



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	5 th July 2018
Licensing Ref No:	18/03438/LIPV – Premises Licence Variation
Title of Report:	Café Fiori 42 Cranbourn Street London WC2H 7JH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Sam Eaton Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	29 March 2018		
Applicant:	Mr Levy Meir		
Premises:	Café Fiori		
Premises address:	42 Cranbourn Street London WC2H 7JH	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises operate as a restaurant.		
Variation description:	The proposed variation application seeks to remove condition 15 in Annex 3 which prevents any takeaway service being provided to customers between 03:00 and 05:00 daily. All hours, activities and other conditions to remain as existing.		
Premises licence history:	The premises have benefitted from a licence since July 2005. A full history can be found at Appendix 2.		
Planning Permission:	The premises benefit from planning permission to place tables and chairs on the public highway, reference: 06/08678/TCH		
Applicant submissions:	None.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Provision of facilities for making music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Ground Floor	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	12:00	23:30				
Seasonal variations:	Current:				Proposed:	
	None				None	
Non-standard timings:	Current:				Proposed:	
	None				None	

Performance of live music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Ground Floor	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None.				None.	
	None.				None.	

Playing of recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground Floor	No change
Tuesday	Unrestricted					
Wednesday	Unrestricted					
Thursday	Unrestricted					
Friday	Unrestricted					
Saturday	Unrestricted					
Sunday	Unrestricted					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None.				None.	
	None.				None.	

Private entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground Floor	No change
Tuesday	Unrestricted					
Wednesday	Unrestricted					
Thursday	Unrestricted					
Friday	Unrestricted					
Saturday	Unrestricted					
Sunday	Unrestricted					
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None.				None.	
	None.				None.	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Ground Floor	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				None	
	None				None	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Ground Floor	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	No change				No change	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	05:00	No change		Ground Floor	No change
Tuesday	10:00	05:00				
Wednesday	10:00	05:00				
Thursday	10:00	05:00				
Friday	10:00	05:00				
Saturday	10:00	05:00				
Sunday	12:00	05:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	No change				No change	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).				No change	

1-C Conditions being varied, added or removed	
Condition	Proposed variation
15. There shall be no takeaway service between 03:00 and 05:00 hours.	To be removed

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	5 th April 2018
<p>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.</p> <p>The venue is situated within the Cumulative Impact Area and it is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>This application will have to be heard before the LSC.</p>	

Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	25 th April 2018

I write in relation to the application submitted for a variation of the premises licence for Café Fiori, situated at 42 Cranbourn Street.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2003 the Licensing Authority have considered your application in full.

The variation application seeks to remove condition 15 from the premises licence which currently reads as the following:

There shall be no takeaway service between 03:00 and 05:00 hours.

The premises is located within a Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, HRS1 and FFP2.

This application currently falls within policy FFP2. Paragraph 2.5.18 of the Council’s Statement of Licensing Policy 2016 states that “The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area”. Policy FFP2 states that “the grant of variations or new licences for fast food premises in the Cumulative Impact Areas should be limited to exceptional circumstances.” It will be for Members to determine whether the applicant has demonstrated any exceptional circumstances that would allow to depart from this policy.

Furthermore, the Licensing Authority believes that there is insufficient information contained within the application that sets out how the licensee will reduce the impact of public nuisance from allowing a takeaway service between 03:00 and 05:00 hours. The Licensing Authority requires the following additional information to fully consider the likely impact on the Licensing Objectives, specifically public nuisance:

- 1) What controls will the licensee have in place to ensure that public nuisance isn’t created via the additional hours of operation for takeaway service?
- 2) What measures will the licensee provide to mitigate any risk of increased public nuisance to residents in the area?

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

2-B Other Persons	
Name:	Councillor Louise Hyams (Support)
Address and/or Residents Association:	Westminster City Council 5 The Strand London WC2N 5HR
Received:	19 th April 2018
<p>I am aware that Fiori Restaurant in Cranbourne Street are applying for a variation to their licence at the above premises in my ward to enable them to serve takeaway food on Friday and Saturday evenings for an extra two hours.</p> <p>If they can confirm the following conditions, I am happy to support the application.</p> <ol style="list-style-type: none"> 1. They will improve their CCTV both inside and outside the restaurant 2. They will do regular and extensive litter picks in the vicinity of the premises to include the nearby night bus stop and the entrances to Leicester Square tube 3. They will only use one door during the extension of hours so that the takeaway service is easier to control 4. They cannot sell alcoholic drinks to consume off the premises during those extra 2 hours <p>I do understand the merit of opening later for takeaway so that they do not have to turn people away when they are anxious to get home and do not want a sit down meal. That should also assist with the police's desire for people to leave the Leicester Square area as soon as possible after they exit the night clubs. I know that the premises are very close to the night bus stop and Leicester Square Tube and with the all-night running of these transport services on Fridays and Saturdays it will allow for very quick dispersal.</p> <p>With the assurance that they will provide the conditions that I have requested numbered 1-4 above, I am happy to support the variation.</p>	
Name:	Heart of London Business Alliance (support)
Address and/or Residents Association:	Sackville House 40 Piccadilly London W1J 0DR
Received:	20 th April 2018
<p>Heart of London Business Alliance, serves as the voice for 500 business and 100 property owners in the Piccadilly & St James's and Leicester Square areas. Our purpose is to support the commercial wellbeing of the businesses and organisations we represent, and ensure our areas remain integral to London's West End offer as a place for people to visit, live, trade and work. We represent the most mature night time economy area in London where over 400 million visits are made to the West End every year, with some of the world's best entertainment, culture and hospitality, generating over £11 billion in sales.</p> <p>We strive for the West End to have the most varied and high-quality even and night time economy (ENTE) for visitors, workers and residents.</p> <p>We continue to promote a responsible night time. Crime and anti-social (ASB) associated with the ENTE have been on a long downward trend and we need to be positive about the opportunities and benefits that this brings.</p> <p>In fact, strong partnership work and industry standards have been made huge progress in this regard.</p>	

What is restrictive for this night time economy user is not to find the basic 'daytime' services, like a cup of coffee or a takeout on the way home. By allowing the takeout service to continue along the same hours as the restaurant opening times, users can then choose to pick up a takeout on the way home, allowing them to get home faster.

This letter is in support of the application submitted by Mr Meir Levy for the trading premises Fiori Corner, Address: 42 Cranbourn Street, London WC2H 7AN to have his trading hours extended over weekends.

Mr Levy has discussed with us in much detail and we are satisfied that as part of his application sufficient operational due diligence has been considered.

We have advised Mr Levy, that should he be able to demonstrate sufficient operational due diligence and responsible venue management we would be happy to support this application.

Below are the minimum standards he would need to consider for us have agreed, for us to support this application.

1. A dedicated janitorial litter picker be onsite to account for un surface litter generated because of his trading activity, this will complement the existing Veolia service already in place.
2. Upgrade and enhance the CCTV surveillance operation both internally and externally.
3. To restrict access to the establishment by using one entry/exit point-providing greater control.
4. Participate in the Best Bar None business accreditation scheme raising standards to promote responsible management.

We are grateful for the opportunity to submit this submission in support of our Business member and are happy to provide any further assistance if required.

Robin Hibbert – Head of Delivery

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<ul style="list-style-type: none"> (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy CIA1 applies:	<ul style="list-style-type: none"> (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

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

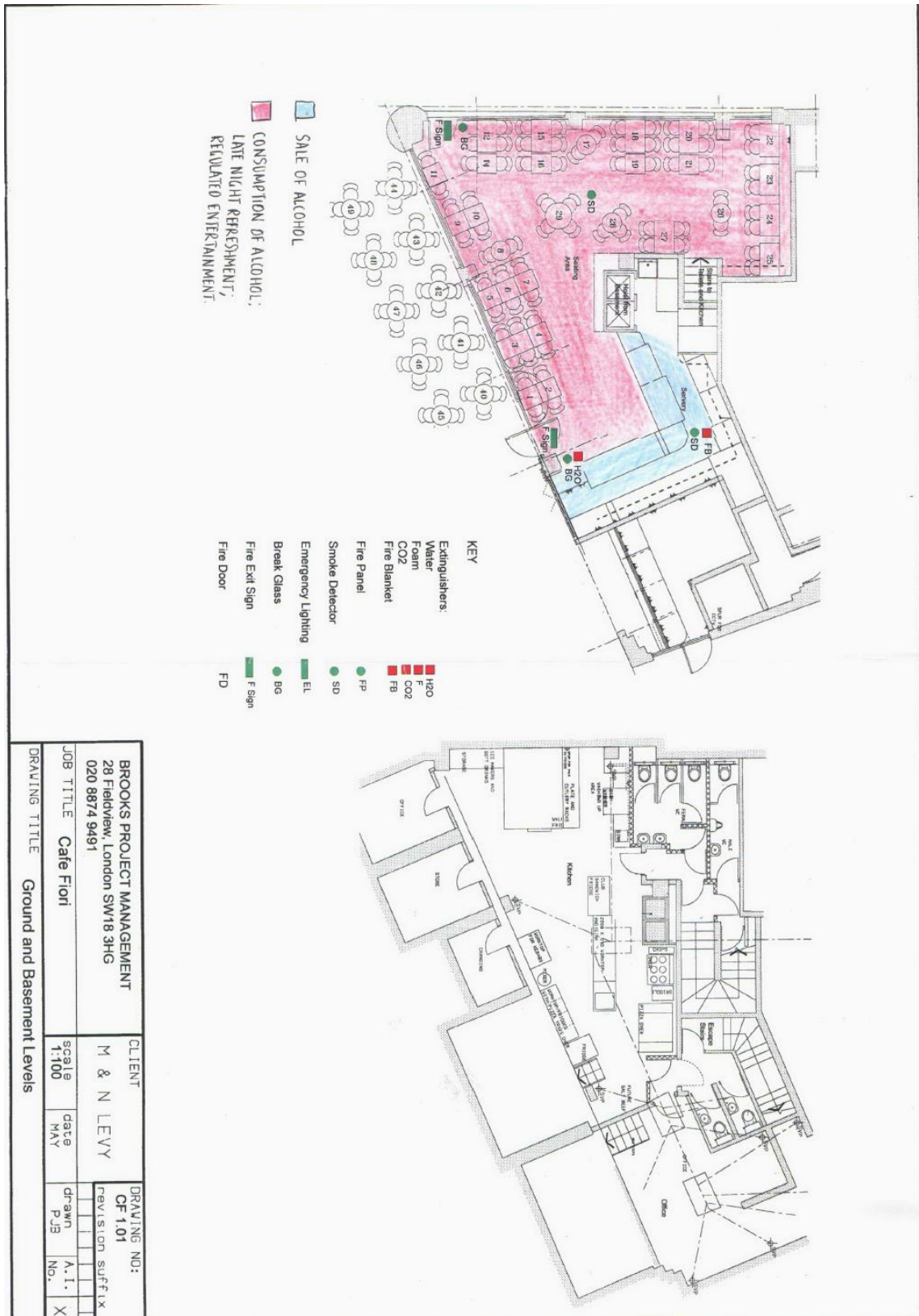
Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

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	April 2017
4	Planning Permission for tables and chairs reference - 06/08678/TCH	August 2007
5	Representation – Metropolitan Police Service	5 th April 2018
6	Representation – Licensing Service	25 th April 2018
7	Representation – Support – Councillor Hyams	19 th April 2018
8	Representation Support – Heart of London Business Alliance	20 th April 2018

Premises Plans



Applicant Supporting Documents

None.

Licence & Appeal History

Application	Details of Application	Decision	Date Determined
05/06744/LIPCV	Conversion Application	Granted by Licensing Sub-committee	21.09.2005
06/13278/WCCMAP	New Premises Application	Granted Under Delegated Authority	14.01.2008
07/11469/LIPV	Variation Application	Granted Under Delegated Authority	14.01.2008
09/10196/LIPV	Variation Application	Granted by Licensing Sub-committee	11.02.2010
11/00303/LIPV	Variation Application	Refused by Licensing Sub-committee	17.03.2011
17/15035/LIPT	Transfer Application	Granted Under Delegated Authority	15.02.2018

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

Conditions reproducing the effect of conditions subject to which relevant existing licences have effect

Conditions relating to Late Night Refreshment

9. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.

Conditions for Sale of Alcohol

10. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. As to the ground floor 100 persons
11. In that part of the premises hatched green on the deposited plan intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals there & for consumption by any such person as an ancillary to his meal.
12. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.

Conditions which reproduce the effect of any restriction imposed on the premises by specified enactments.

13. (i) Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10.00 to 23.00.
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
 - (c) On Good Friday, 12.00 to 22.30.
 - (d) On Christmas Day, 12.00 to 15.00 and 17.00 to 22.30.
 - (e) On New Year's Eve, except on a Sunday, 10.00 to 23.00.
 - (f) On New Year's Eve on a Sunday, 12.00 to 22.30.
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

Monday to Saturday

- (iii) (a) Alcohol may be sold or supplied until 1 a.m. in the morning following weekdays to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
- (b) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

- (c) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight or less than half an hour before the entertainment is due to end, except in accordance with condition number 7.ii above

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

Annex 2 – Conditions consistent with the operating Schedule

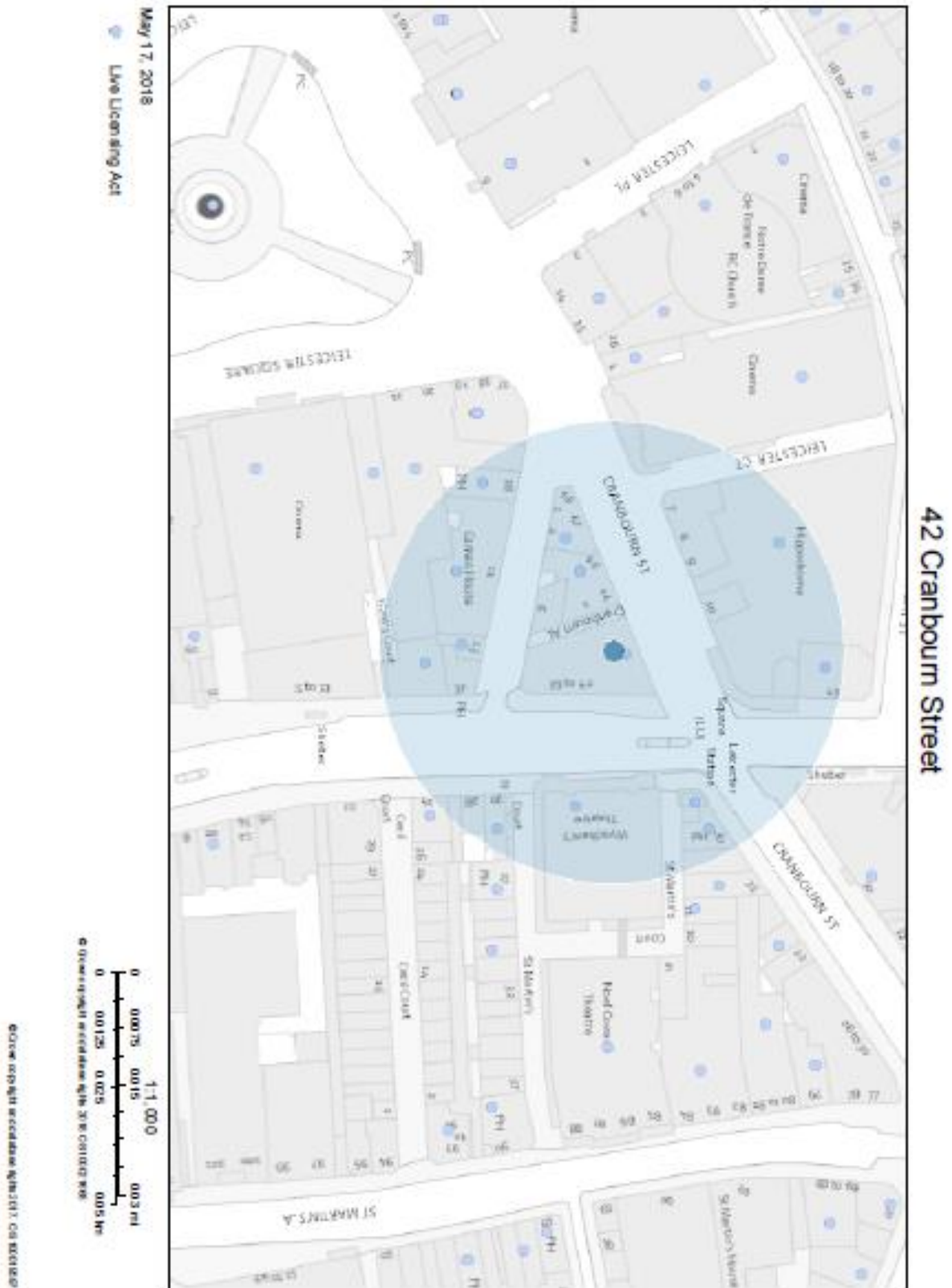
15. All emergency exits shall remain unlocked whilst the premises are open to the public.
16. Capacity for Late Night Refreshment is 100 persons including staff.
17. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times
18. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.

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

19. Live Music shall be limited to a maximum of two performers.
20. There shall be no takeaway service between 03:00 and 05:00 hours.
(Proposed for deletion)
21. After 23:00 hours all windows and doors to be kept closed except for the immediate access and egress of persons.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
26. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
27. 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.
28. 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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

29. A direct telephone number for the manager at the premises shall be publicly available at all times when the premises is open. This telephone number is to be made available to residents in the vicinity.
30. All service of late night refreshment shall be by waiter or waitress service only and to seated customers.
31. A proof of age scheme, such as Challenge 21, 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.
32. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
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, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received
 - d. any incidents of disorder
 - e. seizures of drugs or offensive weapons
 - f. any faults in the CCTV system or searching equipment or scanning equipment
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.
34. In the restaurant area children under 18 shall be accompanied by a responsible adult after 23:00 hours.

Residential Map and List of Premises in the Vicinity



Resident count: 159

Premises within 50 metres of: 42 Cranbourn Street

p / n	Name of Premises	Premises Address	Licensed Hours
74755	Cafe Fiori	42 Cranbourn Street London WC2H 7JH	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
74765	Cork And Bottle Wine Bar	Basement 44-46 Cranbourn Street London WC2H 7AN	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
26273	Noodle Stop	Ground 44-46 Cranbourn Street London WC2H 7AN	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
28699	Rimini Coffee Bar	Basement And Ground Floor West 47 Cranbourn Street London WC2H 7AN	<u>Cafe Rimini:</u> Monday to Thursday; 10:00 - 02:00 Friday to Saturday; 10:00 - 04:00 Sunday; 12:00 - 02:00 <u>Expresso Bar:</u> Monday to Thursday; 10:00 - 02:00 Friday to Saturday; 10:00 - 03:00 Sunday; 12:00 - 01:30
23499	Bear & Staff Public House	10-12 Bear Street London WC2H 7AS	<u>First Floor Only:</u> Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00
12373	Wyndhams Theatre	Wyndhams Theatre Charing Cross Road London WC2H 0DA	Monday to Sunday; 09:00 - 01:00
35427	Not Recorded	Unit 1 Leicester Square Station Charing Cross Road London WC2H 0AP	Monday to Sunday; 07:00 - 22:00
26235	The Zoo Bar And Club	Basement And Ground Floor Cameo House 13-17 Bear Street London WC2H 7AQ	Monday to Saturday; 09:00 - 02:30 (Ground Floor Only) Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 02:30
41585	Hippodrome Casino	The Hippodrome 10 - 14 Cranbourn Street London WC2H 7JH	Monday to Sunday; 00:01 - 00:00

48118	K. S. Food And Wine	Ground Floor 35 Charing Cross Road London WC2H 0AT	Monday to Sunday; 08:00 - 05:00
23134	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
86006	PizzaExpress	43 Charing Cross Road London WC2H 0AP	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:30
71395	Zoo Too	18 Bear Street London WC2H 7AS	Monday to Wednesday; 10:00 - 00:00 Thursday; 10:00 - 01:00 Friday to Saturday; 10:00 - 02:00 Sunday; 12:00 - 23:00
18404	Gaby's Continental Bar	30 Charing Cross Road London WC2H 0DE	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00