

Licensing Sub-Committee Report

Item No:	
Date:	13 September 2018
Licensing Ref No:	18/08208/LIPN - New Premises Licence
Title of Report:	Far East Ground Floor 13 Gerrard Street London
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:	New Premises Licence, Licensing Act 2003		
Application received date:	12 July 2018		
Applicant:	38 Catering Ltd		
Premises:	Far East		
Premises address:	Ground Floor 13 Gerrard Street London W1D 5PS	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises are described in the application form as a restaurant.		
Premises licence history:	The premises were previously licensed under reference 06/08810/WCCMAP. The previous licence lapsed following the death of the licence holder.		
Applicant submissions:	None.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations/ Non-standard timings:			None.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations/ Non-standard timings:			None.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	9 th August 2018
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted a plan of the Basement and Ground floor of the premises dated</p>	

July 2018.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Sunday 23.00 to 05.00 hours.

I wish to make the following representation

1. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CI Area.

Whilst the applicant has stated that this application is to replace a lapsed licence no conditions have been proposed to support the licensing objectives.

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

On 13th August the following conditions were proposed:

I refer to the application for a New Premises Licence for the above premises.

The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.

The following conditions are proposed.

1. Licensable activities are only permitted on the ground floor.
2. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 45 persons.
3. 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.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. 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.
6. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

These model conditions to replace those proposed by the applicant.

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

Following the agreement of the proposed conditions the Environmental Health Service have withdrawn their representation.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Sandy Russell
Received:	20 th July 2018

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. The venue is situated within Westminster's Cumulative Impact Area, it is our belief that if granted the application would undermine the Licensing Objectives. We understand the old Premises Licence for these premises has lapsed but we must treat this as a new application as I am sure you appreciate.

Below are the conditions proposed by police:

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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system,
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
5. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
6. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

Please let me know whether your client is willing to agree to the conditions police are proposing as this may enable us to withdraw our representation.

On the 8th August the applicant responded as follows:

I have already agreed 1, 2 and 3.

I also agree 4, as amended by me.

I can't agree 5 or a restriction to core hours.

Responsible Authority:	Licensing Authority
Representative:	Roxanna Haq
Received:	9 th August 2018

I write in relation to the application submitted to vary a Premises Licence for the following premises:

Far East, Ground Floor, 13 Gerrard Street, London W1D 5PS

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 premises is located within the West End Cumulative Impact area and as such a number of policy points must be considered.

This application seeks the following:

- Late night refreshment (Indoors & Outdoors)

Monday to Sunday 23:00 – 05:00

This application has been submitted to replace a lapsed licence due to the death of the previous licence holder some years ago. The Licensing Service were not notified of the licensee's death however the information came to light following a visit from the City Inspectors. To the best of the Licensing Services knowledge based on the information available, the premises have not been offering late night refreshment since 26 June 2017.

The Councils Statement of Licensing Policy 2016 states that in cases where licences have lapsed through insolvency or death, the council will generally grant a new licence on similar terms to the lapsed licence as a replacement. Paragraph 2.4.8 states applications for new licences to replace licences which have lapsed because of the failure to submit an interim authority notice in due time in the event of the death or insolvency of a licence holder will be considered by the licensing authority as possible exceptions. However the council will take into account the previous history of the premises, the length of time the premises have been closed, and any problems at the premises, and will impose conditions that reflect current good practice for the type of business proposed at the premises.

The applicant must also demonstrate that the hours requested for licensable activity at the premises will not add to cumulative impact in the West End Cumulative Impact Area. Currently no additional information has been received which addresses this policy concern, and the Licensing Authority encourages the applicant to provide further submissions as to how they

propose to address the above.

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

Please accept this as a formal representation and I look forward to hearing from you soon.

2-B Other Persons

Status:	Maintained	In support or opposed:	Support
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Received:	19 th July 2018
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I live at 22, Daniel Lambert Mill, Bournside Road, Addlestone, KT152JX and I have been visiting the Far East Restaurant for over 20 years now , mainly after work, however I have also booked this restaurant for several company events over the last few years and I've been extremely pleased with not only the food, but the service is exceptional.

I am aware that this is one of the oldest family-run businesses in Chinatown and this longevity and tradition alongside exceptional service should not be hindered any longer, I totally support the application to reinstate the licence upon the same terms as previous and or existing.

Status:	Maintained	In support or opposed:	Support
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Received:	24 th July 2018
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My name is Ryan Viegas and I work at a mixed martial arts gym in London. I am writing to you to provide support for the case for Far East Restaurant to have its license reinstated (case reference 18/08208/LIPN).

Far East is my favourite restaurant in Chinatown for many reasons. Regardless of what time it is when I walk through the door the staff have always been very welcoming and professional, and this has been consistent over the years I have been eating there. Given the nature of my work (sometimes I teach early morning classes and sometimes I teach late night classes) being made to feel welcome and safe, whether I need a quick bite for a breakfast or a late night evening meal with a friend, is something I've come to really appreciate about Far East.

The food is delicious, of the highest quality and is the major reason I look forward to dining there as often as I do. I must eat there atleast twice a week on average as it provides a great environment for me to relax and recover from tough training session. If I have worked out extra hard I always treat myself to something from their bakery!

The staff are very helpful have also made every effort to accommodate my recent change in diet (a plant based vegan diet) and in my experience the restaurant as a whole is highly progressive in its attitude in this regards, especially when compared to some of the other local restaurants.

I therefore strongly support the application to reinstate the licence upon the same terms as existing. Please treat this as a representation in favour accordingly.

Status:	Maintained	In support or opposed:	Support
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Received:	24 th July 2018
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It's been brought to my attention that the Far East Restaurant has applied for their night license to be reinstated.

I fully support this application as this has always been a great place to go after a night out, one of the few places open very late at night in Chinatown. It was always a place I'd stop at and grab some food while waiting for my taxi to arrive and head home. The staff have always been pleasant and made sure to get me my food before my taxi arrived.

I understand that this is one of the oldest family-businesses in Chinatown and it's a shame that the license was revoked after so long. I do hope you are able to consider reinstating the license and keep a great restaurant open at night.

Status:	Maintained	In support or opposed:	Support
Received:	20 th July 2018		

My name is Thomas Viegas and I work at the Bank of England in London. I am writing to you to provide support for the case for Far East Restaurant to have its license reinstated (case reference 18/08208/LIPN).

To my knowledge, Far East Restaurant is one of the very few family-run businesses in Chinatown today, which a number of locals use and is safe and pleasant to go to whatever the hour.

I have been to several other restaurants in Chinatown and have always held the opinion that the quality of food and service in Far East is one of, if not the, best I have been to. The service the staff at Far East offer to its customers is exceptional and has made my time eating there even more enjoyable.

I have been visiting the restaurant for more than a decade, as somewhere to eat with friends and family and have frequently eaten there after work. I firmly believe the restaurant's characteristics reduces public nuisance in the area by providing such a facility and certainly makes me feel safer when I am eating late at night.

I therefore strongly support the application to reinstate the licence upon the same terms as existing. Please treat this as a representation in favour accordingly.

Status:	Maintained	In support or opposed:	Support
Received:	1 st August 2018		

I work in Central London and have been using Far East for the last three and a bit years as somewhere to eat after I finish work or on a weekend.

Far East is one of those few family-run businesses in Chinatown which locals use and is safe and pleasant to go to whatever the hour.

I believe this reduces public nuisance in the area by providing such a facility and certainly makes me feel safer when I am eating late at night.

I therefore support the application to reinstate the licence upon the same terms as existing. Please treat this as a representation in favour accordingly.

Status:	Maintained	In support or opposed:	Support
Received:	31 st July 2018		

To whom it may concern,
 I Live and work in London .I go out sometimes so late with my friends .we go the china town usually and stay there until late.
 Far east restaurant is the amazing place where we can stay and eat and drink.
 The restaurant serve the food with the high quality. Me and my friends are the regular customers since 6 years ago.

It is one of those few businesses in Chinatown which locals use and is safe and pleasant to go to whatever the hour.

I therefore support the application to reinstate the licence upon the same terms as existing. Please treat this as a representation in favour accordingly.

Status:	Maintained	In support or opposed:	Support
Received:	27 th July 2018		

I am a director of Shaftesbury Chinatown PLC, the landlord and freeholder of the above restaurant premises.

I understand the tenant of the premises has lost their licence, having failed to apply for a transfer, following the death the uncle in whose name the licence was held.

The Far East Bakery has been operated by the Wu family since 1963 and is rightly regarded as a Chinatown institution, popular with locals attracted by its reasonably priced offer and the fact that it is a late night restaurant that does not sell alcohol.

The Wu family have been Shaftesbury tenants for many years and we have found them responsible and engaging. Ten years ago, when Gerrard Street was experiencing problems associated with drug dealing, the Wu family worked closely with the Metropolitan Police and local stakeholders and were instrumental in the success in controlling this problem.

I believe this small restaurant, greatly adds to the unique character of Chinatown and strongly support the tenant's application to reinstate their licence on the same terms.

Status:	Maintained	In support or opposed:	Support
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Received:	14 th August 2018
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I am emailing in regards to the Ref: 18/08208/LIPN

And wanted to raise my concerns and show my support for one of my favourite restaurants in London, that I have been using for the last 5 years.

I use this restaurant on many late night special occasions, after visiting the cinema and after work on my evening shifts or early starts (I work in transport on the river Thames). So it is great and very convenient that I and many others can get a hot drink, hot food and enjoy a safe environment that is easily accessible in central London. Which unfortunately in London restaurants like these that are open late are sadly low in numbers.

To summarise I support the application to reinstate the licence upon the same terms as previous and or existing.

Status:	Maintained	In support or opposed:	Support
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Received:	8 th August 2018
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My name is Natasha Farzaneh kohzadbayat . I have been living and working in London for over 20 years . And during this time I have been a regular of the Far East restaurant for pretty much that time . This establishment has always fulfilled my expectations in terms of quality of food and service. And also a safe friendly environment during social gatherings with friends late at night.

I absolutely fully support this establishment to help with the reinstatement of its night license.

Status:	Maintained	In support or opposed:	Support
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Received:	19 July 2018
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It has come to my knowledge that the Far East Restaurant is under a new application for its 'Night License' for its extended hours of service until 5am.

I would like to express my support for this 'one and only family run business' in China Town, as I have been a continual customer for the last 20 years, having known Richard since the early

1990's. A superb restaurant and truly one of its kind with its extended opening hours until 5am. It serves the nightlife of London for those who work and play until dawn, giving a safe environment for locals and regular late office workers like myself who eat at unexpected hours.

I am in full support for this 'Night License' to be reinstated within its existing terms.

Status:	Maintained	In support or opposed:	Support
Received:	8 th August 2018		

I would like to encourage you to reissue the restaurant with a license . This is a popular restaurant and one to which my friends and family return regularly. It fosters a friendly inclusive atmosphere and the food is of an exceptionally high quality. I feel the restaurant is an example of a well run established local business and that it should be supported.

Status:	Maintained	In support or opposed:	Support
Received:	8 th August 2018		

I have worked as a Stunt Performer for the past 20 years and lots of my work has been night shoots in and around central London.

I have been using the Far East restaurant along with many other stunt performers for all this time as somewhere to eat after we finish work in the early hours of the morning. It's one of those few family-run businesses in Chinatown which locals use and is safe and pleasant to go to whatever the hour. I believe this reduces public nuisance in the area by providing such a facility and certainly makes me feel safer when I am eating late at night. I therefore support the application to reinstate the licence upon the same terms as existing.

Please treat this as a representation in favour accordingly.

Status:	Maintained	In support or opposed:	Support
Received:	9 th August 2018		

my name is christer kihlstrom.. and I have been notice that this nice restaurant Far East had the late licence revoke? I have been going to for 15-16 years after finish working in west end or before work having always very friendly no trouble or just a good food nice staff and great service... all my friends who came likes it...

It would be very said if it could not have there late license still and so I can carry on to have a late place with no trouble or issue after work... looking forward to come any day in the week after work or early morning... just to see some friendly faces and enjoy the best side of China town...

I have been working in the securiry industry for 30 years donâ€™t professional sport.. just always nice to see the staff at Far East and enjoy the friendly approach... I hop the right decision comes out.. and just happy to tell the truth

Status:	Maintained	In support or opposed:	Support
Received:	9 th August 2018		

I have been informed that Far East Restaurant in Chinatown london has submitted a new application for a night licence. I would like to say that I have been doing business in and around chinatown for many years and Far East is a great little restaurant and has always been a welcoming and safe place to eat, even in the early hours. It would be great if the licence would be approved.

3. Policy & Guidance

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

Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in
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	<p>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 provision of other licensable activities: Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
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	Lapsed licence reference 06/08810/WCCMAP
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions

Appendix 6	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

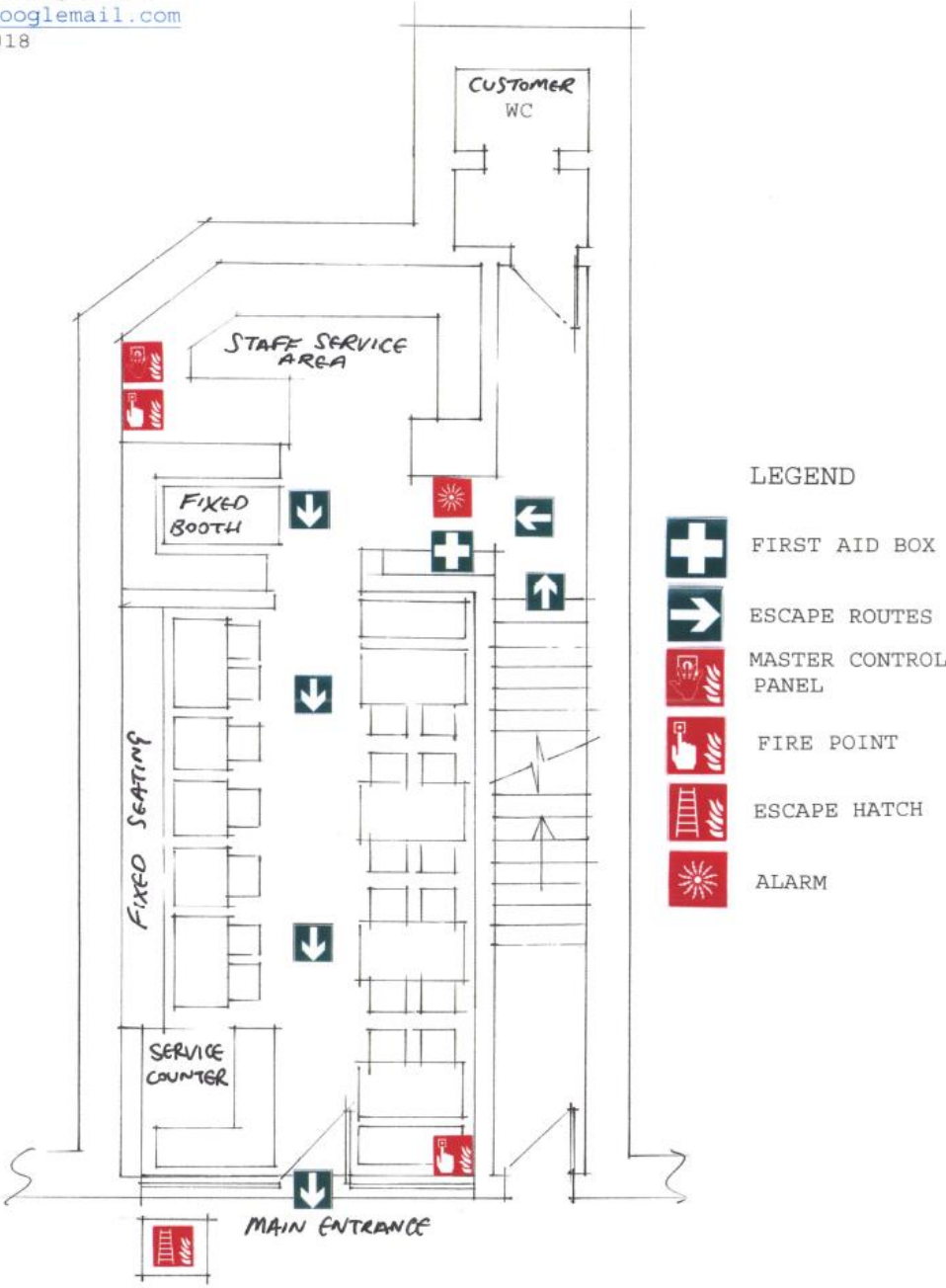
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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 2018
4	Representation – Environmental Health (Withdrawn)	9 th August 2018
5	Representation – Metropolitan Police Service	20 th August 2018
6	Representation – Licensing Authority	9 th August 2018
7	Support	19 th July 2018
8	Support	24 th July 2018
9	Support	24 th July 2018
10	Support	20 th July 2018
11	Support	1 st August 2018
12	Support	31 st July 2018
13	Support	27 th July 2018
14	Support	8 th August 2018
15	Support	19 TH July 2018
16	Support	8 th August 2018
17	Support	8 th August 2018
18	Support	9 th August 2018
19	Support	9 th August 2018

Premises Plans

Peter Kandalraft Designs LTD
PeterKandalraft@googlemail.com
Drawn 5th July 2018



Lapsed Licence

Reference - 06/08810/WCCMAP



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: St James's
UPRN: 999000045773

Regulation 33, 34

Premises licence number:

06/08810/WCCMAP

Part 1 – Premises details

Postal address of premises:

Far East Restaurant
Ground Floor
13 Gerrard Street
London
W1D 5PS

Telephone Number: 020 7437 6148

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment: Monday to Sunday - 23:00 to 05:00

The opening hours of the premises:

Monday to Sunday - 23:00 to 05:00

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

N/A

Part 2

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

Mr Ping Kwai Woo
Basement and Ground Floor
13 Gerrard Street
London
W1D 5PS
Telephone Number : 020 7287 9349

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

N/A

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

Name: N/A
Address: N/A
Phone: N/A

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

Licence Number: N/A
Licensing Authority: N/A

Date: 12/02/07

Signed: 
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

None

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

1. 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
2. The premises may be kept open for the purposes of this licence from 23:00 on each of the days Sunday to Saturday to 05:00 on each day following.
3. The number of persons accommodated at any one time (excluding staff) shall not exceed 45.

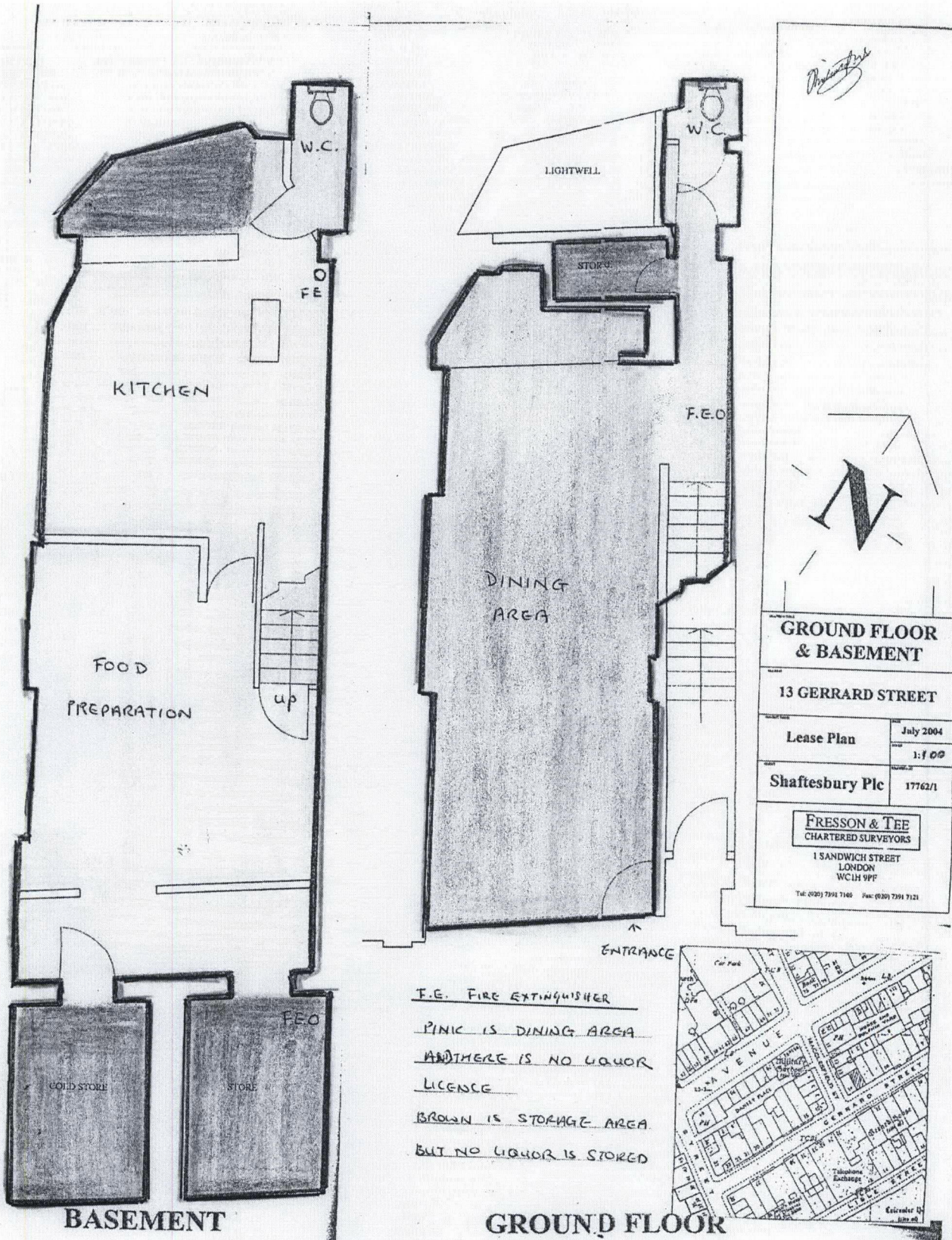
Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 - Plans



Handwritten signature

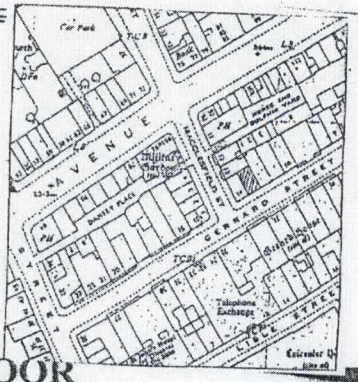
GROUND FLOOR & BASEMENT

13 GERRARD STREET

Lease Plan	July 2004
	1:100
Shaftesbury Plc	17762/1

FRESSON & TEE
 CHARTERED SURVEYORS
 1 SANDWICH STREET
 LONDON
 WC1H 9PF
 Tel: (020) 7391 7160 Fax: (020) 7391 7121

F.E. FIRE EXTINGUISHER
PINK IS DINING AREA
AND THERE IS NO LIQUOR
LICENCE
BROWN IS STORAGE AREA
BUT NO LIQUOR IS STORED



GROUND FLOOR

SCALE 1:100



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

Schedule 12
Part B

WARD: St James's
UPRN: 999000045773

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/08810/WCCMAP

Part 1 – Premises details

Postal address of premises:

Far East Restaurant
Ground Floor
13 Gerrard Street
London
W1D 5PS

Telephone Number: 020 7437 6148

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment: Monday to Sunday - 23:00 to 05:00

The opening hours of the premises:

Monday to Sunday - 23:00 to 05:00

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

N/A

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

Mr Ping Kwai Woo
Basement and Ground Floor
13 Gerrard Street
London
W1D 5PS

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

N/A

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

Name: N/A

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

N/A

Date:

12/02/07

Signed:



Director of Legal & Administrative Services

Applicant Supporting Documents

None.

Premises History

Application	Details of Application	Date Determined	Decision
99/00523/LINCR	Renewal of a Night Café Licence	16.01.2001	Granted under delegated authority
01/07727/LINCR	Renewal of a Night Café Licence	01.11.2001	Granted under delegated authority
02/08209/LINCR	Renewal of a Night Café Licence	13.06.2003	Granted under delegated authority
03/06361/LINCR	Renewal of a Night Café Licence	24.02.2004	Granted under delegated authority
04/06420/LINCR	Renewal of a Night Café Licence	18.01.2005	Granted under delegated authority
05/08163/LIPC	Conversion Application	15.09.2005	Granted under delegated authority
05/10514/LINCR	Renewal of a Night Café Licence	08.11.2005	Granted under delegated authority
06/08810/WCCMAP	Master Licence	15.09.2005	Granted under delegated authority Lapsed
18/07685/LITENN	Temporary Event Notice	06.07.2018	Notice permitted
18/07863/LITENN	Temporary Event Notice	10.07.2018	Notice permitted
18/07878/LITENN	Temporary Event Notice	10.07.2018	Notice permitted
18/07880/LITENN	Temporary Event Notice	13.07.2018	Notice permitted
18/07882/LITENN	Temporary Event Notice	10.07.2018	Notice permitted
18/08208/LIPN	New Premises Licence		For consideration
18/08566/LITENP	Temporary Event Notice	30.07.2018	Notice permitted
18/08567/LITENP	Temporary Event Notice	30.07.2018	Notice permitted

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. 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

10. The premises may be kept open for the purposes of this licence from 23:00 on each of the days Sunday to Saturday to 05:00 on each day following.
11. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 45 persons.

Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule:

12. Licensable activities are only permitted on the ground floor.
13. 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.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Conditions proposed by the Police and agreed with the applicant so as to form part of the operating schedule:

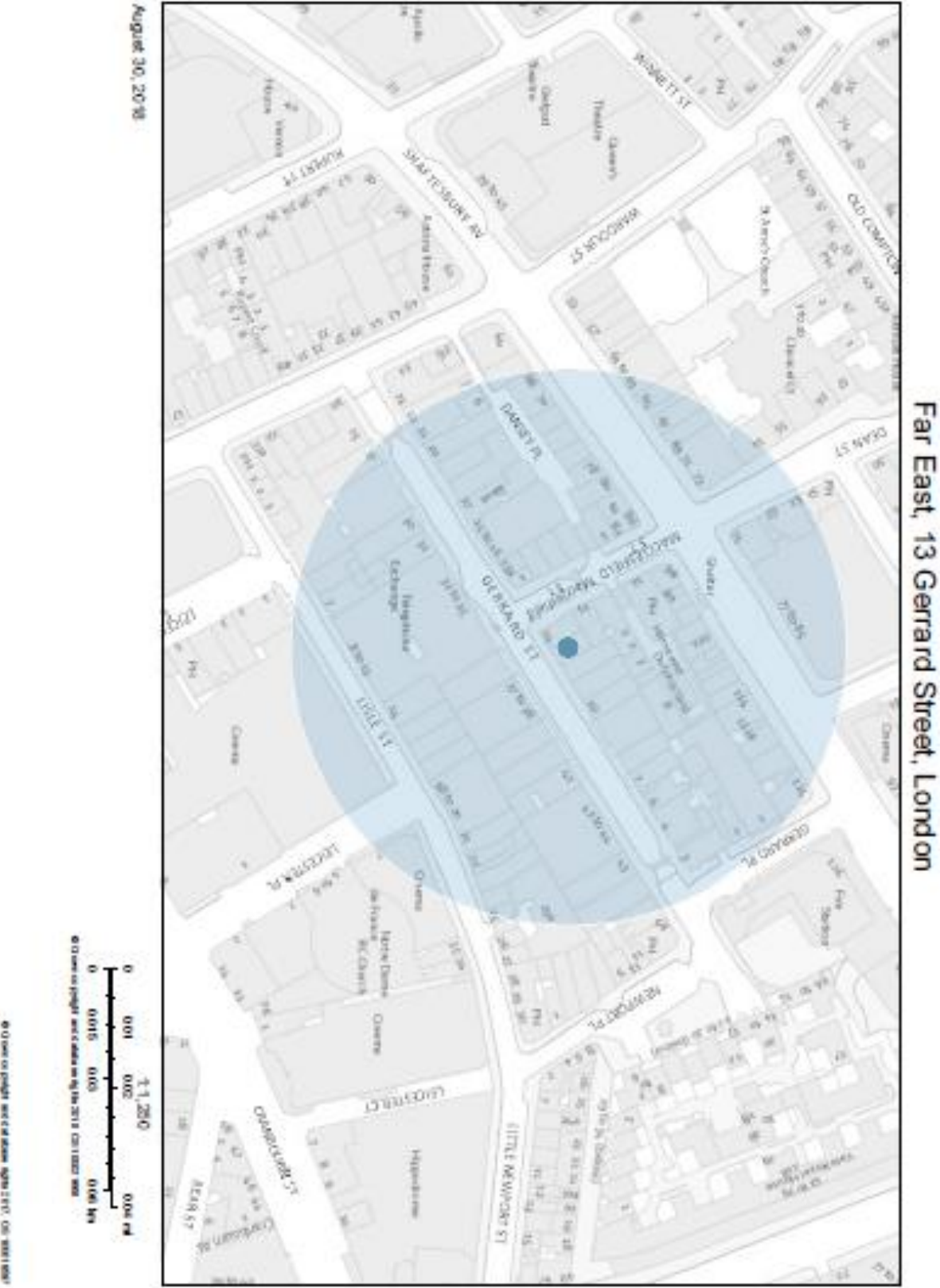
17. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
18. 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.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons

- (f) any faults in the CCTV system,
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Conditions proposed by the Police and not agreed by the applicant:

- 21. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
- 22. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

Residential Map and List of Premises in the Vicinity



Resident count: 117

Premises within 75 metres of: Far East, 13 Gerrard Street			
Reference	Name of Premises	Premises Address	Licensed Hours
06/08810/WCCMAP	Far East Restaurant	Ground Floor 13 Gerrard Street London W1D 5PS	Monday to Sunday; 23:00 - 05:00
15/12022/LIPDPS	Experimental Cocktail Club	First Floor And Second Floor 13 Gerrard Street London W1D 5PS	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 02:00 Sundays before Bank Holidays; 09:00 - 02:30
17/06830/LIPT	Oriental Delight	14 Gerrard Street London W1D 5PT	Monday to Saturday; 11:00 - 23:00 Sunday; 11:00 - 22:30
18/04964/LIPDPS	Four Seasons	12 Gerrard Street London W1D 5PR	Monday to Sunday; 09:00 - 03:30
15/07793/LIPDPS	Little Four Seasons	Basement To First Floor 11 Gerrard Street London W1D 5PP	Monday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 01:00
18/09739/LIPCH	Maotai Kitchen	Basement And Ground Floor 12 Macclesfield Street London W1D 5BP	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 01:00
17/14544/LIPVM	New Fook Lam Moon	Basement And Ground Floor 10 Gerrard Street London W1D 5PW	Monday to Sunday; 10:00 - 01:00
16/00184/LIPCHT	Lotus Garden	1-2 Macclesfield Street London W1D 5BP	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/03303/LIPV	Golden Phoenix	37-38 Gerrard Street London W1D 5QB	Monday to Saturday; 10:00 - 02:00 Sunday; 12:00 - 01:00
15/04912/LIPDPS	De Hems Public House	11 Macclesfield Street London W1D 5BW	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00
16/09657/LIPVM	Suki	39 Gerrard Street London W1D 5QD	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/03693/LIPN	New Loon Moon	9 Gerrard Street London W1D 5PL	Monday to Sunday; 10:30 - 20:00
16/11601/LIPVM	Le Hanoi	4 Macclesfield Street London W1D 6AX	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
06/07153/WCCMAP	Crispin's Food & Wine	90 - 92 Shaftesbury Avenue London W1D 5EA	Monday to Sunday; 08:00 - 05:00
17/10882/LIPT	Rasa Sayang Restaurant	5 Macclesfield Street London W1D 6AY	Monday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 23:30
17/14772/LIPN	The Shan State	100 - 102 Shaftesbury Avenue London W1D 5EE	Monday to Sunday; 12:00 - 23:30
17/05315/LIPDPS	Haozhan Restaurant	Basement To First Floor 8 Gerrard Street	Monday to Saturday; 10:00 - 00:30 Sunday;

		London W1D 5PJ	12:00 - 00:00
16/12748/LIPT	Lido Chinese Restaurant	41 Gerrard Street London W1D 5QF	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 02:00 Sunday; 12:00 - 00:00
18/03805/LIPDPS	Opium Dim Sum Parlour	Ground Floor Entrance And Second Floor To Fourth Floor 15 - 16 Gerrard Street London W1D 6JB	Monday to Saturday; 12:00 - 03:00 Sunday; 12:00 - 00:00
15/11567/LIPDPS	Dumplings' Legend	Basement To First Floor 15 - 16 Gerrard Street London W1D 6JB	Monday to Saturday; 10:00 - 03:00 Sunday; 12:00 - 00:00
18/07709/LIPT	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/02247/LIPDPS	China Exchange	Gerrard Building 32-35 Gerrard Street London W1D 6JA	Monday to Sunday; 10:00 - 22:00
17/08239/LIPDPS	Not Recorded	Basement And Ground Floor 84-88 Shaftesbury Avenue London W1D 6NH	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
18/06052/LIPCH	Tao Tao Ju	15 Lisle Street London WC2H 7BE	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/00203/LIPCH	Shibuya Soho	110 Shaftesbury Avenue London W1D 5EJ	Monday to Sunday; 10:00 - 23:00
18/06048/LIPCH	Super Star Chinese Restaurant	17 Lisle Street London WC2H 7BE	Monday to Thursday; 10:00 - 01:00 Friday to Saturday; 10:00 - 02:00 Sunday; 12:00 - 01:00
18/07453/LIPT	Hong Kong Buffet	Ground Floor To First Floor 14 Lisle Street London WC2H 7BE	Monday to Saturday; 10:00 - 03:30 Sunday; 11:00 - 03:00
13/03887/LIPDPS	New Loon Fung Chinese Restaurant	Above Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09159/LIPDPS	Loon Fung Supermarket	Ground Floor 42-44 Gerrard Street London W1D 5QG	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
16/12369/LIPDPS	Bao And Noodle	16 Lisle Street London WC2H 7BE	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/08900/LIPDPS	See Woo Supermarket	Ground Floor 18 - 20 Lisle Street London WC2H 7BA	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
13/07015/LIPDPS	Loon Tao Chinese Restaurant	31 Gerrard Street London W1D 6JT	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/04273/LIPCHT	Pho & Bun	76 - 78 Shaftesbury Avenue London W1D 6NG	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

17/11099/LIPT	Little Hong Kong	Ground Floor 18 Gerrard Street London W1D 6JF	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/13111/LIPT	New World Restaurant	Basement To Third Floor And Fourth Floor Rear 1 Gerrard Place London W1D 5PA	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 01:00
14/01227/LIPT	Royal Dragon Chinese Restaurant	30 Gerrard Street London W1D 6JS	Monday to Saturday; 10:00 - 00:30 Monday to Sunday; 09:00 - 03:00 Sunday; 12:00 - 00:00
18/02226/LIPDPS	Feng Shui Inn	4-5 Gerrard Street London W1D 5PF	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
08/10074/LIPV	Young Cheng Restaurant	22 Lisle Street London WC2H 7BA	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:00 Sunday; 10:00 - 00:00
18/05198/LIPCH	Little Lamb	Basement And Ground Floor 72 Shaftesbury Avenue London W1D 6NA	Monday to Sunday; 10:00 - 23:30
14/09979/LIPDPS	Wan Chai Corner Chinese Restaurant	Tang House 3 Gerrard Street London W1D 5PD	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/08111/WCCMAP	Imperial China	Wheeler House 25A Lisle Street London WC2H 7BA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/10458/LIPVM	Plum Valley	20 Gerrard Street London W1D 6JQ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/02040/LIPN	ER MEI	Basement And Ground Floor 6-7 Lisle Street London WC2H 7BG	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/01226/LIPT	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/10321/LIPDPS	Preto	71-73 Shaftesbury Avenue London W1D 6LN	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/13677/LIPVM	Beijing Dumplings	Basement And Ground Floor 23 Lisle Street London WC2H 7BA	Monday to Saturday; 10:00 - 03:00 Sunday; 12:00 - 03:00
08/11517/LIPD	Gerry's Club	Basement 52-53 Dean Street London W1D 5BJ	Monday to Saturday; 10:00 - 03:30 Sunday; 12:00 - 23:00
17/03088/LIPVM	The Piccadilly London Soho	69 Shaftesbury Avenue London W1D 6EX	Monday to Sunday; 00:00 - 00:00
16/08131/LIPV	Real Beijing Restaurant	46 Gerrard Street London W1D 5QH	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/02430/LIPVM	New Mayflower Chinese Restaurant	68 - 70 Shaftesbury Avenue London W1D 6LY	Monday to Saturday; 10:00 - 04:00 Sunday; 11:00 - 04:00
16/10173/LIPDPS	Pepper Lime	Basement To First Floor 25 Lisle Street London	Monday to Thursday; 11:30 - 23:30 Friday to

		WC2H 7BA	Saturday; 11:30 - 00:00 Sunday; 11:30 - 22:30
12/02836/LIPVM	Prince Charles Cinema	Ground Floor And Basement Charles House 7 Leicester Place London WC2H 7BP	Friday to Saturday; 09:00 - 07:00 Sunday to Thursday; 09:00 - 03:00
17/08650/LIPVM	Not Recorded	Victory House 14 Leicester Place London WC2H 7BP	Monday to Sunday; 00:00 - 00:00