



# Licensing Sub-Committee Report

Item No:	
Date:	27 July 2017
Licensing Ref No:	17/02442/LIPN- New Premises Licence
Title of Report:	29 Shepherd Market London W1J 7PS
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:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	7 March 2017		
<b>Applicant:</b>	Kitchen Centre Ltd		
<b>Premises:</b>	29 Shepherd Market		
<b>Premises address:</b>	29 Shepherd Market London W1J 7PS	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	No
<b>Premises description:</b>	According to the application the premise intends operate as a restaurant on the ground floor.		
<b>Premises licence history:</b>	This is an application for a new premises licence at 29 Shepherd Market and therefore no premises licence history exist. The applicant however already holds a licence for the adjacent premises at 27 Shepherd Market ( <b>Appendix 5</b> ) and is seeking this licence on similar terms.		
<b>Applicant submissions:</b>	In dealing with the four licensing objectives in the application, the applicant states that only core WCC hours have been applied for to reduce potential for noise nuisance and that there will be no takeaway of alcohol.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	08:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	22:30

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	22:30

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	07:00	08:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	23:00

## 2. Representations

2-A Responsible Authorities	
<b>Responsible</b>	The Metropolitan Police (withdrawn)

<b>Authority:</b>	
<b>Representative:</b>	Mr Adam Deweltz
<b>Received:</b>	9 <sup>th</sup> March 2017

With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be making a representation against this application.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

There is insufficient detail contained within the operating schedule

**Following on from visiting the premises and agreement of proposed conditions between the applicant and the Police, the Police have withdrawn their representation.**

<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	10 <sup>th</sup> March 2017

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 Environmental Health Service have proposed conditions that have not been agreed by the Applicant

<b>2-B Other Persons</b>			
<b>Name:</b>		Orbiton Estates representing residents at Carrington House	
<b>Status:</b>	Resident Association	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	3 <sup>rd</sup> April 2017		

## **Applications for new and variation of Premises Licences**

**Representation against the grant of both applications.**

**27 and 29 Shepherd Market, W1**

**Ref 17/02456 and 17/02442**

Orbiton Estates make a representation in connection with the above applications.

Orbiton represents the interests of the residents at Carrington House, which is located directly immediately to the east side of the applicant premises. Orbiton makes representations on the basis of crime and disorder, public nuisance and public safety policies CD1, PN1, RNT1 and HRS1.

### **29 Shepherd Market**

Planning permission for this use was refused last year due to lack of extract and intensification of A3 uses.

This is a new premises licence until the hours of midnight, with the premises not having been previously licensed. This is of course beyond the council's core hours on Monday to Thursday.

Confusingly and perhaps invalidating the advertisement of the application, the operating schedule refers to the Council's core hours but the sale of alcohol is proposed at Midnight. Those reading the application may have therefore been led to believe the application is for Core Hours, but they are actually applying for midnight.

The conditions are proposed to be in line with conditions for 27 Shepherd Market, so it is assumed that it will be as a restaurant. In any event, we object to the use of the premises for this or any other use that may require a licence.

### **27 Shepherd Market**

Although there are no details yet on the City Council's website, it would appear that there is an application to vary the existing licence so the sale of alcohol and late night refreshment (presumably including take-away) can take place until 3.00 am every day of the week.

The existing licence (the only copy on-line being 12/00770) allows the sale of alcohol until 11pm (10.30pm Sundays). However, the public notice seeks to extend the hours from midnight to 3am. Again, anyone reading the notice would have been mis-led in this important respect.

Any permission beyond the existing licence of 11pm will cause nuisance. Opening until 3am with these applicants and this use is beyond contemplation and reality.

### **Both applications**

It is not clear whether there is any proposal to use or extend external seating, or have shisha-type smoking, which together with the sale of alcohol or provision of late-night refreshment will cause additional public nuisance in a residential area.

We note there are enforcement cases open for both blocking the pavement and opening beyond the current permitted hours (planning ref 26/62594).

### **Conclusion**

There has been a woeful disregard for local residents, the City Council's statement of licensing policy and indeed the licensing objectives with no conditions which effectively promote both either the objects of the policy or those objectives.



<b>Name:</b>		Mr Paul Deavin	
<b>Status:</b>	Resident	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	9 <sup>th</sup> April 2017		
<p>Comment: 9:42 PM on 09 Apr 2017 The area around the public highway is already very noisy. There are already many licensed premises selling alcohol. A late selling license to midnight presents more transition of the area to late night alcohol activity.</p>			

### Policy & Guidance

#### 3.

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<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>
Policy RNT1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

#### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Supporting Documents received from Mr Alun Thomas on behalf of Orbiton Estates and the residents of Carrington House
<b>Appendix 5</b>	Copy of Licence 15/02154/LIPT for 27 Shepherd Market
<b>Appendix 6</b>	Residential Map

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1884 Email: ywade@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>	Application Form	7 <sup>th</sup> March 2017
<b>5</b>	The Metropolitan Police Representation (withdrawn)	9 <sup>th</sup> March 2017
<b>6</b>	The Environmental Health Service	10 <sup>th</sup> March 2017
<b>7</b>	Orbiton Estates representing residents at Carrington House Representation	3 <sup>rd</sup> April 2017
<b>9</b>	Mr Paul Deavin Representation	9 <sup>th</sup> April 2017

None submitted

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.

### **Proposed Conditions by Applicant consistent with the operating schedule**

9. All standard conditions will be applied to the business to mirror those conditions granted to 27 Shepherd Market **(15/02154/LIPT Appendix 6 of the report)**
10. Two personal licence holders to be present at the business.

11. Staff trained in crime and disorder prevention
12. No background music to be played at the business either inside or outside the business
13. Only WCC core hours have been applied for to reduce potential for noise nuisance
14. No takeaway of alcohol
15. Family business to cater for local residents and tourists within Shepherd Market, Mayfair
16. Staff to be trained in crime and disorder prevention by attending courses Current staff already trained in crime prevention
17. Staff awareness of potential for theft or crime within the local area
18. No music to be at all either inside or outside of the business
19. Notices to be displayed within the business to advise customers to respect local residents and neighbours
20. Children to be accompanied by adults at all times
21. Business will operate an over 25 policy for retail of alcohol
22. All staff will be trained to routinely request ID when providing alcohol
23. Waiter/Waitress service

### **Conditions proposed by the Environmental Health**

24. MC19: All outside tables and chairs shall be rendered unusable by (23.00) each day.
25. MC20: All tables and chairs shall be removed from the outside area by (23.00) each day.
26. MC23: 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.
27. MC37: The number of persons permitted in the premises at any one time (including staff) shall not exceed (X) persons. (TO BE SPECIFIED ON COMPLETION OF WORKS)
28. MC70A: The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.
29. MC81: 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 the Police and agreed by Applicant so as to form part of the Operating Schedule

30. 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.
31. 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.
32. 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.
33. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
34. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

Supporting Documents received from Mr Alun Thomas on behalf of Orbiton Estates and the residents of Carrington House

Westminster City Council

Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

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



City of Westminster

Your ref: MR JAVAD SEPANJI  
My ref: 15/06413/FULL

**Please reply to:** Lindsay Jenkins  
Tel No: 020 7641 5707  
Email: [centralplanningteam@westminster.gov.uk](mailto:centralplanningteam@westminster.gov.uk)

Mr Adam Watts  
Nigel Bird Architects  
Henry Wood House  
2 Riding House Street  
London  
W1W 7FA

**Development Planning**  
Westminster City Hall  
PO Box 732  
Redhill, RH1 9FL

15 February 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990  
REFUSAL OF PERMISSION TO DEVELOP

The City Council has considered your application and REFUSES to permit the development referred to below as shown on the plans submitted.

Your attention is drawn to the Applicant's Rights.

**SCHEDULE**

**Application No:** 15/06413/FULL                      **Application Date:** 15.07.2015  
**Date Received:** 15.07.2015                      **Date Amended:** 19.10.2015

**Plan Nos:** 718.29.210 Rev J, 718.29.331 Rev E, 718.29.330 Rev D, 718.711, 718.712, 718.713, Email from Adam Watts of Nigel Bird Architects dated 8 December 2015, Email from Javad from West End Catering dated 24 November 2015, Email from Taraek Badawy dated 30 November 2015, Letter from Mrs L Habashi dated 17 June 2015, Email from Farid Shamash from Metropole Property dated 26 February 2015.

**Address:** 29 Shepherd Market, London, W1J 7PS,

**Proposal:** Use of the ground and lower ground floor as a cafe (Class A3). Enlargement of one ground floor window to the rear.

See next page for reasons for refusal.

Yours faithfully

**John Walker**  
Director of Planning

**Reason(s) for Refusal:**

- 1 The proposal would lead to the loss of retail floorspace within the Core Central Activities Zone which would harm the retail character and function of the area and result in the concentration of non-A1 retail uses. This would not meet policy SS5 of our Unitary Development Plan that we adopted in January 2007 or policies S6 and S21 of Westminster's City Plan: Strategic Policies adopted on 13 November 2013.

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

**Note:**

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.





# City of Westminster

## TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

### **Applicant's Rights and General Information**

#### **1. Applicant's Rights (refusals and conditional approvals)**

##### ***a) Appeals to the Planning Inspectorate***

If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- o **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- o **8 weeks** in the case of an appeal against refusal of advertisement consent.
- o **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
  - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
  - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
  - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- o **12 weeks** in the case of 'minor commercial applications that is,
  - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
  - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- o **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

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- The terms 'us' and 'we' refer to the Council as local planning authority.



If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the **Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000**. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at [www.planningportal.gov.uk/planning/appeals/online/makeanappeal](http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal)

#### **APPROVAL OF DETAILS:**

**If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at [www.westminster.gov.uk/planning](http://www.westminster.gov.uk/planning)**

### **b) Purchase Notices**

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

## **2. General information relating to all approvals**

### **a) Other legislative requirements**

This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

**Transportation:** If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email [highwaysplanning@westminster.gov.uk](mailto:highwaysplanning@westminster.gov.uk) or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

**Highways Licensing:** For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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- The terms 'us' and 'we' refer to the Council as local planning authority.



**Building Control:** You are advised to contact Westminster District Surveyors immediately to find out whether your proposal will require consent under the Building Regulations: Tel: 020 7641 6500 Email :districtsurveyors@westminster.gov.uk.

Building Regulation forms and further information is available on the Council's web site: <http://www.westminster.gov.uk/services/environment/landandpremises/buildings/forms/>

**Land Drainage:** Where major works are involved, Land Drainage Consent may be required under the Water Resources Act 1991 and Thames Region Land Drainage By Laws 1981. You are advised to contact the Environment Agency, Apollo Court ,2 Bishop's Square Business Park, St Albans Road West Hatfield AL10 9EX Tel: 03708 506 506 or email:enquiries@environment-agency.gov.uk.

### ***b) Provision of access and facilities for disabled people***

Designing new buildings and adapting existing buildings to meet the needs of people with disabilities results in a safer and more convenient environment for all. General advice is available from planning and building control officers who can also direct you to appropriate sources of technical/specialist advice.

**Note:**

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.





Item No.

<b>Delegated Report</b>	<b>Development Planning</b>
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**Address:** 29 Shepherd Market, London, W1J 7PS,

<b>Case No.:</b>	15/06413/FULL	<b>TP:</b>	TP/1714 : PP-04318968
<b>Date of Application:</b>	15.07.2015	<b>Date Valid:</b>	19.10.2015
<b>Date amended/ completed:</b>	19.10.2015	<b>8 Wk Date:</b>	14.12.2015
<b>Agent:</b>	Mr Adam Watts / Nigel Bird Architects	<b>On behalf of:</b>	
<b>Development Plan Context:</b>	- London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007		

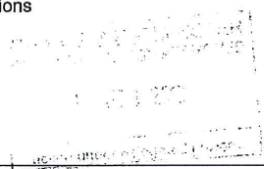
**LB:** II      **CA:** Mayfair

**Proposal:**

Use of the ground and lower ground floor as a cafe (Class A3). Enlargement of one ground floor window to the rear.

**Consultations:**

- RESIDENTS' SOCIETY OF MAYFAIR AND ST JAMES': No objection
- ENVIRONMENTAL HEALTH: Objection-lack of full height kitchen extract
- HIGHWAYS PLANNING MANAGER: No objections subject to conditions
- ADJOINING OWNERS/OCCUPIERS  
No. Consulted: 17  
No. Responses: 0
- SITE/PRESS NOTICE: Yes



**Relevant Planning History:**

- 14/05871/FULL  
Use of the ground and lower ground floor levels as a cafe (Class A3).  
Application Withdrawn      4 August 2014
- 14/06042/FULL  
Installation of replacement shopfront (including fold down bench), erection of benches and awning at rear lower ground floor level to create seating area, and internal alterations.  
Application Withdrawn      8 August 2014
- 14/09581/FULL  
Installation of non-openable shopfront.  
Application Permitted      19 November 2014
- 14/12743/FULL  
Infilling of rear basement courtyard, in connection with the retail (A1) use.  
Application Permitted      5 June 2015

Item No.

**Considerations:**

**SITE AND PROPOSAL**

29 Shepherd Market is a grade II listed building located within the Mayfair Conservation Area. The ground and basement floors have a lawful use as retail (A1) and were previously dry cleaners however the site is now vacant. The upper floors are in residential use (C3). Shepherd Market is a vibrant area containing a mixture of retail and restaurant users.

Planning permission is sought for the use of the ground and lower ground floor as a café (Class A3). External works include the enlargement of a rear ground floor window.

There has been some recent history to this site; a similar application for the use of the ground and basement floors as a restaurant (Class A3) was submitted and withdrawn in 2014. Following this, the applicant applied for external alterations and stated that the property (ground and basement floors) would be retained in retail (Class A1) use.

The applicant advises that the total size of the unit is 45.5sqm (15.2sqm at ground floor and 30.3sqm at lower ground floor). These figures include the permitted infill at lower ground floor level (14/12743/FULL). The rear infill permits the removal of a lean-to and replacement with storage and toilet areas. The agent has advised that the infill extension has now been built (external wall and damp-proofing completed) but the fit out has not been completed. The case officer confirmed this was the case following a site visit.

The applicant advises that the food will be prepared off-site; all food will be cold or pre-cooked Iranian food and thus no hob or extracts are necessary. The application does not propose any take-away elements. The proposed number of covers is 20 internally and the opening hours are proposed to be 07:00-00:00 Monday to Saturday and 08:00-23:00 on Sundays.

The premises have operated as a dry cleaner between 1996 and July 2013. The previous leaseholder states that the rent and rates were too high, and given the size of the unit, lack of street frontage put the business at a disadvantage. The lease was sold to Mr Javad Sepanji of 29 Shepherd Market Ltd on 24th March 2014. The new leaseholder operates an Iranian restaurant from 27 Shepherd Market. The application details that the proprietor intends to run 29 Shepherd Market as a complimentary Iranian eatery serving or pre-cooked food, although the premises will operate independently.

**LAND USE**

**Loss of A1 use**

The property falls within the CAZ and policies S21 (retail) of the City Plan and SS5 of the UDP apply.

Policy S21 states that existing A1 retail will be protected except where the Council considers the unit is not viable, as demonstrated by long term vacancy despite reasonable attempts to let.

The application submission states that the retail unit was vacated by July 2014. Whilst this would demonstrate long term vacancy (18 months) up to the date of determination of the application, there has been limited marketing information submitted by Metropole Properties demonstrating that there have been reasonable attempts to let the premises. They have not provided evidence that details the rates offered, who have been approached and whether there was any interest. The agent adds that much of the marketing has been done through private touting of which there are no documented records.

The argument put forward by the agent suggesting that this unit in this area is no longer suitable and viable for long term A1 use has not been fully demonstrated and the information provided is not robust



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and Saturdays). It is considered therefore that the residential amenity of the occupiers of the flats above would be maintained

A number of the upper floors of this part of Rupert Street are in residential use. Accordingly, with the imposition of appropriate conditions to control these aspects of the proposal, it is not anticipated that the use will generate unacceptable noise and disturbance, and given the lack of mechanical plant and prevention of primary cooking on site there would be no adverse cooking smells to the detriment of neighbouring residential properties.

Taking into account the above and the imposition of appropriate conditions, the restaurant use would not have an adverse impact on the local environmental quality or residential amenity and complies with the requirements of TACE 8 and the objection on these grounds cannot be sustained.

#### DESIGN

The external works constitute the replacement of the rear ground floor window. While the existing window appears to be original (its modest size being commensurate with a rear facing aspect at low level, and matches two other existing low level windows) it does not make an important contribution to the special interest of the building particularly given that the upper windows are of a standardised design and the two other matching windows at lower ground and basement have consent for alteration / infilling respectively

Given the level of detail provided there is no need for a condition on further details of the new sash window. These details are acceptable.

#### HIGHWAYS, SERVICING AND PARKING

##### Servicing

TRANS20 requires convenient access to all premises for servicing vehicles. The largest regular service vehicle expected to be associated with this development in this location is the refuse collection vehicle. Given the size of the unit, it is unlikely to alter the servicing generated when compared to the existing A1 use.

##### Cycle Parking

Cycle parking is not indicated to be provided. FALP sets a threshold at 100sqm which is not met by this proposal and as such, no cycle parking is required.

##### Waste Storage

A specific waste store for waste is illustrated on the plans. These details would be secured by a planning condition should the scheme otherwise be considered acceptable.

##### Delivery Service

The application specifies that no delivery service is proposed. In order to minimise the impact on the road network, a condition should restrict the ability to operate a delivery service from the premises.

#### CONCLUSION

The application does not demonstrate that the ground and basements are no longer viable for long term A1 use and the introduction of another A3 use within Shepherd Market would intensify an existing over concentration of A3 uses in this area. The proposal is therefore unacceptable in land use terms.

<b>Recommendation:</b>
------------------------

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enough to be tested by the City Council, and does not provide adequate justification for the loss of the A1 use.

Marketing information has been provided from Ian Scott International in relation to 12-14 Shepherd Street, however this is not considered directly relevant to the application premises.

Policy SS5 seeks an appropriate balance of town centre uses within the West End and elsewhere in the CAZ. Within the CAZ A1 uses at ground floor will be protected. The policy goes on to state that non-A1 uses will only be granted at ground floor level where they will not be detrimental to the character and function of the area, do not lead to the three non-A1 uses in a row or cause or intensify an existing over concentration of A3 uses in a street or area.

A land use assessment of Shepherd Market has been conducted. The premises is located in a small alleyway situated in the middle of two other building that occupy corner properties, one on Shepherd Market and one on Shepherd Street. The property on Shepherd Street (No. 12-14) is currently in retail use (Class A1) at ground floor level with the adjoining property No. 10 in restaurant (Class A3) use. Adjoining to the other side of the application site, 27 Shepherd Market is a restaurant (Class A3) at ground floor. The adjoining property, No. 25 Shepherd Market appears to be in A1 retail use at ground and first floor level which is supported by Business Rates records. In this instance, there is a balance of A1 and non-A1 uses running consecutively at ground floor level and the addition of an A3 use in this location would not be contrary to part (C) a) of Policy SS5 in this regards.

However, concern is raised that Shepherd Market is saturated with A3 uses and the introduction of an A3 would intensify an over concentration of A3 uses in this part of Shepherd Market. The wider Shepherd Market area (the area being identified as the block bounded by Shepherd Market to the north and east, Shepherd Street to the south and Trebeck Street to the west, the premises to the north of Shepherd Market and the block opposite the application site bounded by Trebeck Street) excluding the application site contains 17 premises in A1 use, 13 in A3 use and one in a sui generis use. This assessment has excluded No. 52 Shepherd Market which is currently operating unlawfully as a restaurant (Class A3) and an application for its change of use is currently under assessment at the present time. Its lawful use however is retail (Class A1).

The land use assessment indicates that Shepherd Market has retained its retail function and is still recognised as a retail area, and the loss of a retail use will be detrimental to the character and function of Shepherd Market and the introduction of another A3 use would further intensify an over concentration, contrary to part c (b) of policy SS5.

#### Proposed restaurant use

Given that the site has a gross external floorspace of less than 150sqm TACE 8 is applicable. TACE 8 states that permission will only be granted for proposals where the City Council is satisfied that the proposed development has:

No adverse effect upon residential amenity or local environmental quality or upon the character or function of its area paying particular regard to noise and vibration, smells prevention of smells, service arrangements and increase in late night activity.

The proposed restaurant would provide 20 covers. Environmental Health have objected to the application, citing a lack of full height kitchen extract ventilation. Although no details are supplied of how food will be reheated, the applicant has advised that no primary cooking is proposed and given this, the applicant has stated that there is no plant equipment proposed in connection with the A3 use. On this basis, the objection from Environmental Health regarding the absence of extract equipment is not supportable in this regards.

The applicant proposes hours of operation of between 07:00-00:00 Monday to Saturday and 08:00-23:00 on Sundays, which does not exceed the City Council's core hours (no customers allowed to remain on the premises after midnight on Sundays to Thursdays and after 12:30 the following morning on Friday

Item No.

Refuse-loss of A1 use and over concentration of A3 uses.

<b>Case Officer or Morning Meeting Officer:</b> Lindsay Jenkins	<b>Date:</b> 10 February 2016
<b>Reason</b> (if over 8/13 wk deadline):  <i>JPalmer</i> 12.2.16	

**DRAFT DECISION LETTER**

**Address:** 29 Shepherd Market, London, W1J 7PS,

**Proposal:** Use of the ground and lower ground floor as a cafe (Class A3). Enlargement of one ground floor window to the rear.

**Plan Nos:** 718.29.210 Rev J, 718.29.331 Rev E, 718.29.330 Rev D, 718.711, 718.712, 718.713, Email from Adam Watts of Nigel Bird Architects dated 8 December 2015, Email from Javad from West End Catering dated 24 November 2015, Email from Tarek Badawy dated 30 November 2015, Letter from Mrs L Habashi dated 17 June 2015, Email from Farid Shamash from Metropole Property dated 26 February 2015.

**Case Officer:** Lindsay Jenkins

**Direct Tel. No.** 020 7641 5707

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:****Reason:**

- 1 The proposal would lead to the loss of retail floorspace within the Core Central Activities Zone which would harm the retail character and function of the area and result in the concentration of Non-A1 uses. This would not meet policy SS5 of our Unitary Development Plan that we adopted in January 2007 or policies S6 and S21 of Westminster's City Plan: Strategic Policies adopted on 13 November 2013.

*retail*  
©

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

*JP*  
*12.2.16*



Your ref:

Our ref: AT/ORB.1.1

# Thomas & Thomas

Partners LLP  
38a Monmouth Street  
London WC2H 9EP  
tel: 020 7042 0410  
fax: 020 7379 6618

Licensing Service  
City of Westminster  
64 Victoria Street  
London SW1E 6QP

By post and email: [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)

19 May 2017

Dear Sirs

**29 Shepherd Market, W1**  
**Variation reference: 17/02442/LIPN**

We act for Orbiton Estates and refer further to our client's representation dated 3 April.

We attach a copy of the City Council's decision dated 15 February 2016 which refused the proposed use as restaurant.

Whilst planning and licensing are of course separate regimes, the facts of that decision are highly relevant to the proposed use and impact upon local amenity and particularly local residents, those grounds being:

1. The application was for 20 covers with opening hours between 7.00 am and midnight Monday to Saturday and 8.00 am and 11.00 pm on Sundays.
2. The permitted use of the premises is currently retail.
3. The adjoining property at 27 Shepherd Market is already a restaurant at ground floor. The officer concluded that Shepherd Market is saturated with restaurant uses and the introduction of a further restaurant use would intensify and over-concentration of such uses.
4. A number of the upper floors of the street are in residential use.
5. In conclusion, the planning authority found that the addition of a restaurant use within the market would intensify an existing over-concentration of such uses in the area. The application was therefore refused.

Bearing in mind the representation of Mr Deavin, who lives above the premises, it is respectfully submitted that bearing in mind the findings of the planning authority who having made a factual

decision that there is over-concentration of use, the grant of a licence would both add to cumulative impact in the area and lead to a potential infringement of the lawful planning use.

It should also be noted that whilst the application form itself is not in the committee papers, it referred to "only WCC core hours have been applied for". In any event therefore, the application having been advertised on that basis, the application can only be for core hours and not midnight during the week as set out in the application and report.

Mr Alun Thomas of this office will be in attendance at the hearing to answer any questions that members may have.

Yours faithfully

**Thomas & Thomas Partners LLP**

tel: 020 7042 0412

email: athomas@tandtp.com



City of Westminster

# Licensing News

Applications received and decisions made between Monday 15th May 2017  
and Sunday 21st May 2017

If you have any questions or issues relating to the information provided in this document please  
contact the Licensing Service via email: [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk) or phone: 020 7641 6500

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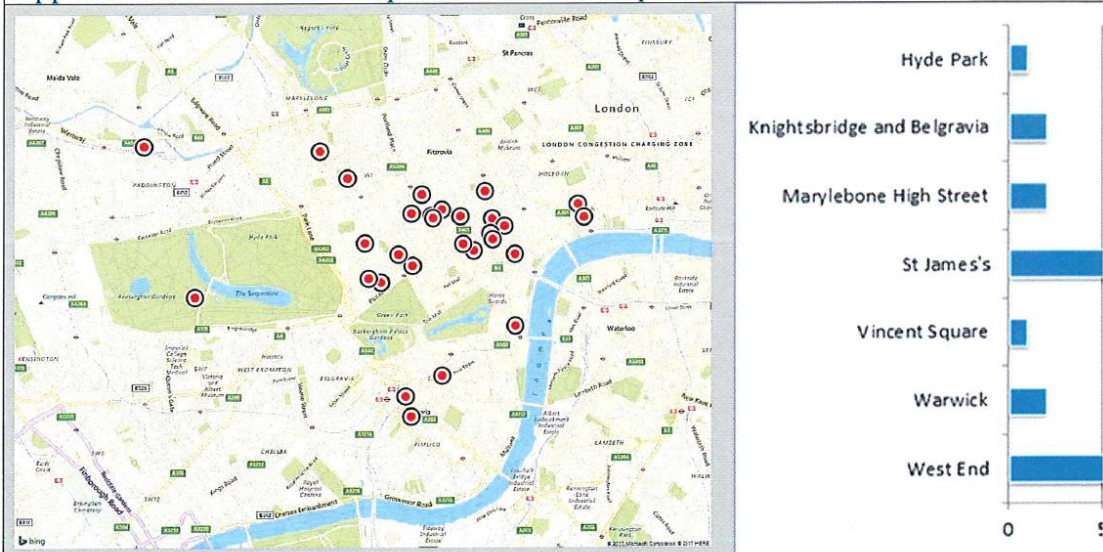
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**Table of Applications Received and Cases Listed for Licensing Sub-Committee**

Ward	Applications received within consultation period	Licensing Sub-Committee
Bryanston and Dorset Square	0	1
Hyde Park	1	1
Knightsbridge and Belgravia	2	0
Lancaster Gate	0	1
Marylebone High Street	2	3
St James's	16	6
Vincent Square	1	1
Warwick	2	3
West End	12	9

## Applications received within public consultation period



Ward	Premises	Address	Reference Number	Application Type
Hyde Park	Microsoft, 5th Floor	2 Kingdom Street London W2 6BD	<a href="#">17/05028/LIPN</a>	Premises Licence
<b>Proposed Change (if applicable - variation only): N/A</b>				
Knightsbridge and Belgravia	Serpentine Gallery	Serpentine Gallery Kensington Gardens Exhibition Road London W2 3XA	<a href="#">17/05302/LIPV</a>	Premises Licence Variation
Proposed Change (if applicable - variation only): An art gallery which showcases modern and contemporary art. The Exhibition Road, London, W2 2UH. The premises comprise of: 1. The Main Gallery 2. The Marquee 3. The Pavillion 4. vary the premises licence as follows: 1. To extend the hours for the sale of alcohol to between the hours of 1100 and the hours for the provision of regulated entertainment to between the hours of 1100 and 0100 Monday to Saturday. 2. To extend the hours for the provision of regulated entertainment to between the hours of 1100 and 0100 Monday to Saturday. 3. To extend the hours for the provision of late night refreshment to between the hours of 2300 and 0100 Monday to Saturday. 4. To remove condition 33 set out in Annex 1 to the opening hours.				
Knightsbridge and Belgravia	The Magazine	Serpentine Gallery Kensington Gardens Exhibition Road London W2 3XA	<a href="#">17/05352/LIPV</a>	Premises Licence Variation
Proposed Change (if applicable - variation only): A gallery and exhibition area with a restaurant providing diverse cultural events. The premises comprise of: 1. A Gallery Area. 2. A Restaurant Area. 3. An Outdoor Area. This application is to vary the premises licence to vary the hours for the sale of alcohol to between the hours of 1000 and 0100 Monday to Saturday and 1200 and 0100 on Sundays immediately prior to a bank holiday. 2. To extend the hours for the provision of regulated entertainment to between the hours of 0900 and 0100 Monday to Saturday immediately prior to a bank holiday. 3. To extend the hours for the provision of late night refreshment to between the hours of 2300 and 0100 on Sundays immediately prior to a bank holiday. 4. To amend the opening hours.				
Marylebone High Street	Basement 92	Basement And Ground Floor 90-92 Wigmore Street London W1U 3RF	<a href="#">17/05144/LIPVM</a>	Premises Licence Variation - Minor
Proposed Change (if applicable - variation only): The current plan annexed to the Premises Licence is to be substituted with a new plan.				

## Applications received within public consultation period

To view an application please click on the Premises Licence Reference Number this will take you to the Council's Public Access portal where you can select to make a comment.



(Licensing Plans L16 4079 07-01 and L16 4079 07-00), which details minor variations to the layout. There will be no structural changes. The application is not contrary to the licensing objectives.				
<b>Marylebone High Street</b>	Simple Health Kitchen	48 Baker Street London W1U 7BS	<a href="#">17/05008/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Club Storm	28A Leicester Square London WC2H 7LE	<a href="#">17/04597/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Hard Rock Cafe	Criterion Building 225-229 Piccadilly London W1J 9HR	<a href="#">17/04470/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	N/A	180 Strand London WC2R 1EA	<a href="#">17/04768/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	N/A	Aldwych House 71-91 Aldwych London WC2B 4HN	<a href="#">17/04329/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Pizza Hut	19 Leicester Square London WC2H 7LE	<a href="#">17/05123/LIPVM</a>	Premises Licer Variation - Mi
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Pret A Manger	77 - 78 St Martin's Lane London WC2N 4AA	<a href="#">17/04741/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Red Lion	48 Parliament Street London SW1A 2NH	<a href="#">17/04980/LIPVM</a>	Premises Licer Variation - Mi
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Steak & Co	Basement To First Floor 24 Haymarket London SW1Y 4DG	<a href="#">17/04985/LIPV</a>	Premises Licer Variation
Proposed Change (if applicable - variation only): Permit off sales for external tables and chairs area only, by waiter/ as ancillary to a table meal between 10:00 and 23:00.				
<b>St James's</b>	Subway	3 Adelaide Street London WC2N 4HZ	<a href="#">17/04271/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 10	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05372/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 11	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05378/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 12	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05357/LIPN</a>	Premises Licer
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 13	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05384/LIPN</a>	Premises Licer

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**Applications received within public consultation period**

*To view an application please click on the Premises Licence Reference Number this will take you to the Council's Public Access portal where you can select to make a comment.*

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Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 14	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05382/LIPN</a>	Premises Licen
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 15	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05363/LIPN</a>	Premises Licen
Proposed Change (if applicable - variation only): N/A				
<b>St James's</b>	Unit 9	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H ONE	<a href="#">17/05364/LIPN</a>	Premises Licen
Proposed Change (if applicable - variation only): N/A				
<b>Vincent Square</b>	Shake Shack, Unit 13	Victoria Street London	<a href="#">17/04498/LIPV</a>	Premises Licen Variation
Proposed Change (if applicable - variation only): The application seeks authorisation for the sale of alcohol for consu existing permitted hours. Off sales of alcohol will only be in sealed containers ancillary to a takeaway meal or by wa designated external seating area. NB. No changes to existing hours, licensable activities or conditions. NB. The attac external area is to be read in conjunction with the existing plans attached to the current licence no 17/00095/LIPDPS now been assigned a postal address as set out in Part 1 above.				
<b>Warwick</b>	Nando's	Unit 2 107-108 Wilton Road London SW1V 1DE	<a href="#">17/05276/LIPV</a>	Premises Licen Variation
Proposed Change (if applicable - variation only): 1. To make some minor amendments to the licensing plan in relatio accordance with the deposited plan 2. The addition of off-sales of alcohol to permit alcohol to be sold for consump restaurant and already benefiting from planning permission and tables and chairs licence for 4 tables and 8 chairs dt throughout the week. Whilst the completion of this electronic form requires the timings for sale of alcohol and oper there is no change sought to these hours and they remain as existing. The proposed changes to the licensing plan in public dining area as a result of upgrading to screening, fixed/loose seating and fixtures / fittings. Creation of new d area resulting in the loss of a table and four chairs. Back of house layout changes including repositioning of staff roc to licensed area. The loose furniture is shown for demonstration purposes, and does not form part of the plan appro licence remain the same.				
<b>Warwick</b>	The Willow Walk	25 Wilton Road London SW1V 1LW	<a href="#">17/04950/LIPVM</a>	Premises Licen Variation - Min
Proposed Change (if applicable - variation only): To vary the plan attached to the Premises Licence to include the fol been revised (reduced by1) - Loose furniture re-configured. - Bar plan and wash up area revised. - Kitchen extended Main entrance door has been extended. - Front fixed seating has been revised (new formation to the side of the seat LHS of the rear pub (Where the rear fixed seating are) - Fixed seating on the RHS of the rear pub has been revised				
<b>West End</b>	Bocconcino	19 Berkeley Street London W1J 8ED	<a href="#">17/04528/LIPV</a>	Premises Licen Variation
Proposed Change (if applicable - variation only): 1. Extension of the hours for the sale of alcohol to 1000 to 0230 We provision of late night refreshment to 2300 to 0230 Wednesday to Saturday. 3. Provision of the performance of danc to 0230 Wednesday to Saturday and 1200 to 2230 Sunday. 4. Provision of the performance of live music 1000 to 003 Wednesday to Saturday and 1200 to 2230 Sunday. 5. Provision of the playing of recorded music 1000 to 0030 Mond to Saturday and 1200 to 2230 Sunday. 6. Provision of anything of a similar description to performance of dance, perf recorded music 1000 to 0030 Monday & Tuesday, 1000 to 0230 Wednesday to Saturday and 1200 to 2230 Sunday. 7 Conditions 9, 10, 11, 12, 14, 22, 27 and 28 under Annex 3				

Applications received within public consultation period

To view an application please click on the Premises Licence Reference Number this will take you to the Council's Public Access portal where you can select to make a comment.



<b>West End</b>	Curzon Mayfair Cinema	Basement And Ground Floor 38 Curzon Street London W1J 7TU	<a href="#">17/04774/LIPVM</a>	Premises Licence Variation - Min
Proposed Change (if applicable - variation only): 1. Removal of anachronistic condition brought forward on the conv 14 are not generally allowed in a bar area (condition 20); and 2. Addition of a noise abatement condition agreed with promotion of the prevention of public nuisance licensing objective in the following terms : 22 Noise Abatement Cor premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted thro gives rise to a nuisance'.				
<b>West End</b>	Dean And DeLuca	117 Mount Street London W1K 3NJ	<a href="#">17/04250/LIPN</a>	Premises Licence
Proposed Change (if applicable - variation only): N/A				
<b>West End</b>	Disrepute	Basement And Ground Floor 4 Kingly Court London W1B 5PW	<a href="#">17/04862/LIPVM</a>	Premises Licence Variation - Min
Proposed Change (if applicable - variation only): Following consultation with the Westminster Police Licensing Team, existing licence condition 23 with the following new condition: A minimum of 2 SIA licensed door supervisors shall be until close on Fridays and Saturdays. A minimum of 1 SIA licensed door supervisor shall be on duty at the premises f Thursdays. The application does not propose any changes to hours, capacity or licensable activities.				
<b>West End</b>	Mahiki	1 Dover Street London W1S 4LA	<a href="#">17/05354/LIPVM</a>	Premises Licence Variation - Min
Proposed Change (if applicable - variation only): N/A				
<b>West End</b>	N/A	57 Broadwick Street London W1F 9QS	<a href="#">17/05023/LIPN</a>	Premises Licence
Proposed Change (if applicable - variation only): N/A				
<b>West End</b>	N/A	Ground Floor Unit G2 Kingly Court London W1B 5PW	<a href="#">17/04857/LIPVM</a>	Premises Licence Variation - Min
Proposed Change (if applicable - variation only): The application follows and is consistent with pre-application advice Health Consultation Team (ref: 17/01688/PREAPM) and is to alter the layout of the premises in accordance with the c				
<b>West End</b>	Sketch	9 Conduit Street London W1S 2XG	<a href="#">17/04660/LIPV</a>	Premises Licence Variation
Proposed Change (if applicable - variation only): 1. To extend the terminal hour for the sale of alcohol to 01:00 on Su Bank holidays: 02:00. NB. No change to the permitted hours for regulated entertainment. 2. To tidy up the licence a delete Sundays before Bank Holidays to 02:00 (inconsistent with normal Sunday hours to 05:00). 2(b). To vary the cor address the licensing objectives in connection with 1 above, and to tidy up the licence.				
<b>West End</b>	The Borderline	Borderline Orange Yard London W1D 4AR	<a href="#">17/05083/LIPV</a>	Premises Licence Variation
Proposed Change (if applicable - variation only): The variation is seeking to revert back to the original terms and con the previous application for variation with the exception of a small amendment to condition 13 (a) and 14 as set out The variation is seeking to amend the terms, conditions and restrictions applicable to the premises prior to 21st Dec amendments: Remove original 13 (a) (a) Persons who have paid a minimum admission fee of at least £5 Sunday to admission (not to be credited against consumables) or and replace with Persons attending a live music event or h ticket on the door (b) Remove original (e) Bona fide guests of the proprietor (not exceeding 10% of the total capac Public Entertainment Licence for the premises) a list of whom shall be kept at reception for inspection by appropriat fide guests of the proprietor (not exceeding 30 persons), a list of whom shall be kept at reception for inspection by a Condition 14				
<b>West End</b>	The Box	11-12 Walker's Court London W1F 0ED	<a href="#">17/05046/LIPV</a>	Premises Licence Variation
Proposed Change (if applicable - variation only): Extend terminal hour by one hour for all licensable activities in the r the premises to retain current hours.				
<b>West End</b>	Toyroom	8 Argyll Street London W1F 7TF	<a href="#">17/05349/LIPVM</a>	Premises Licence Variation - Min

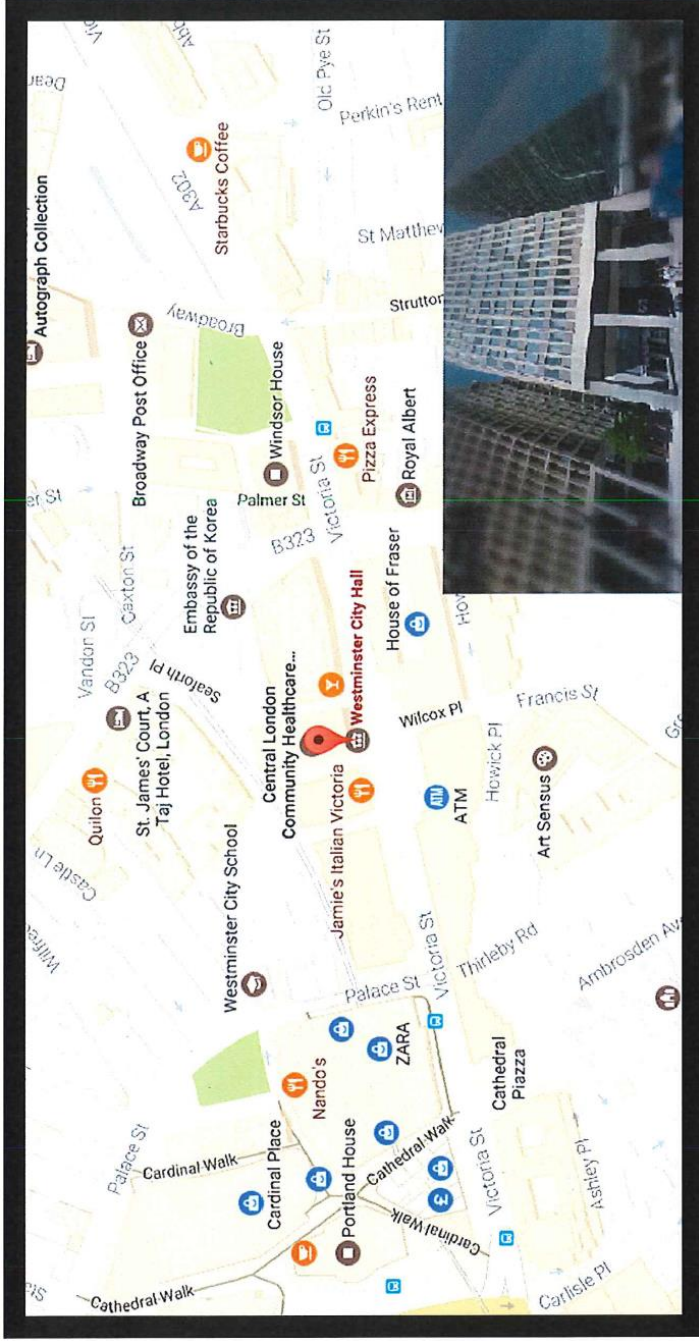
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**Applications received within public consultation period**

To view an application please click on the Premises Licence Reference Number this will take you to the Council's Public Access portal where you can select to make a comment.

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## Location for the Licensing Sub-Committees hearings



Licensing Sub-Committee hearings are usually held at the Westminster City Hall, 64 Victoria Street, SW1E 6QP

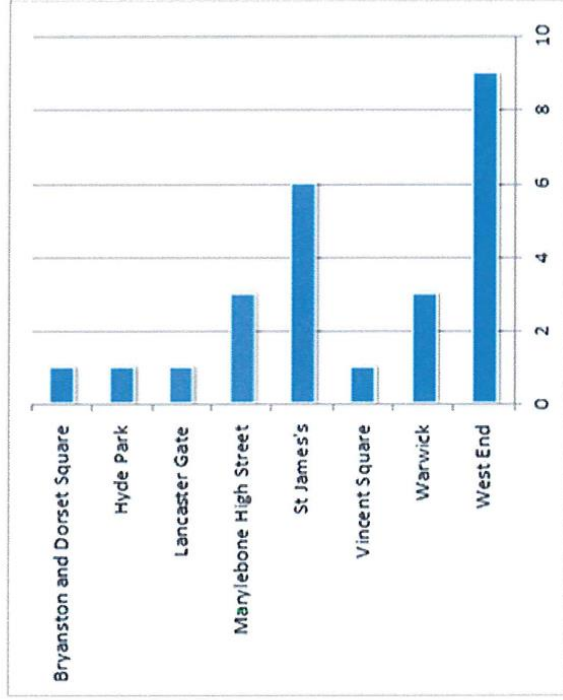
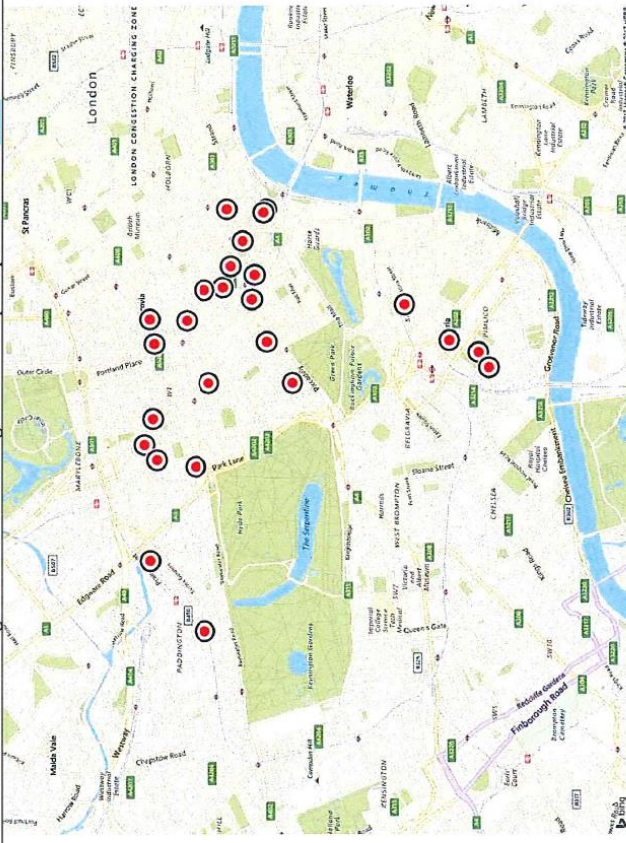
*Check the schedule for details*

*When attending a Licensing Sub-Committee please go to the Main Reception on the 17<sup>th</sup> Floor to be directed to the correct meeting room.*



### Licensing Sub-Committee Schedules

Please note that the following schedules for Licensing Sub-Committee hearings are subject to change. To view the Licensing Sub-Committee Agenda or Report please click [here](#) and select the relevant Sub-Committee date



LSC Date	Reference Number	Licence Type	Premises	Address	Ward
<b>10 AM Thursday, 25th May 2017</b>	<b>17/02016/LIPN</b>	Premises Licence - New	N/A	<b>39 Craven Road London W2 3BX</b>	Lancaster Gate
Variation: N/A					
25/05/2017	17/03024/LIPN	Premises Licence - New	N/A	21 Charing Cross Road London WC2H 0ES	St James's

Licensing Sub-Committee Schedules

Variation: N/A							
25/05/2017	<a href="#">16/068338/LIJS</a>	Street Investigation	N/A	Pitch 1612 Villiers Street London WC2N 5HY		St James's	
Variation: N/A							
25/05/2017	<a href="#">16/06876/LIJS</a>	Street Investigation	N/A	Pitch 1736 Villiers Street London WC2N 6NA		St James's	
Variation: N/A							
25/05/2017	<a href="#">17/02892/LIPV</a>	Premises Licence - Variation	Gymkhana Restaurants	Basement And Ground Floor 42 Albemarle Street London W1S 4JH		West End	
Variation: The variation application seeks to extend the following licensable activities: the provision of films, live music, recorded music and sale by retail of alcohol Monday to Saturday 10:00 to 02:00 the following day and late night refreshment Monday to Saturday 23:00 to 02:00. Sundays will remain the same.							
25/05/2017	<a href="#">17/03126/LIPV</a>	Premises Licence - Variation	Duck & Rice	90-91 Berwick Street London W1F 0QB		West End	
Variation: To amend Conditions 23, 24, 27 and 28 as follows:- 23. There shall be no sales of alcohol for consumption off the premises after 22:00 hours. 24. After 22:00 hours, 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. 27. All outside tables and chairs shall be gradually rendered unusable by 22:00 each day. 28. All outside areas shall cease to be used after 22:00 hours except by patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke. To remove conditions 25 and 26.							
25/05/2017	<a href="#">17/02406/LIPN</a>	Premises Licence - New	Mister Lasagna	5 Air Street London W1J 0AD		West End	
Variation: N/A							
25/05/2017	<a href="#">17/02442/LIPN</a>	Premises Licence - New	N/A	29 Shepherd Market London W1J 7PS		West End	
Variation: N/A							
<b>10 AM Thursday, 1st June 2017 – 23<sup>rd</sup> Floor, Portland House, Bressenden Place, London, SW1E 5RS</b>							
01/06/2017	<a href="#">17/03369/LIPN</a>	Premises Licence - New	La Goccia, The Petersham & The Deli	King Street Covent Garden London		St James's	
Variation: N/A							
01/06/2017	<a href="#">17/03218/LIPV</a>	Premises Licence - Variation	Clarendon Public House	52 Cambridge Street London SW1V 4QQ		Warwick	
Variation: This is an application to delete condition 30 of the Premises Licence. The Premises are also NOT within the West End Stress Area and they trade Westminster's Core Hours. The premises have long traded as a pub and now trade as a pub/hotel with 10 bedrooms for guests. In our submission the current Licence has a number of safeguards and already promotes the licensing objectives fully. The premises are well managed and respected, and have not been the subject of any crime and disorder or nuisance issues. There are comprehensive CCTV conditions in place. There are a number of noise control							

Licensing Sub-Committee Schedules



measures (closing doors and windows, signage, sound limiters etc.) many of which are historic as the premises do not have any regulated entertainment. There are conditions relating to waste collections, deliveries, public safety and accommodation numbers. There is also a Challenge 21 policy. Many of the conditions relate to a different operation and are not relevant to the current hotel, restaurant and pub. In our submission the premises are over-conditioned for the current operation. However of most relevance to the deletion of condition 30 is the fact that there is currently a full service restaurant on the ground floor, substantial food and non-intoxicants throughout the premises (condition 13); and waiter and waitress service available throughout (condition 14). There is no application to change any of the current regulated activities, the regulated hours, the layout of the premises or the accommodation numbers.

**10 AM Thursday, 15th June 2017 - 23<sup>rd</sup> Floor, Portland House, Bressenden Place, London, SW1E 5RS**

15/06/2017	<a href="#">17/04231/LIGV</a>	Gambling Act - Variation	Sportsman Casino Club	14-22 Old Quebec Street London W1H 7AF	Bryanston and Dorset Square
Variation: To vary the layout of the premises (basement only) to screen off the restaurant from the gaming area.					
15/06/2017	<a href="#">17/04023/LIREVP</a>	Review of a Premises Licence	The Union	88-90 George Street London W1U 8PA	Marylebone High Street
Variation: N/A					
15/06/2017	<a href="#">15/03311/LIPN</a>	Premises Licence - New	The Restaurant	60-62 Blandford Street London W1U 7JD	Marylebone High Street
Variation: N/A					
15/06/2017	<a href="#">16/11243/LIMSTN</a>	Special Treatment - New	Mubao Beauty Ltd	Ground Floor 26 Wardour Street London W1D 6QL	St. James's
Variation: N/A					
15/06/2017	<a href="#">17/03540/LIPN</a>	Premises Licence - New	Unit 175, 3D Space Ltd, Pimlico Car Park	Warwick Way London	Warwick
Variation: N/A					
15/06/2017	<a href="#">17/03516/LIPN</a>	Premises Licence - New	N/A	Mortimer House 37-41 Mortimer Street London W1T 3JH	West End
Variation: N/A					
15/06/2017	<a href="#">17/03957/LIPV</a>	Premises Licence - Variation	Mayfair Exchange	Basement 34 Brook Street Mayfair London W1K 5DN	West End
Variation: To seek approval of alterations to the premises. The alterations comprise of the removal of the private dining rooms and office space. Removal of sandwich counter at end of bar to be replaced with bar counter. Creation of glasswash and dry store behind bar servery. Refurbishment and decoration throughout the premises. To remove condition 14 of Annex 2 of the premises licence which reads "The use of the private dining rooms shall be restricted to persons taking a table meal and any sale of alcohol to those persons will be ancillary to take of a table meal."					

15/06/2017	<a href="#">17/01120/LIEXN</a>	New Sex Establishment	Supermags	33 Brewer Street London W1F 0RU	West End
Variation: N/A					
<b>10 AM Friday, 16th June 2017 - 23<sup>rd</sup> Floor, Portland House, Bressenden Place, London, SW1E 5RS</b>					
16/06/2017	<a href="#">17/03544/LIPV</a>	Premises Licence - Variation	Royal Standard Cocktail Bar Restaurant	Ground Floor 8 Sale Place London W2 1PH	Hyde Park
Variation: 1) The premises consist of a Ground Floor and basement, both with bars and seating areas. The basement currently is not licensed, so we wish to include that in this variation. 2) There have been some alterations to the Ground Floor which are reflected in the submitted plans 3) We would like to change the name of the premises from 'Rob Roy Public House' to 'Royal Standard Cocktail Bar & Restaurant'					
16/06/2017	<a href="#">17/03613/LIPN</a>	Premises Licence - New	N/A	10 Thayer Street London W1U 3JN	Marylebone High Street
Variation: N/A					
16/06/2017	<a href="#">17/03551/LIPN</a>	Premises Licence - New	N/A	St James's Market London	St James's
Variation: N/A					
16/06/2017	<a href="#">17/04498/LIPV</a>	Premises Licence - Variation	Shake Shack, Unit 13	Victoria Street London	Vincent Square
Variation: The application seeks authorisation for the sale of alcohol for consumption off the premises during the existing permitted hours. Off sales of alcohol will only be in sealed containers ancillary to a takeaway meal or by waiter service to persons using the designated external seating area. NB. No changes to existing hours, licensable activities or conditions. NB. The attached plan showing the designated external area is to be read in conjunction with the existing plans attached to the current licence no 17/00095/LIPDPS. Please also note that the premises have now been assigned a postal address as set out in Part 1 above.					
16/06/2017	<a href="#">17/03852/LIPV</a>	Premises Licence - Variation	Rosa's Victoria	25 Gillingham Street London SW1V 1HN	Warwick
Variation: The application seeks to permit later use of the external tables and chairs. Amend condition 16 to read - Outside tables and chairs shall be rendered unusable by 22:30 each day. Amend condition 30 to read - There shall be no external consumption of drinks after 22:00.					
16/06/2017	<a href="#">17/02755/LIPN</a>	Premises Licence - New	The George	55 Great Portland Street London W1W 7LQ	West End
Variation: N/A					
16/06/2017	<a href="#">17/03847/LIPN</a>	Premises Licence - New	Unit 5 Jubilee House	Ramillies Street London	West End

Licensing Sub-Committee Schedules

Variation: N/A



## **Notes from the previous Licensing Sub-Committees**

### **"14" Basement, Victory House, 14 Leicester Square (St James's Ward / West End Cumulative Impact Area) –**

The Sub-Committee had before it an application for a variation of a premises licence in respect of a premises operating as a Sexual Entertainment Venue that provided various licensable activities. The application proposed to extend the permitted hours for licensable activities which included allowing the retail sale of alcohol between 17:00 to 05:30 hours Monday to Saturday and between 17:00 to 00:30 on Sundays. The application also proposed to impose restrictions on the capacity of the premises. The Sub-Committee carefully considered the application and noted the concessions the applicant had offered including limiting the capacity of the venue. Restrictions on the licence including a condition ensuring the sale of alcohol was ancillary to striptease were also noted. The Sub-Committee was pleased to note that there was no proposed extension to hours on Sunday evenings as this was considered in the Policy a day when, local residents could expect some respite. The lack of objections from local residents and businesses was also noted along with the fact that various Temporary Event Notices had been operated at the premises without any issues. Therefore the Sub-Committee was of the opinion that the application could be regarded as an exception to policy and would promote the Licensing Objectives and consequently granted the application accordingly.

### **"14" Basement, Victory House, 14 Leicester Square (St James's Ward)**

The Sub-Committee had before it an application to vary a Sexual Entertainment Venue premises licence. It was proposed to extend the hours for relevant entertainment to 17:00 to 06:00 hours on Mondays to Saturdays and 17:00 to 03:00 hours on Sundays. The application also requested to introduce restrictions on the capacity of the premises. The Sub-Committee carefully considered the proposals and the current operation of the premises. The discrete nature of the operation and lack of signage outside the premises ensured it was appropriate for the local area. The lack of objections and the number of letters in support of the application from local residents and businesses was noted and demonstrated the positive effect the premises was having on the local area. The limiting of the premises capacity at certain hours, the number of staff working at the venue and the addition of a condition requiring a marshal to escort customers leaving the premises to a taxi would all ensure that any impact on the local area by customer dispersal would be minimised. The Sub-Committee therefore granted the application as an exception to policy as it was considered that the extension of hours would promote the licensing objectives.

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Notes from the previous Licensing Sub-Committees

**Iran Restaurant, 27 Shepherd Market, W1J (West End Ward / Not in a Cumulative Impact Area) –**

The Sub-Committee had before it an application for a variation of a premises licence in respect of a premises operating as a restaurant. The application sought to extend the hours for licensable activities including permitting the on sale of alcohol from 10:00 until 01:00 Monday to Saturday and 12:00 to 01:00 on Sundays. The Sub-Committee carefully considered the application and noted the business reasons why the proposals before it had been submitted. The Sub-Committee was of the opinion however that the premises was located in a very sensitive location containing many residential properties. Concern was expressed that the extension in hours went beyond core hours and any noise created late at night would be exacerbated in this particular area. No conditions had been offered to provide any reassurance that the applicant would try to minimise noise disturbance if the application was granted. Concern was also expressed that granting the later hours would set a precedent in the area. As such it was considered that the application would not promote the Licensing Objectives and the current hours in operation were considered appropriate for the area. The Sub-Committee therefore refused the application accordingly.

**The Marylebone Kitchen, 106 York Street, W1H (Bryanston and Dorset Square Ward / Not in a Cumulative Impact Area) –**

The Sub-Committee had before it an application for a new premises licence in respect of a premises proposing to operate as a café with a takeaway food option. The application was proposing to sell alcohol for consumption on and off the premises between 11:00 and 23:00 Monday to Saturday and 11:00 to 22:00 on Sundays. The Sub-Committee welcomed the constructive dialogue that had taken place between the applicant, residents and Environmental Health to ensure the application was appropriate for the local area. It was recognised that the main area of concern centred on the use of the external area for eating and drinking by customers. The local area was heavily residential however the applicant had agreed to conditions being added to the licence to ensure the premises operated as a restaurant and all sales of alcohol would be to customers seated and taking substantial table meals. As such the Sub-Committee decided to grant the application but limited the use of the external area to 21:00 hours. It was felt this was appropriate for the area, would help promote the licensing objectives and minimise any noise disturbance.

**\*Please note that the comments above are officer notes taken at the time of the hearing and do not represent the formal decision of the Members. Formal Minutes of the meeting will be available on our website. Please click here and select the relevant Sub-Committee date to view the formal agreed decision**

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Notes from the previous Licensing Sub-Committees

## Copy of Licence for 27 Shepherd Market (15/02154/LIPT)



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023476434

Premises licence

Regulation 33, 34

Premises licence number:

15/02154/LIPT

Original Reference:

12/00770/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Iran Restaurant  
27 Shepherd Market  
London  
W1J 7PR

**Telephone Number:** 0207 409 3337

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00 (Off Sales)

Monday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 07:00 to 00:00

Sunday: 08:00 to 23:00

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

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

**Part 2**

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

West End Catering Limited  
27 Shepherd Market  
London  
W1J 7PR  
*Electronic Mail : mayfaircateringuk@yahoo.com*

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

09284475

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

**Name:** Javed Sepanji

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** 05/13640/LIPERS  
**Licensing Authority:** City Of Westminster Council

**Date:** \_\_\_\_\_28 April 2015\_\_\_\_\_

**This licence has been authorised by Mrs Taruna Adnath on behalf of the Director - Public Protection and Licensing.**



## Annex 1 – Mandatory conditions

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



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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

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

None.

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

9. 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 or passport.
10. The maximum number of persons accommodated at the premises any one time shall not exceed (excluding staff) 30 persons.
11. The supply of alcohol on the premises shall only be by waiter or waitress service.
12. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. No striptease, no nudity and all persons to be decently attired at all times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
18. No deliveries shall be made to the premises between the hours 2000 hours and 0800 hours.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
20. 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.
21. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iii) which do not provide any take away service of food or drink for immediate consumption, and
  - (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
22. There shall be no sales of alcohol for consumption off the premises, save for any area immediately outside the premises licensed by the Council for tables and chairs.

23. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
24. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.



**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023476434

Premises licence  
summary

Regulation 33, 34

Premises licence number:

15/02154/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

Iran Restaurant  
27 Shepherd Market  
London  
W1J 7PR

**Telephone Number:** 0207 409 3337

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00 (Off Sales)

Monday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 07:00 to 00:00

Sunday: 08:00 to 23:00

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

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

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

West End Catering Limited  
27 Shepherd Market  
London  
W1J 7PR

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

09284475

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

**Name:** Javed Sepanji

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

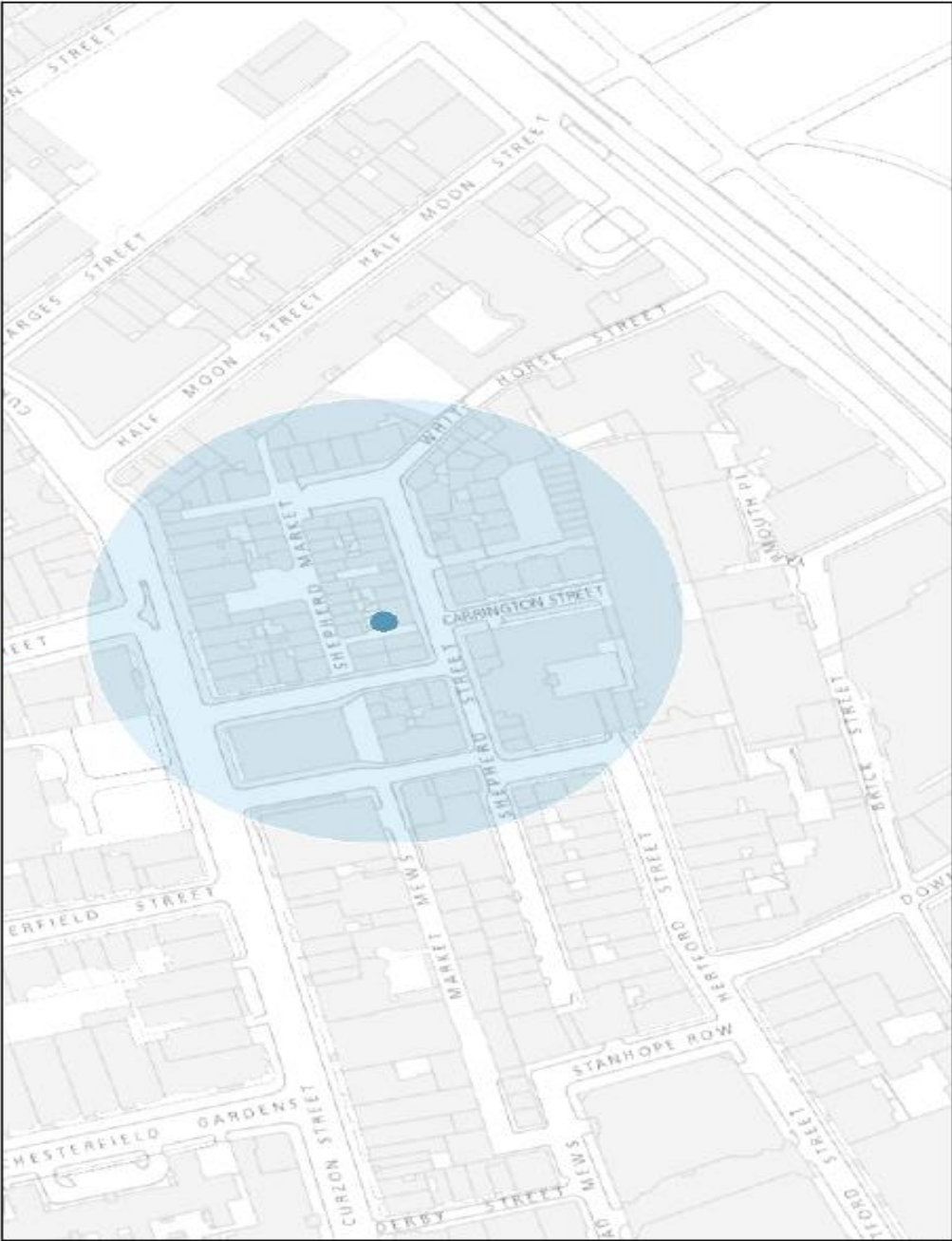
Restricted

**Date:** \_\_\_\_\_ 28 April 2015 \_\_\_\_\_

**This licence has been authorised by Mrs Taruna Adnath on behalf of the Director - Public Protection and Licensing.**

Residential Map

29 Shepherd Market



July 12, 2017