



City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/00736/LIPV**

Date:

**9 April 2015**

Classification:

**For General Release**

Title of Report:

**"26 Greek Street"  
26 Greek Street  
London  
W1D 5DE**

Report of:

**Operational Director of Premises Management**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Mrs Sumeet Anand-Patel  
Environmental Health Case Officer (Licensing)**

Contact Details:

**Telephone: 020 7641 2737  
E-mail: sanandpatel@westminster.gov.uk**

## APPLICATION DETAILS

<b>Application Type:</b>	A variation of licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Mr Charles Martin	<b>Date Application Received:</b>	29 January 2015 (validated on 25 <sup>th</sup> February 2015)
<b>Premises Name and Address:</b>	"26 Greek Street" 26 Greek Street London W1D 5DE		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	This premises shall operate as a restaurant with a maximum of 10 people being able to consume alcohol without it being ancillary to food.		
<b>Variation Description :</b>	<p>A variation is sought to:</p> <ul style="list-style-type: none"> <li>• Remove conditions 11 and 17 from the licence (please see Appendix B)</li> <li>• Increase permitted hours for late night refreshment by half hour on Friday and Saturdays</li> <li>• Permit late night refreshment until 23:30, Monday to Thursday</li> <li>• Increase permitted hours for the sale of alcohol by half hour Monday to Saturday but also to withdraw off sales</li> <li>• Extend the opening commencement hour of the premises by two hours Monday to Sunday</li> <li>• Extend the opening terminal hour of the premises by half an hour Friday to Saturday</li> </ul> <p>The applicant is also seeking to amend condition 20 on the existing licence (existing restaurant condition) so as to permit up to 10 persons to purchase alcohol without food.</p> <p>However the applicant has indicated that they would be happy to withdraw this aspect of the application subject to both the Environmental Health and Police withdrawing their representations. Please see email attached at Appendix D.</p>		

### Proposed Licensable Activities and Proposed Hours:

<u>Licensable activities permitted under the existing Premises Licence 15/00449/LIDPSR</u>	<u>Variation to Licensable Activities</u>
<b>Sale of Alcohol: On and Off the premises</b>  Monday to Thursday 11:00 to 23:00 Friday to Saturday 11:00 to 23:30 Sunday 12:00 to 22:30	<b>Sale of Alcohol: On the premises</b>  Monday to Thursday 11:00 to <b>23:30</b> Friday to Saturday 11:00 to <b>00:00</b> Sunday: <b>No variation applied for</b>
<b>Late Night Refreshment: Indoors</b>  Friday to Saturday: 23:00 to 23:30	<b>Late Night Refreshment: Indoors</b>  <b>Monday to Thursday 23:00 to 23:30</b>

	Friday to Saturday: 23:00 to 00:00
<b>Opening Hours</b> Monday to Saturday 11:00 to 00:00 Sunday 12:00 to 23:00	<b>Opening Hours</b> Monday to Thursday 09:00 to 00:00 Friday to Saturday: 09:00 to 00:30 Sunday 10:00 to 23:00
<b>Capacity</b> The number of persons accommodated at any one time (including staff) shall not exceed the following:  Overall capacity - 40:	<b>Capacity</b> No variation applied for

## 1. Relevant representations

- 1.1 The Environmental Health Service has made an adverse representation against this application stating that the proposals will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area.

Environmental Health have proposed a couple of conditions to deal with any potential layout changes with regards to sanitary facilities.

- 1.2 The Metropolitan Police have made an adverse representation against this application as it is their belief this application would undermine the licensing objectives.
- 1.3 The Soho Society have made an adverse representation against the application on the grounds of the Prevention of Crime and Disorder and Public Nuisance.

## 2. Policies Applicable

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

### **Policy STR1 applies:**

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

### **Policy PB2 applies:**

It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.

### **Policy RNT2 applies:**

Applications will be granted subject to other policies and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.

### 3. Summary

- 3.1 The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:
- prevention of public nuisance,
  - prevention of crime & disorder,
  - public safety and
  - protection of children from harm.
- 3.2 Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix B to this report.

### 4. Current Licensing Position

These premises currently hold a Premises Licence 15/00449/LIDPSR. Full licence history can be found in **Appendix A**.

### 5. Residential Density

110 of the 236 units within a 75m radius of the premises are residential or proposed residential or under construction (49%), refer to **Appendix C**.

### 6. List of Appendices

- A – Premises Licence History
- B - Conditions
- C – Residential Map and list of premises in the vicinity
- D – Email from the applicant withdrawing amendment to condition 20

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Letter sent to objectors
- Existing Premise Licence
- Representations received
- Photos

## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
New Application <b>14/01097/LIPN</b>	Application to permit late night refreshment and sale of alcohol	25.03.2014	Granted Under Delegated Authority
Transfer Application <b>14/05704/LIPT</b>	Application to transfer the licence	29.09.2014	Granted Under Delegated Authority
DPS Variation Application <b>14/05709/LIPDPS</b>	Application to vary the designated premises supervisor	29.09.2014	Granted Under Delegated Authority
DPS Removal Application <b>14/07633/LIDPSR</b>	Application to remove the designated premises supervisor	29.09.2014	Granted Under Delegated Authority
Transfer Application <b>14/09546/LIPT</b>	Application to transfer the licence	20.01.2015	Granted Under Delegated Authority
DPS Variation Application <b>14/09549/LIPDPS</b>	Application to vary the designated premises supervisor	20.01.2015	Granted Under Delegated Authority
DPS Removal Application <b>14/00449/LIDPSR</b>	Application to remove the designated premises supervisor	21.01.2015	Granted Under Delegated Authority
Transfer Application <b>15/00965/LIPT</b>	Application to transfer the licence	30.03.2015	This licence shall be granted upon determination of the current variation licence
Variation Application <b>15/00736/LIPV</b>	Current Application	Pending	

There is no appeal history

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

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

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

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

**Conditions: On Current Licence -**

**Annex 1 – Mandatory conditions**

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -

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

Where -

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



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

9. A record shall be kept detailing all refused sales of alcohol. The record shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
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) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

11. Off-Sales of alcohol shall be restricted to bottles of Churchill's Port only.

### **Note: the applicant is seeking to remove this condition**

12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
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. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs shall be adopted and enforced.
16. No externally promoted events shall take place at the premises.
17. Alcohol sold or supplied at the premises shall be restricted to bottled beer / cider, wine and port only.

### **Note: the applicant is seeking to remove this condition**

18. No open drinks shall be permitted to leave the premises at any time and no more than 10 patrons from the premises will be permitted outside for the purpose of smoking at any one time.
19. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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

**Note: the applicant is seeking to add the following wording to the above condition:**

**A maximum of 10 non-dining diners shall be permitted to purchase alcohol without food. The availability of alcohol without food during the permitted hours shall not be promoted or advertised externally.**

**Non-Dining Diners are customers who attend the premises with other people who are consuming food, but who themselves are not eating food at the premises. They may consume alcohol without food only when the persons with whom they are attending are consuming food.**

21. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
22. There shall be no take away of hot food or hot drink after 23.00 hours.
23. After 21:00 hours all external doors and windows to be kept closed save for immediate access and egress of persons.
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
26. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
27. Deliveries to the premises shall only take place between 0800 and 2300 hours.
28. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. The number of persons accommodated at any one time (including staff) shall not exceed the following:  
Overall capacity - 40

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

None

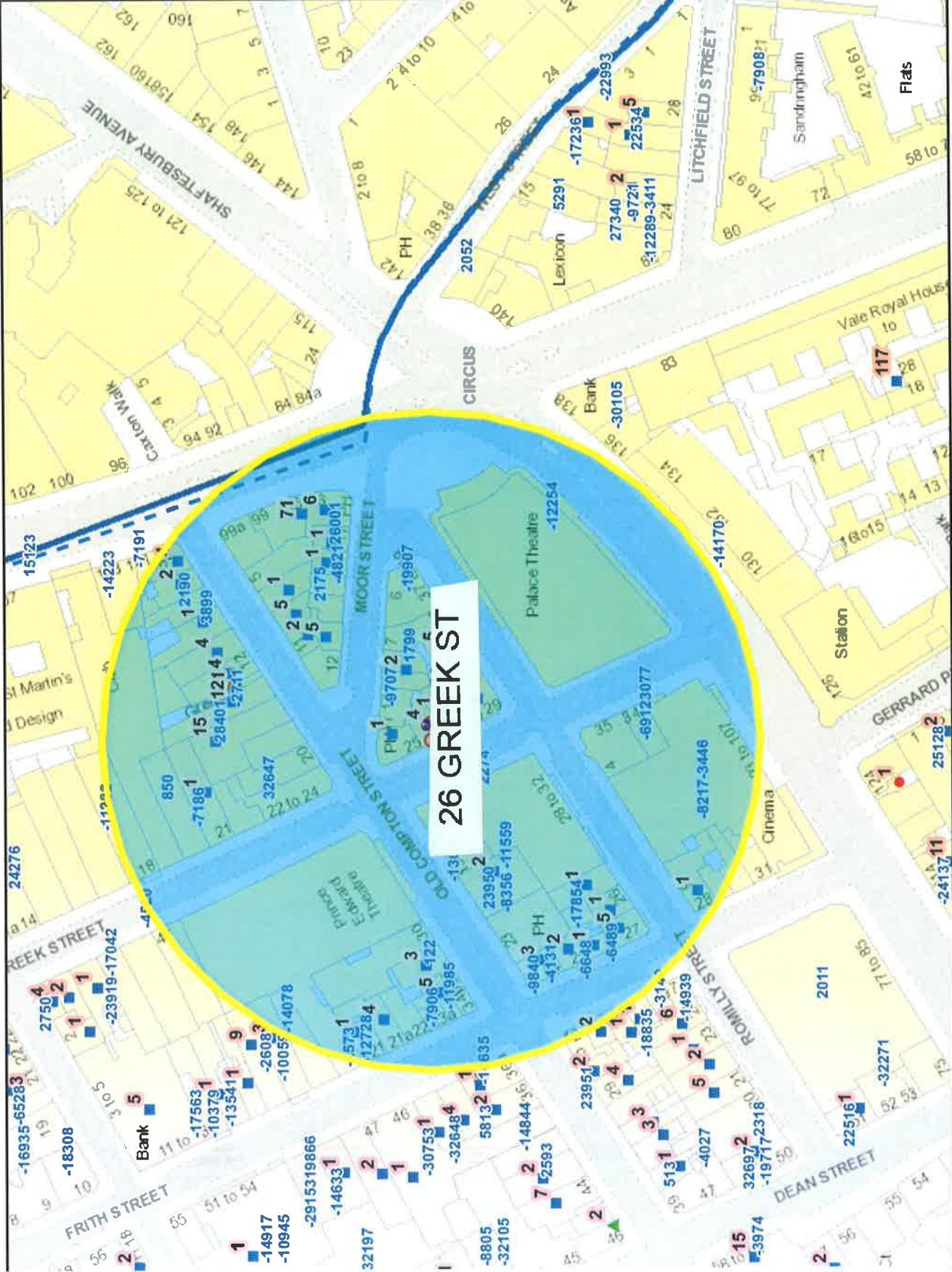
### **Conditions proposed by EH**

30. The variation of the Premises Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
31. Before the premises open to the public, the plans will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises. Where the premises layout has changed from the existing plans a variation application may be required.



# 26 GREEK STREET, 26 GREEK STREET, LONDON W1D 5DE

City of Westminster



Residential / Proposed Residential	119
Under Construction	0
Other Uses	126
Proportion Residential of all Uses	49%

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**Premises within 75 metres of: 26 Greek Street, 26 Greek Street, W1D 5DE**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
-9707	Ed's Easy Diner	Basement To Ground Floor 10-11 Moor Street London W1D 5NF	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
-11559	Bar Soho	Basement To Third Floor 19-21 Old Compton Street London W1D 5JJ	Monday to Thursday: 09:00 to 01:30 Friday to Saturday: 09:00 to 03:30 Sunday: 09:00 to 01:00
-11985	Little Italy	23B Frith Street London W1D 4RT	Monday to Sunday: 09:00 to 05:30
-12728	Bar Italia	First Floor 21 Frith Street London W1D 4RN	Monday to Saturday: 10:00 to 05:00 Sunday: 12:00 to 05:00
-13040	Amalfi Restaurant	First Floor To Third Floor 13-17 Old Compton Street London W1D 5JQ	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
-18288	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Monday to Saturday: 10:00 to 01:30 Sunday: 12:00 to 01:00
-18845	Assa	23 Romilly Street London W1D 5AQ	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
-19907	The Spice Of Life	37-39 Romilly Street London W1D 5NA	Monday to Saturday: 09:00 to 23:30 Sunday: 09:00 to 23:00
-23200	Coach & Horses Public House	29 Greek Street London W1D 5DH	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:50
32647	Maison Touaregue	23-24 Greek Street London W1D 4DZ	Monday to Sunday: 09:00 to 03:30
28401	Made In Italy	Basement And Ground Floor 14 Old Compton Street London W1D 4TH	Mon to Sat 10:00 to 00:30 Sun 12:00 to 00:00
26001	New World Restaurant	1 Gerrard Place London W1D 5PA	Monday to Saturday - 10:00 to 01:00 Sunday - 12:00 to 01:00
23950	Soho Kitchen And Bar	19-21 Old Compton Street London W1D 5JJ	Monday to Wednesday: 10:00 to 01:00 Thursday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 23:30
8020	G-A-Y Bar	Third Floor Flat 32 Old Compton Street London W1D 4TP	Mon to Sat 10:00 to 01:00 Sun 12:00 to 00:30
3899	Taro Japanese Restaurant	10 Old Compton Street London W1D 4TF	Monday to Saturday - 10:00 to 23:30 Sunday - 12:00 to 23:00
-2573	Little Italy Two	Ground Floor 21A Frith Street London W1D 4RF	Monday to Saturday - 10:00 to 05:00 Sunday - 12:00 to 05:00
-6648	Bistro 1	27 Frith Street London W1D 5LE	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00
-6912	Y Ming	35 - 36 Greek Street London W1D 5DN	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00
-9840	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Monday to Thursday - 08:00 to 01:00 Friday to Saturday - 08:00 to 03:00 Sunday - 10:00 to 22:30
-12117	La Creperie	34B Old Compton Street London W1D 4TS	Sunday to Thursday: 09:30 to 01:00 Friday to Saturday: 09:30 to 05:00
-12254	Crispin's Food & Wine	90-92 Shaftesbury Avenue London W1D 5EA	Monday to Sunday - 08:00 to 05:00
-13244	The Stockpot	Basement And Ground Floor 18 Old Compton Street London W1D 4TN	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00
-14078	Little Italy	21 Frith Street London W1D 4RN	Monday to Sunday - 09:00 to 05:00
-17854	Cho Won Korean Restaurant	27 Romilly Street London W1D 5AL	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00

-7906	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Monday to Saturday: 10:00 to 01:30 Sunday: 12:00 to 00:00
-8217	Genting Casino London China Town	First Floor West Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Monday to Sunday: 10:00 to 03:00
-8356	Hotel Chocolat	25 Old Compton Street London W1D 5JN	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30
-7186	Londis	Flat 4 21 Greek Street London W1D 4DX	Mon to Sun 10:00 to 20:00
-6968	Melanie Restaurant	Ground Floor 4 - 6 Old Compton Street London W1D 4TB	Monday to Saturday: 10:00 to 01:00 Sunday: 12:00 to 00:00
-6489	Bar Shu	28 Frith Street London W1D 5LF	Monday to Saturday: 11:00 to 00:30 Sunday: 11:00 to 00:00
-4821	La Bodega Negra	16 Moor Street London W1D 5NN	Monday to Sunday: 00:00 to 00:00 (Residents and bona fide guests) Monday to Saturday: 10:00 to 01:00 Sunday: 10:00 to 23:30
-4131	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30
-3446	Palace Theatre	109-113 Shaftesbury Avenue London W1D 5DZ	Monday to Sunday: 09:00 to 00:00
-2711	Bincho Yakitori	14A Old Compton Street London W1D 4TJ	Mon to Sat 10:00 to 00:00 Sun 12:00 to 23:30
-1949	Cafe Boheme	Basement And Ground Floor 13 - 17 Old Compton Street London W1D 5JH	Monday to Saturday: 09:00 to 05:00 Sunday: 12:00 to 00:00
-1079	La Polenteria	64 Old Compton Street London W1D 4TL	Monday to Thursday: 07:30 to 23:30 Friday: 07:30 to 00:00 Saturday: 08:00 to 00:00 Sunday: 08:00 to 23:00
122	Balan's Cafe	34 - 34A Old Compton Street London W1D 4TP	Monday to Saturday: 10:00 to 05:00 Sunday: 12:00 to 05:00
850	Pizza Express	20 Greek Street London W1D 4DU	Mon to Sat 10:00 to 01:30 Sun 12:00 to 00:00
1799	Patisserie Capuccetto	8-9 Moor Street London W1D 5ND	Monday to Sunday: 08:00 to 01:00
2175	Z Hotel	17 Moor Street London W1D 5AP	Monday to Sunday: 00:01 to 00:00
2190	Piccolo Diavolo	Basement To First Floor 8 Old Compton Street London W1D 4TE	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
2274	Soho House	40 Greek Street London W1D 5JJ	Monday to Saturday: 09:00 to 03:30 Sunday: 09:00 to 23:00
3077	House Of St Bamabas	1 Greek Street London W1D 4NQ	Monday to Sunday: 08:00 to 01:30
3137	Three Greyhounds Public House	25 Greek Street London W1D 5DD	Monday to Thursday: 10:00 to 00:00 Friday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 23:00

# APPENDIX D

**Anand-Patel, Sumeet**

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**From:** Peter Mayhew <p.mayhew@btbl.co.uk>  
**Sent:** 27 March 2015 00:51  
**To:** Anand-Patel, Sumeet; Curtis, Nicola; Janes, Toby  
**Cc:** Charles Martin; '26 Greek Street'  
**Subject:** Premises Licence Variation - 26 Greek Street, (Ref. 15/00736/LIPV)

Dear Sumeet,

I have spoken with PC Toby Janes and we met with Nicola Curtis earlier today (Thursday). I would be most grateful if you could confirm if there are any further representations regarding this application for a variation of the premises licence?

Following these discussions, the applicant would be willing to withdraw the proposed amendment to condition 20 subject to both the Police and Environmental Health withdrawing their representations against all other aspects of the variation and subject to there being no further representations against the application:

1. *Non-Dining Diners - Within the premises up to 10 customers are permitted to purchase alcohol without food. The availability of alcohol without food during the permitted hours shall not be promoted or advertised externally.*
2. *Non-Dining Diners - these are customers who attend the premises with other people who are consuming food, but who themselves are not eating food at the premises. They may consume alcohol without food only when the persons with whom they are attending are consuming food.*

This would leave the existing condition 20 unchanged.

When I spoke with Toby he indicated that the Police would be minded to withdraw, subject to this aspect of the variation being removed; as the rest of the application falls within current Westminster Policy for the area.

As we only met Nicola today, she quite properly, was only able to give us an indication subject to further discussion with her colleagues on the matter; however it was felt that this amendment would be looked upon favourably. We look forward to the conclusion of her discussions in due course.

I would be most grateful if you could check the status of the application and inform us of any further representation, were there to be any.

Kind regards

Peter

**Peter Mayhew - Director**

**Beyond the Blue**  
Training & Consultancy

92 Vegal Crescent,  
Englefield Green,  
Surrey TW20 0QF

Tel. (+44) 01784 434 392 / (+44) 0845 602 55 95

\* required information

**Section 1 of 17**

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System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.



Continued from previous page...

### Address

* Building number or name	<input type="text" value="20"/>
* Street	<input type="text" value="Tregunter Road"/>
District	<input type="text"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="SW10 9LH"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="Peter"/>
* Family name	<input type="text" value="Mayhew"/>
* E-mail	<input type="text" value="p.mayhew@btbl.co.uk"/>
Main telephone number	<input type="text" value="01784 434 392"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

\* Is your business registered in the UK with Companies House?  Yes  No

* Registration number	<input type="text" value="05556483"/>
* Business name	<input type="text" value="Beyond the Blue Limited"/>
* VAT number	<input type="text" value="GB"/> <input type="text" value="890204731"/>
* Legal status	<input type="text" value="Private Limited Company"/>
* Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

* Building number or name	<input type="text" value="92"/>
* Street	<input type="text" value="Vegal Crescent"/>
District	<input type="text"/>
* City or town	<input type="text" value="Englefield Green"/>
County or administrative area	<input type="text" value="Surrey"/>
* Postcode	<input type="text" value="TW20 0QF"/>
* Country	<input type="text" value="United Kingdom"/>

**Section 2 of 17**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="26"/>
Street	<input type="text" value="Greek Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="W1D 5DE"/>
Country	<input type="text" value="United Kingdom"/>

**Premises Contact Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="36,250"/>

**Section 3 of 17**

**VARIATION**

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

A variation is sought to remove two conditions (11 & 17) on the licence which are no longer appropriate for the nature of the business.

While the applicant is also seeking to slightly increase the permitted hours, these will remain within the core hours, outlined in Westminster City Councils licensing policy statement.

The applicant is also seeking to include the condition to amend the existing condition 20 to permit a small number of non-dining diners to consume alcohol without food at the premises.

While we are seeking to remove condition 11, the application also seeks to remove 'off-sales of alcohol' from the licence.

Subject to a successful variation, the application seeks to remove the name Pudding Bar and refer to the premises licence in future as '26 Greek Street'

#### Section 4 of 17

##### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

#### Section 5 of 17

##### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

<i>Continued from previous page...</i>	<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 6 of 17</b>		
<b>PROVISION OF INDOOR SPORTING EVENTS</b>		
Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 7 of 17</b>		
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>		
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 8 of 17</b>		
<b>PROVISION OF LIVE MUSIC</b>		
Will the schedule to provide live music be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 9 of 17</b>		
<b>PROVISION OF RECORDED MUSIC</b>		
Will the schedule to provide recorded music be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 10 of 17</b>		
<b>PROVISION OF PERFORMANCES OF DANCE</b>		
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 11 of 17</b>		
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>		
Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 12 of 17</b>		
<b>PROVISION OF LATE NIGHT REFRESHMENT</b>		
Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?		
<input checked="" type="radio"/> Yes <input type="radio"/> No		

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.



*Continued from previous page...*

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

11. Alcohol sold or supplied at the premises shall be restricted to bottled beer / cider, wine and port only.

17. Off-Sales of alcohol shall be restricted to bottles of Churchill's Port only.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

The premises is currently being transferred and new copy of the licence has yet to be issued.

#### **Section 16 of 17**

#### **LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. Non-Dining Diners - Within the premises up to 10 customers are permitted to purchase alcohol without food. The availability of alcohol without food during the permitted hours shall not be promoted or advertised externally.

2. Non-Dining Diners – these are customers who attend the premises with other people who are consuming food, but who themselves are not eating food at the premises. They may consume alcohol without food only when the persons with whom they are attending are consuming food.

b) The prevention of crime and disorder

Existing conditions are sufficient to promote the licensing objectives.

c) Public safety

Existing conditions are sufficient to promote the licensing objectives.

d) The prevention of public nuisance

Existing conditions are sufficient to promote the licensing objectives.

e) The protection of children from harm

Continued from previous page...

Existing conditions are sufficient to promote the licensing objectives.

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as:..

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



Schedule 12  
Part A

WARD: West End  
UPRN: 100023471992

## City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/00449/LIDPSR

Original Reference:

14/01097/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Pudding Bar  
26 Greek Street  
London  
W1D 5DE

Telephone Number: 020 3620 4747

#### 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:

<b>Late Night Refreshment</b>	
Friday to Saturday:	23:00 to 23:30
<b>Sale by Retail of Alcohol</b>	
Monday to Thursday:	11:00 to 23:00
Friday to Saturday:	11:00 to 23:30
Sunday:	12:00 to 22:30

#### The opening hours of the premises:

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

#### 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:**

EDPC Trading Ltd  
Flat 38  
Kenilworth Court  
Lower Richmond Road  
London  
SW15 1EN

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

08624583

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

**Name:** NOT APPOINTED

*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:** NOT APPOINTED  
**Licensing Authority:**

**Date:** \_\_\_\_\_ 21<sup>st</sup> January 2015 \_\_\_\_\_

**This licence has been authorised by Miss Bina Patel on behalf of the 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 must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

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

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

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

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



## Annex 2 – Conditions consistent with the operating Schedule

9. A record shall be kept detailing all refused sales of alcohol. The record shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
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) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
11. Off-Sales of alcohol shall be restricted to bottles of Churchill's Port only.
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
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. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs shall be adopted and enforced.
16. No externally promoted events shall take place at the premises.
17. Alcohol sold or supplied at the premises shall be restricted to bottled beer / cider, wine and port only.
18. No open drinks shall be permitted to leave the premises at any time and no more than 10 patrons from the premises will be permitted outside for the purpose of smoking at any one time.
19. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the

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

21. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
22. There shall be no take away of hot food or hot drink after 23.00 hours.
23. After 21:00 hours all external doors and windows to be kept closed save for immediate access and egress of persons.
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
26. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
27. Deliveries to the premises shall only take place between 0800 and 2300 hours.
28. During the hours of operation ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. The number of persons accommodated at any one time (including staff) shall not exceed the following:

Overall capacity - 40

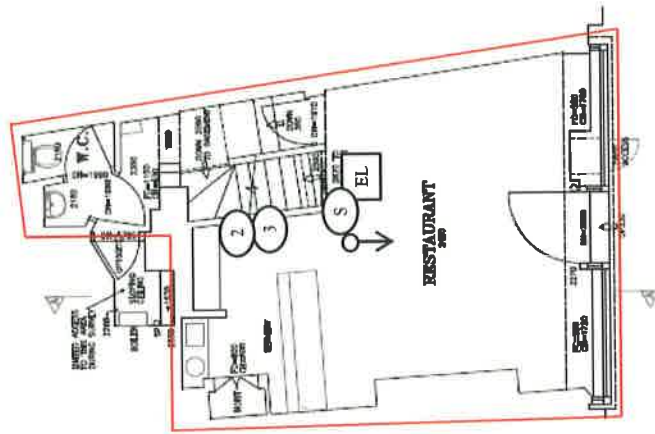
**Annex 3 – Conditions attached after a hearing by the licensing authority**

None

## **Annex 4 – Plans**

Attached

Premises Licence Plan  
1:100 in A4



**Key**

Area Covered by Premises Licence & used for Licensable Activities

○ → CCTV Camera

① Water Fire Extinguisher

② Foam Fire Extinguisher

③ CO<sub>2</sub> Fire Extinguisher

B Fire Blanket

S Smoke / Heat Detector

CP Fire Call Point

EL Emergency Lighting

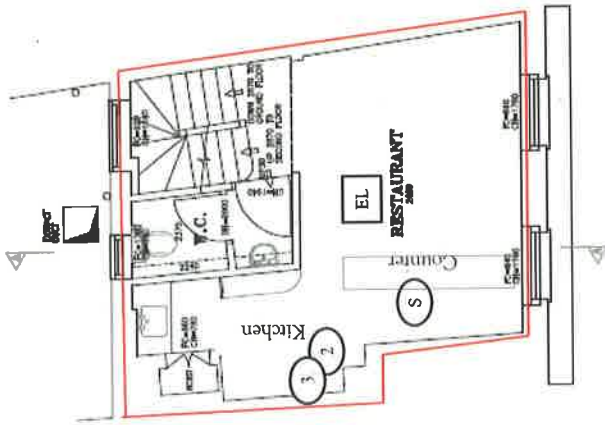
--- Step

Ground Floor  
Churchill's Port House, 26 Greek Street, London W1D 5DE

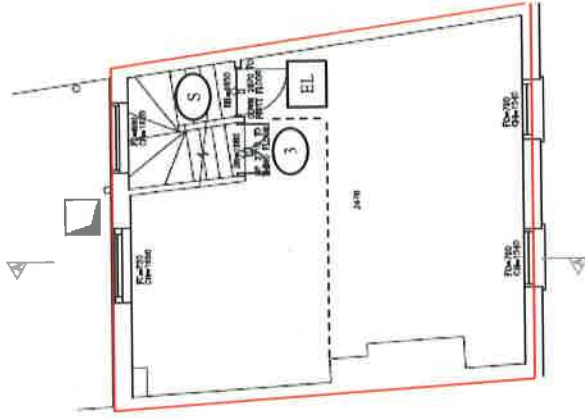
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Premises Licence Plan  
1:100 in A4



26 GREEK STREET  
First floor



26 GREEK STREET  
Second floor

Key

Area Covered by Premises Licence & used for Licensable Activities



1 Water Fire Extinguisher

2 Foam Fire Extinguisher

3 CO<sub>2</sub> Fire Extinguisher

B Fire Blanket

S Smoke / Heat Detector

CP Fire Call Point

EL Emergency Lighting



First & Second Floors  
Churchill's Port House, 26 Greek Street, London W1D 5DE

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Schedule 12  
Part B

WARD: West End  
UPRN: 100023471992

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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

15/00449/LIDPSR

**Part 1 – Premises details**

**Postal address of premises:**

Pudding Bar  
26 Greek Street  
London  
W1D 5DE

**Telephone Number:** 020 3620 4747

**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**

Friday to Saturday: 23:00 to 23:30

**Sale by Retail of Alcohol**

Monday to Thursday: 11:00 to 23:00

Friday to Saturday: 11:00 to 23:30

Sunday: 12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 11:00 to 00:00

Sunday: 12:00 to 23:00

**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:**

EDPC Trading Ltd  
Flat 38  
Kenilworth Court  
Lower Richmond Road  
London  
SW15 1EN

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

08624583

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

Name: NOT APPOINTED

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

Restricted

Date: \_\_\_\_\_ 21<sup>st</sup> January 2015 \_\_\_\_\_

**This licence has been authorised by Miss Bina Patel on behalf of the Operational Director - Premises Management.**



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**TO  
REFERENCE****Sumeet Anand Patel, Licensing Officer  
15/00736/LIPV**

---

**FROM****Environmental Health Consultation Team  
4<sup>th</sup> Floor West, City Hall****TELEPHONE****0207 641 3187****BEING DEALT WITH BY  
DATE****Nicola Curtis (ncurtis@westminster.gov.uk)  
26<sup>th</sup> February 2015**

---

**Licensing Act 2003****26 Greek Street, London, W1D 5DE**

I refer to the application for variation of the Premises Licence 15/00449/LIDPSR for the above premises.

**The premises are located within the West End Stress Area as defined within the City of Westminster Statement of Licensing Policy.**

This representation is based on the Operating Schedule submitted.

The applicant is seeking the following variations:

1. To remove 'off sales' of alcohol from the premises licence.
2. To remove condition 11 from the premises licence "Off-Sales of alcohol shall be restricted to bottles of Churchill's Port only"
3. To remove condition 17 from the premises licence "Alcohol sold or supplied at the premises shall be restricted to bottled beer/cider, wine and port only"
4. To amend condition 20 on the premises licence to include the following:  
"Within the premises up to ten customers are permitted to purchase alcohol without food. The availability of alcohol without food during the permitted hours shall not be promoted or advertised externally."
5. To vary the permitted hours for the Provision of Late Night Refreshment 'indoors':
  - a. FROM Friday and Saturday 2300 to 2330 hours
  - b. TO Monday to Thursday 2300 to 2330 hours and Friday and Saturday 2300 to 0000 hours
6. To vary the permitted hours for the Supply of Alcohol 'on' the premises:
  - a. FROM Monday to Thursday 1100 to 2300 hours, Friday and Saturday 1100 to 2330 hours and Sunday 1200 to 2230 hours
  - b. TO Monday to Thursday 1100 to 2330 hours, Friday and Saturday 1100 to 0000 hours and Sunday (no change) 1200 to 2230 hours

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

1. No representation raised.
2. No representation raised.
3. The removal of the conditions from the Licence will have the likely effect of an increase in Public Nuisance in the West End Stress Area.
4. The proposed amendment of the condition will have the likely effect of an increase in Public Nuisance in the West End Stress Area.
5. The increased hours for the provision of Late Night Refreshment 'indoors' will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area.
6. The increased hours for the Supply of Alcohol 'on' the premises will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area.

The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

The applicant has provided additional information within the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

**The granting of the variation where representation is made would have the likely effect of causing an increase of Public Nuisance in the West End Stress Area.**

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

Nicola Curtis  
Environmental Health Enforcement Officer

## Anand-Patel, Sumeet

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**From:** Curtis, Nicola  
**Sent:** 31 March 2015 10:36  
**To:** Peter Mayhew; Anand-Patel, Sumeet; Janes, Toby  
**Cc:** Charles Martin; '26 Greek Street'  
**Subject:** RE: Premises Licence Variation - 26 Greek Street, (Ref. 15/00736/LIPV)

Hello Peter,

Thank you for confirming that you wish to withdraw the amendment to condition 20.

At our meeting we discussed that I would need the WCs to be designated 1 as male and 1 as female as we do not accept unisex facilities. I also propose the following conditions since the new occupier has not yet taken over the premises and there will be some layout changes:

1. The variation of the Premises Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
2. Before the premises open to the public, the plans will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises. Where the premises layout has changed from the existing plans a variation application may be required.

Please do let me know whether these conditions are acceptable, and also whether the Soho Society's concerns have been addressed.

Kind regards

**Nicola Curtis** GradCIEH  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Premises Management  
Westminster City Council  
4th Floor (West)  
City Hall  
64 Victoria Street  
London SW1E 6QP

☎: 020 7641 3187

✉: [ncurtis@westminster.gov.uk](mailto:ncurtis@westminster.gov.uk)

[www.westminster.gov.uk](http://www.westminster.gov.uk)



19/03/2015 14:03:36

From: "Janes, Toby" </O=CITYOFWESTMINSTER/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=TJANES>  
Sent: 19/02/2015 13:57:54  
To: idoxlicensing </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=IDOXLICENSING>  
Cc: idoxlicensing; Anand-Patel, Sumeet  
Subject: Application 15/00736/LIPV - Pudding Bar, 26 Greek St, W1

Dear Sir,

Application 15/00736/LIPV - Pudding Bar, 26 Greek St, W1

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application as it is our belief that if granted the application would undermine the Licensing Objectives.

I will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

Should you wish to discuss the matter further please contact me on 0207 641 3179 or via email, [tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)

Yours sincerely,

Toby Janes

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

Objections  
Westminster Licensing Service  
4<sup>th</sup> Floor (West) City Hall  
64 Victoria Street  
London SW1E 6QP

email: [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

**15 February 2015**

Dear Sir/Madam

**Ref: 15/00736/LIPV26 Greek Street**

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

The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity society 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. In particular, the Society supports the City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

The Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.

#### **Hours of operation**

The proposal includes licensable activities, including sale of alcohol, outside of Westminster core hours. The license should be limited to these, namely Monday to Thursday 10am-11.30pm, Friday-Saturday 10am-12midnight and Sunday 12midday-10.30pm.

#### **Sale of alcohol without food**

The proposal includes changes to permit sale of alcohol without food. This is incompatible with the nature of the restaurant business where alcohol sales are ancillary to a table meal. This is set out in the existing conditions, which should remain.

This area has been identified by the City Council (2.4.1 of the Statement of Licensing Policy, as amended) 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 policies in relation to the Stress Areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the Policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the Policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

Yours faithfully,

David Gleeson

Licensing Chair, The Soho Society  
55 Dean Street  
Soho  
London W1D 6AF

# THE PUDDING BAR

28 GREEK ST SOHO

