

# Licensing Sub-Committee Report

Item No:	
Date:	23 <sup>rd</sup> March 2017
Licensing Ref No:	17/01079/LIPN - New Premises Licence
Title of Report:	Hipchips 49 Old Compton Street London W1D 6HL
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:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	1 February 2017		
<b>Applicant:</b>	Hipchips Ltd		
<b>Premises:</b>	Hipchips		
<b>Premises address:</b>	49 Old Compton Street London W1D 6HL	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	This premises will specialise in potato crisps and dips. The applicant is seeking to sell alcohol for consumption on and off the premises; with the sale of alcohol on the premises being ancillary to food.		
<b>Premises licence history:</b>	This premises has not previously benefitted from a licence under the Licensing Act 2003. The applicant's have applied for a number of temporary event notices, details of which are attached at Appendix 3.		
<b>Applicant submissions:</b>	There are no further submissions from the applicant.		

## 1-B Proposed licensable activities and hours

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	12:00	12:00	12:00	12:00	12:00	12:00	12:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	20:00
<b>Seasonal variations/ Non-standard timings:</b>				Not applied for			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	12:00	12:00	12:00	12:00	12:00	12:00	12:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	20:00
<b>Seasonal variations/ Non-standard timings:</b>				Not applied for			
<b>Adult Entertainment:</b>				N/A			

## 2. Representations

<b>2-A Responsible Authorities</b>					
<b>Responsible Authority:</b>	Environmental Health Service				
<b>Representative:</b>	Maxwell Koduah				
<b>Received:</b>	20 <sup>th</sup> February 2017				
<p>I refer to the application for a new Premises Licence which is located in the West End Cumulative Impact area.</p> <p>This representation is based on the operating schedule and accompanying plans of basement &amp; Ground Floor by PAC Architecture dated 17 November 2016 ref. 16016-801.</p> <p>The applicant is seeking the following licensable activities:</p> <p>Supply of alcohol for consumption “On” and “Off” the premises at the following times:</p> <table style="margin-left: 40px;"> <tr> <td>Monday to Saturday:</td> <td>12:00 – 21:00</td> </tr> <tr> <td>Sunday</td> <td>12:00 – 20:00</td> </tr> </table> <p>I wish to make the following representation</p> <p>The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area</p> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p>Note: Environmental Health have proposed conditions which are attached Appendix 4.</p>		Monday to Saturday:	12:00 – 21:00	Sunday	12:00 – 20:00
Monday to Saturday:	12:00 – 21:00				
Sunday	12:00 – 20:00				
<b>Responsible Authority:</b>	Metropolitan Police Service				
<b>Representative:</b>	PC Michael Day				
<b>Received:</b>	9 <sup>th</sup> February 2017				
<p>I refer to the application for a new Premises Licence which is located in the West End Cumulative Impact area.</p> <p>This representation is based on the operating schedule and accompanying plans of basement &amp; Ground Floor by PAC Architecture dated 17 November 2016 ref. 16016-801.</p> <p>The applicant is seeking the following licensable activities:</p> <p>Supply of alcohol for consumption “On” and “Off” the premises at the following times:</p> <table style="margin-left: 40px;"> <tr> <td>Monday to Saturday:</td> <td>12:00 – 21:00</td> </tr> <tr> <td>Sunday</td> <td>12:00 – 20:00</td> </tr> </table>		Monday to Saturday:	12:00 – 21:00	Sunday	12:00 – 20:00
Monday to Saturday:	12:00 – 21:00				
Sunday	12:00 – 20:00				

I wish to make the following representation

The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

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

Note: The Police have proposed conditions which are attached Appendix 4.

<b>Responsible Authority:</b>	Licensing Service
<b>Representative:</b>	Steve Rowe
<b>Received:</b>	1 <sup>st</sup> March 2017

I write in relation to the application submitted for a new Premises Licence for the above premises.

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, HRS1 and RNT2.

The application is for the supply of alcohol for consumption "On" and "Off" the premises from 12:00 to 21:00 Monday to Saturday and from 12:00 to 20:00 on Sundays.

The applicant has proposed conditions as part of their application including the sale of alcohol to persons as ancillary to a table meal and by waiter/waitress service.

Policy HRS1 states at paragraph 2.3.2: "It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the 'core hours' as set out in Policy HRS1. Further, Policy RNT2 which relates to restaurants within the CIA states 'Applications will be granted subject to other policies in this Statement 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 Cumulative Impact Areas.

The premises is located inside the Cumulative Impact Area.

Policy CIP1 states (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. However part (ii) states: 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.

Please accept this email as a formal representation.

Please could you provide further submissions that demonstrate that the premises will not add to cumulative impact in the Cumulative Impact Area if the application were to be granted.

I look forward to receiving your submissions.

2-B Other Persons	
<b>Name:</b>	Soho Society
<b>Address and/or Residents Association:</b>	St Anne's Tower 55 Dean Street London W1D 6AF
<b>Received:</b>	28 <sup>th</sup> February 2017

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 Cumulative Impact Area.

#### About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. 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 2016.

#### Application summary

Activity	Indoors/Outdoors	Alcohol Consumed	Time Period	From	To
Sale by Retail of Alcohol	Both	Both	Monday to Saturday	12:00 PM	09:00 PM
Sale by Retail of Alcohol	Both	Both	Sunday	12:00 PM	08:00 PM

#### New licensed premises in West End Cumulative Impact Area

The proposal is for increased licensable activity in the West End Cumulative Impact Area. Sale by Retail of Alcohol On Premises licensable activity is of particular concern, with reference to Westminster City Council stress area and cumulative impact policy. Such licenses (in particular where not ancillary to food) should be prohibited. These venues destroy residential amenity over a wide area through noise nuisance as patrons disperse.

Old Compton Street and immediate environs are possibly the most saturated area in all of Westminster regarding licensed premises, and is also highly residential. Permitting another premises license to a snack shop surrounded by licensed premises, including pub venue Compton's just next door, adds another licence to this already heavily licensed street in the heart of the West End Cumulative Impact Area.

It is noted the conditions for this application with reference to service with food are inadequate. It is therefore felt necessary that should this license be permitted; conditions must be applied:

**MC38** The supply of alcohol at 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.

**MC39** The supply of alcohol shall be by waiter or waitress service only.

### **Statement of Licensing Policy**

The following are section of Westminster City Council is appropriate in this case:

2.5.3 'The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as 'vertical drinking' premises where customers consume alcohol standing throughout the evening.'

#### Licensing policy and cumulative impact

The Licensing Authority recognises in its Statement of Licensing Policy 2016 that Westminster has a substantial residential population and that the Council has a duty to protect it from nuisance (Policy 2.2.10).

This area has been identified by the City Council (Policy 2.4.1)) as a cumulative impact area because the cumulative effect of the concentration of late night and drink led premises and/or night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Policy states that the extent of crime and disorder and public nuisance...arises from the number of people there late at night; a particular number of them being intoxicated, especially in the West End Cumulative Impact Area (Policy 2.4.1).

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (Policy 2.4.5). The policies are intended to be strict and will only be overridden in 'genuinely exceptional circumstances' (Policy 2.4.2).

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 the problems identified in the 'Characteristics of Cumulative Impact Areas' (Policy Appendix 14). These include, but are 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.

### **Conclusion**

Para 9.37 of the s182 Guidance requires the licensing authority to determine the application with a view to promoting the licensing objectives in the overall interests of the local community.

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.

### 3. Policy & Guidance

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

<b>Policy HRS1 applies:</b>	<p>(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.</p> <p>(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.</p>
<b>Policy CIA1 applies:</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas</p>

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents - none
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mrs Sumeet Anand-Patel Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Environmental Health Representation	20 <sup>th</sup> February 2017
<b>5</b>	Metropolitan Police Representation	9 <sup>th</sup> February 2017
<b>6</b>	Licensing Authority Representation	1 <sup>st</sup> March 2017
<b>7</b>	Soho Society Representation	28 <sup>th</sup> February 2017



## **Applicant Supporting Documents**

## **Appendix 2**

There are no additional submissions from the applicant.

## Premises History

## Appendix 3

Application	Details of Application	Date Determined	Decision
<b>Temporary Event Notice</b> 16/12673/LITENN	Application to permit the sale of alcohol on 3 <sup>rd</sup> December 2016 from 10:00 to 00:00 and 4 <sup>th</sup> December 2016 from 12:00 to 22:30	02.12.2016	Notice Granted
<b>Temporary Event Notice</b> 16/12684/LITENN	Application to permit the sale of alcohol on 6 <sup>th</sup> to 8 <sup>th</sup> December 2016 from 10:00 to 23:30, 9 <sup>th</sup> and 10 <sup>th</sup> December 2016 from 10:00 to 00:00 and 11 <sup>th</sup> December 2016 from 12:00 to 22:30	02.12.2016	Notice Granted
<b>Temporary Event Notice</b> 16/12686/LITENN	Application to permit the sale of alcohol on 13 <sup>th</sup> to 15 <sup>th</sup> December 2016 from 10:00 to 23:30, 16 <sup>th</sup> and 17 <sup>th</sup> December 2016 from 10:00 to 00:00 and 18 <sup>th</sup> December 2016 from 12:00 to 22:30	02.12.2016	Notice Granted
<b>Temporary Event Notice</b> 16/12692/LITENN	Application to permit the sale of alcohol on 20 <sup>th</sup> to 22 <sup>nd</sup> December 2016 from 10:00 to 23:30, 23 <sup>rd</sup> and 24 <sup>th</sup> December 2016 from 10:00 to 00:00 and 18 <sup>th</sup> December 2016 from 12:00 to 22:30	02.12.2016	Notice Granted
<b>Temporary Event Notice</b> 16/12694/LITENN	Application to permit the sale of alcohol 30 <sup>th</sup> and 31 <sup>st</sup> December 2016 from 10:00 to 00:00	02.12.2016	Notice Granted
<b>Temporary Event Notice</b> 17/00388/LITENN	Application to permit the sale of alcohol on 26 <sup>th</sup> January 2017 from 10:00 to 23:30, 27 <sup>th</sup> January 2017 from 10:00 to 00:00 and 29 <sup>th</sup> January 2017 from 12:00 to 22:30	30.01.2017	Notice Granted
<b>Temporary Event Notice</b> 17/00439/LITENN	Application to permit the sale of alcohol on 1 <sup>st</sup> and 2 <sup>nd</sup> February 2017 10:00 to 23:30,	06.02.2017	Notice Granted

	3 <sup>rd</sup> February 2017 from 10:00 to 00:00 and 5 <sup>th</sup> February 2017 from 12:00 to 22:30		
<b>Temporary Event Notice</b> 17/00442/LITENN	Application to permit the sale of alcohol on 8 <sup>th</sup> and 9 <sup>th</sup> February 2017 10:00 to 23:30, 10 <sup>th</sup> February 2017 from 10:00 to 00:00 and 12 <sup>th</sup> February 2017 from 12:00 to 22:30	13.02.2017	Notice Granted
<b>Temporary Event Notice</b> 17/00872/LITENN	Application to permit the sale of alcohol on 15 <sup>th</sup> and 16 <sup>th</sup> February 2017 10:00 to 23:30, 17 <sup>th</sup> February 2017 from 10:00 to 00:00 and 19 <sup>th</sup> February 2017 from 12:00 to 22:30	20.02.2017	Notice Granted
<b>New Application</b> 17/01079/LIPN	Current Application		Pending

There is no licence or appeal history for the premises.

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

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

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

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

### Mandatory Conditions

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

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

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

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

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

#### **Conditions consistent with the operating schedule**

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light

condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. The supply of alcohol shall be by waiter or waitress service only.
12. Alcohol shall not be sold or supplied for consumption on the premises otherwise than by persons who are seated in the premises and where the consumption of alcohol by such persons is ancillary to food.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and served by waiter or waitress service and ancillary to food.
14. No more than 15% of the retail area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. 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.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
17. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
18. The number of persons permitted in the premises at any one time shall not exceed [20 - TO BE AGREED]
19. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No deliveries shall take place between 23:00 and 07:00 hours.
22. 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.
23. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

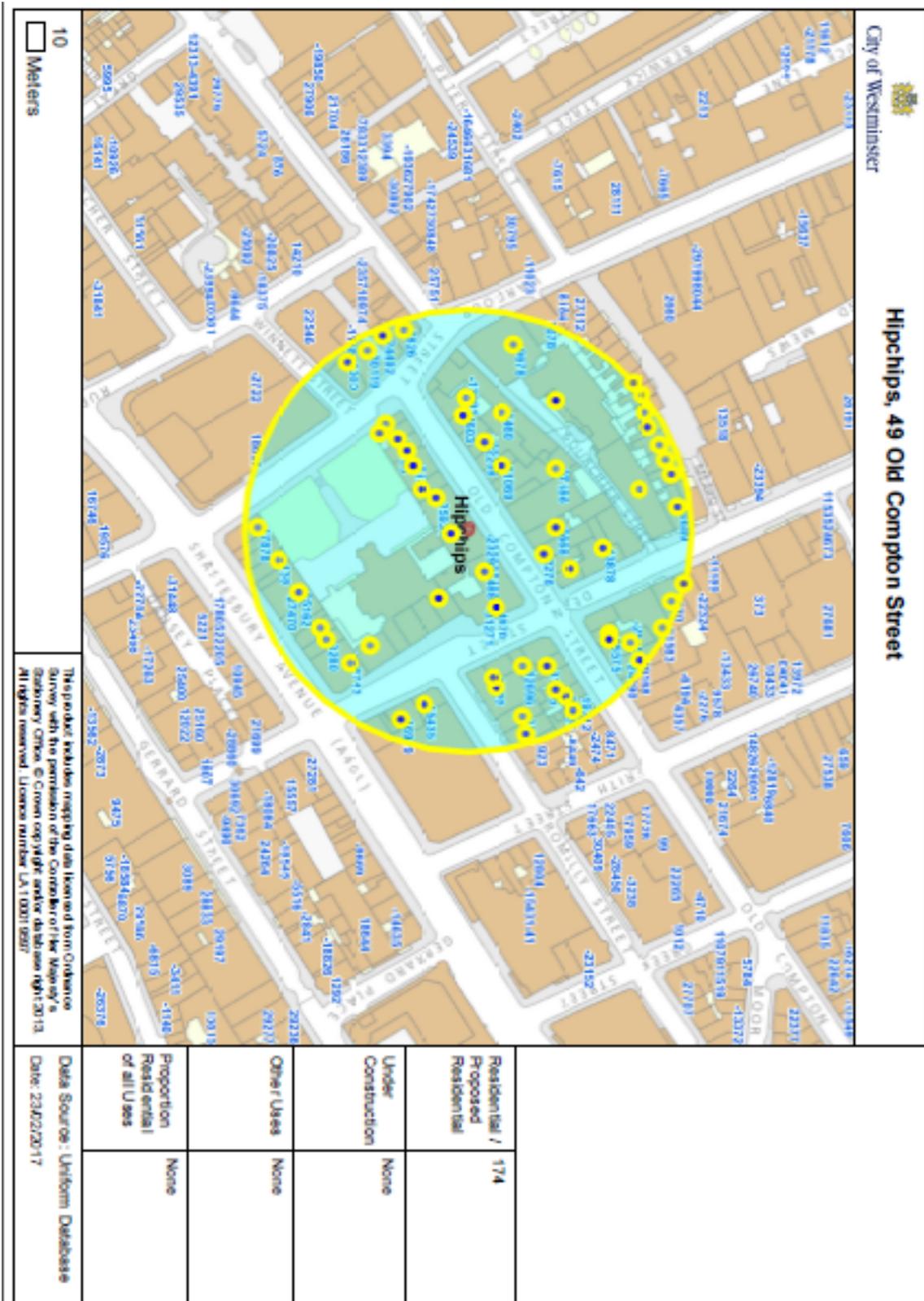
### **Conditions Proposed by EH**

24. The sale of alcohol at the premises, at all time, shall be ancillary to the premises remaining a specialist crisps shop.
25. There shall be no bar area at any time at the premises.
26. There shall be no sale of draught beer at the premises.
27. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **23.00** hours and **08.00** hours on the following day.
29. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 20 persons.
30. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
31. 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.
32. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

### **Conditions proposed by the Police**

33. All drinking vessels used in the venue shall be polycarbonate. All alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables.
34. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.

35. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
36. Sales of alcohol for consumption off the premises shall only be supplied in sealed containers with, and ancillary to a delivered or substantial take-away meal.



**Premises within 75 metres of: Hipchips, 49 Old Compton Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
3826	O' Bar	83-85 Wardour Street London W1D 6QE	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
5668	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
17878	(Restaurant)	53 Shaftesbury Avenue London W1D 6LB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
20193	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
25162	Bella Italia	63 Shaftesbury Avenue London W1D 6LQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-30119	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-27470	Century Club	61-63 Shaftesbury Avenue London W1D 6LQ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
-26575	Compton News	48 Old Compton Street London W1D 4UA	Monday to Saturday 07:00 - 01:00 Sunday 08:00 - 22:00
-25931	Comptons Of Soho Public House	51 - 53 Old Compton Street London W1D 6HN	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sundays before Bank Holidays 12:00 - 00:30 Sunday 12:00 - 23:00
-24890	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4TX	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-24492	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-21052	Patisserie Valerie	44 Old Compton Street London W1D 4TY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

-13391	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-12696	Rosa's	Ground Floor And Basement 48 Dean Street London W1D 5BF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-10636	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-5743	Preto	71-73 Shaftesbury Avenue London W1D 6LN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-4970	&Pasta	60 Dean Street London W1D 6AW	Monday to Thursday 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00
-3280	The Piccadilly London Soho	69 Shaftesbury Avenue London W1D 6EX	Monday to Sunday 00:00 - 00:00
-2276	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
2939	French House Public House	49 Dean Street London W1D 5BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
3183	The House Of Ho Ltd	55-59 Old Compton Street London W1D 6HP	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 01:30
5460	Jackson + Rye	56 Wardour Street London W1D 4JG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
5488	Wok On Fire	43 Old Compton Street London W1D 6HG	Sunday 11:00 - 00:00 Monday to Thursday 11:00 - 01:00 Friday to Saturday 11:00 - 02:00
16919	Gerry's Club	Basement 52-53 Dean Street London W1D 5BJ	Monday to Saturday 10:00 - 03:30 Sunday 12:00 - 23:00
26155	Herman Ze German	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Friday to Saturday 11:00 - 00:00 Sunday 11:00 - 22:30 Monday to Thursday 11:00 - 23:30
27186	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Monday 09:00 - 03:30 Tuesday to Sunday 09:00 - 05:00
29168	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:00 Monday to

			Thursday 10:00 - 23:00
31069	La Polenteria	64 Old Compton Street London W1D 4TL	Friday 07:30 - 00:00 Monday to Thursday 07:30 - 23:30 Saturday 08:00 - 00:00 Sunday 08:00 - 23:00
31583	The Groucho Club	44-45 Dean Street London W1D 4QB	Monday to Saturday 09:00 - 02:30 Sunday 12:00 - 00:00
-31325	Pulcinella Restaurant	Basement To First Floor 37 Old Compton Street London W1D 5JY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-31271	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Monday to Saturday 12:00 - 22:00
-23298	Amorino	41 Old Compton Street London W1D 6HF	Monday to Saturday 12:00 - 01:00 Sunday 12:00 - 23:00
-16353	Le Relais De Venise L'Entrecote	50 Dean Street London W1D 5BQ	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00
-9678	Freedom	Basement And Ground Floor National House 60- 66 Wardour Street London W1F 0TA	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-3571	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Friday to Saturday 10:00 - 00:00 Sunday 10:00 - 22:30 Monday to Thursday 10:00 - 23:30
-138	Yoshino	59 Shaftesbury Avenue London W1D 6LF	Monday to Sunday 11:00 - 00:00
630	Cay Tre (Soho)	42-43 Dean Street London W1D 4QA	Monday to Sunday 09:30 - 01:30
4603	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Monday to Sunday 10:00 - 00:30
6305	Duke Of Wellington	77 Wardour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13878	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

15435	Golden Lion Public House	51 Dean Street London W1D 5BH	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
20689	Black's	Basement To First Floor 67 Dean Street London W1D 4QH	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
22259	Selva Food & Wine	68 Old Compton Street London W1D 4UJ	Monday to Sunday 00:00 - 00:00