



City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	15/04186/LIPV
Date:	20 August 2015
Classification:	For General Release
Title of Report:	22-25 Kingly Street and 14-16 Fouberts Place London W1F 7PA
Report of:	Director of Public Protection and Licensing
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact Details:	Telephone: 020 7641 1884 E-mail: ywade@westminster.gov.uk

APPLICATION DETAILS

Application Type:	Variation of a premises licence application under the Licensing Act 2003.		
Applicant:	Dishoom Ltd	Date Application Received:	1 June 2015
Premises Name and Address:	22-25 Kingly Street and 14-16 Fouberts Place London W1F 7PA		
Ward Name:	West End	Stress Area:	West End
Description of Premises:	The premises is a restaurant with an element of off sales of alcohol. The premises comprises of a Basement and a Ground Floor with some seating.		
Variation Description:	<p>1) To vary condition 14 of the licence to increase the number of persons accommodated at the premises (excluding staff) to 295</p> <p>2) To vary the layout of the premises as follows (see plans at Appendix D)</p> <ul style="list-style-type: none"> - Re-position the ground floor bar server - Re-configure the entrance lobby - Install louvered doors to the external terrace - Re-locate male and female WC's to the lower ground floor - Re-position the disabled WC on the ground floor - Re-configure seating throughout the premises (removing the lower ground floor bar server and lower dining area) - Incorporate the external dining area into the premises licence 		
Please Note:	The applicant has amended his application to withdraw the external dining area from the ambit of the premises licence.		

Proposed Licensable Activities and Proposed Hours:

<u>Licensable activities permitted under the existing Premises Licence 14/10681/LIPN</u>	<u>Variation to Licensable Activities</u>
Sale of Alcohol: On and Off the premises Monday to Thursday: 10:00 to 00:00 Friday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00	Sale of Alcohol: On and Off the premises No change
Playing of Recorded Music (Indoors) Monday to Thursday: 10:00 to 0:00	Playing of Recorded Music (Indoors) No change

<p>Friday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00</p> <p>Late Night Refreshment (Indoors)</p> <p>Monday to Thursday: 23:00 to 00:00 Friday to Saturday: 23:00 to 00:30 Sunday: 23:00 to 00:00</p>	<p>Late Night Refreshment (Indoors)</p> <p>No change</p>
<p>Non Standard Timings</p> <p>From the end of permitted hours on New Eve to the start permitted hours on New Years Day.</p>	<p>Non Standard Timings</p> <p>No Change</p>
<p>Capacity</p> <p>The number of persons accommodated at the premises (excluding staff) shall not exceed 270. Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer.</p>	<p>Capacity</p> <p>To increase the number of persons accommodated at the premises (excluding staff) to 295</p>
<p>Opening Hours</p> <p>Monday to Thursday: 10:00 to 00:00 Friday to Saturday: 10:00 to 00:30 Sunday: 10:00 to 00:00</p>	<p>Opening Hours</p> <p>No change</p>

1. Relevant representations

- 1.1 The Environmental Health Service has made an adverse representation against this application as the proposed changes and increase capacity may adversely impact on Public Safety and may lead to an increase in Public Nuisance in the West End Stress Area.
- 1.2 The Environmental Health Service has proposed amended conditions to the applicant which have not been agreed (**Appendix B**)
- 1.3 Five local residents and a Resident Society have made adverse representations against the application on the grounds of Public Safety and Public Nuisance.

2 Policies Applicable

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

2.1.1. 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

2.1.2 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. Proposed conditions are set out in **Appendix B** in this report.

4 Current Licensing Position

These premises currently hold a Premises Licence 14/10681/LIPN. Full licence history can be found in **Appendix A**.

5 Residential Density

35 units within a 75m radius of the premises are residential or proposed residential –please refer to **Appendix C**.

6 List of Appendices

- A – Premises Licence History
- B - Proposed Conditions
- C – Residential Map and list of premises in the vicinity
- D- Plans

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

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

Appendix A**Licence & Appeal History**

Application	Details of Application	Date Determined	Decision
Conversion Application 05/06807/LIPCV	Application to convert the Justices on Licence	28.09.2005	Granted By Licensing Sub-Committee
06/09370/LIPV	Variation Application	07.11.2006	Granted under delegated authority
Provisional Statement 13/00326/LIPST	Convert the Justices Off Licence	14.03.2013	Granted By Licensing Sub-Committee
14/10681/LIPN	Application for a new premises licence	22.01.2015	Granted By Licensing Sub-Committee

There is no appeal history.

Appendix A**Licence & Appeal History**

Application	Details of Application	Date Determined	Decision
Conversion Application 05/06807/LIPCV	Application to convert the Justices on Licence	28.09.2005	Granted By Licensing Sub-Committee
06/09370/LIPV	Variation Application	07.11.2006	Granted under delegated authority
Provisional Statement 13/00326/LIPST	Convert the Justices Off Licence	14.03.2013	Granted By Licensing Sub-Committee
14/10681/LIPN	Application for a new premises licence	22.01.2015	Granted By Licensing Sub-Committee

There is no appeal history.

APPENDIX B

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

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

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

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

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

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

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph

shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

Annex 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 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.
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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
11. 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
 - (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.
12. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. The number of persons accommodated at the premises (excluding staff) shall not exceed 270. Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer, the capacity may be increased to such number as may be agreed with the licence holder. The actual capacity will only

increase when an appropriate condition to that effect has replaced this condition on the licence.

Environmental Health Service have proposed an amended 14 to read:

The number of persons accommodated within the premises (including the courtyard) at any one time shall not exceed 295 persons (excluding staff).

15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
18. 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.
19. Patrons temporarily leaving the premises shall not be permitted to take drinks outside with them.
20. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
24. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
25. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
26. When regulated entertainment takes place all windows and external doors should be kept closed after 21:00 and after 23:00 at all other times, except for the immediate access and egress of persons.
27. The sale of alcohol for consumption off the premises shall be restricted to:
 - a) alcohol in sealed containers and shall not be consumed on the premises

- b) persons seated at tables and chairs in an area of Kingly Street adjacent to the premises which is appropriately authorised for such use as shown on the approved plan.

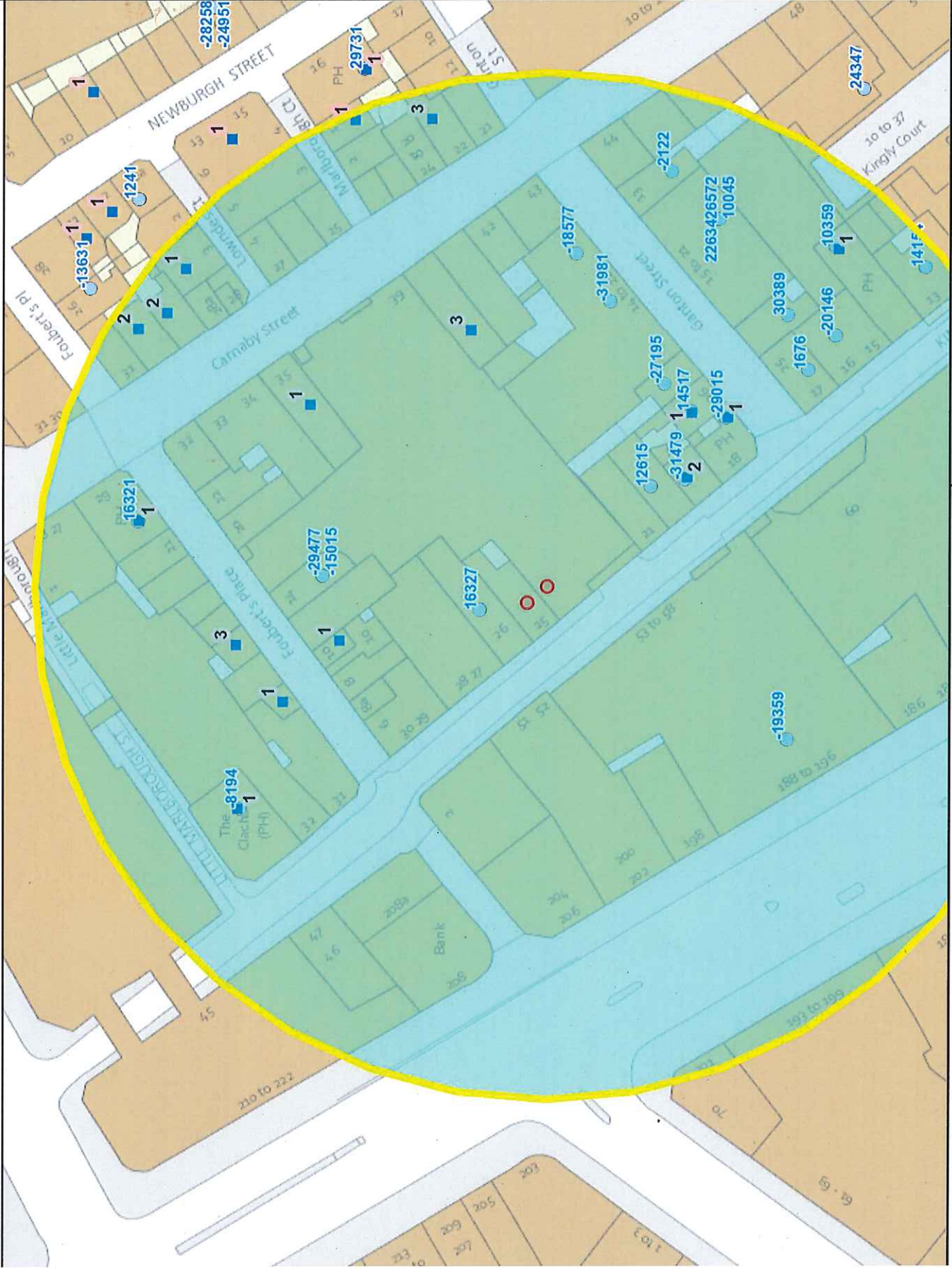
Environmental Health Service have proposed an amended 27 to read:

The sale of alcohol for consumption off the premises shall be restricted to:

- a) *Alcohol in sealed containers and shall not be consumed on the premises*
- b) *Persons seated at tables and chairs taking a table meal and for consumption by such a person as ancillary to their meal in an area of Kingly Street adjacent to the premises which is appropriately authorised for such use.*

- 28. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

22-25 Kingly Street and 14-16 Fouberts Place



Residential / Proposed Residential	Under Construction	Other Uses	Proportion Residential of all Uses
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Data Source: Uniform Database
Date: 12/08/2015

Premises within 75			
p / n	Name of Premises	Premises Address	Opening Hours
3772	Rosa's	23A Ganton Street London W1F 9BW	Friday to Saturday 10:00 - 00:00 Christmas Eve 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Christmas Eve 12:00 - 00:00 Sunday 12:00 - 23:00
5111	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
6025	Units 2.12 And 2.13	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
8149	Regent Street Area	Regent Street London W1B 5BQ	Monday to Sunday 00:00 - 00:00
30628	Red Lion Public House	14 Kingly Street London W1B 5PR	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-30420	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Thursday to Saturday 00:00 - 00:00 Monday 00:00 - 00:00 Wednesday 00:00 - 00:00
-23420	Units 1.14 - 1.16	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-17625	Blue Posts Public House	18 Kingly Street London W1B 5PX	Friday to Saturday 08:00 - 00:00 Sunday 08:00 - 23:00 Monday to Thursday 08:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00
-17182	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 23:00
-15848	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-5867	Cinnamon	5 Kingly Street London W1B 5PF	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 01:10
6465	Urban Tearooms	19 Kingly Street London W1B 5QD	Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 10:00 - 22:30
19195	The Diner	18-20 Ganton Street London W1F 7QY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
25164	Open Space	Kingly Court London	Monday to Sunday 00:00 - 00:00
26636	Life Goddess	Unit 1.9 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
28213	Senor Ceviche	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
30225	Mother Mash	26 Ganton Street London W1F 7QY	Monday to Friday 08:00 - 23:00 Saturday to Sunday 10:00 - 23:00
30450	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Wednesday to Saturday 00:00 - 00:00 Monday 00:00 - 00:00
31839	The Rum Kitchen Carnaby	First Floor Units 12 And 13 Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-32496	The Red Onion	Ground Floor 26 Kingly Street London W1B 5QD	Monday to Sunday 11:00 - 00:00
-31099	Zebrano	14-22 Ganton Street London W1F 7QU	Monday to Wednesday 09:00 - 00:00 Thursday to Saturday 09:00 - 01:00 Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00
-30759	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 Saturday 10:00 - 23:00
-25817	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PS	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
-24635	Bag O' Nails	9 Kingly Street London W1B 5PH	Monday to Friday 09:00 - 03:30 Saturday 09:00 - 23:30 Sunday 12:00 - 23:00

-24572	Disco	Unit G 13 Kingly Court London W1B 5PW	Sunday 09:00 - 00:00 Monday to Wednesday 09:00 - 03:00 Thursday to Saturday 09:00 - 03:30
-23437	Bittersweet	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Sunday 09:00 - 01:00 Sundays before Bank Holidays 09:00 - 01:30 Monday to Saturday 09:00 - 03:30
-21907	Pix	Basement And Ground Floor 24 Ganton Street London W1F 7QY	Friday to Saturday 12:00 - 00:00 Sunday 12:00 - 22:30 Monday to Thursday 12:00 - 23:30
-17425	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Monday to Sunday 08:00 - 00:30
-13809	Shoryu	Unit G3 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-2129	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-657	Hamleys	Basement To Seventh Floor 188-196 Regent Street London W1B 5BT	Saturday 09:00 - 20:00 Monday to Wednesday 10:00 - 20:00 Thursday to Friday 10:00 - 21:00 Sunday 12:00 - 18:00
113	Sacred Cafe	13 Ganton Street London W1F 9BL	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
1920	Dehesa	17 Kingly Street London W1B 5PU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
8860	Wright Brothers Soho	12 - 13 Kingly Street London W1B 5PB	Monday to Saturday 08:00 - 00:00 Sunday 08:00 - 23:00
12011	Units G2, 1.4, 1.5 & 1.6	Ground Floor Unit G2 Kingly Court London W1B 5PW	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
14257	Ain't Nothin' But	20 Kingly Street London W1B 5PZ	Sunday 09:00 - 00:00 Monday to Thursday 09:00 - 01:30 Sundays before Bank Holidays 09:00 - 01:30 Friday to Saturday 09:00 - 03:30
15686	Benefit Cosmetics	10 Camaby Street London W1F 9PF	Monday to Saturday 08:00 - 20:00 Sunday 12:00 - 18:00
17093	Cha Cha Moon	15-21 Ganton Street London W1F 9BN	Monday to Sunday 08:00 - 00:30

BACKGROUND DOCUMENTS

* required information

Section 1 of 17

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="HT01 DIS14-4"/>	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	<input type="text" value="Dishoom Ltd"/>	
* Family name	<input type="text" value="as above"/>	
* E-mail	<input type="text" value="licensing@hcrlaw.com"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	

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.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number	<input type="text" value="06226963"/>	
* Business name	<input type="text" value="Dishoom Ltd"/>	If the applicant's business is registered, use its registered name.
* VAT number	<input type="text" value="GB"/> <input type="text" value="922321070"/>	Put "none" if the applicant is not registered for VAT.
* Legal status	<input type="text" value="Private Limited Company"/>	

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business Partner

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name 5

* Street Deansway

District

* City or town Worcester

County or administrative area

* Postcode WR1 2JG

* Country United Kingdom

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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 14/10681/LIPN

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 22-25 Kingly Street and 14-16 Fouberts Place

Street

District

City or town London

County or administrative area

Postcode W1F 7PA

Country United Kingdom

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

Section 3 of 17

VARIATION

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.

to vary the premises licence as follows:

1. To vary condition 14 of the licence to increase the number of persons accommodated at the premises (excluding staff) to 295;
2. To vary the layout of the premises in accordance with drawing numbers 03/01D and 03/02D as follows:
 - a. Re-position the ground floor bar server;
 - b. Re-configure the entrance lobby;
 - c. Install louvered doors to the external terrace;
 - d. Re-locate male and female WC's to the lower ground floor;
 - e. Re-position the disabled WC on the ground floor;
 - f. Re-configure seating throughout the premises (removing the lower ground floor bar server and lower dining area);
and
 - g. Incorporate the external dining area into the premises licence.

Section 4 of 17

Continued from previous page...

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?

- Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

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

- Yes No

Section 9 of 17

PROVISION OF RECORDED MUSIC

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

- Yes No

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 17

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Continued from previous page...

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?

Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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

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.

No.

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:30

Start

End

SATURDAY

Start 10:00

End 00:30

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

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.

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Continued from previous page...

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

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.

No additional steps are required to promote the licensing objectives. This application simply seeks to vary the layout of the premises.

b) The prevention of crime and disorder

as (a) above

c) Public safety

as (a) above

d) The prevention of public nuisance

as (a) above

e) The protection of children from harm

as (a) above

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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00

Continued from previous page...

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 you 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 (£)

DECLARATION

* 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

OFFICE USE ONLY

Applicant reference number	HT01 DIS14-4
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 Next >



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: West End
UPRN: 100023471373

Premises licence

Regulation 33, 34

Premises licence number:

14/10681/LIPN

Original Reference:

14/10681/LIPN

Part 1 – Premises details

Postal address of premises:

22-25 Kingly Street and 14-16 Fouberts Place
London
W1F 7PA

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 Thursday: 10:00 to 00:00
Friday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

Non-standard Timings: From the end of permitted hours on new Years Eve to the start of permitted hours on New Years Day.

Late Night Refreshment

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

Non-standard Timings: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Sale by Retail of Alcohol

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

Non-standard Timings: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

The opening hours of the premises:

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

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

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

Part 2

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

Shaftesbury Carnaby Limited
22 Ganton Street
Carnaby Street
London
W1F 7FD

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

02038836

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

Name: Not assigned

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:

Not assigned

Date: 13th March 2015

This licence has been authorised by Mrs Sumeet Anand-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 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 of 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 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.
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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
11. 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
 - (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.
12. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. The number of persons accommodated at the premises (excluding staff) shall not exceed 270. Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer, the capacity may be increased to such number as may be agreed with the licence holder. The actual capacity will only increase when an appropriate condition to that effect has replaced this condition on the licence.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
18. 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.
19. Patrons temporarily leaving the premises shall not be permitted to take drinks outside with them.

20. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
23. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
24. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
25. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
26. When regulated entertainment takes place all windows and external doors should be kept closed after 21:00 and after 23:00 at all other times, except for the immediate access and egress of persons.
27. The sale of alcohol for consumption off the premises shall be restricted to:
 - a) alcohol in sealed containers and shall not be consumed on the premises
 - b) persons seated at tables and chairs in an area of Kingly Street adjacent to the premises which is appropriately authorised for such use as shown on the approved plan.
28. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.



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

Schedule 12
Part B

WARD: West End
UPRN: 100023471373

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/10681/LIPN

Part 1 – Premises details

Postal address of premises:

22-25 Kingly Street and 14-16 Fouberts Place
London
W1F 7PA

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 Thursday: 10:00 to 00:00
Friday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

Non-standard Timings: From the end of permitted hours on new Years Eve to the start of permitted hours on New Years Day.

Late Night Refreshment

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

Non-standard Timings: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

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

Non-standard Timings: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day



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

Schedule 12
Part B

WARD: West End
UPRN: 100023471373

Premises licence
summary

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Premises licence number:

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Postal address of premises:

22-25 Kingly Street and 14-16 Fouberts Place
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W1F 7PA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

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Sale by Retail of Alcohol

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

Non-standard Timings: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Annex 4 -- Plans

Attached

NOTES:
 1. Contractors must check and confirm all dimensions and levels.
 2. All dimensions must be checked and confirmed by the contractor.
 3. All dimensions must be checked and confirmed by the contractor.
 4. All work and materials to be in accordance with the relevant British Standards and to comply with the relevant Building Regulations and to comply with the relevant Building Regulations and to comply with the relevant Building Regulations.

- Fire Alarm Schedule**
- ① Heat Detector
 - ② Smoke Detector / Sounder
 - ③ Emergency Light
 - ④ Fire Alarm Break Glass Unit
 - ⑤ Fire Alarm Combined Smoke Detector / Flashing Beacon
 - ⑥ Fire Alarm Interface Unit
 - ⑦ Fire Alarm Remote Indicator

- Fire Compartmentation**
- ① Escape Signage: All in accordance with BS5588-10 & the approved documents
 - ② 80 Minutes Fire Resisting Construction with FD30S Fire Doors
 - ③ 30 Minutes Fire Resisting Construction with FD30S Fire Doors To MCE
 - ④ 9 Litre Water Extinguisher
 - ⑤ Carbon Dioxide Extinguisher
 - ⑥ Fire Blanket

Total Area = 293.7m²
 Licensed Area = 110m²

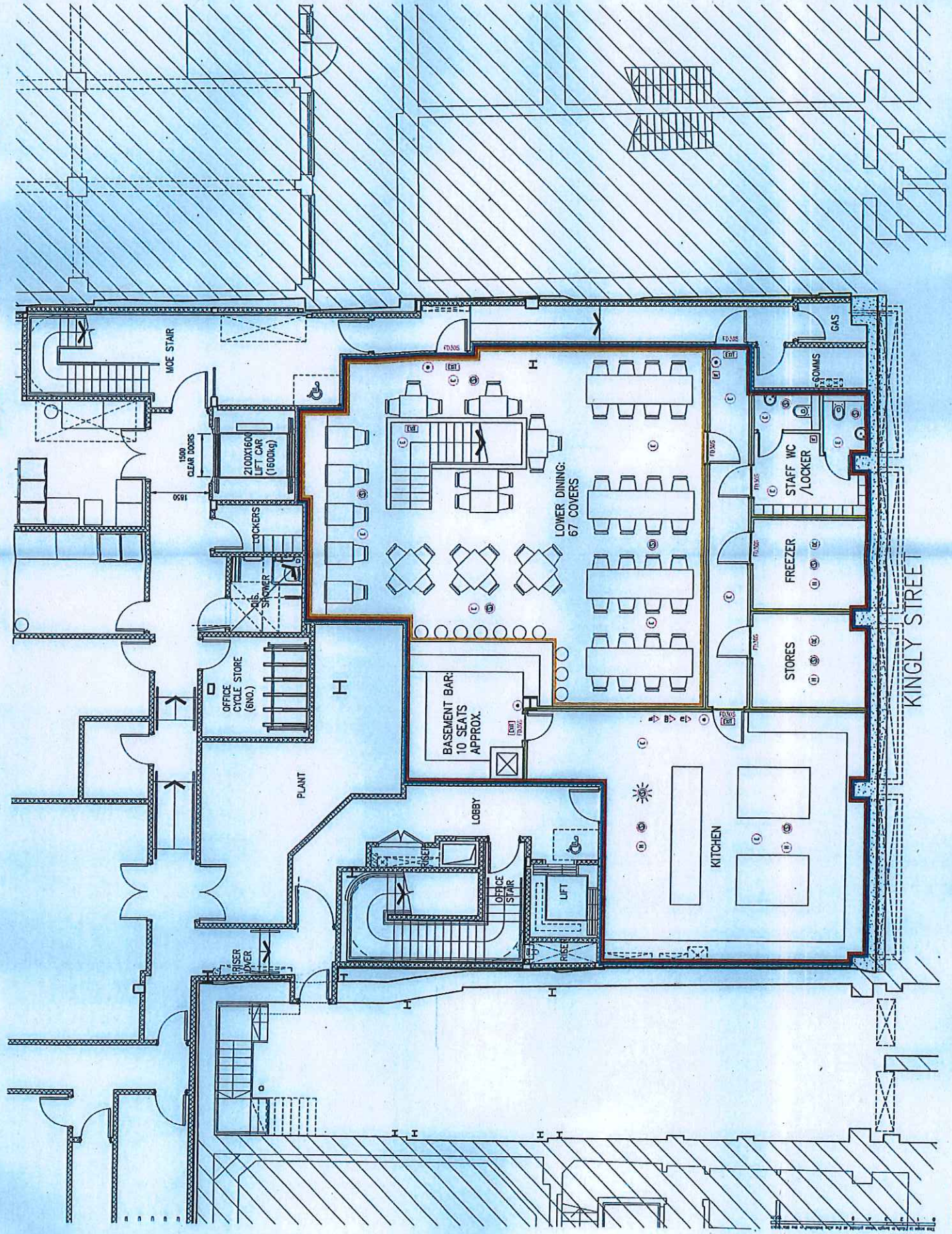
Approved By:
 Date:
 Date:

Roife Jud

Roife Jud
 Architects
 150 (A1) Sep 14
 4775 AK(72) P-1
 1:100 @ A3

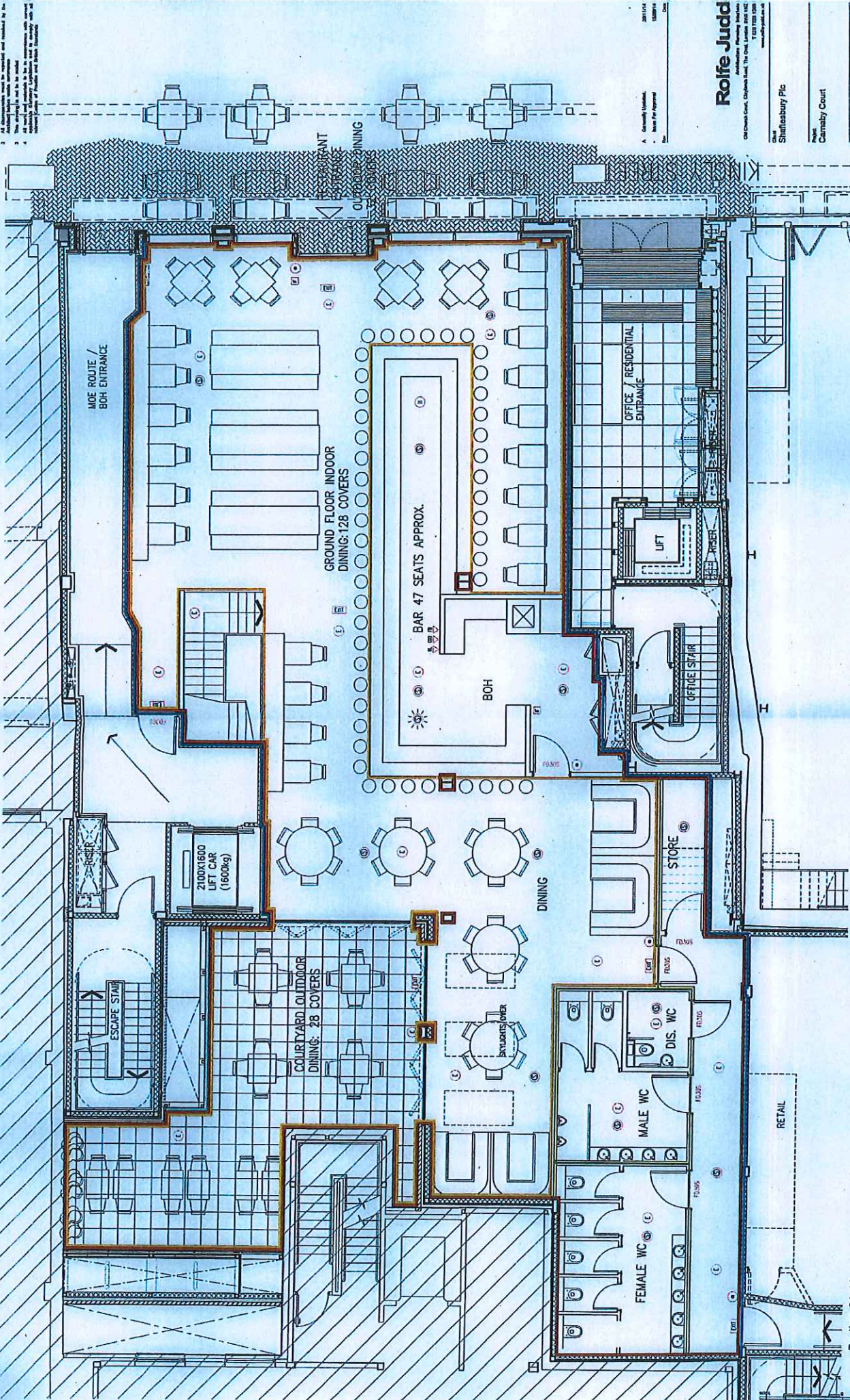
Client: Shellfishery Plc
 Project: Canaby Court

Proposed Basement Floor Plan
 Kingly Street
 Restaurant Layout
 150 (A1) Sep 14
 4775 AK(72) P-1
 1:100 @ A3



KINGLY STREET

NOTES:
 1. Contractor must check and confirm all dimensions.
 2. All dimensions must be confirmed and marked for the proposed layout.
 3. All work must be done in accordance with the approved documents.
 4. All work must be done in accordance with the approved documents.
 5. All work must be done in accordance with the approved documents.



Rolf Judd
 Architectural Planning Services
 4775 AK(23) P00
 4775 AK(23) P00
 4775 AK(23) P00
 4775 AK(23) P00

Proposed Ground Floor Plan
 Kingly Street
 Restaurant Layout
 15.0 (A3)
 4775 AK(23) P00
 4775 AK(23) P00
 4775 AK(23) P00

Fire Alarm Schedule
 (K) Heat Detector
 (S) Snake Detector / Sounder
 (L) Emergency Light
 (B) Fire Alarm Break Glass Unit
 (C) Fire Alarm Combined Smoke Detector / Flushing Beacon
 (F) Fire Alarm Interface Unit
 (R) Fire Alarm Remote Indicator

Fire Compartmentation
 (E) Escape Signage: All in accordance with BS5588-10 & the approved documents
 (M) 60 Minutes Fire Resisting Construction with FD305 Fire Doors
 (N) 30 Minutes Fire Resisting Construction with FD305 Fire Doors to MDE

Fire Compartmentation
 (M) 60 Minutes Fire Resisting Construction with FD305 Fire Doors
 (N) 30 Minutes Fire Resisting Construction with FD305 Fire Doors to MDE

Total Area = 418.35m²
 Licensed Area = 275m²

The opening hours of the premises:

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

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

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

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

Shaftesbury Carnaby Limited
22 Ganton Street
Carnaby Street
London
W1F 7FD

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

02038836

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

Name: Not assigned

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

Restricted

Date: 13th March 2015

This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Operational Director - Premises Management.

TO Miss Yolanda Wade

REFERENCE 15/04186/LIPV

FROM EH Consultation Team, 4th Floor, City Hall

REFERENCE 15/020163/EHCT

BEING DEALT WITH BY Anil Drayan

TELEPHONE EXT. 1774

DATE 6 August 2015

(FOUBERTS PLACE/KINGLY STREET), 14-16 FOUBERT'S PLACE, LONDON, W1F 7PA

I refer to the application for variation of the premises licence, 14/10681/LIPN, for the above premises which is located in the West End Stress Area.

I understand the applicant has withdrawn the external area in Kingly Street from being included as part of the licensed area. This is in part because this area is largely a public highway which gets closed off to traffic for certain parts of the day and the use of which will have to be applied for under a Tables and Chairs licence.

The use of this external area is also covered by existing condition 27. However this condition allows for alcohol to be provided without it being ancillary to food.

Condition 27 should therefore be amended to read:

The sale of alcohol for consumption off the premises shall be restricted to:

- a) *Alcohol in sealed containers and shall not be consumed on the premises*
- b) *Persons seated at tables and chairs taking a table meal and for consumption by such a person as ancillary to their meal in an area of Kingly Street adjacent to the premises which is appropriately authorised for such use.*

Please note that no part of the premises has a frontage to Foubert's Place and is entirely on Kingly Street.

With regards to the variation application for the layout changes and the increase in internal capacity to 295 Environmental Health has no objection on Public Safety considerations.

The lack of suitable sanitary accommodations leading to Public Nuisance issues is one of the reasons for the Stress areas being designated as such.

Environmental Health therefore also assesses appropriate capacities in Stress areas being based also on the sanitary accommodations to be in compliance with the minimum provision as stated in

British Standard 6465 -1:2006 + A1:2009; Sanitary installations – Part 1: Code of practice for the design of sanitary facilities and scale of provision of sanitary and associated appliances: Table 10; restaurants and other places where seating is provided for eating and drinking:

- The proposed customer provision is 5 Female WC's, 3 Male urinals and 2 Male WC's. (2 WC's are also provided separately for staff)
- According to Table 10 this would equate to an overall customer capacity of 240 based on a 50/50 female/male split.
- In this case the applicant also proposes to provide 1 Disabled WC.
- Although British Standard does not directly include the provision of Disabled facilities in the calculations for the overall capacity Environmental Health practice is nominally to designate this as an additional facility for capacity purposes (eg as an additional Female WC). This then results in the premises having a potential customer capacity of upto 360.
- Environmental Health therefore considers that, based on the sanitary accommodations provided in the Stress area for these premises, there are no Public Nuisance issues arising from the proposed capacity of 295 (this also takes into account the additional 32 as indicated for a Tables and Chairs licence that may be applied for).

With regards to whether this increase in capacity would add to cumulative impact in the Stress area Environmental Health takes the view that the Licensing Sub-Committee (LSC) already considered that this did not when Licence 14/10681/LIPN was granted – the wording of the capacity condition 14 allowed for an increase if there was appropriate increase in sanitary provision (there is an addition of 1 Male urinal provided in this variation application)

The replacement for condition 14 should therefore read:

- *The number of persons accommodated within the premises (including the courtyard) at any one time shall not exceed 295 persons (excluding staff).*

Environmental Health does not propose any additional conditions. Even if the applicant agrees to the amendments to conditions 14 and 27 as above representations will be maintained if the application is to be determined by the LSC as I would wish to be party to any discussions held there before deciding to withdraw.

**Anil Drayan
Environmental Health Officer
Environmental Health Consultation Team**

CITY OF WESTMINSTER

MEMORANDUM

TO Miss Yolanda Wade

REFERENCE 15/04186/LIPV

FROM EH Consultation Team, 4th Floor, City Hall

REFERENCE 15/020163/EHCT

BEING DEALT WITH BY Anil Drayan

TELEPHONE EXT. 1774

DATE 29 June 2015

(FOUBERTS PLACE/KINGLY STREET), 14-16 FOUBERT'S PLACE, LONDON, W1F 7PA

I refer to the application for variation of the premises licence, 14/10681/LIPN, for the above premises which is located in the West End Stress Area.

The applicant has submitted new plans of the premises, ref 03/01D and 03/02D, dated 13/04/15

The applicant is seeking the following variations:

1. To change the layout in accordance with the submitted plans
2. To vary condition 14 to allow for an increase in capacity

I wish to make the following representations

1. The proposed changes may adversely impact on Public Safety and may lead to an increase in Public Nuisance in the West End Stress Area
2. The proposed increase in capacity may lead to an increase in Public Nuisance in the West End Stress Area if not accompanied with an increase in sanitary accommodation.

The existing premises licence has a 'works' condition – condition 28 - which has not been removed and it is therefore assumed that the premises is not currently operating under its current licence.

In addition it is proposed to incorporate the external area under this licence – clarification is sought as to whether this external area is part of a private forecourt or part of the public highway. This may require additional conditions or changes to conditions.

The applicant is therefore requested to contact the undersigned to arrange a site visit and to discuss these issues after which EH may propose additional conditions.

Anil Drayan
Environmental Health Officer

RESIDENT REPRESENTATIONS

Details of public representations relating to 15/04186/LIPV

Comments received electronically via PublicAccess:

- **Mrs Liz Callingham - Flat 2, 6, Upper John Street, London**
Received: 8th June 2015
OBJECTION

5:08 PM on 08 Jun 2015 I expressed my concern at the Licensing hearing for this large restaurant, for 270 people, being proposed in the historic and narrow streets of Soho. Now the licence holders are requesting an increase of 25 people in this restaurant. To increase numbers in this way from an already intolerable 270 to 295 is madness. I therefore object to this Licence Variation on the grounds of Cumulative Impact in an already over stressed Westminster defined Stress Area.

- **Ms Gillian Reid - Stirling Court, 3 Marshall Street, London**
Received: 12 Jun 2015
OBJECTION

11:10 AM on 12 Jun 2015 This was approved very recently as a 270 seater restaurant licence and to seek to add an additional 25 to 295 at this stage is absurd and totally inappropriate. It is already too vast for this historic and narrow street close to densely residential areas that experience noise and nuisance from servicing vehicles and customers.

It is in the defined high stress zone where no new licences should be allowed and where crowds must be dispersed not encouraged.

The area is already saturated with restaurants and the cumulative effect of all of these is untenable from a nuisance, noise and management point of view.

I therefore object to this Licence Variation on the grounds of 1) noise and nuisance; 2) high stress zone status and 3) cumulative impact.

- **Mr Anthony Jacobs - Flat 1, 6 Upper John Street, London**

Received: 9 Jun 2015

OBJECTION

2:33 PM on 09 Jun 2015 I object to this Licence Variation on the grounds of Cumulative Impact in this recognised stress area as defined by the City of Westminster. I do recommend that the decision makers visit the immediate area on any weekend late in the evening before making any decision.

- **Mr Pierre-Yves Guerber - 6 Upper John Street, London, W1F 9HB**

Received: 16th June 2015

OBJECTION

9:13 AM on 16 Jun 2015 I am already shocked the licence went through for a restaurant of 270, now asking to increase the capacity further seems completely insane. The area is already completely saturated with the many recent openings of similar restaurant/bars. I object to this Licence Variation on the grounds of Cumulative Impact in an already over stressed Westminster defined Stress Area.

- **Mr Martin Callingham - Flat 2, 6 Upper John Street, London**

Received: 19th June 2015

OBJECTION

10:24 AM on 19 Jun 2015 This restaurant is already too large and could attract over a thousand more people to the area on a busy night. Asking for almost a 10 percent increase makes it even more unacceptable. The area is reaching a tipping point and we will shortly see an increase in crime under the cover of the crowds - as has been the case in the past - which will be very difficult to reverse.

THE SOHO SOCIETY REPRESENTATION

Comments received via other means:

- **Mr David Gleeson - The Soho Society, 55 Dean Street, London**
Received: 14 Jun 2015 by email

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

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

About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

Application summary

To vary condition 14 of the licence to increase the number of persons accommodated at the premises (excluding staff) to 295 To vary the layout of the premises in accordance with drawing numbers 03/01D and 03/02D as follows: Re-position the ground floor bar server Re-configure the entrance lobby Install louvered doors to the external terrace Re-position the disabled WC on the ground floor and Relocate Male and female toilets to the lower ground floor Re-configure seating throughout the premises (removing the lower ground floor bar servery and lower dining area); and incorporate the external dining area into the premises licence.

Venue capacity

The venue capacity is proposed to increase by 10% from 270 to 295. This is an unacceptable increase within the stress area. The area around the venue location has a high concentration of licensed premises and residents are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to restrict any increase in capacity.

Licensing policy

This area has been identified by the Westminster 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 Licensing 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.



GPS: 59.9131,-10.1402

03/07/2015 05:17:38

StampThePhoto from ArvanSoft

This is the entrance for 22-25 Kingly Street



GPS: 51.5128,-0.1400

03/07/2015 05:18:22

StampThePhoto from ArvanSoft





03/12/2014 02:07 PM

