



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	12 January 2016
Licensing Ref No:	15/10386/LIPN – New Premises Licence
Title of Report:	Bar Termini 7 Old Compton Street London W1D 5JE
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Ola Owojori Senior Licensing Officer
Contact details	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	13 November 2015		
Applicant:	Bar Termini Limited		
Premises:	Bar Termini		
Premises address:	7 Old Compton Street London W1D 5JE	Ward:	West End
		Stress Area:	West End
Premises description:	The premises is operated as aperitif bar on the ground floor.		
Premises licence history:	The premises is currently licensed. For a full licence history, please refer to Appendix 3 .		
Applicant submissions:	<p>The applicant is seeking a new premises licence to permit late night refreshment, seasonal variations, amend conditions and to increase the hours for sale of alcohol by one hour on Friday and Saturday.</p> <p>The applicant has stated that the existing licence will be surrendered upon the grant of the new premises licence.</p> <p>Please see the applicant's supporting information at Appendix 2</p>		

1-B Proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A	N/A	23:00	23:30	N/A	Ground Floor
Tuesday			23:00	23:30		
Wednesday			23:00	23:30		
Thursday			23:00	23:30		
Friday			23:00	01:00		
Saturday			23:00	01:00		
Sunday			N/A	N/A		
Seasonal variations:	Current:				Proposed:	
	N/A				From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day	
Non-standard timings:	Current:				Proposed:	
	N/A				An additional hour on Valentines	

		Day, the Sunday before Bank Holiday Monday, Christmas Eve and Boxing Day.
--	--	---

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and Off		On	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	11:00	23:30	No change		Ground Floor	No change
Tuesday	11:00	23:30				
Wednesday	11:00	23:30				
Thursday	11:00	23:30				
Friday	11:00	00:00	11:00	01:00		
Saturday	11:00	00:00	11:01	01:00		
Sunday	12:00	22:30	No change			
Seasonal variations:	Current:				Proposed:	
	N/A				From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day	
Non-standard timings:	Current:				Proposed:	
	N/A				An additional hour on Valentines Day, the Sunday before Bank Holiday Monday, Christmas Eve and Boxing Day.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	11:00	23:30	07:00	23:30	Ground Floor	No change
Tuesday	11:00	23:30	07:00	23:30		
Wednesday	11:00	23:30	07:00	23:30		
Thursday	11:00	23:30	07:00	23:30		
Friday	11:00	00:00	07:00	01:00		
Saturday	11:00	00:00	07:00	01:00		
Sunday	12:00	22:30	07:00	22:30		
Seasonal variations:	Current:				Proposed:	
	N/A				From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day	
Non-standard timings:	Current:				Proposed:	
	N/A				An additional hour on Valentines Day, the Sunday before Bank Holiday Monday, Christmas Eve and Boxing Day.	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Dave Nevitt
Received:	10 December 2015

I refer to the above application which seeks a Premises Licence to include the following Licensable activities:

The Provision of Late Night Refreshment 'Indoors' Monday to Thursday until 2330hrs, Friday and Saturday until 0100hrs;

The Supply of Alcohol for consumption 'On' the premises Monday to Thursday 1100hrs-2330hrs, Friday and Saturday 1100hrs-0100hrs, and Sunday 1200hrs-2230hrs.

The applicant also seeks 'Non-Standard Timings':

'An additional hour on Valentine's Day, the Sunday before each Bank Holiday Monday, Christmas Eve and Boxing Day.'

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

The applicant has proposed Conditions which are under consideration.

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

The premises is located in the West End Stress Area as defined by the City Council's Licensing Policy.

The hours sought are beyond the Core Hours as defined by the City Council's Licensing Policy. Environmental Health will maintain a Representation on the grounds that what is sought is likely to add to Cumulative Impact in a Stress Area. The applicant may need to demonstrate to the Licensing Sub Committee that the application is an exception to the Council's Licensing Policy.

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

Subsequently, the statement below has been provided in support of their representation.

The application would permit Licensable activities to take place in excess of the 'core hours' as set out in the City Council's Statement of Licensing Policy. The premises is located within the West End Stress Area. The matter will therefore need to be adjudicated at a Hearing of the Licensing Sub Committee.

Extending the hours beyond what is currently permitted may have the effect of increasing the

potential for noise, anti-social behaviour and public nuisance in the local area. Patrons would be leaving later, having had the opportunity to consume more alcohol.

The premises has operated satisfactorily without complaint.

The applicant is advised that the City Council's Licensing Policy is a vital consideration, particularly because the premises is located in the West End Stress Area. In Section 2.3, The Hours Policy – HRS1, The applicant will need to have regard to HRS1 and paragraphs (a) – (m). 2.5.16 of the Policy – Policy PB2 relates to bars.

The application will need to be determined by the Licensing Sub Committee at a hearing and the applicant will need to demonstrate that the matters above have been addressed and that what is sought has grounds to be an exception to the Policy.

The applicant has proposed Conditions in the Operating Schedule and I make the following comments:

Conditions 3, 5, 9 allow the premises to operate as a 'Bar' because alcohol is not required to be ancillary to a table meal as in a Restaurant. Conditions 3 and 5 contain descriptions which have no clear definition for enforcement purposes. Condition 4 would allow 'vertical drinking' up to 1800hrs.

Conditions 1, 2, 6, 7, 8, 9, 10 are agreed.

Condition 11 seems to be duplicated by 8.

Conditions 12, 13 are agreed.

Condition 14 could be better worded: *The front entrance/exit doors shall be kept closed at all times after 2200hrs save for immediate access and egress of persons or in case of emergency.*

Conditions 15, 16, 17, 18, 19, 20 are agreed save for Condition 19 where the hour should be 0800hrs as per the Model Condition MC35.

Condition 21 will need to be assessed by the Committee and its Legal Advisor.

Conditions 22, 23 and 24 are agreed.

I propose MC65 (deliveries)

Responsible Authority:	Metropolitan Police
Representative:	Chris Marriott
Received:	18 November 2015

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within the West End stress area where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact.

Should you wish to discuss the matter further please contact me on **0207 641 3179** or via email cmariott2@westminster.gov.uk

2-B Other Persons			
Name:		Soho Society	
Address and/or Residents Association:		St Annes Tower 55 Dean Street London W1D 6AF	
Status:	Amenity Society	In support or opposed:	Opposed
Received:	10 December 2015		



The Soho Society
St Anne's Tower
55 Dean Street
London
W1D 6AF

020 7439 4303
licensing@thesohosociety.org.uk

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

Sent via email to licensing@westminster.gov.uk

10 December 2015

Reference: 1510386LIPN, Premises Licence - New, Bar Termini, 7 Old Compton Street, W1D 5JE

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](#)

Activity	Indoors/Out doors	Alcohol Consumed	Time Period	From	To
Late Night Refreshment	Indoors		Monday to Thursday	11:00 PM	11:30 PM
Late Night Refreshment	Indoors		Friday to Saturday	11:00 PM	01:00 AM
Sale by Retail of Alcohol		On Premises	Monday to Thursday	11:00 AM	11:30 PM

Sale by Retail of Alcohol		On Premises	Friday to Saturday	11:00 AM	01:00 AM
Sale by Retail of Alcohol		On Premises	Sunday	12:00 PM	10:30 PM

Hours of operation

The proposal includes licensable activities, including offsite sale of alcohol, outside of Westminster core hours. The premises are in the West End Stress Area. There are private homes nearby and residents in the immediate area are subject to noise and general nuisance every night of the week. We therefore feel it is necessary to keep the operating hours within defined core hours, namely Monday to Thursday 10am – 11.30pm, Friday and Saturday 10 am – 12 midnight and Sunday 12 noon – 10.30 pm.

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.

Yours faithfully,

David Gleeson
Licensing Chair

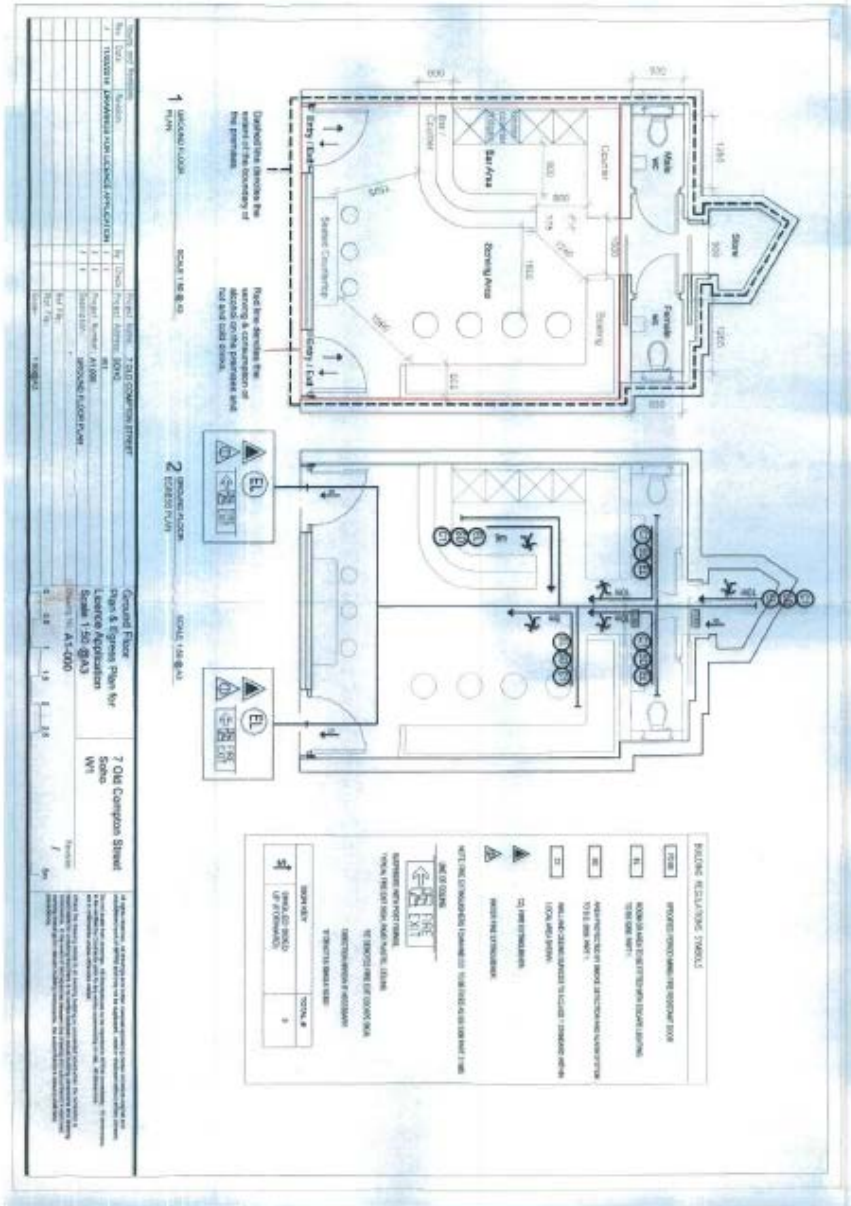
3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies:	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Appendices

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

Report author:	Mr Ola Owojori Senior Licensing Officer
Contact:	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk



TLT LLP

One Redcliff Street
Bristol BS1 6TP
T +44 (0)333 006 0000
F +44 (0)333 006 0011
DX 7815 Bristol

www.TLTsolicitors.com

Our ref 303L/RC18/PW03/98697/2
Your ref



City of Westminster
Westminster City Hall
4th Floor South
64 Victoria Street
LONDON
SW1E 6QP
For the attention of: Licensing Section

Direct tel	+44 (0)333 006 0692	Date	13 November 2015
Direct fax	+44 (0)333 006 1492	Email	Piers.warne@TLTsolicitors.com

Dear Sirs

**Licensing Act 2003: Application for a new premises licence
Bar Termini 7 Old Compton Street London W1D 5JE ('the Premises')**

Please find enclosed the application for a new premises licence made on behalf of the operators of the Premises.

The Premises is currently licensed (premises licence number 14/02200/LIPN).

The purpose of this application is to increase the permitted hours for the sale of alcohol and late night refreshment by one hour on Friday into Saturday morning and Saturday into Sunday morning. The applicant has sought a limited number of seasonal variations (as set out in the application) and has also sought to clarify and amend conditions on the licence to ensure that they are appropriate to the style of operation.

Should this application be granted, the new licence shall be ineffective until the existing licence has been surrendered and rendered incapable of reinstatement under S.50 Licensing Act 2003.

Bar Termini is a small aperitivo and digestivo bar in Old Compton Street that has been trading since June 2014 under the above licence. We have been instructed that during this time, it has traded with an impeccable record in terms of promotion of the licensing objectives. There is no intention to change the style of trading from that which the operators currently operate.

In addition, the applicant has operated under a series of temporary event notices, expressly with the intention of demonstrating that the Premises continues to promote the licensing objective for the additional hours being applied for. We are instructed that this is the case and that there have been no incidents or complaints recorded at the Premises relating to the licensing objectives that would suggest anything other than the continued promotion of the licensing objectives were the application to be granted.



Please note that for confidentiality reasons we have given the DPS's address as TLT's (London) office. This is to avoid the DPS's home address falling into the public domain.

We will be happy to discuss the application with any party who expresses an interest and would ask that any such dialogue is entered into at an early stage in order that any concerns raised can be dealt with as early in the consultation period as possible.

Yours sincerely

PP Piers Warne
Associate
for TLT LLP



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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Conditions as per Premises Licence 14/02200/LPIN. The steps we intend to adopt will be the same as Licence 14/02200/LPIN.

Premises licence 14/02200/LPIN will be surrendered upon the satisfactory grant of the application. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any details shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

b) The prevention of crime and disorder

1. 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.

2. 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.

3. The premises shall operate as an aperitivo and digestivo bar where the supply of alcohol for consumption 'on' the premises shall be by waiter or waitress service to seated persons save for those persons mentioned in condition 4.

4. From 1800 hours all patrons shall be seated save for a maximum of 4 persons waiting to be seated.

5. Substantial food which is of the type described as "fatta fuori sede" which means that there is no primary cooking on site shall be available throughout all hours of trading.

6. There shall be no sales of draft beer.

7. The premises shall be a member of the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

c) Public safety

8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

9. 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

10. The number of persons accommodated at any one time shall not exceed 30 persons inclusive of staff.

11. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

d) The prevention of public nuisance

12. A direct telephone number for the manager at the premises shall be publically made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
13. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
14. The entrance door shall be kept closed after 22.00 hours except for the immediate access and egress of patrons.
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. Loudspeakers shall not be located in the entrance area or outside the premises building.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.00 hours on the following day.
20. 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.
21. The licensable activities authorised by this licence can only be carried on at the premises by Bar Termini Ltd.

e) The protection of children from harm

22. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
23. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
24. All cashiers and relevant staff will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.

TLT LLP

20 Gresham Street
London EC2V 7JE
T +44 (0)333 006 0300
F +44 (0)333 006 0311
DX 431 London Chancery Lane

www.TLTsolicitors.com

Our ref 303L/JS21/CR04/098697/000003
Your ref



The Soho Society
St Anne's Tower
55 Dean Street
LONDON
W1D 6AF

By email and post: licensing@thesohosociety.org.uk

Direct tel	+44 (0)333 006 1357	Date	17 December 2015
Direct fax	+44 (0)333 006 0311	Email	Julian.Skeens@TLTsolicitors.com

Dear David

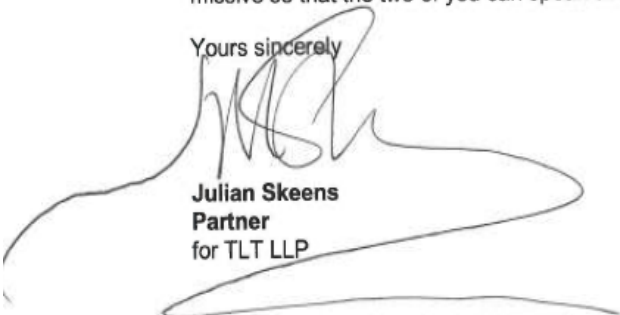
Bar Termini 7 Old Compton Street W1D 5JE

I have been passed a copy of your letter of 10 December in relation to the above mentioned premises.

May I refer to your section headed 'About The Soho Society' and comment that my clients consider that they are doing exactly what it desired by the Society specifically making Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses' etc.

My client is very keen for you to visit his premises so that you can see why he makes that claim in the hope that you will reconsider your objection. For speed I have copied Marco in on this missive so that the two of you can speak direct.

Yours sincerely



Julian Skeens
Partner
for TLT LLP

c.c licensing@westminster.gov.uk
marco@bar-termini.com



Licensing Team
Public Protection and Licensing Department
Westminster City Council
4th Floor East
64 Victoria Street
LONDON
SW1E 6QP

Also by email: licensing@westminster.gov.uk

Direct tel	+44 (0)333 006 1357	Date	6 January 2016
Direct fax	+44 (0)333 006 0311	Email	Julian.Skeens@TLTsolicitors.com

Dear Sir or Madam

Bar Termini 7 Old Compton Street W1D 5JE

We thought that it might be helpful to provide the committee with an overview of the application and therefore we would be grateful if you would kindly put this letter before the committee.

This is a modest application in respect of a tiny premises (maximum occupancy of 30 inclusive of staff) to extend the permitted hours on a Friday and Saturday until 1am (the day following) and to allow alcohol to be provided to a maximum of 4 patrons whilst waiting to be seated and finally to allow some seasonal variations.

On 15 May 2014 the Licensing Committee granted a new premises Licence for a Café/Aperitivo Bar to provide food in the form of "fatta fuori sede cuisine" stating that

"the application could only be granted as an exception to policy on the clear understanding that the provision of substantial food meant more than simply making food available. It was important to note that the premises were not to be drink led and whilst there was no obligation on all customers to purchase food, there was an expectation that many of them would choose to do so".

The committee were evidently impressed with the style of operation but wanted to ensure that the Licence could not be transferred to another operator.

"It was agreed that a personal condition would be attached to the Licence so that it would be restricted to the name of the operator".

In the Notice of Application that condition is repeated as condition 21.

"The Licence of activities authorised by this Licence can only be carried out on the premises by Bar Termini Ltd".

The premises are situated at the extreme eastern (quieter) end of Old Compton Street, the premises trades in exactly the way that was explained to the Licensing Committee and the only change in style that is proposed here is that the premises would provide the additional facility as a "digestivo bar" on a Fridays and Saturdays only, hence the application for a one hour extension.

The premises opened to wide acclaim and soon had a dedicated following. However the Licensee's dedication to the uncompromisingly high standards has meant that the premises have struggled financially.

Condition 15 (b) of the existing Licence allows for a maximum of 4 persons to stand in the premises whilst waiting for a seat. The operators have found that not being able to supply them with food and intoxicating beverages whilst they wait for a table has caused some, perhaps unnecessary, frustration and it is hoped that the committee will relax that condition to allow those 4 people to be provided with some food and drinks whilst waiting to be seated.

The only other change that is asked for is to allow for seasonal variations which were brought to the forefront of minds this New Years Eve, as the premises were unable to welcome in the New Year.

For members of the committee who are unaware of the premises or the application, which was granted on 15 May 2014 we have included a small brochure. The first page is a photograph of the inside of the premises which shows just how small the premises are; the size of the premises can be measured from document 2. At document 3 we have set out a very brief c.v of the impressive Marco Arrigo and at document 4 we provide the same for his partner Tony Conigliaro. It is no accident that the next picture shows coffee. As was indicated previously, coffee forms a very important part of the offer (using specially adapted machinery). The combined expertise of Marco and Tony is shown in the following pages, this fare is available throughout the trading day [see proposed condition 5].

The committee will note that there is no sale for consumption off the premises whatsoever, whether that be coffee, food or intoxicating liquor and no draught beer (proposed condition 6).

Representations have been lodged against the application stating that it is contrary to policy; clearly we are seeking your permission as an exception to policy.

In relation to the additional hour the operators of the premises appreciate that the committee may well feel that trading between midnight and 1am on days following Friday and Saturday will pose different operating challenges. Having discussed the matter with the police and your environmental health officer the Licensees applied for a series of Temporary Event Notices from 20 September to 8 November extending the permitted hours until 2am and further notifications were made for the 5, 6, 12 and 13 December until 1am. We understand that the premises traded very successfully and caused no problem whatsoever either by way of crime or nuisance, but doubtless the police and your environmental health officer will comment to you directly.

When the Licence was granted on 15 May 2014, as mentioned above, the Licensing Committee clearly placed great importance on the way that the premises intended to trade and clearly were sufficiently impressed by the Licensee to attach a personal condition to the Licence that the premises could only be operated by Bar Termini Ltd. The premises have traded very successfully for a year and eight months.



In their representation dated 10 December, the Soho Society recited that the aim of the Society was to

"make Soho a better place to live, work or visit by preserving and enhancing the areas existing diversity of character and uses, and by improving its facilities, amenities and environment".

The Licensee and the founding fathers share that vision and invited the "Licensing Chair" of the Society to visit the premises and to canvas their members directly in relation to these particular premises. We are instructed that many members of the Society have visited the premises and are very loyal supporters but we do not know whether our challenge was taken up.

The Licensee also endorse Westminster's Policy document and aspirations for Soho. The Applicant's hope that having an impeccable record of trading for a year and eight months, operating in exactly the way that they described to the Licensing Committee, they have earned their spurs. Further having sought Temporary Event Notices so that they could operate until 2/1am, they have been able to demonstrate to the Committee that they could operate the premises without any adverse effect. In fact, it was to the contrary and they were able to enhance the "area's existing diversity of character and uses by improving its facilities, amenities and environment".

As a result it is hoped that the Committee will be able to have sufficient confidence to grant the application, albeit contrary to the policy, thus allowing this unique and highly valued style of operation to survive, and to continue to be able to enhance Soho as a better place to live, work or visit.

Yours faithfully

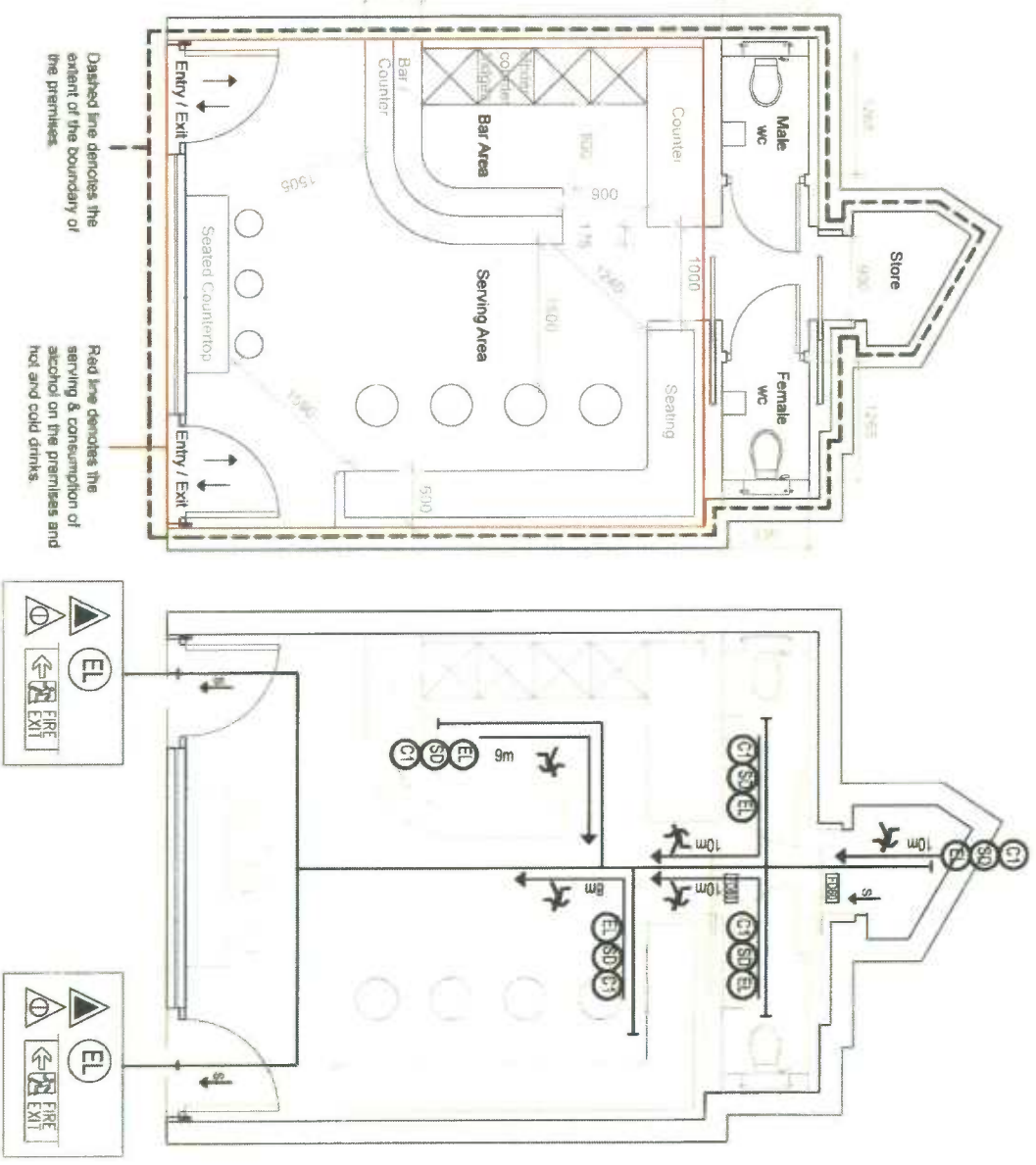


TLT LLP

Enc.



2



1 GROUND FLOOR PLAN SCALE 1:50 @ A3

2 GROUND FLOOR EGRESS PLAN SCALE 1:50 @ A3

BUILDING REGULATIONS SYMBOLS

- FD 80 SPECIFIED PERIOD (MIN) FIRE RESISTANT DOOR
- EL ROOM OR AREA TO BE FITTED WITH ESCAPE LIGHTING TO BS 5838 PART 1.
- SD AREA PROTECTED BY SMOKE DETECTION AND ALARM SYSTEM TO BS 5838 PART 1.
- CI WALL AND CEILING SURFACES TO A CLASS 1 STANDARD WITHIN LOCAL AREA SHOWN.
- FE FIRE EXTINGUISHER
- WATER FIRE EXTINGUISHER

NOTE: FIRE EXTINGUISHERS FOAM AND CO2 TO BE FITTED AS BS 5838 PART 3 1995



SUSPENDED WITH POST FRAMES. TYPICAL FIRE EXIT SIGN, RIGID PLASTIC, CEILING

FE DENOTES FIRE EXIT ESCAPE SIGN. DIRECTION ARROW IF NECESSARY. S DENOTES SINGLE SIDED.

SIGN KEY	TOTAL #
← FIRE EXIT	3
← FIRE EXIT	3

Rev.	Date	Revision	By	Check	Project Name	Project Address	Project Number	Description	Ref. File	Plot File	Scale
1	11/03/2014	DRAWINGS FOR LICENCE APPLICATION	/	/	7 Old Compton Street	SOHO	W1	GROUND FLOOR PLAN			1:50@A3

Revision	Ground Floor Plan & Egress Plan for Licence Application	7 Old Compton Street Soho W1
0	0.5	1
1	1.5	2
2	2.5	
3		5m

all signs delivered in drawings and/or printed and/or electronic form. It is the responsibility of the client to ensure that the signs are installed in accordance with the relevant standards and regulations. The client is responsible for ensuring that the signs are installed in accordance with the relevant standards and regulations. The client is responsible for ensuring that the signs are installed in accordance with the relevant standards and regulations.

3

Marco Airigo

Marco has over 20 years' experience of working in the coffee industry. Throughout this time he has become known and respected as one of the authorities of coffee in the UK.

Since 1999 Marco has been the Head of Quality at illy.

Wanting to share this passion for coffee, in 2009 Marco opened the University of Espresso in the Islington BDC. By 2010 the school was training approximately 150 baristas a week, alongside ongoing training for all illy staff and continues to do so.

He manages illy's outside events, including Frieze Art Fair in Regents Park, Guard's Polo Club in Windsor Great Park and sporting events for both Maserati and Ferrari.

In 2007 he played a key role in establishing the Apprenticeship Academy, assisting jobless teenagers into paid work under an NVQ scheme.

Marco was one of the original mentors for Jamie Oliver's Fifteen project, which works to enable young unemployed individuals to forge careers in the hospitality industry. He is also involved in the following projects:

- Director of National License Trade Association,
- Founding member of Barcode, and an active member of the current team.
- Member of the Sustainable Restaurant Association, advising suppliers for sustainable practices in the supply chain.



Tony Conigliaro

4

Acknowledged as one of the UK's pioneering drinks creators, by continually working to break the boundaries surrounding drinking experiences. Tony is also one of the most respected bartenders in his field.

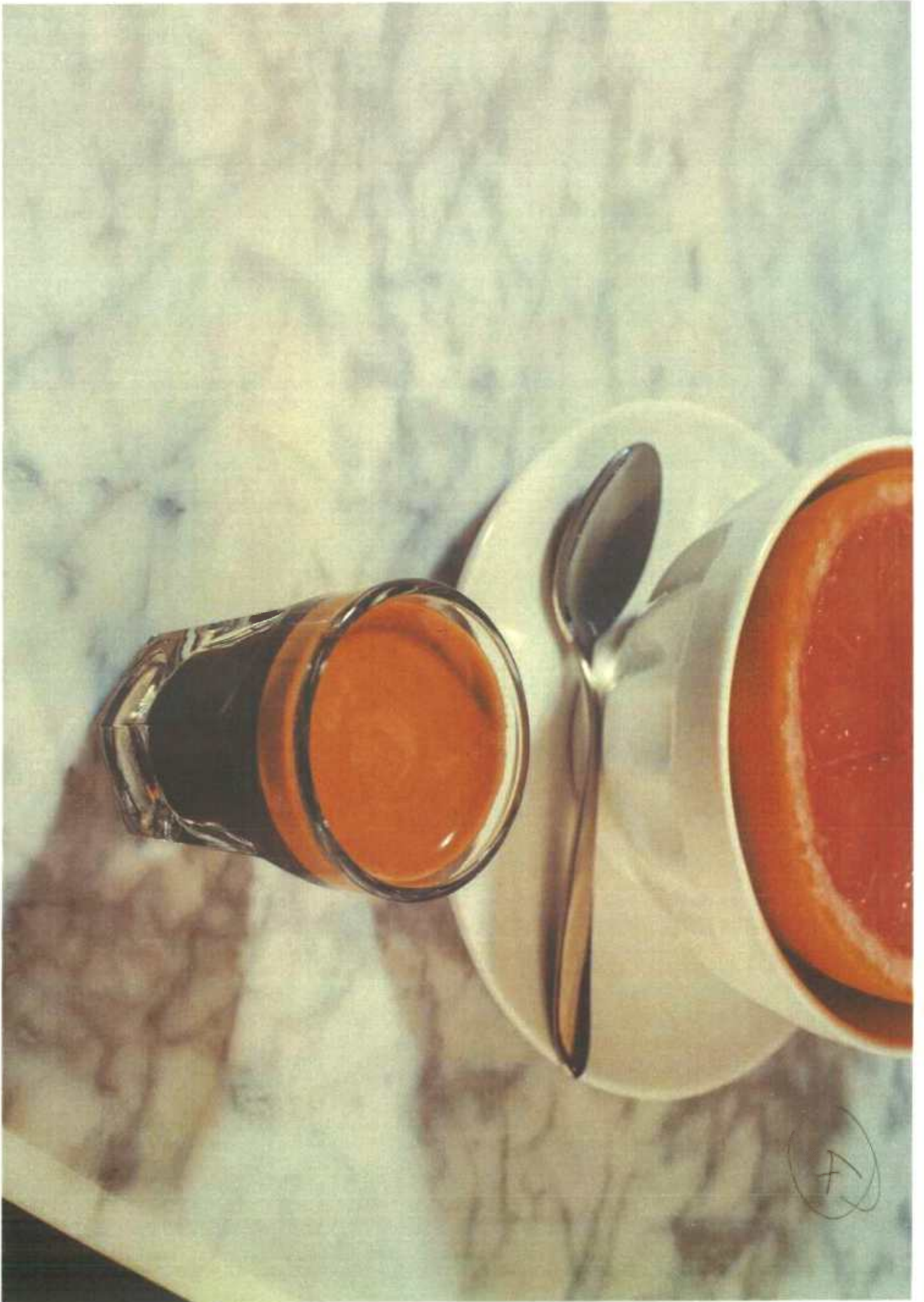
Having opened and run some of the best bars in London, Tony began to pay attention to the work of the chefs and incorporated new methods into his cocktail repertoire, resulting in some groundbreaking cocktail menus.

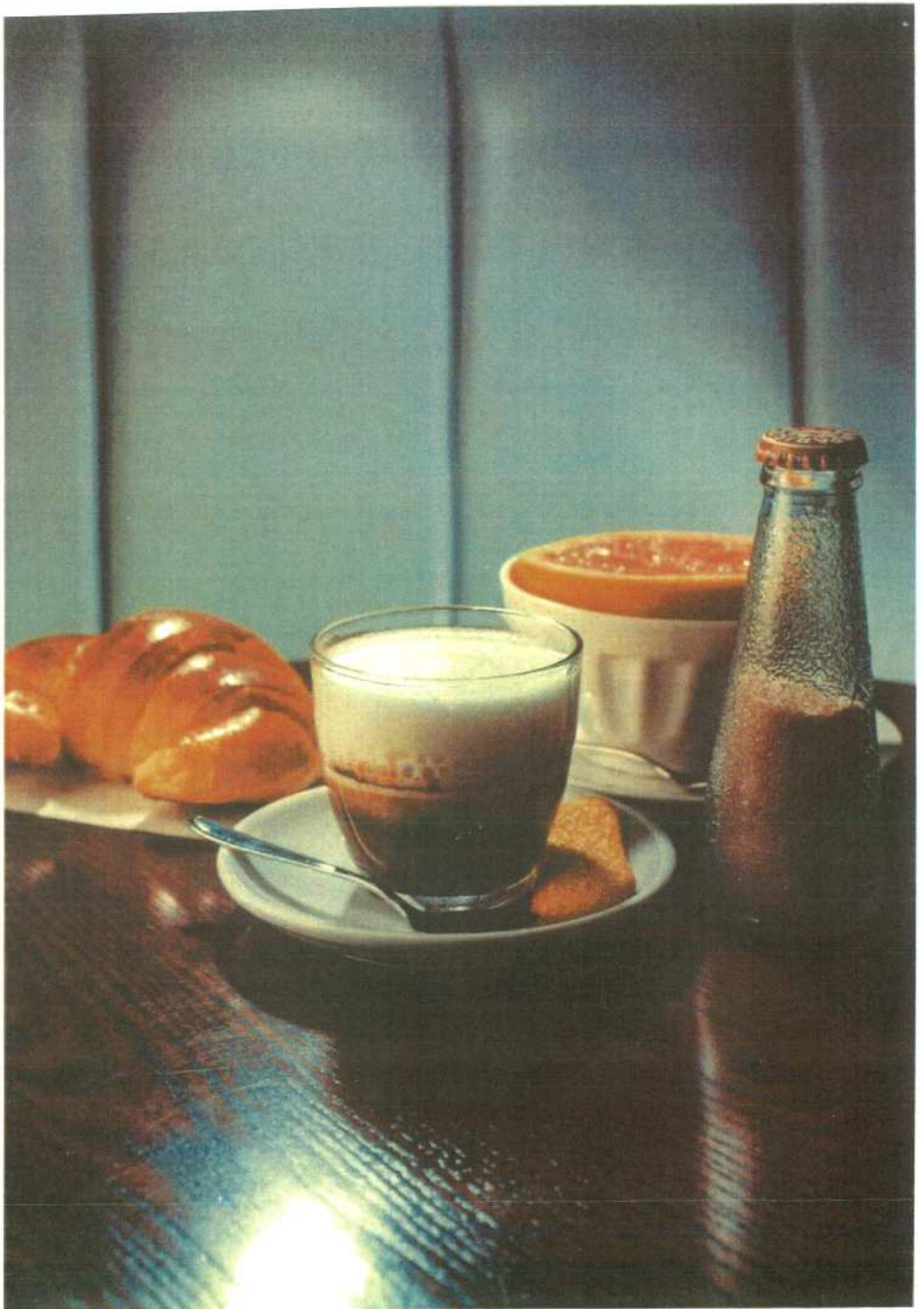
Having studied Fine Art and Art History for 5 years, and working in a fashion house prior to his involvement in drinks, Tony cites a broad spectrum of influences in his work, from bartenders and chefs, to perfumers, scientists, alchemists and designers.

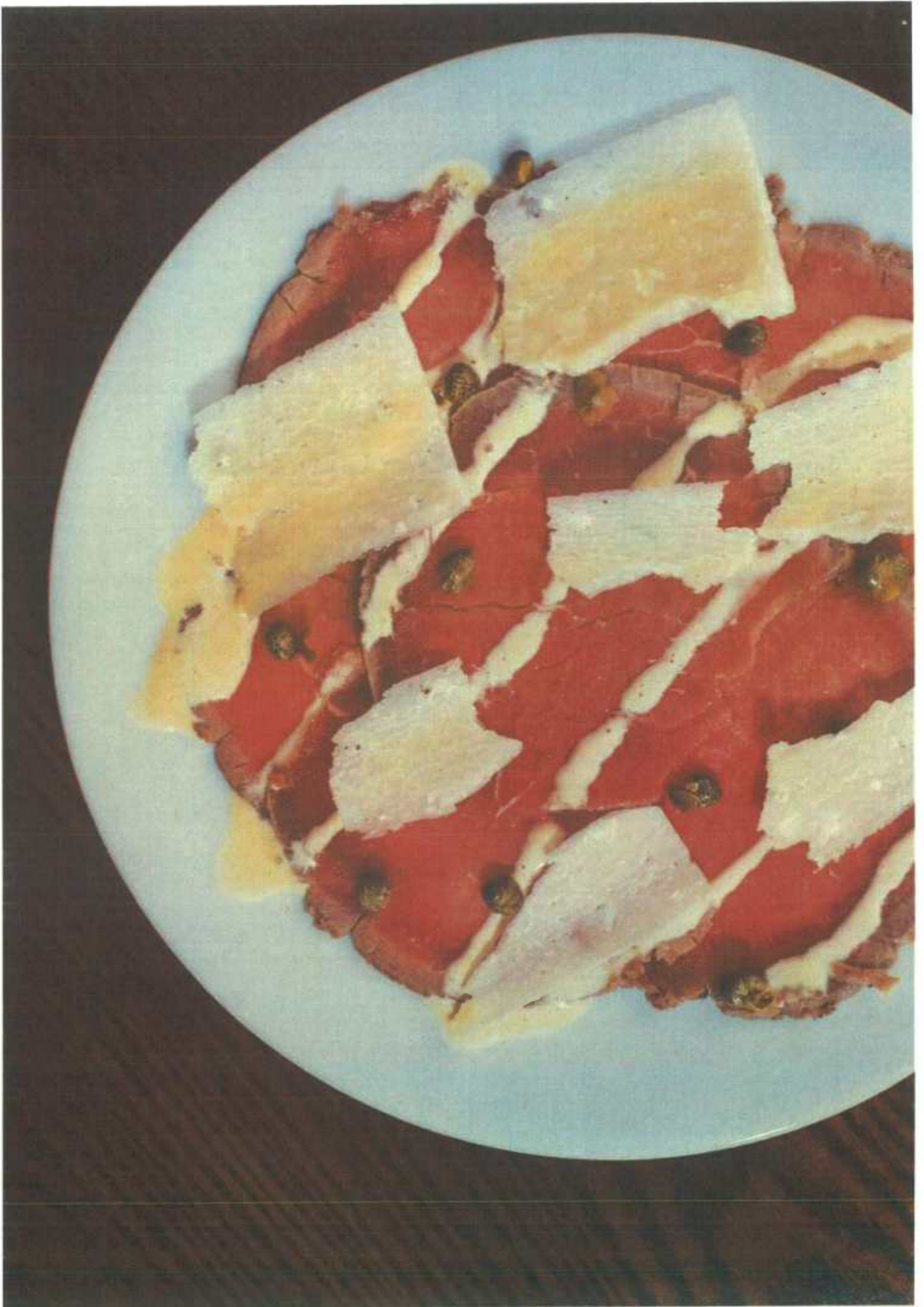
He has helped open and run bars for over 20 years in which time he has won a considerable number of awards and written the award winning book 'Drinks' alongside numerous additional articles. He regularly consults on new projects and has been at the vanguard of creating drinks that have been recognised both in London and internationally.

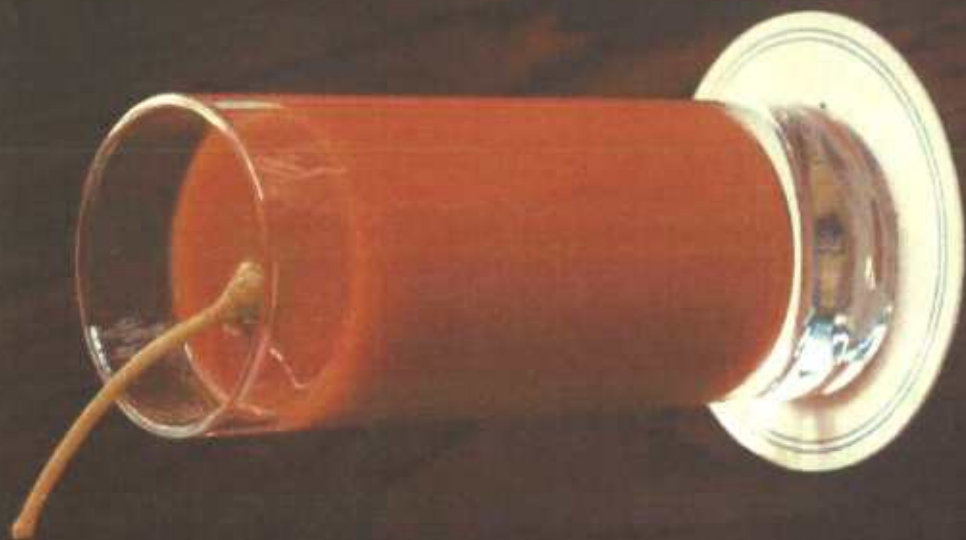
Tony has recently participated in a number of TV productions with both BBC 2 and Channel 4, discussing techniques and ingredients with Jamie Oliver and Gordon Ramsey, among others.













Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New application	Application for a new premises licence	15/5/14	Granted by the Licensing Sub-Committee
TEN	Temporary Event Notice for extension of hours until 02:00 on 19 and 20 September 2015	08/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 26 September 2015	14/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 3 and 4 October 2015	14/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 10 and 11 October 2015	28/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 17 and 18 October 2015	28/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 24 and 25 October 2015	28/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 31/10/15 and 1/11/2015	28/09/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 7 and 8 November 2015	26/10/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 5 and 6 December 2015	12/11/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 12 and 13 December 2015	16/11/15	Notice acknowledged
TEN	Temporary Event Notice for extension of hours until 02:00 on 31 December 2015	20/11/15	Notice acknowledged

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

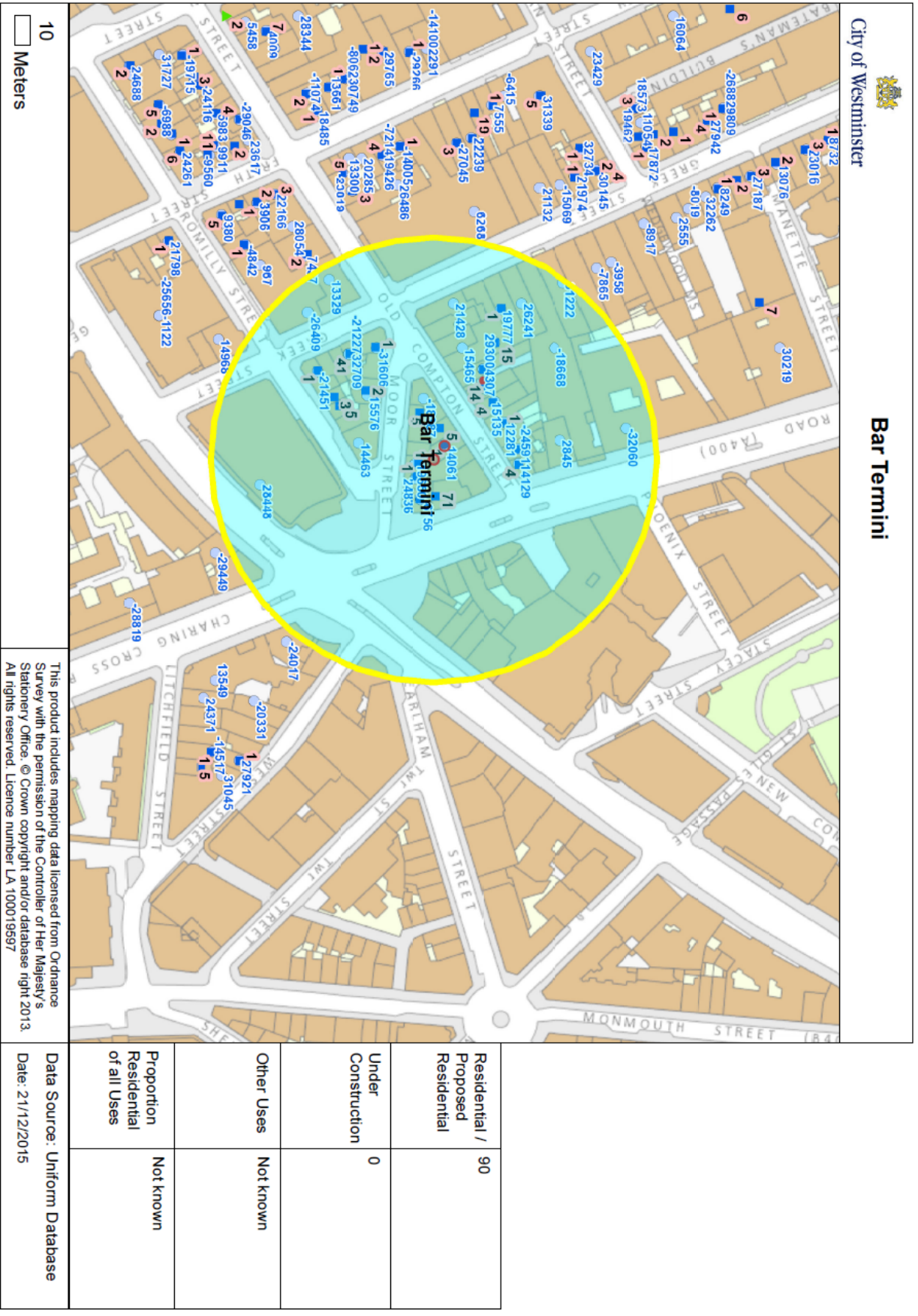
Conditions consistent with the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the 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. The premises shall operate as an aperitivo and digestive bar where the supply of alcohol for consumption 'on' the premises shall be by waiter or waitress service and to seated persons save for those persons mentioned in condition 16 below
12. From 1800 hours all patrons shall be seated save for a maximum of 4 persons waiting to be seated.
13. Substantial food which is of the type described as "fatta fuori sede" which means that there is no primary cooking on site shall be available throughout all hours of trading.
14. There shall be no sales of draft beer.
15. The premises shall be a member of the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. 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.
18. The number of persons accommodated at any one time shall not exceed 30 persons inclusive of staff.
19. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.
20. A direct telephone number for the manager at the premises shall be publically made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
21. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
22. The entrance door shall be kept closed after 22.00 hours except for the immediate access and egress of patrons.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

24. Loudspeakers shall not be located in the entrance area or outside the premises building.
25. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
26. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.00 hours on the following day.
28. 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.
29. The licensable activities authorised by this licence can only be carried on at the premises by Bar Termini Ltd.
30. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
31. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
32. All cashiers and relevant staff will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
33. The licence shall not be in effect until premises licence number 14/02200/LIPN is surrendered.

Condition proposed by Environmental Health

34. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number LA 100019597

Residential / Proposed Residential	90
Under Construction	0
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database
Date: 21/12/2015

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Plan	16/11/15
5	Application acknowledged and served	16/11/15
6	DPS consent	16/11/15
7	Application form	16/11/15
8	Public Notice	16/11/15
9	Public Health response	17/11/15
10	Application notification to residents	18/11/15
11	Newspaper advert	25/11/15
12	LFEPA response	8/12/15
13	Soho Society representation	10/12/15
14	Environmental Health representation	10/12/15
15	Police representation	14/12/15
16	Hearing notification to all	18/12/15
17	Additional information from the Environmental Health	06/01/16
18	Applicant's correspondence to Soho Society	06/01/16
19	Applicant's additional information	07/01/16
20		
21		
22		
23		
24		