 23:00 external area curfew is adhered to by operators as well as providing additional security provisions in the immediate vicinity. Ilona Rose House will have:

3.3.1 2 x day guard from 07:00 to 19:00;

3.3.2 1 x day/evening guard from 10:00 to 22:00; &

3.3.3 2 x night guards from 19:00 to 07:00

4 People Arriving, Departing & in the Vicinity

Dispersal Policy

- 4.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 4.2 The Dispersal Policy promotes a professional and responsible management of customers as they leave the Premises to ensure they make their journey home without any adverse impact on local residents.
- 4.3 Despite the Premises' central location, employees will be made aware that local residents live close by.
- 4.4 This Dispersal Policy will be followed throughout the opening hours, although particular attention will be paid to customers leaving at night.

Entrances and Exits

- 4.5 The entrance/exits of the Premises are located off Manette Street and Greek Street. These areas will be monitored by staff inside the Premises during busy periods where deemed necessary.
- 4.6 In the event of an emergency, a full fire evacuation plan will be in place.

Dispersal

- 4.7 Given the staggering of sittings in a restaurant environment there is envisaged a natural, gradual dispersal of patrons throughout the evening. Customers are expected to depart the Premises in a gradual and controlled manner until close.
- 4.8 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 4.9 Where appropriate, customers will be directed to nearby transport links and requested to leave quietly.
- 4.10 Customers leaving the premises after 23:00 can be encouraged to depart via Manette Street towards Charing Cross Road.

Transport

- 4.11 Customers arrive and depart by various modes of transport, including by foot and private car.
- 4.12 The Premises are serviced by various public transport options, as set out below, including excellent proximity to Tottenham Court Road with the benefits of Crossrail/Elizabeth Line. All staff will be familiar with the transport links so they can advise customers when required.

Tube

4.13 The Premises are ideally located for tube services, including:

- Tottenham Court Road / 0.1 mile / Central and Northern Line;
- Leicester Square / 0.3 mile / Piccadilly and Northern Line;
- Covent Garden / 0.4 mile / Piccadilly Line; &
- Holborn / 0.5 mile / Piccadilly and Central Line;

with the Night Tube operating on Piccadilly, Central and Northern Lines.

4.14 Where necessary customers will be given directions to the relevant station and reminded to reach the station as quietly and as quickly as possible when they leave.

Crossrail

4.15 Tottenham Court Road also offers an interchange between the Northern, Central and Elizabeth line services with more than 170,000 passengers expected to pass through the station every day.

Buses

4.16 The Premises is serviced by public buses. TFL bus services, including night buses, go to a variety of destinations throughout London from nearby bus stops.

4.17 Nearby bus routes include: 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41, N279

Taxi

4.18 Black cabs are readily available right through the day and night in the area.

4.19 Staff will assist customers calling a taxi if required and the Premises may enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers.

Private Car Service

4.20 The Premises may recommend a private car booking service. In the event a customer wants to book a car home, the customer can wait inside the Premises until their car has arrived to ensure a quick and quiet exit.

5 Deliveries, Collections & Servicing

- 5.1 Servicing vehicles shall be encouraged to load and unload goods quietly and quickly to ensure vehicle waiting time is limited.
- 5.2 The following, inter alia, conditions are proposed:
 - 5.2.1 *“All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.”*
 - 5.2.2 *“No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.”*
 - 5.2.3 *“No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 hours on the following*
 - 5.2.4 *“No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.”*

Premises Licence 21/07024/LIPN (Unit 2)



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

Schedule 12
Part A

WARD:
UPRN: 010033631493

Premises licence

Regulation 33, 34

Premises licence number:	21/07024/LIPN
Original Reference:	21/07024/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

Part 2

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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: TBA
Licensing Authority: TBA

Date: 7 February 2022

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

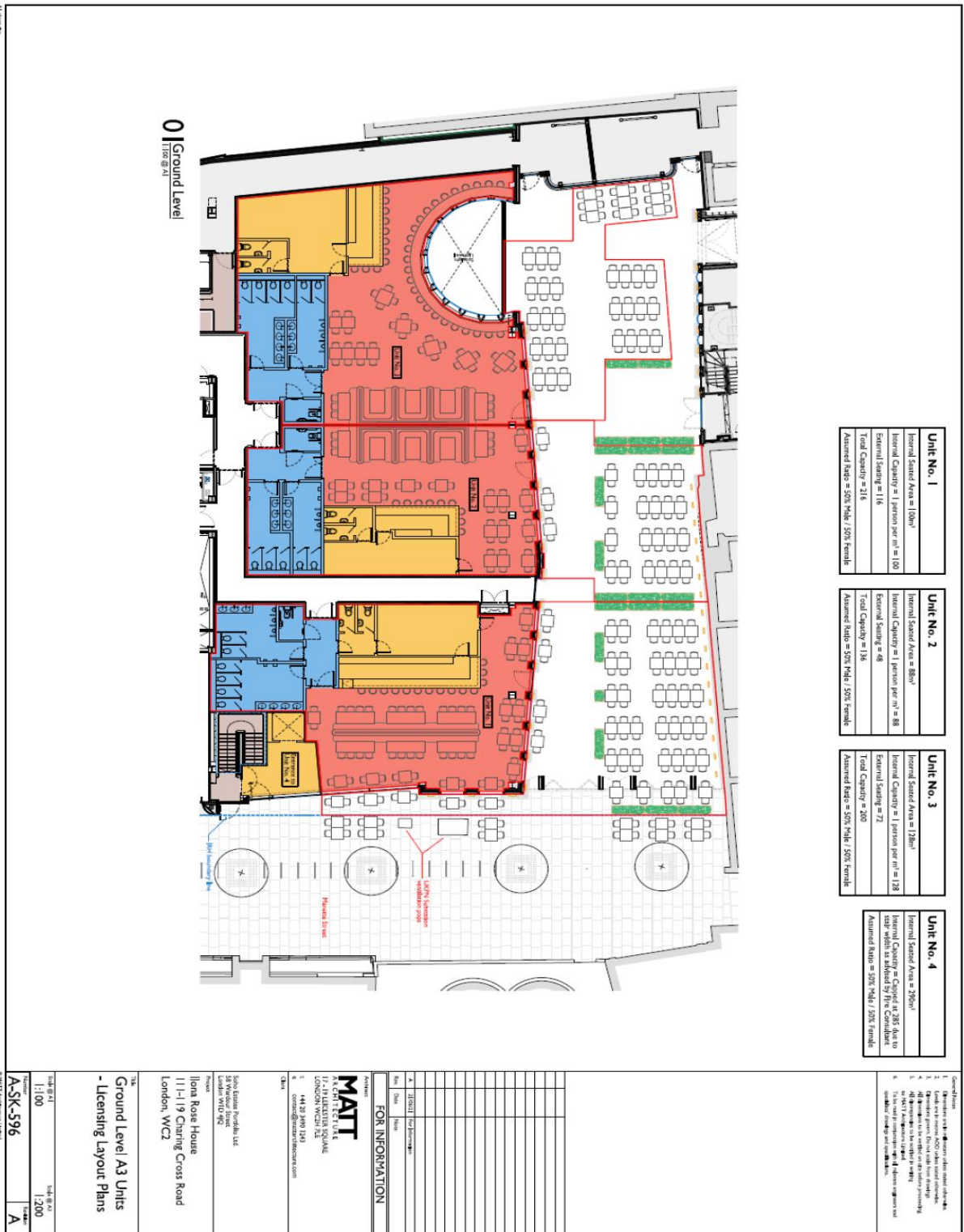
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.
21. 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
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.
25. After 21:00 the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
- a. where the supply of alcohol is by waiter or waitress service only,
 - b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - d. 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.
 - e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
 - f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
 - g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.
26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning

product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

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

Annex 4 – Plans





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

Schedule 12
Part B

WARD:
UPRN: 010033631493

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/07024/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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

Restricted

Date: 7 February 2022

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

Premises Licence 21/07004/LIPN (Unit 4)



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

Schedule 12
Part A

WARD:
UPRN: 010033631493

Premises licence

Regulation 33, 34

Premises licence number:

21/07004/LIPN

Original Reference:

21/07004/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:00
Sunday: 08:00 to 23:30

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

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

Part 2

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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: TBA
Licensing Authority: TBA

Date: 8 February 2022

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

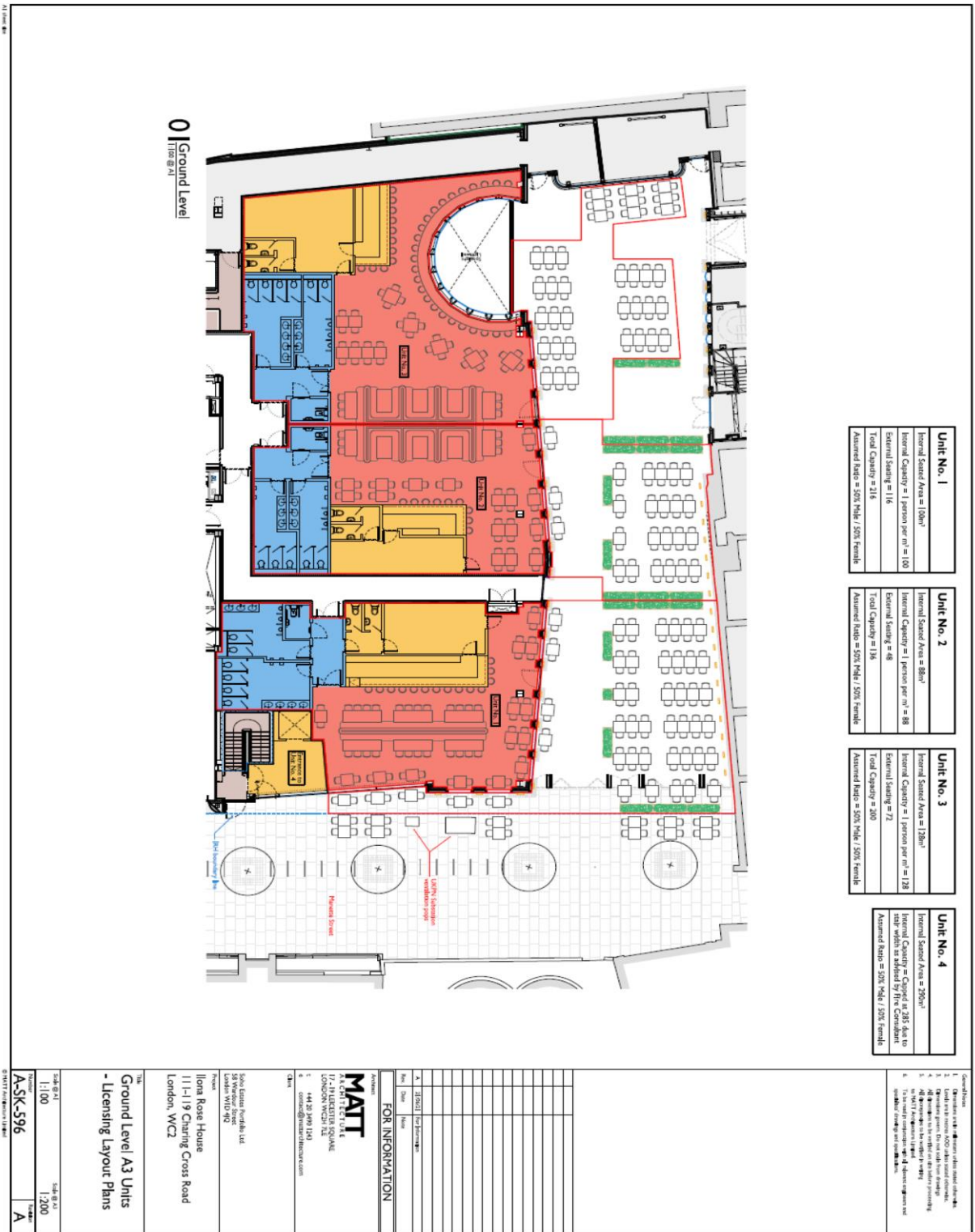
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. The CCTV system shall 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.
21. 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
22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.
25. After 21:00 the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
- a. where the supply of alcohol is by waiter or waitress service only,
 - b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - d. 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.
 - e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
 - f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
 - g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 50 customers at any time, as specified.
26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning

product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.

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

Annex 4 – Plans





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

Schedule 12
Part B

WARD:
UPRN: 010033631493

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

21/07004/LIPN

Part 1 – Premises details

Postal address of premises:

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

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

Monday to Saturday:	08:00 to 01:00
Sunday:	08:00 to 23:30

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

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

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

Soho Estates Portfolio Limited
58 Wardour Street
London
W1d 4JQ

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

07984861

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

Name: Mr Adam Price

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

Restricted

Date: 8 February 2022

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

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule.

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - b. 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.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - d. 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. 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.
12. There shall be no sales of alcohol for consumption off the premises after 23.00.
13. The external tables and chairs shall only be used between 08:00 and 23:00 each day and be rendered unusable at 23:00.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No waste or recyclable materials (including bottles) shall be moved, removed from or placed in outside areas between (23:00) hours and (07:00) hours on the following day.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23:00) and (07:00) hours on the following day.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. 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.

21. 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

22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

23. Any alcohol supplied for consumption off the premises must be in a sealed container unless consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.

24. No deliveries to the premises shall take place between (23:00) and (07:00) on the following day.

25. After 21:00 the premises shall only operate as a restaurant:
in which customers are shown to their table or the customer will select a table themselves,
 - a. where the supply of alcohol is by waiter or waitress service only,
 - b. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - c. which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - d. 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.
 - e. For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
 - f. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
 - g. Before 21:00 , alcohol may only be sold to persons seated and served by waiter/waitress service and restricted to no more than 60 customers at any time, as specified.

26. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

27. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
29. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.
30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
31. No licensable activities shall take place at the premises until premises licence 21/07024/LIPN (unit 2) and 21/07004/LIPN (unit 4) (or such other number subsequently issued for the premises) has been surrendered

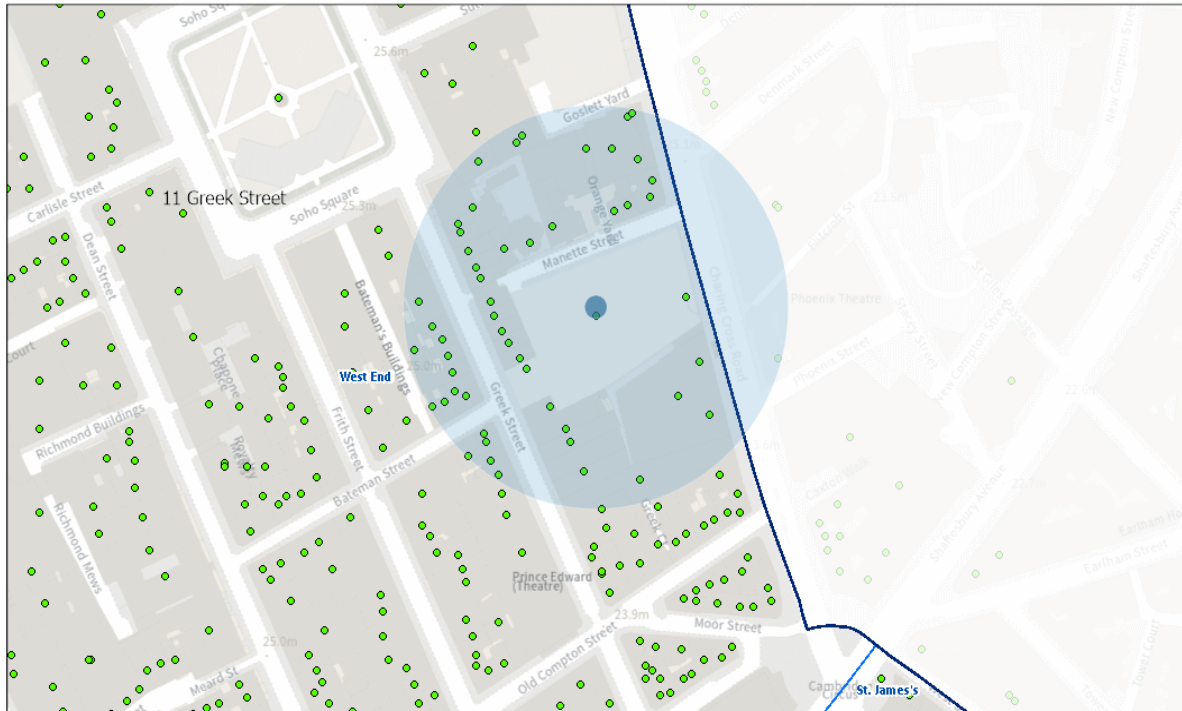
Conditions proposed by the Environmental Health Service.

None

Conditions proposed by the Metropolitan Police Service

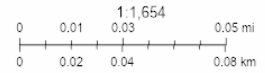
None.

Unit 2 Ground Floor & Basement, Ilona Rose House, Manette Street



29/06/2022, 14:31:09

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



Resident count: 48

Licensed premises within 75 metres of Unit 2 Ground Floor & Basement, Ilona Rose House, Manette Street, London W1D 4AL

Licence Number	Trading Name	Address	Premises Type	Time Period
21/14394/LIPN	Acacia - 1st Floor	Ilona Rose House Manette Street London W1D 4AL	Restaurant	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 00:00 Sundays before Bank Holidays; 09:00 - 00:30
21/14327/LICN	De Lane Lea Sports And Social Club	Ilona Rose House Manette Street London W1D 4AL	Not Recorded	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30
17/09329/LIPST	Unit 1	113 - 119 Charing Cross Road London W1D 4AT	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00 New Year's Eve; 00:00 - 00:00
17/09312/LIPST	Unit 3	113 - 119 Charing Cross Road London W1D 4AT	Restaurant	Sunday; 08:00 - 23:30 Monday to Saturday; 08:00 - 01:00 New Year's Eve; 00:00 - 00:00
22/04980/LIPT	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

17/09323/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
21/07004/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
17/09330/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

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	Shadow Licence	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
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
22/01834/LIPDPS	The Borderline	Borderline Orange Yard London W1D 4JB	Night clubs and discos	Sunday; 09:00 - 23:00 Monday to Wednesday; 09:00 - 03:30 Thursday to Saturday; 09:00 - 06:00
19/13507/LIPN	SHADOW LICENCE	Borderline Orange Yard London W1D 4JB	Premises Licence - Shadow Licence	Sunday; 09:00 - 23:00 Thursday to Saturday; 09:00 - 06:00 Sunday to Wednesday; 09:00 - 03:30

21/04707/LIPN	Not Recorded	Basement And Ground Floor 16 Manette Street London W1D 4AR	Cafe	Monday to Sunday; 07:00 - 23:00
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
22/01629/LIPCH	Crobar	Ground Floor 17 Manette Street London W1D 4AS	Night clubs and discos	Sunday; 12:00 - 23:00 Monday to Saturday; 09:00 - 03:30
22/01170/LIPN	Pillars Of Hercules	7 Greek Street London W1D 4DF	Not Recorded	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
22/05761/LIPVM	Simmons	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

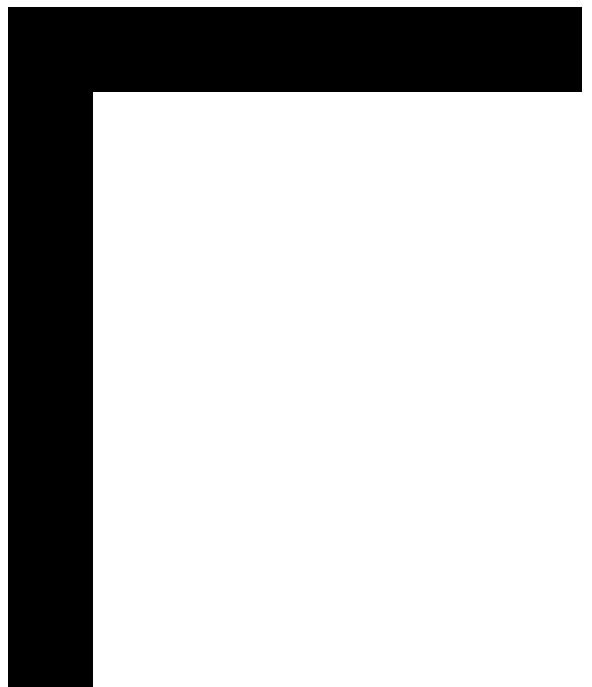
21/12282/LIPN	Not Recorded	Basement And Ground Floor 6 Greek Street London W1D 4DE	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
20/11525/LIPDPS	Patara	Basement And Ground Floor 15 Greek Street London W1D 4DP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
12/10955/LIPDPS	The Gallery Soho	Basement And Ground Floor 125 Charing Cross Road London WC2H 0EW	Shop	Monday to Sunday; 00:00 - 00:00
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
20/08314/LIPN	Not Recorded	4 Greek Street London W1D 4DB	Not Recorded	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Saturday; 09:00 - 02:30 Sunday; 09:00 - 02:00

21/10072/LIPVM	Louche Soho	4 Greek Street London W1D 4DB	Night clubs and discos	Monday; 09:00 - 02:30 Tuesday; 09:00 - 02:30 Wednesday; 09:00 - 02:30 Thursday; 09:00 - 02:30 Friday; 09:00 - 02:30 Sunday; 09:00 - 02:00 Sundays before Bank Holidays; 09:00 - 02:30
17/13397/LIPV	Milroys Of Soho	Basement And Ground Floor 3 Greek Street London W1D 4NX	Shop	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00
18/15446/LIPDPS	Foyles Bookshop	107 Charing Cross Road London WC2H 0DT	Cafe within another property	Sunday; 10:00 - 22:30 Monday to Saturday; 09:00 - 23:00 Sundays before Bank Holidays; 10:00 - 23:00
22/00653/LIPDPS	House Of St Barnabas	The House Of St Barnabas In Soho 1 Greek Street London W1D 4NQ	Civic/public building	Monday to Sunday; 08:00 - 01:30
21/10890/LIPN	Here Soho	First Floor 56 Greek Street London W1D 3DU	Office	Monday to Sunday; 09:30 - 22:30
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
18/16088/LIPN	New Evaristo Club	Basement 57 Greek Street London W1D 3DX	Club or institution	Monday to Sunday; 11:00 - 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
22/03894/LIPVM	Zebrano	Basment And Ground Floor 18 Greek Street London W1D 4DS	Night clubs and discos	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 Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00 New Year's Eve; 00:00 - 00:00
19/15446/LIPDPS	The Gay Hussar	2 Greek Street London W1D 4NB	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
20/11105/LIPN	Not Recorded	2 Greek Street London W1D 4NB	Not Recorded	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
21/10602/LIPN	Not Recorded	Basement And Ground Floor 58 Greek Street London W1D 3DY	Restaurant	Monday to Sunday; 10:00 - 23:30
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

13/01185/LIPVM	Montagu Pyke	Ground Floor 105 Charing Cross Road London WC2H 0DT	Public house or pub restaurant	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
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
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
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
21/07365/LIPDPS	Royal George Public House	Royal George 133 Charing Cross Road London WC2H 0EA	Public house or pub restaurant	Sunday; 07:00 - 22:50 Monday to Wednesday; 07:00 - 23:30 Thursday to Saturday; 07:00 - 01:30 Sundays before Bank Holidays; 07:00 - 00:00

21/09718/LIPDPS	G-A-Y Late	Royal George 133 Charing Cross Road London WC2H 0EA	Night clubs and discos	Sunday; 12:00 - 04:30 Monday to Saturday; 09:00 - 04:30
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
22/04179/LIPDPS	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
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
19/09656/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
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
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





City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	14 July 2022
Licensing Ref No:	22/03850/LIPV - Premises Licence Variation
Title of Report:	Cafe Espana Basement To First Floor 63 Old Compton Street London W1D 6HT
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	7 April 2022		
Applicant:	Ms Sara Meloni		
Premises:	Cafe Espana		
Premises address:	Basement To First Floor 63 Old Compton Street London W1D 6HT	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises is currently operating as a café.		
Variation description:	This variation application seeks to permit the following To extend the hours for Late Night Refreshment Monday to Sunday 23:00 to 02:00		
Premises licence history:	The premises has had a benefit of a premises licence since 2005. The current premises (13/02742/LIPDPS) licence can be viewed at Appendix 2 of this report. A history of the premises can be viewed at Appendix 3 of this report.		
Applicant submissions:	No submissions have been received by the applicant.		
Applicant amendments:	Conditions have been agreed during the consultation period with the Metropolitan Police and the hours for Late Night Refreshment have been reduced to the below and reflected in 1-B of the Report . Sunday: 23:00 – 00:00 (as per current licence) Monday – Thursday: 23:00 – 00:30 (as per current licence) Friday and Saturday: 23:00 – 02:00. Conditions have also been agreed with Environmental Health. The agreed conditions can be found at Appendix 5 .		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30	No Change		Ground and First Floor	No Change
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				

Saturday	23:00	00:30	23:00	02:00		
Sunday	23:00	00:00	No Change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).				No Change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No Change		Ground and First Floor	No Change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).				No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:30	10:00	02:00	Ground and First Floor	No Change
Tuesday	10:00	00:30	10:00	02:00		
Wednesday	10:00	00:30	10:00	02:00		
Thursday	10:00	00:30	10:00	02:00		
Friday	10:00	00:30	10:00	02:00		
Saturday	10:00	00:30	10:00	02:00		
Sunday	12:00	00:00	10:00	02:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).				No Change	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	26 April 2022 (Withdrawn 16 May 2022)
<p>Premises Licence Application for 63 Old Compton Street, W1D 6HT</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application. The venue is situated within the Cumulative Impact Area. It is our belief that if granted, the application could undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Conditions and reducing the hours have been proposed by the Metropolitan Police and agreed with the applicant and can be found at Appendix 4.</p>	
Responsible Authority:	Licensing Service
Representative:	Roxsana Haq
Received:	3 May 2022
<p>I write in relation to the application submitted to vary a Premises Licence for the following premises:</p> <p>22/03850/LIPV: Cafe Espana, Basement To First Floor, 63 Old Compton Street, London W1D 6HT</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of Children from harm <p>This application seeks the following variations:</p> <p>Extend Late night refreshment: Monday - Saturday 00:30 to 02:00 Sundays 00:00 to 02:00</p> <p>Extend the opening hours: Monday - Sunday 00:30 to 02:00</p> <p>Current Licence: Late night refreshment: Monday - Saturday 23:30 to 00:30 Sundays 23:00 to 00:00</p>	

Sale of alcohol:

Monday - Saturday 10:00 to 00:00
Sundays 12:00 to 23:30

Opening hours:

Monday - Saturday 10:00 to 00:30
Sundays 12:00 to 00:00

The premises is located within the West End Cumulative Impact Zone and as such, a number of policy points must be considered namely CIP1, HRS1 and RNT1.

Policy CIP1 states:

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

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

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

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

Restaurants Policy RNT1 states:

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

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

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

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption, 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.

Policy HRS1 states:

(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

The Licensing Authority raises concerns with the increase of hours and how this increase in the terminal hour will add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1 and HRS1.

1. Does the applicant have a Dispersal Policy? If so, please provide a copy and
2. What provisions will be in place to mitigate any possible issues regarding noise and nuisance if the later terminal hour was granted?

The Licensing Authority encourages the applicant to provide further submission as how this increase will not add to cumulative impact.

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

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

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

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

Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	5 May 2022

Representation is made by Environmental Health against this application to extend LNR hours to 2am, Monday to Sunday, as this may undermine the licensing objective of Prevention of Public Nuisance.

The applicant has offered some undertakings which will need to be converted to enforceable conditions. Environmental Health may want to add its own conditions, including an assessment of the capacity for Public Safety purposes and provision of sanitary accommodation. In addition satisfactory information will need to be provided to ensure the later operation of plant and machinery (eg kitchen extract, air-con etc) will not result in nuisance from their operation. The applicant is requested to contact the undersigned to arrange a site visit and discuss the above matters.

Conditions have been proposed by Environmental Health but not yet agreed by the applicant and can be found at Appendix 4.

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	2 May 2022
Reference: 22/03850/LIPV. La Pastaia (formerly Café Espana) 63,Old Compton St, W1D 6HT	
<p>We write to make a relevant representation to the above application on behalf of ██████████ ██████████.</p> <p>The ██████████ objects to this application as currently presented on the grounds of the prevention of crime and disorder, prevention of public nuisance, and cumulative impact in the West End Cumulative Impact Area.</p> <p>About ██████████</p> <p>The ██████████ 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.</p> <p>Application summary New Premises Licence Extension of the licence at night until 2am. Present licence allows late night refreshment till 00:30, but due to very little business due to the pandemic, would like to extend the licence for late night refreshment till 02:00.</p> <p>Late night refreshment: Monday - Saturday 00:30 - 02:00. Sunday 00:00 - 02:00 Opening hours: Monday - Sunday 00:30 - 02:00</p> <p>Current Licence Late night refreshment: Monday - Saturday 23:30 - 00:30. Sunday 23:00 - 00:00 Sale of alcohol: Monday - Saturday 10:00 - 00:00. Sunday 12:00 - 23:30 Opening hours: Monday - Saturday 10:00 - 00:30. Sunday 12:00 - 00:00</p> <p>The ██████████ Position The ██████████ objects to this application to extend the terminal hour for late night refreshment to 2am seven days a week. The applicant cites COVID as the reason for this extension, variations to licences to allow trading are a way to increase income for premises and the argument most commonly used to justify these requests is that it is needed so that the business can survive. We do not agree that the need for businesses to survive financially outweighs the health, well-being and sleep of residents in the West End, particularly in the context of the findings of the Cumulative Impact Assessment.</p> <p>If the grant of an extension to hours is likely to give rise to harm to the Licensing Objectives then the Council should refuse it on this basis in line with relevant policies as set out in the Statement of Licensing Policy. The only circumstance under which this application should be granted is if the Council is convinced that the licensing objectives will be positively promoted, as required by the legislation. Our view is if this application is successful it will increase the number of people retained in the area late at night and in so doing will fail to promote the licensing objectives and increase cumulative impact in the West end Cumulative Impact Zone.</p>	

As the Committee are aware Soho has the highest concentration of licensed premises in Westminster, **466** with a large proportion (25%) being late night licences. There are over 200 restaurants, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises. The area is densely populated at night with people drinking on the street, creating loud levels of noise, causing disturbance and anti-social behaviour, the area has the highest level of cumulative impact and crime and disorder in Westminster.

Old Compton Street and the streets that surround it, Frith Street, Greek Street and Dean Street are at the heart of evening and night time economy, it has the highest concentration of licences in Soho a total of **110 from 12am - 3.30am with a capacity of over 10,072.**

Over the years Old Compton Street has changed from a street offering a range of mixed uses to one which is now predominantly food and beverage. There are **31** such premises, **22 restaurants, 4 bars, 4 pubs and 1 members club** with licences between the hours of **00:00 - 03:30 and a capacity of over 2,033 for 18** premises (capacity recorded on the licence).

Residents live along the whole length of Old Compton Street we've counted 164 flats and there are three flats above these premises and a further sixteen flats in adjoining buildings these residents will be disturbed by the proposed extension of hours. During the evening and night time this area completely changes in nature, it attracts large numbers of people on a night out, either eating or drinking in the numerous restaurants, bars and clubs, entertainment establishments, or those arriving from elsewhere to continue their evening, people just walking through and others hanging around and loitering. Coupled with its narrow streets it creates the perfect environment where large numbers of intoxicated people create noise and disturbance, criminals wait to prey on the vulnerable alongside drugs dealers and where pedicabs seize the opportunity to park up blaring out amplified music waiting for an unsuspecting victim. It is therefore unsurprising that residents constantly experience noise nuisance and disturbed sleep.

Statement of Licensing Policy 2021

We review this applications against the following policies, Restaurant RNT1 and the Cumulative Impact Policy CIP1.

Restaurant RNT1

The policy states applications within the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.

In relation to the supply of late night refreshment, the policy states,

F124. 'Should a restaurant apply for permission to supply late night refreshment, that is the supply of hot food or hot drink at any time between the hours of 11pm and 5am, then, in the event of relevant representations being received, the Licensing Authority will have regard, amongst other matters, to the desirability of encouraging the rapid dispersal of people from the West End Cumulative Impact Zone, and the times of other premises in the vicinity.'

The retention of people in the Cumulative Impact Zone is an important factor alongside the number of existing late night premises in the vicinity, we have already provided evidence of the large number of licensed premises 110, and capacity where known being over 10,072.

Cumulative Impact Policy CIP1

The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and wellbeing of local residents and it has jeopardised the sustainability of the

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.

This area has been identified by the Westminster City Council as under stress because 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 evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019, the subsequent Statement of Licensing Policy 2021 Cumulative Impact Policy CIP1 states,

*'The West End Cumulative Impact Zone has been identified because the cumulative effect of the concentration of late night and drink led premises and/or **night cafés (our emphasis)** has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The extent of crime and disorder and public nuisance in the West End Cumulative Impact Zone arises from the number of people there late at night; a considerable number of them being intoxicated. Public services, including police, health and emergency, transport, environmental services (cleansing and refuse services) are placed under chronic strain by existing levels of activity, as are civic amenities and the quality of residential life. The urban infrastructure cannot sustain any further growth in licensed premises that provide a significant risk of a variety of harmful outcomes. Over a period of three years (2017 - 2019) 45% of violent crimes, as well as over half of all robberies, thefts and drug offences in the city were recorded within West End Cumulative Impact Zone. Additionally, 43% of ambulance callouts between that same period to the locations of licensed premises fell within this zone.'* (D4)

D5 states, *'The retention of people late at night contributes to the cumulative impact.'*

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, there are more people on the streets in the evening now that at pre-COVID times, in our view we have already reached pre-March 2020 levels and this is further supported by recent crimes statistics which show an increase in serious crime (see the Prevention of Crime and Disorder below).

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. of the policy). Residential accommodation is also an important factor,

D23. *'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, 'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'*

The applicant has to demonstrate these premises will not add to cumulative impact, they have failed to do so in this case.

The Licensing Objectives

The Statement of Licensing Policy 2021 or Section 182 Guidance does not provide for any circumstance, including 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:

- Drug Offences Night: **1529** (proportion of Borough's incidents **40%**)
- Robberies Night: **2237 (33%)**
- Theft and Handling Night: **24,407 (33%)**
- Serious violent crimes Night: **795 (31%)**
- Ambulance call outs to locations of licensed premises: **5353 (22%)**
- Noise Complaints Night: **1389 (16%)**
- Anti-Social behaviour MPS: **9662 (16%)**
- Anti-Social behaviour on transport Night: **592 (13%)**
- Reactive Waste Management: **6630 (10%)**

Total = 52,594

- **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:** the most common crime type in the borough and in the evening and night this is particularly concentrated in the West End and along Oxford Street.

These premises are situated in the heart of the food and beverage / entertainment area, the area is a known hotspot for crime and disorder, the current statistics for the *top crime streets in Soho shows a total of 1,827 crimes; Old Compton Street being 2nd on the list with 231, Greek Streets 1st with 239.

Top Streets all crime –1st Nov 21 – 28th Feb 22

GREEK STREET	239	GOLDEN SQUARE	14
OLD COMPTON STREET	231	ARCHER STREET	14
WARDOUR STREET	138	GREAT FULTENEY STREET	14
SHAPTESBURY AVENUE	117	GLASSHOUSE STREET	13
DEAN STREET	105	SOHO STREET	13
CARNABY STREET	99	LEXINGTON STREET	13
GREAT MARLBOROUGH STREET	75	GOSLETT YARD	12
FRITH STREET	70	SOHO PLACE	12
SOHO SQUARE	60	NEWBURGH STREET	11
BREWSTER STREET	58	PETER STREET	11
BATENMAN STREET	44	CARLISLE STREET	10
GREAT WINDMILL STREET	45	ROMILLY STREET	9
KINGLY STREET	41	KINGLY COURT	9
BROADWICK STREET	37	CAMBRIDGE CIRCUS	9
CHARING CROSS ROAD	36	D'ARBLAY STREET	8
BERWICK STREET	35	MARSHALL STREET	8
GANTON STREET	32	HAM YARD	7
BEAK STREET	29	RANILLIES STREET	7
POLAND STREET	24	DUFOURS PLACE	6
MANETTE STREET	24	WALKER'S COURT	6
MOOR STREET	23	NEARD STREET	6
RUPERT STREET	18	WARWICK STREET	5
LITTLE MARLBOROUGH STREET	17	FOUBERT'S PLACE	5
INGESTRE PLACE	15	NOEL STREET	5

Comparing the top reported crimes from *November 2021 - February 2022 to pre- COVID times highlights the number of serious and violent crimes are on the increase;

Violence against the person serious wounding: 32 up 78% (18 pre - COVID)

Violence against the person assault with injury: 59 up 31% (45 pre-COVID)

Violence against the person common assault: 70 up 18% (59 pre-COVID)

Drugs possession: 115 up 79% (64 pre-COVID)

Sexual offences: 34 up 70% (20 pre-COVID)

* Data provided by the Metropolitan Police

For residents living on Old Compton Street the findings of the Cumulative Impact Assessment and the recent crime figures are 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 venues and the numbers of people on the streets at night results in high levels of serious crime. In Soho the majority of robberies take place at night, Greek Street being a particular hotspot where people are targeted as they leave venues. Alongside this is drug dealing, which is a real problem with groups of dealers congregating to sell drugs and specifically targeting 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 venues and people out on the streets which creates the drugs market.

Old Compton St has the second highest reported level of crime, people leaving these premises will have a high probability of becoming victims of crime.

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 above these premises and also in flats in the adjoining buildings, living on this street they already suffer from high levels of noise and disturbance during the evening and late into the night, this presents in the form of noise nuisance from the huge numbers of intoxicated people out on the streets who are extremely loud and noisy, noise from pedicabs who park in these streets and play loud amplified music whilst waiting for fares late into the night. The anti-social behaviour of street fouling, including doors ways and entrances to flats. If this application is successful it will increase the levels of noise nuisance and disturbance to residents.

In summary

The application proposes an extension of the late night refreshment licence unit 2am, seven days a week within West End Cumulative Impact Zone. In our view if granted this application will fail to promote the licensing objectives and increase cumulative impact.

3. Policy & Guidance

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

<p>Policy CIP1 applies</p>	<p>A. It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<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

	<p>food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>8. Restaurants</p> <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
Policy RNT1 applies	<p>A. Applications 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 being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones

	<p>Policy SCZ1 if the premises are located within a designated zone.</p> <p>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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4. Equality Implications

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

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

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

5. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Current Premises Licence 13/02742/LIPDPS
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
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 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service (Withdrawn 16th May 2022)	26 th April 2022
5	Licensing Service	3 rd May 2022
6	Environmental Health Service	5 th May 2022
7	Representation 1	2 nd May 2022

Applicant Supporting Documents

Appendix 1

There has been no supporting documents from the applicant.



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

Schedule 12
Part A

WARD: West End
UPRN: 010033555779

Premises licence

Regulation 33, 34

Premises licence number:	13/02742/LIPDPS
Original Reference:	05/08362/LIPC

Part 1 – Premises details

Postal address of premises:

Cafe Espana
Basement To First Floor
63 Old Compton Street
London
W1D 6HT

Telephone Number: 0207 494 1271

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

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

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

Part 2

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

Ms Sara Meloni
63 Old Compton Street
London
W1D 6HT
Electronic Mail : cafespanasoho@hotmail.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: Sara Meloni

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: 12/00818/LIPERS
Licensing Authority: City Of Westminster Council

Date: 6th June 2013

Signed: pp



Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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

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

Conditions related to the Sale of Alcohol

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.

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

Conditions related to the Sale of Alcohol

11. Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10:00 to 00:00;
 - (b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12:00 to 23:30;
 - (c) On Christmas Day: 12:00 to 23:30;
 - (d) On New Year's Eve, except on a Sunday, 10:00. to 00:00;
 - (e) On New Year's Eve on a Sunday, 12:00 to 23:30;

- (f) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

- 12. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None



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

Schedule 12
Part B

WARD: West End
UPRN: 010033555779

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/02742/LIPDPS

Part 1 – Premises details

Postal address of premises:

Cafe Espana
Basement To First Floor
63 Old Compton Street
London
W1D 6HT

Telephone Number: 0207 494 1271

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday:	10:00 to 00:30
Sunday:	12:00 to 00:00

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

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

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

Ms Sara Meloni
63 Old Compton Street
London
W1D 6HT

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: Sara Meloni

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

Restricted

Date: 6th June 2013

Signed: pp 
Operational Director - Premises Management

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/08362/LIPC	Premises Licence Conversion	19 September 2005	Granted under Delegated Authority
06/06225/WCCMAP	Master Licence	19 September 2005	Granted under Delegated Authority
12/00559/LIPT	Transfer of Premises Licence Holder from Cafe Espana UK Ltd to Ms Sara Meloni	13 February 2012	Granted under Delegated Authority
12/00561/LIPDPS	Premises Licence – Change of DPS	13 February 2012	Granted under Delegated Authority
13/02742/LIPDPS	Premises Licence – Change of DPS	6 June 2013	Granted under Delegated Authority

There is no appeal history

There is no Temporary Event Notice 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.

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

Conditions related to the Sale of Alcohol

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.

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

Conditions related to the Sale of Alcohol

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

NOTE - The above restrictions do not prohibit:

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

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

12. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

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

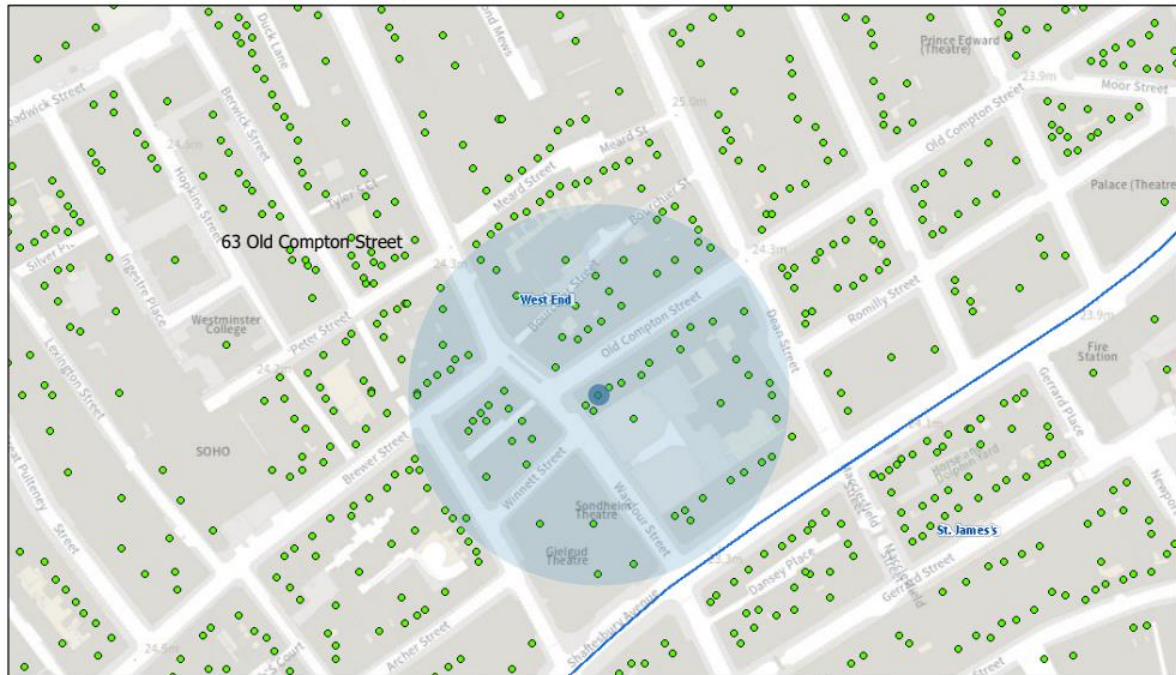
13.
 - a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
14. 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.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
16. 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.
17. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises from 23:00 hours until close, and they must correctly display their SIA licence(s) when on duty so as to be visible.

18. There shall be no sales of hot food or hot drink for consumption off the premises after Midnight.
19. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

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

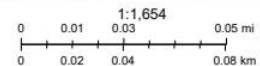
20. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. 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.
23. 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.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. 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 unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
26. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
27. 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.

63 Old Compton Street, London



01/07/2022, 11:46:20

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



Resident Count = 162

Licensed premises within 75 metres of 63 Old Compton Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
13/02742/LIPDPS	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/00878/LIPT	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
06/05841/WCCMAP	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/02197/LIPT	Poppies Fish & Chips	55-59 Old Compton Street London W1D 6HP	Cafe	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 01:30
21/11409/LIPDPS	Mr Ji	72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30

20/10736/LIPCH	Comptons Of Soho Public House	51 - 53 Old Compton Street London W1D 6HN	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
06/05560/WCCMAP	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/01217/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/03024/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
20/10524/LIPCH	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Friday; 09:00 - 03:30
21/12344/LIPDPS	Lords Of Poke	64 Old Compton Street London W1D 4TL	Cafe	Friday; 07:30 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00 Monday to Thursday; 07:30 - 23:30
20/07527/LIPDPS	Rubys	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
20/09463/LIPT	Jackson & Rye	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
18/14474/LIPVM	Soho Residence	83-85 Wardour Street London W1D 6QE	Public house or pub 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 Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00
18/01928/LIPDPS	Hipchips	49 Old Compton Street London	Restaurant	Sunday; 12:00 - 20:00 Monday to

		W1D 6HL		Saturday; 12:00 - 23:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 Sunday to Thursday; 09:00 - 00:00
18/06896/LIPN	Kirazu	3 Winnett Street London W1D 6JY	Restaurant	Sunday; 17:00 - 22:30 Monday to Saturday; 17:00 - 23:30
19/04930/LIPN	Runway East	66 Old Compton Street London W1D 4UH	Office	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30 Friday; 09:00 - 23:30 Saturday; 09:00 - 23:30 Sunday; 09:00 - 23:30
21/07209/LIPDPS	Sondheim Theatre	The Sondheim Theatre Shaftesbury Avenue London W1D 6BA	Theatre	Monday to Sunday; 09:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
19/03892/LIPDPS	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Sunday; 09:00 - 05:00 Monday to Saturday; 09:00 - 06:00 New Year's Eve; 00:00 - 00:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 12:00 - 01:00
21/04327/LIPV	Maoz	43 Old Compton Street London W1D 6HG	Restaurant	Monday; 11:00 - 01:00 Tuesday; 11:00 - 01:00 Wednesday; 11:00 - 01:00 Thursday; 11:00 - 01:00 Friday; 11:00 - 02:00 Saturday; 11:00 -

				02:00 Sunday; 11:00 - 00:00
20/06360/LIPT	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Restaurant	Monday; 09:00 - 03:30 Tuesday to Sunday; 09:00 - 05:00
18/02747/LIPN	Not Recorded	52 Rupert Street London W1D 6DS	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
20/10536/LIPCH	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Sunday; 12:00 - 22:50 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/06898/LIPDPS	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Theatre	Monday to Sunday; 09:00 - 00:00
22/03865/LIPV	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Theatre	Monday to Sunday; 09:00 - 00:00
22/00165/LIPT	Pataka	53 Shaftesbury Avenue London W1D 6LB	Not Recorded	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/06643/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Sunday; 11:00 - 00:00 Monday to Saturday; 11:00 - 01:00
19/01788/LIPDPS	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/00286/LIPDPS	Century Club	61 - 63 Shaftesbury Avenue London W1D 6LG	Club or institution	Sunday; 08:00 - 01:00 Monday to Saturday; 08:00 - 01:30

21/14004/LIPDPS	Bella Italia	63 Shaftesbury Avenue London W1D 6LQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/10660/LIPT	Bella Italia	63 Shaftesbury Avenue London W1D 6LQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/11368/LIPCH	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Not Recorded	
20/00639/LIPT	Las Banderas	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Sunday; 12:00 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
19/12383/LIPN	Not Recorded	6 Brewer Street London W1F 0SB	Night clubs and discos	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 Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00
18/08305/LIPN	Not Recorded	Ground Floor 65 Shaftesbury Avenue London W1D 6LD	Restaurant	Sunday; 12:00 - 22:30 Monday to Saturday; 12:00 - 23:00
17/14216/LIPDPS	Maitre Choux	60 Dean Street London W1D 6AW	Cafe	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 23:00
18/04298/LIPDPS	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Cafe	Monday to Saturday; 12:00 - 22:00
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Wednesday; 07:00 - 23:00
21/05153/LIPVM	Macellaio RC	39 - 45 Shaftesbury Avenue London W1D 6LA	Restaurant	Monday; 08:00 - 00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:30 Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
20/05564/LIPT	Cafe Monico	39 - 45	Not Recorded	Monday; 08:00 -

		Shaftesbury Avenue London W1D 6LA		00:00 Tuesday; 08:00 - 00:00 Wednesday; 08:00 - 00:00 Thursday; 08:00 - 00:00 Friday; 08:00 - 00:30 Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
17/03088/LIPVM	The Piccadilly London Soho	69 Shaftesbury Avenue London W1D 6EX	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Thursday; 07:00 - 23:00 Sundays before Bank Holidays; 08:00 - 00:00
21/13297/LIPDPS	Moo	99 Wardour Street London W1F 0UF	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

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City of Westminster

Agenda Item 4. Licensing Sub-Committee Report

Item No:	
Date:	14 July 2022
Licensing Ref No:	22/03569/LIPN - New Premises Licence
Title of Report:	Shadow Licence 29A St John's Wood High Street London NW8 7NJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Regent's Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	1 April 2022		
Applicant:	Stradawood Ltd		
Premises:	Shadow Licence		
Premises address:	29A St John's Wood High Street London NW8 7NJ	Ward:	Regent's Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	<p>The premises currently operate as a restaurant. The application has been submitted by the freeholder seeking a premises licence on the same terms, plans and conditions as 21/04316/LIPT.</p> <p>Please note the licence number has been updated to 21/09784/LIPT following a transfer application submitted in 2021.</p>		
Premises licence history:	The premises has had the benefit of a premises licence since 2005. The current premises licence (21/09784/LIPT) can be viewed at Appendix 3 of this report along with the premises history.		
Applicant submissions:	Following consultation, the applicant provided a mediation letter for the interested party which can be found at Appendix 2 .		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	00:00
Seasonal variations/ Non-standard timings:			N/A				

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	00:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			On premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Monday to Saturday 11:00-23:00 (Forecourt only)				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:30
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

2. Representations

2-A Other Persons			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	09 April 2022		
[REDACTED] I would love to see more details on how they plan to keep the noise down in the evening and avoid to disturb the public order on this lovely High Street.			

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. 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

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> 1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005. 2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am 3. Hotels: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. <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>Policy RNT1 (B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.

	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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4. Equality Implications

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

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

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

5. Appendices

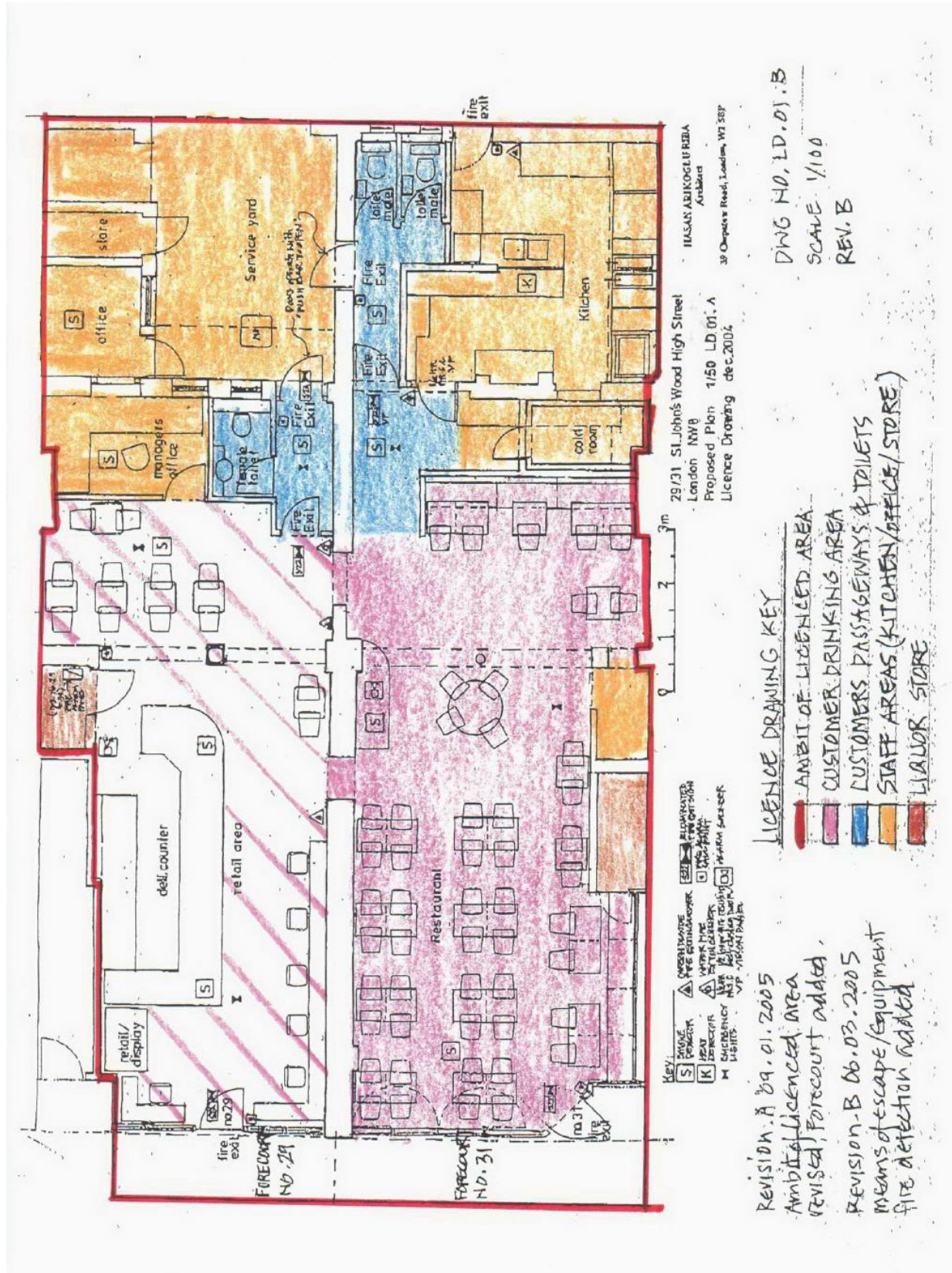
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Existing premises licence and premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Interested party representation	09 April 2022



Mediation letter

Stradawood Limited
Registered address: Registered address:
Care of Trophaeum, 27 Albemarle Street,
London W1S 4HZ.
(Co. Regn. No. 10127356)
Phone +44 (0) 207 6295955, Fax +44 (0) 207 491 9575

WCC Ref: 22/03569/LIPN

17 May 2022

Dear [REDACTED]

Application for “shadow” premises licence at 29-31 St John’s Wood High Street

I write on behalf of Stradawood Ltd, the freeholder and applicant. The Council have kindly provided copy of your comments in respect of our pending licence application.

We have applied for a “shadow” premises licence on the same terms as the operating licence reference 21/04316/LIPT. Our application is merely precautionary should the operating licence lapse for any reason once held by a tenant.

There is no application to increase the existing permitted hours, activities or licensable area.

I have noted your concerns and if you would like to discuss please call me on 0207 629 5955.

Yours sincerely

Cressida Comyn

Trophaeum



City of Westminster

Schedule 12
Part A

WARD: Regent's Park
UPRN: 010033625091

64 Victoria Street, London,
SW1E 6QP

Regulation 33, 34

Premises licence

Premises licence number:

21/09784/LIPT

Original Reference:

05/07926/LIPN

Part 1 – Premises details

Postal address of premises:

Harry Morgan Restaurant
29 - 31 St John's Wood High Street
London
NW8 7NH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music

Monday to Saturday: 11:00 to 00:30
Sunday: 12:00 to 00:00

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 11:00 to 00:00
Monday to Saturday: 11:00 to 23:00 (Forecourt only)
Sunday: 12:00 to 23:30

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 01:00
Sunday: 09:00 to 00:30

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:

Seasons Re Limited (Formerly Glife Food Limited)
6 - 10 Bruton Street
London
W1J 6PU

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

10940193

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

Name: Mr Antonio Pedro De Gouveia Franco

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: PERS/LIC/2024
Licensing Authority: London Borough Of Camden

Date: 1st November 2021

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

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

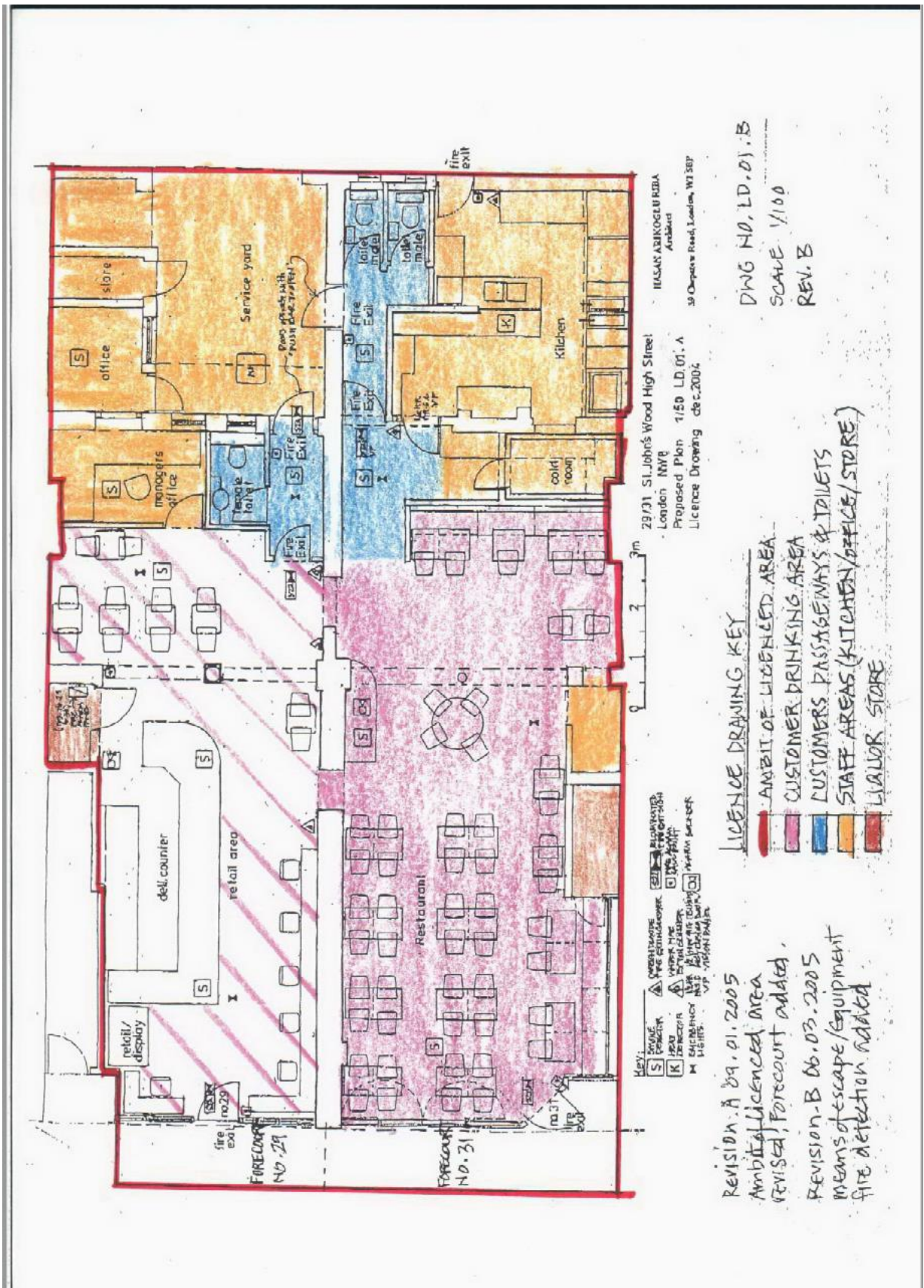
Annex 2 – Conditions consistent with the operating Schedule

9. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received regarding crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
13. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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

15. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking substantial table meals there and for consumption by such a person as ancillary to their meal".
16. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as ancillary to meals served in the licensed premises.
17. The service of intoxicating liquor on the forecourt area shall be by waiter/waitress service only.
18. No off sales are permitted.
19. No draught beer to be sold.
16. No raw fresh food shall be cooked on this part of the premises known as 29 St Johns Wood High Street.
17. For the provision of Late Night Refreshment the premises may remain open on New Year's Eve from 23:00 to the start of licensable activities on New Years Day.
18. For the provision of the Sale by Retail of Alcohol the premises may remain open on New Year's Eve from 11:00 to the start of licensable activities on New Year's Day.
19. All furniture in the Forecourt area is to be removed from the highway no later than 23:00 hours daily.
20. Deliveries, collections and operational servicing are to be carried out between 07:00 and 19:00 hours.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Regent's Park
UPRN: 010033625091

Premises licence
summary

Regulation 33, 34

Premises licence
number:

21/09784/LIPT

Part 1 – Premises details

Postal address of premises:

Harry Morgan Restaurant
29 - 31 St John's Wood High Street
London
NW8 7NH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music

Monday to Saturday:	11:00 to 00:30
Sunday:	12:00 to 00:00

Late Night Refreshment

Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday:	11:00 to 00:00
Monday to Saturday:	11:00 to 23:00 (Forecourt only)
Sunday:	12:00 to 23:30

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 01:00
Sunday: 09:00 to 00:30

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:

Seasons Re Limited (Formerly Glife Food Limited)
6 - 10 Bruton Street
London
W1J 6PU

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

10940193

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

Name: Mr Antonio Pedro De Gouveia Franco

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

Restricted

Date: 1st November 2021

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

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/07926/LIPN	<p>New premises licence</p> <p>Playing of recorded music:</p> <p>Monday to Saturday 11:00 to 00:30 Sunday 12:00 to 00:00</p> <p>Late Night Refreshment:</p> <p>Monday to Saturday 23:00 to 00:30 Sunday 23:00 to 00:00</p> <p>Sale by Retail of Alcohol:</p> <p>Monday to Saturday 11:00 to 00:00 Sunday 12:00 to 00:00</p> <p>Monday to Sunday 18:00 to 23:00 (Number 29 only)</p> <p>Monday to Saturday 11:00 to 23:00 (Forecourt only)</p>	03.11.2005	Granted by Licensing Sub-Committee
07/00741/WCCMAP	Master Licence	23.01.2007	Granted by Licensing Sub-Committee
08/10518/LIPDPS	Application to Vary the Designated Premises Supervisor	14.01.2009	Granted under Delegated Authority
09/05826/LIPDPS	Application to Vary the Designated Premises Supervisor	11.08.2009	Granted under Delegated Authority
10/06534/LIPDPS	Application to Vary the Designated Premises Supervisor	22.09.2010	Granted under Delegated Authority
11/01077/LIPCH	Change of details	15.02.2011	Granted under Delegated Authority

12/05846/LIPV	Variation application To remove condition 15,16 & 17 To vary the hours for number 29 to Monday to Saturday 11:00 to 00:00 & Sunday 12:00 to 00:00	21.08.2012	Granted under Delegated Authority
13/06456/LIPDPS	Application to Vary the Designated Premises Supervisor	17.09.2013	Granted under Delegated Authority
13/08764/LIPT	Transfer application: Ordella Limited to Devalink Limited	10.12.2013	Granted under Delegated Authority
14/03536/LIPDPS	Application to Vary the Designated Premises Supervisor	22.05.2014	Granted under Delegated Authority
21/04316/LIPT	Transfer application: Devalink Limited to Stradawood Limited	19.05.2021	Granted under Delegated Authority
21/09784/LIPT	Transfer application: Stradawood Limited to Seasons Re Limited	01.11.2021	Granted under Delegated Authority

There is no Temporary Event Notice or appeal history.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

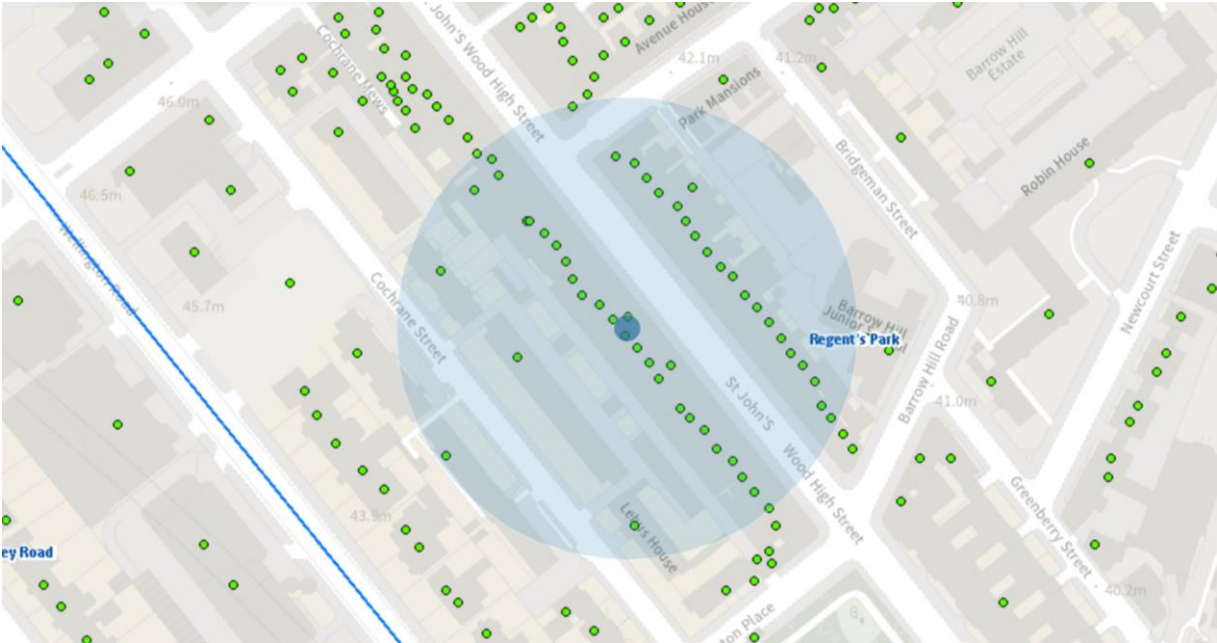
Annex 2 – Conditions consistent with the operating Schedule

9. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received regarding crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
13. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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

15. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking substantial table meals there and for consumption by such a person as ancillary to their meal".
16. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as ancillary to meals served in the licensed premises.
17. The service of intoxicating liquor on the forecourt area shall be by waiter/waitress service only.
18. No off sales are permitted.
19. No draught beer to be sold.
16. No raw fresh food shall be cooked on this part of the premises known as 29 St Johns Wood High Street.
17. For the provision of Late Night Refreshment the premises may remain open on New Year's Eve from 23:00 to the start of licensable activities on New Years Day.

18. For the provision of the Sale by Retail of Alcohol the premises may remain open on New Year's Eve from 11:00 to the start of licensable activities on New Year's Day.
19. All furniture in the Forecourt area is to be removed from the highway no later than 23:00 hours daily.
20. Deliveries, collections and operational servicing are to be carried out between 07:00 and 19:00 hours.



Resident count: 286

Licensed premises within 75 metres of 29A St John's Wood High Street, London, NW8 7NJ				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/09784/LIPT	Harry Morgan Restaurant	29 - 31 St John's Wood High Street London NW8 7NH	Restaurant	Sunday; 09:00 - 00:30 Monday to Saturday; 09:00 - 01:00
20/07410/LIPN	Rococo Chocolates	Ground Floor 27 St John's Wood High Street London NW8 7NH	Shop	Sunday; 10:00 - 19:00 Monday to Tuesday; 10:00 - 19:00 Wednesday to Saturday; 10:00 - 20:00
22/03582/LIPN	Shadow Licence	45 St John's Wood High Street London NW8 7NJ	Shop	Monday to Sunday; 08:00 - 23:00
21/09782/LIPT	Supermarket Of Dreams	45 St John's Wood High Street London NW8 7NJ	Shop	Monday to Sunday; 08:00 - 23:00
21/13075/LIPDPS	B Together	47-51 St John's Wood High Street London NW8 7NJ	Cafe	Sunday; 08:00 - 22:30 Monday to Saturday; 08:00 - 23:30
21/07022/LIPRW	B Together	47-51 St John's Wood High Street London NW8 7NJ	Cafe	Monday; 08:00 - 22:00 Tuesday; 08:00 - 22:00 Wednesday; 08:00 - 22:00 Thursday; 08:00 - 22:00 Friday; 08:00 - 22:00 Saturday; 08:00 - 22:00 Sunday; 08:00 - 22:00
15/07993/LIPD	Sahara Restaurant	7 St John's	Restaurant	Sunday; 12:00 - 00:00 Monday

		Wood High Street London NW8 7NG		to Saturday; 10:00 - 00:30
18/07592/LIPDPS	Ivy Cafe St Johns Wood	120 St John's Wood High Street London NW8 7SG	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30