

Licensing Sub-Committee Report

Item No:	
Date:	12 July 2018
Licensing Ref No:	18/04975/LIPN - New Premises Licence
Title of Report:	Lokkanta Meyhane Restaurant Basement & Ground Floor 75 Page Street London SW1P 4LT
Report of:	Director of Public Protection and Licensing
Wards involved:	Vincent Square
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:	New Premises Licence, Licensing Act 2003		
Application received date:	2 May 2018		
Applicant:	Mr Yasar Tunc & Mr Yunus Tarhan		
Premises:	Lokkanta Meyhane Restaurant		
Premises address:	75 Page Street London SW1P 4LT	Ward:	Vincent Square
		Cumulative Impact Area:	No
Premises description:	The applicant proposes to operate the premises as a restaurant. The licence is sought to enable the applicant to sell alcohol for consumption on the premises.		
Premises licence history:	The premises were previously licensed as "The Westminster" which operated as a public house. The licence was surrendered in December 2011. The premises were also licensed as a bar/dining room, also trading as "The Westminster". The licence was also surrendered in December 2011. A full premises licence history can be found in Appendix 3 .		
Applicant submissions:	Following comments from the Licensing Authority the applicant has supplied an operational plan for the premises. The operational plan can be found in Appendix 2 .		
Reduction of hours:	Following discussions with the Licensing Authority the applicant has reduced the commencement hour for the sale of alcohol on Sundays to 12:00 in line with the core hours policy.		
Note:	The application was invalid upon receipt. The application was validated on 14.05.2018 making the representation response date 11.06.2018.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	N/A						

Sale by retail of alcohol (Amended)				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	N/A						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:	N/A						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (Withdrawn)
Representative:	PC Sandy Russell
Received:	24 th May 2018
<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 at this stage in the application process. Although the venue is not situated within Westminster's Cumulative Impact Area, it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>I have looked through the application. Overall it is agreeable but there are a number of conditions police require are added to any future operating schedule. Please let me know whether they are agreeable to your client as this may enable us to withdraw our representation.</p> <ol style="list-style-type: none"> 1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period. 2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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. 3. The premises shall only operate as a restaurant: <ol style="list-style-type: none"> (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.

4. 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.
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. 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.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
8. There shall be no self-service of alcohol.

I trust you find this satisfactory and I look forward to your prompt response.

On the 25th May 2018 the applicant agreed the proposed conditions and the Metropolitan Police service withdrew their representation.

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	6 th June 2018

I refer to the application for a New Premises Licence for the above mentioned premises. have considered the information that have provided within and accompanying this application. I

have also considered the application in line with the relevant policies within the Council's Statement of Licensing Policy dated Jan 2016.

The applicant is seeking the following licensable activities

1. To supply alcohol for consumption "on" the premises Monday to Saturday from 11:00 – 23:00 hours and Sunday from 11:00 – 22:30 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:

1. The hours requested to supply alcohol may have the likely effect of increasing Public Nuisance, and impact on Public Safety within the area

During a site visit/meeting, the applicant indicated a second door on the ground floor which is not shown on the accompanying floor plans. Plans that reflect the intended layout of the premises, including a second door on the ground floor, will have to be submitted.

The applicant has indicated that the premises has a seating capacity of about 82 persons. However, there are three public toilets and this is insistent with Table 10 of BS 6465 – 2006 +A1:2009.

Safety concerns of the spiral staircase leading to the basement has been referred to the council's district surveyor for further assessment and advice. This will be discussed further.

The applicant has provided conditions in support of the application but these do not fully address the concerns of Environmental Health and additional conditions may be proposed.

In light of the concerns raised above, it is my view that granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.

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

Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	8 th June 2018

I write in relation to the application for a New Premises Licence for 75 Page Street.

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

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

The application seeks to licence the following:

- Supply of alcohol (on):
Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30

The way that the application is currently proposed does not fall in line with the Council's restaurant policy. The Licensing Authority is concerned that there is insufficient detail contained within the application form and proposed conditions that demonstrates the proposed operation of the premises. The Licensing Authority encourages the applicant to provide further submissions, such as an operational plan, to highlight the way in which this premises is intended to be managed.

The Licensing Authority has reviewed the conditions proposed by the applicant. At

present, the applicant has proposed the following condition:

All alcohol shall be ancillary to the operation of the premises as a café. Alcohol may only be supplied with a substantial food order.

The Licensing Authority would like to propose the Council's model condition 66 to be added to the operating schedule of the licence to support the Council's policy relating to the sale of alcohol for consumption on the premises. This condition reads as the following:

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.

With the applicant's agreement to model condition 66, the operation of the premises will then be brought in line with policy RNT1 which states that "Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1."

Furthermore, the hours applied for licensable activities currently fall outside of Westminster's core hours on Sunday. The Licensing Authority would ask that the applicant consider reducing the commencement hour for licensable activities on Sunday to be that of 12:00 hours, as defined in policy HRS1.

The applicant has agreed various other model conditions proposed by the Metropolitan Police Service and the Licensing Authority is fully supportive of these conditions.

Further discussions will be held with the applicant regarding the concerns raised above. Any additional documentation will be forwarded over for consideration, and the Licensing Authority will then be able to review their representation in relation to this application.

Please accept this as a formal representation.

On the 11th June 2018 the applicant agreed to the reduction of hours and the conditions proposed by the Licensing Authority. On the 15th June 2018 the applicant supplied an operational plan of how the premises will operate which can be found in Appendix 2.

2-B Other Persons	
Name:	Councillor David Harvey, Councillor Danny Chalkley & Councillor Selina Short
Received:	11 th June 2018
<p>The Vincent Square Ward counsellors object to the licence application for 75 Page Street Ref 18/04975/LIPN on the following grounds</p> <p>This is a residential street with many families living here. Indeed, offices that formerly operated on this street have recently been converted to residential. The property has planning permission to operate specifically as a restaurant. Our concerns are that no operational management plan has been submitted and thus it is impossible for us to judge what kind of food and drink business this will be. Although we welcome that the application is for the serving of alcohol with "a substantial food order", it does not say with table meals. Without the operational plan we do not understand what with "a substantial food order", means in this instance. We should like to see an operational management plan. We should prefer to see any supply of alcohol to be by waiter/waitress service and only with a substantial meal at table. We accept that in such conditions diners may sometimes wish to take away a sealed partially drunk bottle of wine, not drained during the meal.</p> <p>Residents have a reasonable expectation that this business will not cause public nuisance and look for clarity on the above matters. The proposed conditions from the applicant mentions a "café" which implies a very different style of operation with different impacts to that of a restaurant with waiter service and alcohol served with meals. The long opening hours may also point to operation different to those of a restaurant, with the business open from 7am to 11pm and selling alcohol from 11am to 11pm. We would refer to the way in which Shepherd's restaurant nearby is managed where formal restaurant operation causes no disturbance to residents.</p> <p>We are not suggesting that the proprietors of this business wish to operate contrary to key restaurant licensing conditions or will run a business with a negative local impact. However, the applicant's documentation should clearly set out how the business will operate. Since we cannot work this out from the documentation, we oppose the application.</p> <p>Finally, the notice displayed nearest to 75 Page street states that papers are available for public display at 64 Victoria St, since that is not operating as a Council building presently, does that raise a technicality on which this process could be challenged if not corrected?</p>	
Received:	10 th June 2018
<p>My husband and I wish to strongly object to the planning permission application at 75 Page Street for a restaurant/bar. This area of Westminster is a very quiet and peaceful residential area, including many families with young children. We need to keep this area quiet and not upset what is a very pleasant residential area. There are already an extremely wide range of restaurants and bars within easy walking distance, and we therefore question the need for yet another restaurant and bar in this area. It's unusual to be in the heart of the city, and to have a nice quiet community, which is very much its charm. We are concerned that with an opening of a bar/restaurant this will only increase the noise late into the night, together with pollution (cooking smells), extra street rubbish from the operations, the risk of drinking and smoking on the street outside the premises, increased road traffic.</p>	

Please do reject the application and suggest that the operation be located closer to more established bar areas. There is not a bar in this premises already and there is no need for the sale of alcohol.	
Received:	10th June 2018
<p>I object to this licensing application on the basis that 75 Page Street appears to be a poorly managed building which does not appear to have fully satisfied redevelopment conditions because it remains an 'eyesore' in the area and not in keeping with the standards of neighbouring buildings . The building also appears to be let out on short term lets which I understand is also contrary to local planning regulations. On this basis I have little confidence in the owners or managers off this building will manage licensed premises in an appropriate manner. I am concerned about potential unreasonable noise and anti-social behaviour when customers leave the premises or are potentially refused entry (depending on the nature of the proposed licensed premises).</p> <p>I am also concerned that there is no proper parking for patrons and depending on the nature of the licensed premises (which I cannot ascertain from the online documents) local residents could be disturbed by cars:</p> <ul style="list-style-type: none"> - waiting for potential customers (as is a problem with the Cinnamon Club further down the road); - dropping off and collecting customers; and - unsustainable additional parking. 	
Received:	21st May 2018
<p>i wish to object most strongly to the application for a drinking Club 11Am -11Pm at 75 Page St. Front facing onto Marsham St SW1P4JG m names of Lokkanta-Meyhane.</p> <p>This is a bulit up Residentaial Area and would cause great noise and disruption - already the block it adjions where there are short terms lets provide rejuse that continually spills on the pavement and smells.</p>	
Received:	10 th June 2018
<p>I wish to object to the licence application at 75 Page Street, Westminster - reference 18/04975/LPN.</p> <p>This is a residential area and buildings on all sides and facing are highly residential. I have a strong concern about increased noise nuisance and anti-social behaviour with the granting of an alcohol licence. The area is currently very quiet outside of rush hours and the introduction of 11:00am - 23:00am licensing and the late operating hours 7 days per week of the premises are very concerning, with an increase of noise and bedrooms overlooking the Marsham Street entrance. Additionally, the nuisance from increased refuse generated and placed on the streets is unwelcome.</p> <p>As an owner occupier I register my objection to this licence and trust that that the Council will consider the needs of local residents.</p>	
Received:	10 th June 2018
<p>I wish to object to the licence application at 75 Page Street, Westminster - reference 18/04975/LPN.</p> <p>This is a residential area and buildings on all sides and facing are highly residential. I have a strong concern about increased noise nuisance and anti-social behaviour with the granting of an alcohol licence. The area is currently very quiet outside of rush hours and the introduction of 11:00am - 23:00am licensing and the late operating hours 7 days per week of the premises are very concerning, with an increase of noise and bedrooms overlooking the Marsham Street entrance. Additionally, the nuisance from increased refuse generated and placed on the streets is unwelcome.</p>	

As an owner occupier I register my objection to this licence and trust that that the Council will consider the needs of local residents.

Received: 10th June 2018

I wish to register our representation over this application.

My wife and I are leaseholders and permanent residents at [REDACTED], in the immediate vicinity of 75 Page Street, the premises in the building for which a licence has been requested under the above application reference.

We cannot judge from the application papers whether the liquor service planned will be restricted to private customers for the short-term letting business apparently conducted in the building, or open to passing public trade with some kind of external advertising of the service. We note that the public notice of this application has been displayed not only in the window of 75 Page Street but also in the window of Altayyar House at 102 Marsham Street, in the same building but with a separate entrance. It is not clear but this may suggest that customers of the proposed liquor supply service might also use an as yet unopened Marsham Street entrance to the building as well the as yet unopened Page Street entrance. Both entrances are within 100 metres of Westminster Gardens.

This is a long-established residential area of well recognised historical character. We believe that in considering the application, in respect of the prevention of public nuisance and of crime and disorder, the authority may wish to refer to the following:

-over the last couple of years, the opening of the branch of Sainsbury's at 78-98 Marsham Street, just to the north of the junction of Page Street and Marsham Street, has already attracted regular (practically daily) begging and the extensive leaving of litter.

-added to this, the frequent assembly of short-term letting customers seeking, with obvious difficulty, to gain access to Altayyar House at 102 Marsham Street has come further to disturb the peace and quiet that would normally be expected in a long-established residential area, this being one result of the remote management of the building as a whole that has been apparent from the time of its opening.

-on the information available to us, and taking the above into account, we would urge the licensing authority to reject this application for the approval of a licence to supply alcohol at 75 Page Street from 1100 to 2300, on the grounds of strong probability that this could both in itself and incrementally and considerably add to the risk of public nuisance and disorder in this vicinity, affecting the quiet enjoyment of residents of this historic part of the City of Westminster.

Received: 4th June 2018

I wish to register my strong objection to the above application on the following grounds:

1. A retail Alcohol outlet will create noise, car traffic and heavy parking, and crowded streets.
2. As the proposed premises is on the corner of Page and Marsham Streets, this disruption is highly likely to spill into the adjacent roads.
3. The area is highly residential with a number of schools in the immediate vicinity, and with a significant number of parents and children walking to and from those throughout the day.
4. Easy access to Alcohol for young men and women, including teenagers, is already a problem in our society, and another outlet would add to the problems locally.
5. As the premises is proposed to be open for business for 12 hrs every day except for

6 days a week, and for 11.30 hrs on Sunday, the impact on the life of the residents would be most significant.

I hope that the licensing process would take my comments into account in considering this application.

Received:	10 th June 2018
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This alcohol licence is being proposed for premises that are below, adjacent to, and opposite several blocks of private, residential apartments, on a section of Page Street and Marsham Street that has hitherto been a quiet area and untroubled by anti-social behaviour. I own and live in [REDACTED], which is one of the aforesaid apartment blocks. There are dozens of residents whose living accommodation is immediately overlooking the proposed premises, who will be adversely affected by the inevitable increase in noise and activity that will result from the use of these premises as an alcohol licensed restaurant. In addition to this, there is no doubt that cooking and refuse smells will become an additional nuisance. There's also bound to be an increase in the amount of rubbish material that finds its way on to the pavements and into the gutters, which is not what we want to see happening on our streets.

There is a busy bus stop (and post box) immediately outside the premises at the corner of Page Street and Marsham Street, where members of the public form queues, and/or generally stand around waiting for transport all day long. There is also a lot of general road traffic, and this is already a potential danger spot for pedestrians, especially at night time, which can only get worse if an entrance to a restaurant providing alcohol is also put there.

All in all, I believe this is a negative proposal for this immediate area and I would expect the Council to refuse this particular application in consideration of the comfort, well-being and safety of the residents.

I should point out that this proposal would not be a desperately required addition for those of us who live here, as there are plenty of established licensed restaurants within a short distance, already satisfying requirements.

Please register my objection accordingly.

Received:	8 th June 2018
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I would like to register my objection to the licensing application regarding 75 Page Street.

I feel very strongly that a licenced premises at this location would have an extremely negative impact on the local community which is already well served by several pubs nearby.

The building is already a considerable source of noise and refuse pollution as it seems to be largely populated by short let tenants who have no regard for our environment. Given this situation, I have no faith in any assurances that it will not get rowdier and dirtier during the 12 hours per day they propose to be trading.

We are already affected by the noise from Shepherds on Marsham Street and really do not want any increase to this disruption.

In addition, parking is already difficult for local residents, often having to park streets away from our homes and with local tradespeople finding it hard to make deliveries to us. Adding regular deliveries to the existing chaos would be catastrophic!!

To conclude, as well as the views of my husband and myself, I have spoken to many of my neighbours who also agree that this proposal would be disastrous for our community.

Received:	10 th June 2018
<p>A lot has changed since this new built, and feel the licensing will make the whole area worse than it now is. We now have 10 times more traffic and noise in this small one way street. We have lack of parking spaces, share by huge council blocks. Where are customers to this business going to park? Yes, not all will be driving but will be picked up in this one way street blocking and adding to the noise pollution late into the night.</p> <p>Please remember this is a residential street and not a commercial high street.</p> <p>Please stop this madness!</p>	
Received:	8 th June 2018
<p>I object to this application. It will cause noise and a nuisance to residents particularly those, like me, whose bedroom faces the street.</p> <p>Also this building is already untidy and unsightly and I anticipate that granting this application will only serve to exacerbate this.</p>	
Received:	10 th June 2018
<p>I was hoping to find further information in the application documents but they are lacking in plans and other documentation. The form for Mr Tarhan Yunus is incomplete. Also confusing if the application is made by individuals or Narts Britain Limited.</p> <p>Already the reputation for the premises where the licence is sought has a bad reputation as refuse is often placed outside the premises from the tenants in those premises.</p> <p>I am further opposed to this application for license because it will create noise for because of the emptying of bottles/refuse at unsocial times for us the close neighbours.</p> <p>Equally, it will also create more delivery traffic than the area can tolerate and more vehicles on the roads from other visitors where there is inadequate parking spaces for the residents.</p> <p>The application for license for the premises is almost at the busy bus-stop serving residents and commuters to work which will create challenges for passengers waiting or disembarking for/from buses.</p>	
Received:	10 th June 2018
<p>I strongly object to the application purely based on the fact that the applicants cannot be trusted to operate the license sensibly, the records will show that the applicants have continued to run airbnb type of business for which they do not hold the permission, going against Westminster Council's planning permission and disregarding the local community.</p> <p>Further 75 Page Street entry/exit door is directly in front of the post box making it unsuitable and unhealthy for the punters and the local community most with children to be sharing same space at the same time. Page Street has 800 plus dwellings with social housing and many are suffering with excessive noise from various commercial properties already. The local residents are already struggling and over spilling on parking spaces in this narrow one-way residential street.</p> <p>Also, more importantly what provisions have been made for refuse? Where the empties and the waste is going to be kept before collection? Page Street pavement cannot be used for this purpose due to lack of walking space for the local residents. The surrounding properties are also already suffers from vermin infestation (meeting minutes from the council can be provided), this will make the matter worse.</p>	

Received:

29th May 2018

I am surprised to learn that an alcohol license application has been made which is 50-100 yards from my home. I along with so many residents of Rogers House and Grosvenor Estate objected to the Sainsbury's and its selling of alcohol. Since the opening of Sainsbury's, drunks and tramps have swamped the local area along with new beggars. The area smells of stench and vomit is a daily occurrence. It has already caused substantial disruption of the local residents who live with young and old family members.

The proximity of the location means that within 300 yards, we will have 3 premises selling alcohol - Shepard's, Sainsbury's and now the new premises. It is quite unbelievable and shocking that the Westminster council have overlooked residents concerns and looking to create a new Leicester Square in the middle of a residential area where at least 3 primary schools are based. These are evidence of a residential area where there are ample young people with families.

If these premises open, then this will give out wrong signals to the young families.

Drug and alcohol dependency is a real and present problem in the local area and opening of this premise will not help the cause.

Furthermore, this will eventually drive down the valuation of the properties. Hence, I can think of more litigation in future against the council due to the depreciation of property prices at the very least.

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> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</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. 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

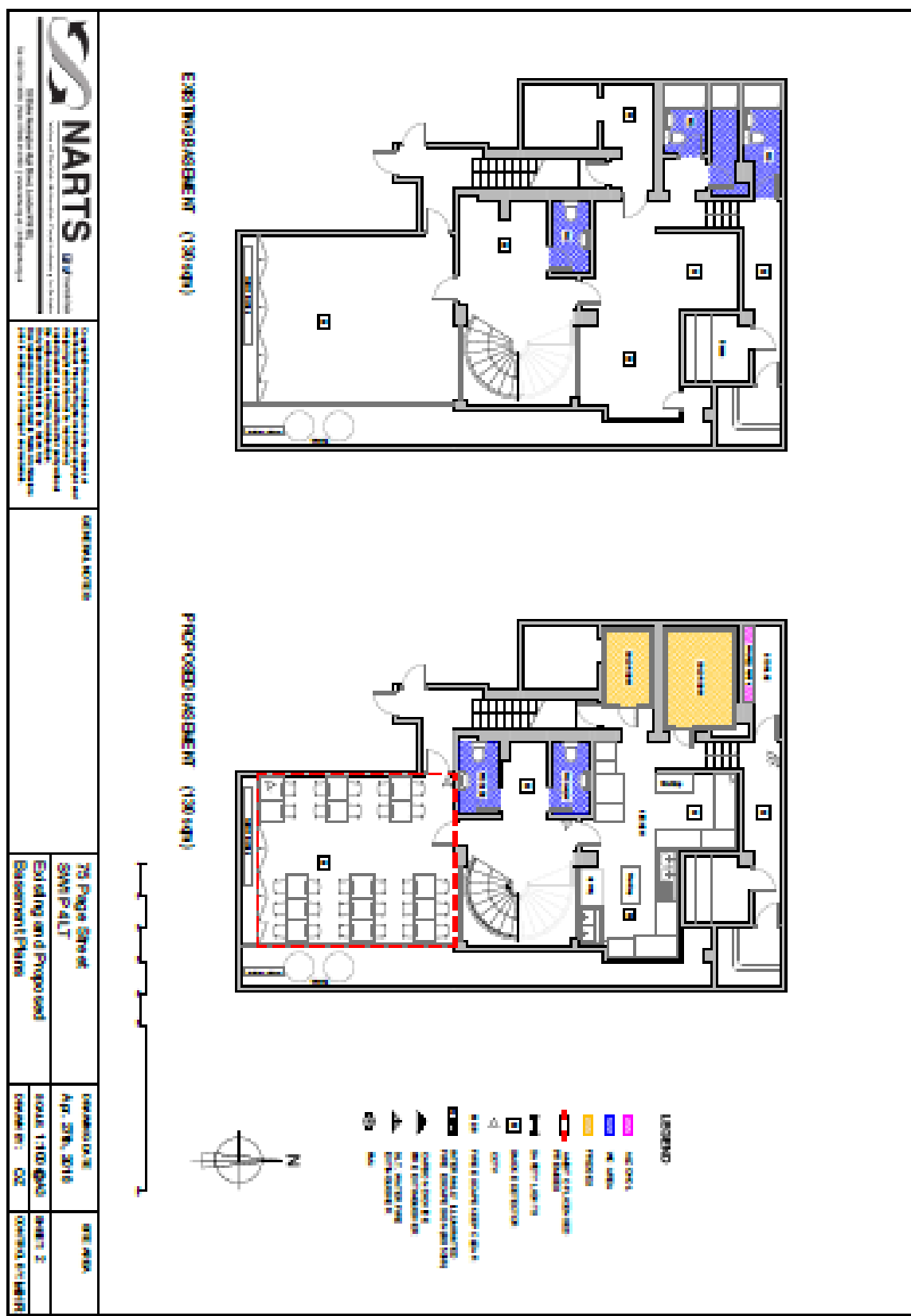
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

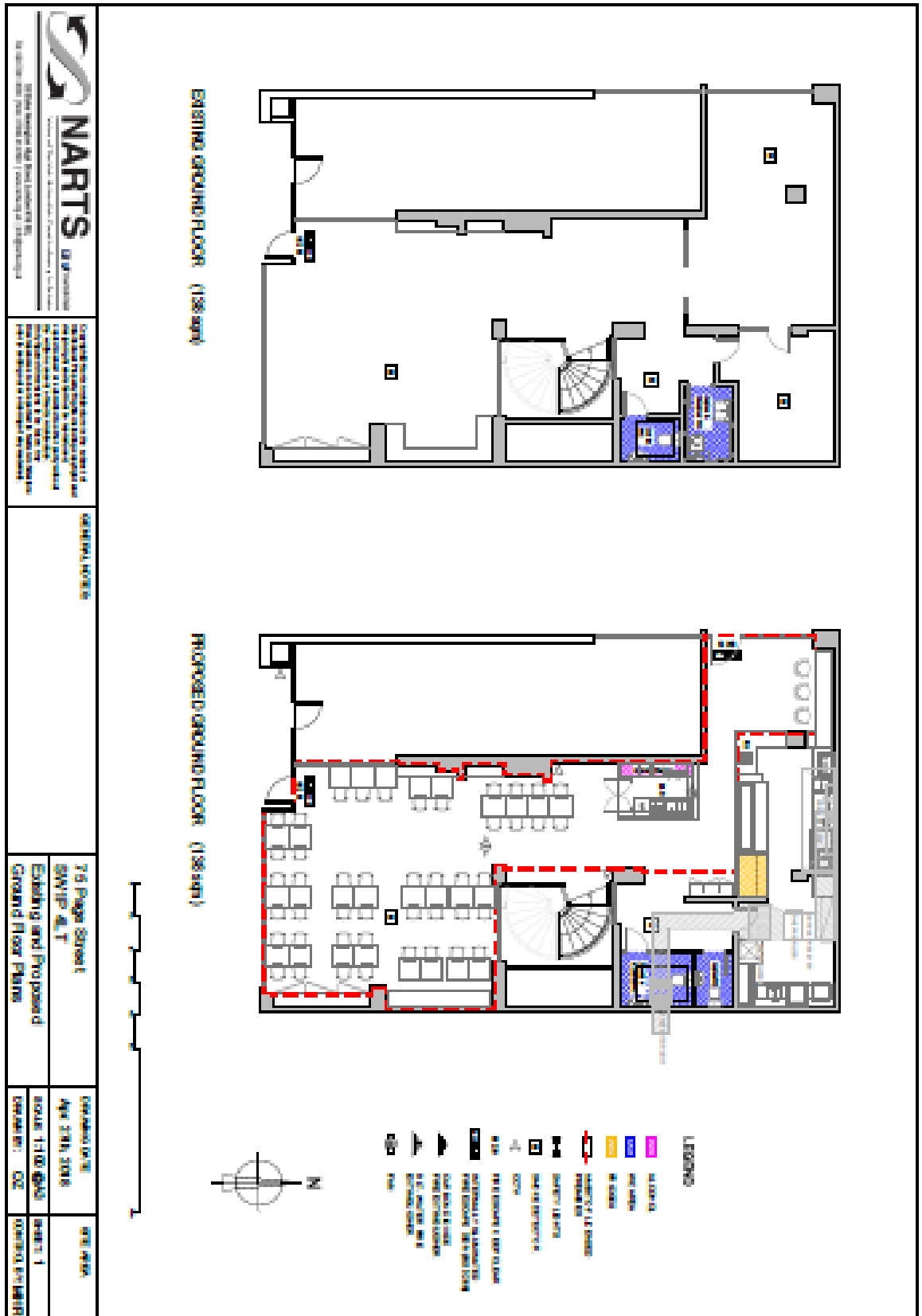
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Environmental Health Service Representation	6 th June 2018
5	Licensing Authority Representation	8 th June 2018
6	Ward Councillors Representation	14 th June 2018
7	Resident Representation	10 th June 2018
8	Resident Representation	10 th June 2018
9	Resident Representation	10 th June 2018
10	Resident Representation	21 st June 2018
11	Resident Representation	10 th June 2018
12	Resident Representation	10 th June 2018
13	Resident Representation	10 th June 2018
14	Resident Representation	4 th June 2018
15	Resident Representation	10 th June 2018
16	Resident Representation	8 th June 2018
17	Resident Representation	10 th June 2018
18	Resident Representation	8 th June 2018
19	Resident Representation	10 th June 2018
20	Resident Representation	10 th June 2018
21	Resident Representation	29 th May 2018

Premises Plans

Basement Plan:



Ground Floor Plan:



Operation Management Plan
April 2018
Draft Revisions

75 Page Street
LONDON SW1P 4EJ

OPERATIONAL MANAGEMENT PLAN

April 2018

1.0 Introduction

1.1 This Operational Management Statement relates to Lokkanta Meyhane Restaurant facilities at 75 Page Street LONDON SW1P 4EJ.

1.2 This Statement sets out the guiding principles for the operation of the Lokkanta Meyhane and associated facilities. The purpose of this Statement is to highlight the key principles that will be adopted in respect of the facilities to ensure effective management and that the amenity of the local area is appropriately protected.

2.0 Mr. Yasar Tunc and Mr. Yunus Tarkan will directly manage the premise which will ensure a comprehensive and holistic approach towards ensuring the premise operates in considerate manner and becomes a positive addition to the local area.

3.0 Layout

3.1 The layout of the proposed premise has been designed to minimize the potential impact on the amenity of the area. As part of the design process careful consideration has been given to positioning and form of the entrance, the service access.

3.2 The premise comprising ground level and basement.

Ground Floor:

3.3 We have seating area, Bar area, Counter, Kitchen together with toilets as shown on the plans provided.

Lower Ground Floor:

3.4 The lower ground level contains a space for seating area, Kitchen, Cold Rooms together with toilets as shown on the plans provided.

4.0 Access and Arrivals / Departures

4.1 All access into and out of the premise will be carefully controlled and monitored from the serving area at the entrance. CCTV will be in operation at all times.

4.2 In the event that we have a large group who are poised to leave at closing time, we can stagger their leaving from the restaurant by clearing tables in order, closing and charging tables one table at a time.

5.0 Deliveries

5.1 Generally: deliveries will come by foot or cycle messenger, car, van. Deliveries will be no earlier than 08.00am and will occur throughout the business day until approx. 6.00pm and thereafter occasional deliveries not later than 20.00pm.

5.2 Food Deliveries: Approximately 5 No. morning deliveries per day e.g., vegetables and dry goods.

5.3 Beverages: I expect only one delivery per week, e.g., beer, wine, spirits.

5.4 All servicing will takes place via the service bay on side road.

5.5 The management will ensure that systems are in place to monitor delivery schedules to anticipate deliveries in advance. These measures will reduce the time taken for deliveries to be made.

5.6 A large refuse store is located at the side of the premise.

5.7 Refuse and recyclable waste will be stored in a designated area of the refuse store until it is due to be collected. Immediately prior to time of collections, refuse will be taken from the basement to ground floor level via the staff where it will be placed in the service bay ready for collection. Bins will be brought back inside the restaurant building immediately after collection.

5.8 Bottles and glass waste will be recycled within the basement and binned for collection as above.

6.0 Hours of Operation

As stated in the Premises Licence.

7.0 Dedicated Smoking Area

7.1 We will allow up to 6 people at any one time for smoking outside the premise where the designated smoking area is.

Premises History

Application	Details of Application	Decision	Date Determined
05/11049/LIPC	Conversion Application	03.09.2005	Granted under delegated authority
07/00713/WCCMAP	Master Licence	03.09.2005	Granted under delegated authority
09/09787/LIPDPS	Application to vary the designated premises supervisor	12.03.2010	Granted under delegated authority
09/09951/LIPT	Application to transfer the premises licence	12.03.2010	Granted under delegated authority
10/07789/LIPD	Duplicate licence application	20.10.2010	Granted under delegated authority
11/01423/LIPDPS	Application to vary the designated premises supervisor	08.03.2011	Granted under delegated authority
11/07753/LIPDPS	Application to vary the designated premises supervisor	09.09.2011	Granted under delegated authority Licence surrendered on 19.12.2011

Application	Details of Application	Decision	Date Determined
07/11199/LIPN	New Premises licence	13.02.2008	Granted under delegated authority
08/02399/WCCMAP	Master Licence	13.02.2008	Granted under delegated authority
10/02120/LIPT	Application to transfer the premises licence	07.06.2010	Granted under delegated authority Licence surrendered on 19.12.2011

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

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

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

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

Mandatory Conditions

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions consistent with the operating schedule

9. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.
10.
 - a) A CCTV system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
 - b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
 - c) All staff who may work front of house shall be trained to operate the CCTV system and download images.
 - d) At least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.

Alternate conditions agreed with the Police:

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.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

11. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, HM forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.

Alternate condition agreed with the Police:

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.

12. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
13. All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age &

checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.

14. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
- a) All crimes reported,
 - b) Lost property,
 - c) All ejections of customers,
 - d) Any complaints received,
 - e) Any incidents of disorder,
 - f) Any seizure of drugs or offensive weapons,
 - g) Any faults in the CCTV,
 - h) Any refusal in the sale of alcohol.
 - i) Any visit by a relevant authority or emergency service

Alternate condition agreed with the Police:

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue*
- (b) all ejections of patrons*
- (c) any complaints received concerning crime and disorder*
- (d) any incidents of disorder*
- (e) all seizures of drugs or offensive weapons*
- (f) any faults in the CCTV system, searching equipment or scanning equipment*
- (g) any refusal of the sale of alcohol*
- (h) any visit by a relevant authority or emergency service.*

15. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
- a) That CCTV & challenge 25 are in operation;
 - b) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c) Of the permitted hours for licensable activities & the opening times of the premises;
 - d) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
16. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.
17. The front of the premises shall be kept tidy at all times and be swept at close.

Alternate condition proposed by the Environmental Health Service:

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business

18. Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
19. No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.

Alternate condition proposed by the Environmental Health Service:

No deliveries to the premises shall take place between 20:00 and 08:00 hours on the following day

20. Any music played will only be played at background level.
21. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

Alternate condition proposed by the Environmental Health Service:

A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity

22. All alcohol shall be ancillary to the operation of the premises as a cafe. Alcohol may only be supplied with a substantial food order.

Alternate condition proposed by the Licensing Service and Metropolitan Police Service and agreed with the applicant:

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.

23. All alcohol will be displayed and kept and will be sold from behind the counter and to be dispensed by a member of staff only.

Alternate condition proposed by Metropolitan Police Service and agreed with the applicant:

There shall be no self-service of alcohol.

24. Approximately 5 morning food deliveries per day.

25. Beverages deliveries will expected to be one delivery per week e.g beer, wine and spirits.
26. All servicing will take place via the service bay on the side road.
27. The management will ensure that systems are in place to monitor delivery schedules to anticipate deliveries in advance. The measures will reduce the time taken for deliveries to be made.
28. Refuse and recyclable waste will be stored in a designated area of the refuse store until it is due to be collected. Immediately prior to time of collections, refuse will be taken from the basement to ground floor level via the staff where it will be placed in the service bay ready for collection. Bins will brought back inside the restaurant building immediately after collection.
29. Bottles and glass waste will be recycled within the basement and binned for collection above.

Alternate conditions proposed by the Environmental Health Service for conditions 28 and 29:

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 07:00 hours on the following day

No collections of waste or recycling materials (including bottles) from the premises shall take place between 20:00 hours and 07:00 hours on the following day.

30. We will allow up to 6 people at any one time for smoking outside the premises where the designated smoking area is.

Alternate condition proposed by the Environmental Health Service:

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 6 persons at any one time

Conditions proposed by the Police and agreed with the applicant:

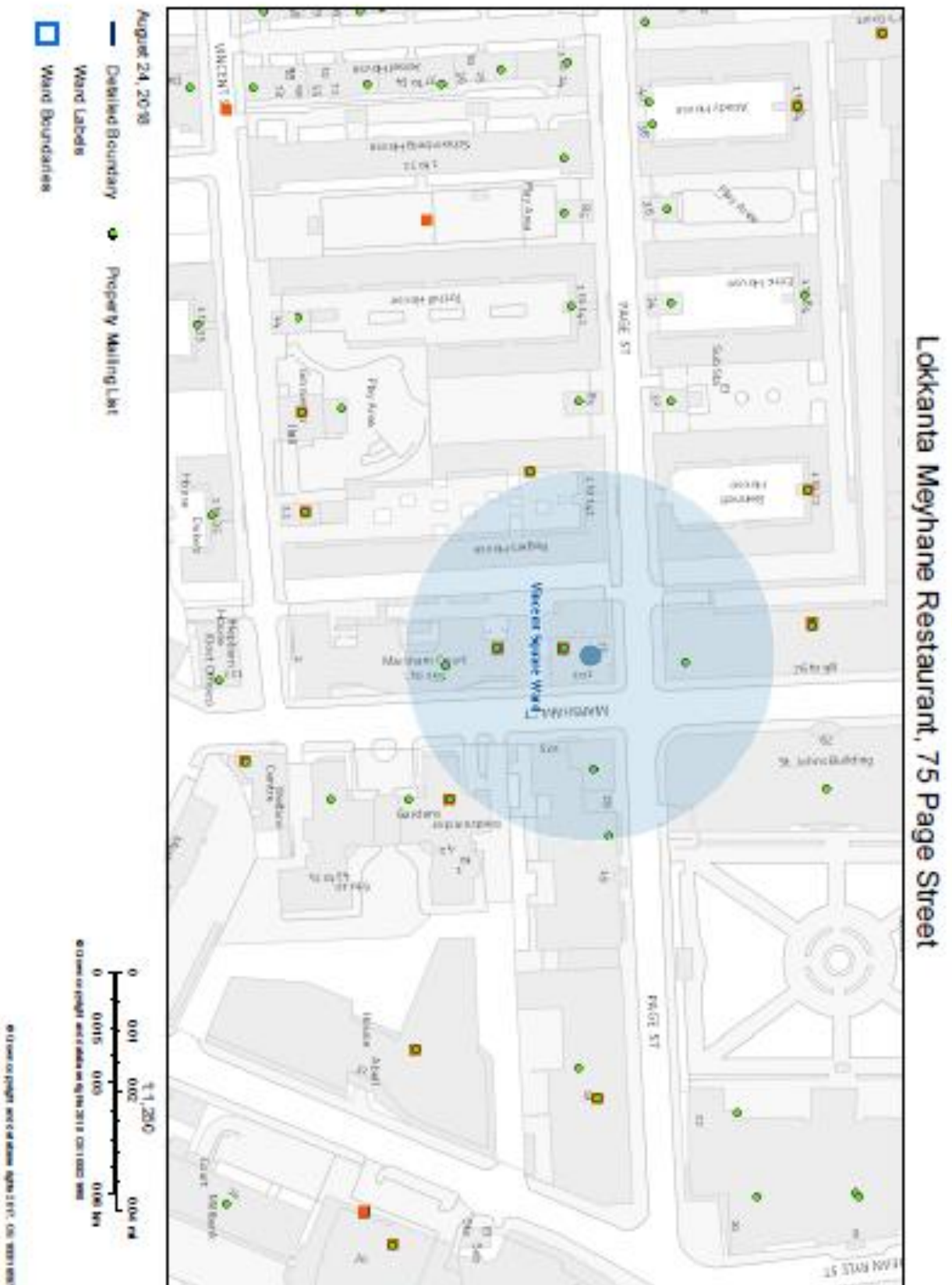
31. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Conditions proposed by the Environmental Health Service:

33. 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
34. The external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons

35. Notices shall be prominently displayed at the area designated for smoking requesting patrons to respect the needs of local residents and use the area quietly
36. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed
 - a. Basement – 30 persons
 - b. Ground Floor – 60 persons
37. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order
38. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
39. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means
40. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous
41. No licensable activities shall take place at the premises until the premises have 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
42. Before the premises open to the public, the plans as deposited 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
43. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated

Residential Map and List of Premises in the Vicinity



Resident count: 215

Premises within 50 metres of: 75 Page Street, London			
Ref	Name of Premises	Premises Address	Licensed Hours
16/00979/LIPDPS	Shepherds Restaurant	Shepherd's Restaurant Marsham Street London SW1P 4LA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00