

Licensing Sub-Committee Report

Item No:	
Date:	15 March 2018
Licensing Ref No:	17/14890/LIPN - New Premises Licence
Title of Report:	Flesh & Buns 29-33 Berners Street London W1T 3AB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 December 2017		
Applicant:	Bone Daddies Ltd		
Premises:	Flesh & Buns		
Premises address:	Unit 1, Copyright Building, 25-33 Berners Street	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	According to the application the premises will operate at ground level as a restaurant and bar with the sale of alcohol both on and off the premises.		
Premises licence history:	This is a new premises licence and therefore no history exists.		
Applicant submissions:	The applicant has proposed conditions as part of their operating schedule which is incorporated in Appendix 3 of the report.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Regulated Entertainment:				Indoors, outdoors or both			Indoors
Playing of Recorded Music							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			<ul style="list-style-type: none"> - From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. - Midnight on Sundays immediately before Bank Holiday Mondays. 				

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:			<ul style="list-style-type: none"> - From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. - Midnight on Sundays immediately before Bank Holiday Mondays. 				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			<ul style="list-style-type: none"> - From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. - Midnight on Sundays immediately before Bank Holiday Mondays. 				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:			<ul style="list-style-type: none"> - From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. - 00:30 on Sundays immediately before Bank Holiday Mondays. 				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn</i>)
Representative:	PC Sandy Russell
Received:	22 nd December 2017
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. Although the venue is situated outside of Westminster's Cumulative Impact Area; it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p><u>Further correspondence from the Applicant to the Police:</u></p> <p>The applicant's other Flesh & Buns restaurant is located in Camden's Seven Dials Special Policy Area at: 41 Earlham Street WC2H 9LD</p> <p>Their licence at this site authorises bar use throughout (although it's mostly set up as a restaurant) with the similar hours proposed and a much higher overall capacity of 300.</p> <p><u>Further correspondence from the Police to the Applicant:</u></p> <p>I have conducted Crime Stat checks on the Camden venue. They show 2 thefts in 12 months which is great!</p> <p>I have also gone through the conditions proposed and find them acceptable.</p> <p><i>Following the correspondence between the Applicant and the Police, the Police have withdrawn their representation</i></p>	
Responsible Authority:	Environmental Health Consultation Team (<i>Withdrawn</i>)
Representative:	Mr Ian Watson
Received:	15 th January 2018
<p>I refer to the application for a New Premises Licence.</p> <p>The applicant has submitted ground floor plans of the premises dated 21/11/17.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p>	

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 and 23.30 hours, Friday and Saturday 10.00 to 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. Sunday before Bank Holiday 12.00 to 00.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 to 00.00 hours. New Year's Eve to New Year's Day. Sunday before Bank Holiday 23.00 to 00.00 hours.
3. To provide Recorded Music 'Indoors' Monday to Thursday 10.00 and 23.30 hours, Friday and Saturday 10.00 to 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. Sunday before Bank Holiday 12.00 to 00.00 hours.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the area.

The applicant has provided additional information with the application which is being addressed.

The Environmental Health Service have withdrawn their representation as they are satisfied with the conditions proposed as part of the Applicant's operating schedule.

2-B Other Persons	
Received:	16 th January 2018
We would like to see conditions that limits the premises to be use as a restaurant and model conditions MC 66, etc. Also like to see conditions for deliveries and waste disposal. We are happy to negotiate with applicant.	
Received:	16 th January 2018
We object to the proposal on the grounds that it will cause excessive noise and nuisance to people in the residential block immediately next door. We would expect that people will be in the street outside our front door late at night causing unreasonable disturbances as a result of a late night bar, and that the location is not suitable for this use.	
Received:	15 th January 2018
I object to the inclusion of a bar immediately next to our building (34-36 Berners Street). My building is residential and fully occupied, and the inclusion of a bar open	

until midnight and serving alcohol suggests there would be people spilling outside the entrance, drinking and smoking immediately underneath our windows, additionally causing considerably noise nuisance in what is a very quiet street at the moment. The entrance is immediately adjacent to our windows, there has never been a bar in such immediate proximity and I am concerned about noise, smoke, and safety.

The resident also submitted a separate objection by email on 16 January 2018:

I am following up my online comment objecting to this application by emailing you directly.

I object to the inclusion of a bar serving alcohol, with late opening hours and playing loud music, immediately next to our building (34-36 Berners Street).

My building is residential and fully occupied, and the inclusion of a bar open until midnight and serving alcohol suggests there would be people spilling outside the entrance, drinking and smoking immediately underneath our windows, additionally causing considerable noise nuisance in what is a very quiet street.

The entrance is immediately adjacent to our windows, there has never been a bar in such immediate proximity and I am concerned about noise, smoke, and safety. Berners Street has always been quiet itself, and there are plenty of bars and restaurants just around the corner.

Please do not allow Berners Street to be taken over by the exact same establishments that we have a multitude of already in the neighbourhood. This will not in any way add anything to the neighbourhood, and it will certainly take away considerably from the residents living in close proximity.

Received:	16 th January 2018
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I am and have been for many years the owner of Flat 1 , Berners Mansions , 34-36 Berners Street , London W1T 3 LU , a first floor flat in this Block of 10 residential flats.

I am emailing to object to the grant of the above licence in the adjacent building.

I have read and agree with the comments of Michael Poole for himself as the Flat 2 owner in his email of 14 January, and on behalf of the Block by virtue of our shared ownership of Berners M M Limited who have the Head lease .

Looking at the internet, Bone Daddies describes itself as a ..." rocking ramen joint..."

The Time Out review says that as you open the door you are met with " a barrage of belting rock guitar

I suggest that whilst this kind of operation may of course be suitable elsewhere, it is not appropriate in this location and urge you to reject the application for the reasons set out clearly in Mike Poole s comments.

Received:	16 th January 2018
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With reference to the new premises licence application to serve alcohol and play music until 23.30 and midnight, I strongly object to this licence being granted. I live in the adjoining building, Berners Mansions, which is a completely residential block and there are justified concerns about noise and nuisance.

There is already a bar opposite - The Greyhound cafe, now under new management which has a restaurant/bar outside which is noisy for about 8 months of the year, as well as a new bar in Pearson Square - Percy and Founders which causes a lot of noise at night at closing time when people leave. As well as the Sanderson Hotel which adds to traffic and late night activity. A fourth bar in such close proximity would be too much.

The playing of music is a particular concern, This once quiet corner of Fitzrovia has been blighted by development works for the last 10 years. The noise from ongoing building works been horrendous. We are now also faced with increased traffic noise as more and more cars come into the area at night, increased delivery lorries to all the new cafes and bars start from 5am (the articulated lorry that delivers to Pret a manger every night alone makes a huge amount of noise every single night at 8pm), we have taxi's and cars idling outside on weekend nights in connection with the hotel Sanderson, and also from the closing of Oxford Street which is going to force more traffic onto Mortimer Street at all times, the thought of a bar next door playing music is the final straw. It is currently the one noise we don't often have to contend with. I also think it will encourage the other bars to play loud music - I know in the past I've had to complain about Percy and Founders playing live music for which they don't have a license.

The developers plans should have put the bar area on the other side of Copyright House, which would then not have been sharing a party wall with a residential building.

Please have some consideration for the neighbours and deny this company an extended license and playing of music, it's such a shame that this area has been blighted by the unbearable levels of noise that have taken over the area, facilitated by the council with little concern for the effect on the residents.

Received:	15 th January 2018
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To whom it may concern

I object not to the granting of the licence but to the hours requested.

The area has a large number of residential buildings, adjacent (on corner), opposite and a few doors down towards Oxford street (several large and medium residential buildings). Some residential flats include the ground floor. When this building was being built we were told there would be an art gallery and maybe a restaurant which would close early.

The large number of expected customers leaving at midnight on a weekday (school nights) and later on the weekend changes the make up of the area. Where there were previously offices we now have recorded music and alcohol to the early hours.

I understand food makes nuisance and disturbance less likely however disturbance does still happen. As mentioned I am not against a licence but request the hours but reduced to 2200 on weekdays and Sundays and 2300 on weekends.

There will also be a large number of cars parked and taxis picking up customers and adding to late night congestion.

We all need to use the area and keep the balance. For some reason Berners Street and adjacent streets are attractive companies wishing late hours with alcohol when this was more so in established late night areas areas like Soho or Charlotte street.

I hope you understand our concerns.

Received:

31st January 2018

I am the owner of flat 2 in Berners Mansions, which is a building comprising 10 flats (2 flats per floor) with four shop units at ground floor level; the Copyright Building is a new development immediately next door that appears to be nearing completion.

I live in my flat which is my sole residence and my home, and is on the first floor above ground level. My entire living space and in particular my main living room/sitting room and my main bedroom are all "connected" to Unit 1, Copyright Building via a party wall. Unit 1 occupies the ground floor and basement immediately next door to my home.

I am providing a pdf with annotated photos that show the close proximity of Unit 1 to my home. The entrance to the Unit is very close indeed to my living room/sitting room window and to the window of my second bedroom.

What I am concerned about with this application is a significant loss to my residential amenity through the nuisance I expect will be caused by:

- o the sale of alcohol,
- o the noise associated with people entering and leaving the premises and chatting while loitering outside,
- o the noise and noxious fumes of people chatting while they are smoking outside on the pavement, and
- o the playing of recorded music.

The close proximity of the Unit to my flat means that noise and odours easily enter my flat through the windows. The noise from customers such as their chatting would adversely affect me considerably, especially if they have been consuming alcohol as they are more likely to be talking loudly or even shouting.

Noise from customers outside will be happening almost immediately underneath the window to my living space and will affect me greatly. This would be especially so on warm days and evenings when I am more likely to have my windows open, which is precisely when this sort of nuisance is more likely.

I have lived in my flat for the last 13+ years and throughout that time there has been little or no nuisance from the previous neighbouring building as it was an office. The shops below my flat are extremely quiet in the evenings and at weekends, which is when I am usually at home, as they are usually closed and do not serve alcohol. Any noise nuisance at such times so near to my home will therefore be very noticeable for me, especially later into the evening as people are further under the influence of alcohol. In fact the leases between the freeholder of Berners Mansions and the lessees prohibits the sale of alcohol in the building and I expect this exists to prevent

precisely the sort of nuisance I have described, given that Berners Mansions is predominantly a residential building.

I think that much of the nuisance I have described will be made even worse by the fact that the application is to operate as a bar and not solely as a restaurant. The amount of nuisance is also exacerbated by the lateness of the hours of operation requested each day, and especially the application to operate even later on Sundays before bank holidays and 24-hours at each new year - precisely when I, and the residents of the other flats in Berners Mansions, are more likely to be at home.

Finally, it also occurs to me that recorded music (especially the bass line) could well transmit through the fabric of the building into my home.

I therefore request that this application is rejected so as to prevent this nuisance and corresponding loss of my residential amenity.

Berniers Mansions – Main entrance

Flat 2 Berniers Mansions – Second Bedroom window

Flat 2 Berniers Mansions – Living Room/Sitting Room bay window

Entrance to Unit 1, Copyright Building



Flat 2 Berniers Mansions – Living Room/Sitting Room bay window

Entrance to Unit 1, Copyright Building



3. Policy & Guidance

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>

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	19 th December 2017
5	The Metropolitan Police Service (Withdrawn)	22 nd December 2017
6	Environmental Health Consultation Team (Withdrawn)	15 th January 2018
7	Representation	16 th January 2018
8	Representation	16 th January 2018
9	Representation	15 th January 2018
10	Representation	16 th January 2018
11	Representation	16 th January 2018
12	Representation	15 th January 2018
13	Representation	31 st January 2018

Example copy of letters sent to residents.



13 February 2018

Dear

Application for a Premises Licence

Flesh & Buns Restaurant, Unit 1, 25-33 Berners Street, London W1

Westminster Council have provided us with a copy of your representation in respect of our premises licence application. I would be most grateful for your consideration of this letter. I hope it will help to address your concerns and understand the scope of our proposals.

We have submitted a premises licence application following our landlord's successful application for restaurant planning permission. I hope to operate my Flesh & Buns restaurant concept at the premises. My company has operated an existing Flesh & Buns restaurant in Covent Garden since 2013. This restaurant operates alongside nearby local residents and I am proud of our complaint free record from our neighbours. Flesh & Buns was the first restaurant in London to specialise in Japanese gyoza steam buns. We offer Japanese food cooked to extremely high standards with excellent customer service.

The premises licence application reflects the restaurant use of the premises. Except for a small restaurant bar area, we have volunteered a condition requiring all alcohol to be sold to seated customers by waiter service alongside a table meal.

The proposed hours for licensable activities are consistent with Westminster's core hours and we have not proposed any regulated entertainment. In any event, we will have a lobby area to prevent noise outbreak. The landlord's planning approval also requires high levels of build quality and state of the art extract systems to prevent the risk of noise or odours causing local residents any nuisance.

In addition, the application proposes model licence conditions controlling smokers, prohibitions on outside drinking, strict delivery and waste refuse collection times and a condition protecting residents from the restaurant causing a nuisance. Please find enclosed copy of the proposed hours and conditions for your reference.

My company currently operates 8 other restaurants in London. All these restaurants have a complaint free record from local residents. I am committed to continuing this high standard of responsible and sympathetic management alongside local residents on Berners Street. I hope the restaurant will be popular with the local community and a valuable addition to the street.

Please do not hesitate to contact me if you would like to discuss your concerns further.

Thank you for your consideration of this letter.



Yours sincerely



Flesh & Buns Unit 1 25-33 Berners Street London W1

Proposed Licensable Activities:

	Alcohol on & off	Late Night Refreshment	Opening Hours
Sunday	12.00 – 22.30	N/A	12.00 – 23.00
Monday – Thursday	10.00 – 23.30	23.00 – 23.30	10.00 – 00.00
Friday & Saturday	10.00 – 00.00	23.00 – 00.00	10.00 – 00.30

- From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day
- Midnight on Sundays immediately before Bank Holiday Mondays

Applicant:

Bone Daddies Ltd

54 Cambridge Road, London, England, E11 2PN

08184277

Description:

Restaurant

Proposed DPS:

Dinah Meister



Proposed Conditions:

1. Save for the area hatched black on the plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. Save for the area hatched black on the plans, the supply of alcohol on the premises shall be by waiter or waitress service only.
3. 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.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
5. There shall be no sales of alcohol for consumption off the premises after 23.00.
6. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
7. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
8. 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.
9. 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.
10. 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.



11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. 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.
12. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
17. Except for deliveries of dairy, bakery products, fruit and vegetables, no deliveries to the premises shall take place between (23.00) and (07.00) on the following day.



18. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
21. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
22. The number of persons permitted within the premises at any one time (excluding staff) shall not exceed [to be agreed with the Environmental Health Consultation Team and District Surveyor]
23. The Licence will have no effect until the works shown on the plans appended to the application (or subsequently substituted plans) have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
24. Before the premises open to the public, the plans as deposited (or subsequently substituted plans) will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Copy of menu for Flesh and Buns

specials

1/2 BUTTERMILK AND SHICHIMI-FRIED CHICKEN £13.7

with BBQ mayonnaise

BEEF SKEWERS £7.4

pork fat, korean sauce

SEABASS SASHIMI £9.8

avocado, yuzu jelly

snacks

CHIPS & DIPS (v) £6.4 rice crackers, avocado shiso, tomato jalapeño dip	EDAMAME (v) £4.6 sea salt or spicy	FRIED SQUID £8.8 japanese pepper, lime
	COD TEMPURA £9.5 green chilli mayo	

raw

MIXED SASHIMI SET £14.1 tuna, salmon & yellowtail	SALMON SASHIMI £4.5 2 pieces	SPECIAL SASHIMI SET £22 salmon, tuna, yellowtail, shrimp, scallop
TUNA TATAKI £10 jalapeno ponzu, garlic chips	TUNA SASHIMI £6 2 pieces	BEEF TATAKI £7.4 walnut ponzu, yamagobo
YELLOWTAIL SASHIMI £11.3 lime soy, chilli coriander granita	YELLOWTAIL SASHIMI £6.5 2 pieces	SEAFOOD CEVICHE £7.2 citrus, chilli, cucumber
BUTTERFISH TATAKI £9.4	SCALLOP SASHIMI £9.9	

rolls

SPICY TUNA ROLL £8.9 chives, chilli, pickle	CALIFORNIA ROLL £8.9 crab, avocado, cucumber, tobiko	AVOCADO MISO ROLL (v) £6.5 asparagus, pickled carrot, barley miso
SALMON AVOCADO ROLL £7.4 asparagus, daikon cress, yuzu mayo	TEMPURA SWEET POTATO ROLL £6.5 courgette, cucumber, shiso mayo	SELECTION OF ROLLS £22.4 salmon avocado, prawn tempura, spicy tuna
SOFTSHELL CRAB ROLL £9.2 jalapeño mayo, chives	PRAWN TEMPURA ROLL £8.3 yuzu mayo, avocado, tobiko	

small dishes

KOREAN FRIED WINGS £7.4 spicy sour sauce, sesame	SOFTSHELL CRAB £9.9 jalapeño mayo	ROAST SWEETCORN (v) £6.7 lime butter, shichimi
CHICKEN YAKITORI £4.8 shichimi pepper	KALE & AVOCADO SALAD (v) £6.5 beansprouts, honey ponzu	GRILLED SCALLOPS £9 yuzu miso, jalapeño masago
TUNA TOSTADA £9 chilli mayo, spring onion	GRILLED BROCCOLI (v) £5.9 orange miso, sesame	

rice etc.

SPICY BEEF HOT STONE RICE £9.2 mushrooms, sesame butter, corn, carrot, pickle, egg	VEGGIE HOT STONE RICE (v) £8.5 mushrooms, kimchee, carrot pickle, butter, egg	MISO SOUP £3.8
		STEAMED RICE (v) £3

express menu

available every day until 6pm & after 10pm

2 COURSES + DRINK* £22 / 3 COURSES + DRINK* £24

small dishes

KOREAN FRIED WINGS
spicy sour sauce, sesame

MIXED SEAFOOD CEVICHE
citrus, chilli, cucumber

SALMON AVOCADO ROLL
asparagus, daikon cress

flesh and buns

CRISPY PIGLET BELLY
mustard miso (apple pickle)

SALMON TERIYAKI
lemon, sea salt (cucumber pickle)

CRISPY DUCK LEG
plum sauce (beetroot pickle)

dessert

SOBACHA CRÈME BRÛLÉE
KINAKO DONUTS
BONE DADDIES SUNDAE

all flesh served with lettuce, cucumber, pickle & 2 buns per person

party flesh

served with a selection of pickles & sauces
please allow 24 hours' notice

WHOLE CRISPY SUCKLING PIG roasted in sake, garlic & onion
£280 serves 8-12 people

LAMB SHOULDER slow-cooked in homemade kimchee sauce
£80 serves 3-5 people

flesh and buns

AUS GRAIN-FED SIRLOIN STEAK (200g) bbq sauce (red onion & shiitake pickle)	£21.8	DUKE OF BERKSHIRE PORK KATSU curry sauce (red onion pickle)	£14.9	CRISPY DUCK LEG plum sauce (beetroot pickle)	£14.6
AUS GRAIN-FED RIBEYE STEAK (200g) bbq sauce (red onion & shiitake pickle)	£21.4	BRAISED OX CHEEK kimchee tare, coriander shiso sauce (shallot pickle)	£14.3	SALMON TERIYAKI lemon, sea salt (cucumber pickle)	£15.6
WAGYU RUMP STEAK (200g) korean dipping sauce (cucumber pickle)	£28	1/2 SPATCHCOCK CHICKEN spicy citrus miso (carrot pickle)	£14.2	MISO-GRILLED AUBERGINE (v) sweet miso, sesame (carrot pickle)	£9.9
CRISPY PIGLET BELLY mustard miso (apple pickle)	£15.2			PORTOBELLO MUSHROOMS (v) wasabi mayo (cabbage & tomato pickle)	£9.2

All flesh are served with lettuce & cucumber

BONE DADDIES HAND MADE BUNS, TWO FOR £2 *we recommend two per person*

desserts

S'MORE passionfruit marshmallows, almond chocolate, graham crackers	£8	BONE DADDIES SUNDAE matcha ice cream, almonds, strawberries, blueberries, honeycomb	£7.2	YUZU TART white chocolate ice cream, chocolate mochi, sugared almonds	£7.2
SOBACHA CREME BRULEE poached pear, almond caramel	£6.8	CHOCOLATE FONDANT matcha ice cream	£7.2	KINAKO DONUTS black sugar custard	£7.2
MOCHI ICE CREAM ea. by 'Little Moon', selection of the day	£1.6	SORBET SELECTION fresh fruit selection of the day	£4		
MATCHA TIRAMISU green tea sponge, mascarpone, yuzu & Nikka syrup	£7.2	DESSERT PLATTER selection of desserts to share, regular or XXL	£22 / £40		

tasting menu £40 per person

minimum 2 people
must be selected by the entire table (vegetarian options available)

to start

CHIPS & DIPS (v) rice crackers, avocado shiso, tomato jalapeno dip & glass of Prosecco

raw & snacks

SALMON AVOCADO ROLL asparagus, daikon cress, yuzu mayo & **TUNA TATAKI** jalapeno ponzu, garlic chips

small dishes

FRIED SQUID japanese pepper, lime, **KOREAN FRIED WINGS** spicy sour sauce, sesame
& **GRILLED BROCCOLI** orange miso, sesame

flesh and buns

CRISPY PIGLET BELLY mustard miso (apple pickle) & **CRISPY DUCK LEG** plum sauce (beetroot pickle)

served with 4 buns, lettuce & cucumber

dessert

S'MORES passionfruit marshmallows, almond chocolate, graham crackers

Our menu descriptions do not contain all ingredients. If you have a food intolerance or need information on allergens please ask

A discretionary service charge of 12.5% will be added to all bills

A 22p optional donation is added to all bills, which goes to support the work of Magic Breakfast

For more information on this charity's important work, please ask us

twitter @fleshandbuns

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

Conditions proposed by Applicant that would form part of the operating schedule and agreed by the Police and Environmental Health Service.

9. Save for the area hatched on the plans, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
10. Save for the area hatched on the plans, the supply of alcohol on the premises shall be by waiter or waitress service only.
11. 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.
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. There shall be no sales of alcohol for consumption off the premises after 23.00.
14. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
15. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
16. 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.
17. 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.
18. 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.

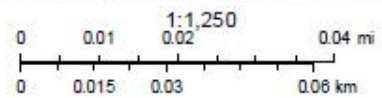
19. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) 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.
20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
25. Except for deliveries of dairy, bakery products, fruit and vegetables, no deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
26. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.

27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
29. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
30. The number of persons permitted within the premises at any one time (excluding staff) shall not exceed [to be agreed with the Environmental Health Consultation Team and District Surveyor]
31. The Licence will have no effect until the works shown on the plans appended to the application (or subsequently substituted plans) have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
32. Before the premises open to the public, the plans as deposited (or subsequently substituted plans) will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Flesh & Buns - 25-33 Berners Street



March 6, 2018



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Resident Count: 47

DISTANCE	OBJECT ID	Licence Number	Trading Name	Address	Premises Type	Time Period
1.522358	66461	09/07501/LIPD	Copyright House	29-33 Berners Street London W1T 3AB	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 22:30
47.30883	66453	17/09593/LIPV	Greyhound Cafe	Basement And Ground Floor Newlands House 37 - 40 Berners Street London W1T 3NB	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
59.88995	36980	16/02928/LIPDPS	Latium Restaurant	Ground Floor 21 Berners Street London W1T 3LP	Restaurant	Monday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
68.11728	1967	16/08432/LIPDPS	Dickie Fitz	47 - 48 Newman Street London W1T 1QQ	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00

68.117 28	1965	16/01044/ LIPVM	Newman Street Tavern	47 - 48 Newman Street London W1T 1QQ	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
74.312 24	18006	15/07009/ LIPCH	The London Cocktail Club	Basement 61 Goodge Street London W1T 1TL	Wine bar	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00