

Licensing Sub-Committee Report

Item No:	
Date:	25 October 2018
Licensing Ref No:	18/09161/LIPN - New Premises Licence
Title of Report:	Basement & Ground Floor 5-6 Henrietta Street London WC2E 8PS
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:	3 August 2018		
Applicant:	Taster Food Uk Ltd		
Premises:	Din Tai Fung		
Premises address:	5-6 Henrietta Street London WC2E 8PS	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The application form describes the premises as a restaurant operating over the Ground Floor and Basement in Covent Garden.		
Premises licence history:	The premises is currently licensed under reference 17/10013/LIPDPS. A full licence history is provided at Appendix 4.		
Applicant submissions:	The applicant has agreed to model condition 66 proposed by the police. Comments have been received from the applicants representative and the applicant has proposed that if granted, the applicant will apply for late night refreshment by way of a minor variation. The full exchange of emails can be found in Appendix 3.		
Amendment to application:	The applicant originally applied for the playing of recorded music, however, following comments with the responsible authorities this part of the application has been withdrawn.		

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	12:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:			None.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah (<i>Withdrawn</i>)
Received:	7 th September 2018
<p>I refer to the application for a new Premises Licence for the above mentioned premises. The premises is located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.</p> <p>The applicant is seeking the following licensable activity:</p> <ol style="list-style-type: none">1. Playing of recorded music “Indoors” Monday to Sunday from 11:00 hours to 00:00 hours (midnight)2. Supply of alcohol for consumption “On the premises” Monday to Sunday from 11:00 hours to 00:00 hours (midnight) <p>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:</p> <ol style="list-style-type: none">1. The playing of recorded music, especially beyond core hours, would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area2. The supply of alcohol and the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area <p>Applicant has agreed model condition (MC) 66 with the police yet applicant has not applied for Late Night Refreshment (LNR). Therefore between 23:00 hours and 00:00 hours, MC66 agreed with the police cannot be complied with.</p> <p>Applicant has applied for hours in excess of the council’s core hours on all seven days of the week and yet there is no demonstration within the application that these would not give rise to increased risk of public nuisance and public safety.</p> <p>Between 23:00 hours and 00:00 hours, no application for Late Night Refreshment has been made and therefore, as presented, the premises would appear to operate as a bar during those hours. As a bar during night hours would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area.</p> <p>It is my view that the 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 West End Cumulative Impact area.</p> <p>The application made no reference to an existing licence ref. 17/10013/LIPDPS for the premises. Additionally this application is inconsistent with the existing premises licence.</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.</p>	

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

The Environmental Health Service proposed the following conditions which have been agreed with the applicant:

1. The supply of alcohol shall cease at 23:00 hours until such time that the provision of Late Night Refreshment is permitted on the premises
2. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed
 - a. Basement xx persons
 - b. Ground Floor xx personsWith no more than 300 persons on the premises at any one time (subject to clearance)
3. 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.
4. 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.
5. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
6. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
7. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
8. 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
9. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
10. 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
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. 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.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
14. The Licence will have no effect until the premises have been assessed as satisfactory

by the Environmental Health Consultation Team and this condition has been removed from the Licence.

15. 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 by way of variation.

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

Responsible Authority:	Metropolitan Police Service (<i>withdrawn</i>)
Representative:	PC Adam Dweltz
Received:	20 th August 2018

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

The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

Would it be possible to visit the location and have a meeting with you to discuss the application please?

The Metropolitan Police Service proposed the following conditions:

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. 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.
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. 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.

I look forward to your prompt response.

Following the agreement of the above conditions the Metropolitan Police Service have withdrawn their representation.

Responsible Authority:	Licensing Authority
Representative:	Roxana Haq
Received:	11 th September 2018

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

5-6 Henrietta Street, London WC2E 8PS.

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

This application seeks the following:

The supply of alcohol (on premises)
Monday – Sunday: 11:00 – 00:00

Playing of recorded music (indoors)
Monday – Sunday: 11:00 – 00:00

The premises is located within the West End Cumulative Impact area and as such a number of policy points must be considered, namely RNT2, PB2 HRS1 and CIP1.

The applicant has accepted the Metropolitan Police's proposal of model condition 66 which would bring it in line with RNT2. However the hours of licensable activities, as applied for, fall outside the council's core hours policy on specifically Sunday to Thursday. There has not been an application for Late Night Refreshment for those hours outside of the core hours and therefore, as presented, policy PB2 would have to be considered.

Furthermore, the applicant must also demonstrate that the operation of the premises will not add to cumulative impact in the Cumulative Impact Area. Applications which fall under PB2 should provide an exception to policy. The Licensing Authority encourages the applicant to provide further submissions as to how the premises could be considered an exception. Further discussions will be held with the applicant prior to the hearing and any further submissions will be forwarded on for Members information.

For your information and assistance I attach a copy of the Council's Statement of Licensing Policy that I have referred to above.

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

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	Not provided
Received:	11 th September 2018
<p>Henrietta Street is a mix of residential, retail, office and restaurants. In the application they have not acknowledged that there are residential properties in the road.</p> <p>Our flat is opposite 5-6 Henrietta Street and any activity on these premises, particularly late into the evening, has a direct impact on our well being as our bedrooms are on the Henrietta side of the building.</p> <p>The request to have licensing together with recorded music until midnight is outside core hours and we are worried the increased level of noise and disturbance will cause a public nuisance.</p> <p>We are concerned that any use of tables outside on the pavement would have a direct impact on the level of noise and disturbance coming from the building and although not specifically mentioned we would be strongly opposed to this.</p> <p>It is described as a restaurant but there is no comment about how it operate and whether drinks would only be served at tables to those eating. Late night refreshment has not been applied for so how would it operate as a restaurant after 11pm? Will it in fact be operating more like a bar? Reference is made to a bar on the ground floor and with 230 dining seats it is a sizeable operation that will significantly add to the number of people wandering around Henrietta street late in the evening.</p> <p>There is also the noise and disturbance from deliveries and waste collection (not addressed) which could be taking place late at night and in the early hours outside our bedroom window.</p> <p>Henrietta Street is a vibrant road and we are lucky to be part of the atmosphere of Covent Garden. However although lively during the day it does tend to wind down by 10pm. We would be reluctant for a licence to be given to an establishment that could dramatically change this. It is the third new licence requested in this street in as many months!!</p>	

If a licence were to be granted we would not want the hours to go beyond 11pm and for it to be operated as restaurant and not as a bar.

Richard Brown has provided further comments on behalf of the resident as he is unable to attend the hearing:

I am writing on behalf of a local resident, [REDACTED], who has made a relevant representation in respect of this application. [REDACTED] is keen to attend the hearing listed for 25 October, and is trying to re-jig her diary accordingly. As you know, I am unable to represent residents on 25 October I will be recovering from an operation. I thought it would be helpful for Members and the parties if I updated them on [REDACTED] position.

Jonathan Smith of Poppleston Allen has very helpfully made me aware of a number of amendments to the application, and these amendments address a number of [REDACTED] concerns. Jonathan has also kindly passed on his client's contact details, and [REDACTED] will endeavour to meet with him prior to the hearing.

In terms of the concerns expressed in the representation and the application as it now stands, [REDACTED] notes the following:

1. Recorded music has been withdrawn.
2. The terminal hours now accord with the existing licence. Although [REDACTED] appreciates that the existing licence permitted slightly longer than core hours, she would ask Members to note the 'core hours' Policy, and that her preference is for the Policy to be adhered to. She does however note that if Members do agree to grant slightly longer in cognisance of the existing licence, it would not set a precedent for other premises.
3. MC66 has been proposed, and I understand this will be throughout the premises. [REDACTED] views this as a positive development, particularly in view of the fact that the existing licence does not restrict sale of alcohol as ancillary to a table meal throughout the premises.
4. It is noted that off-sales have not been applied for and so presumably the applicant does not intend to provide tables and chairs outside the premises. This was a major concern expressed in the representation.

[REDACTED] also expressed some concern as to noise deliveries and waste collections at unsociable hours. The Operating Schedule states that 'Commercial deliveries, collections and storage/ disposal of waste, including beer deliveries, refuse, collections and storage / disposal of waste and collections and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Sunday.' This would be acceptable to [REDACTED] and would suggest Model Conditions 35 (movement of waste etc), 43 (collections of waste etc) and 65 (deliveries) be re-worded accordingly.

Subject to the points above, [REDACTED] concerns are somewhat alleviated. However, [REDACTED] does wish to raise her concerns about the 'cumulative impact' of licensed premises in this part of Covent Garden. Henrietta Street runs parallel to Maiden Lane. [REDACTED] is aware of a number of new licence applications on Henrietta Street recently. She is concerned that Henrietta Street does not morph into a new Maiden Lane, which has a large number of licensed premises. [REDACTED] is not of course against licensed premises on Henrietta Street – it is a vibrant part of central London. She is however worried that the number and type of premises on Henrietta Street could cumulatively change the character of the street, and increase noise and nuisance.

I have explained the Council's 'cumulative impact' policy as it relates to this application. [REDACTED] would like to flag up the concerns expressed in the previous paragraph and respectfully asks that Members carefully consider the potential cumulative impact on the street and only grant the application if they are satisfied that this application will not add to it.

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 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 RNT2 applies:	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

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

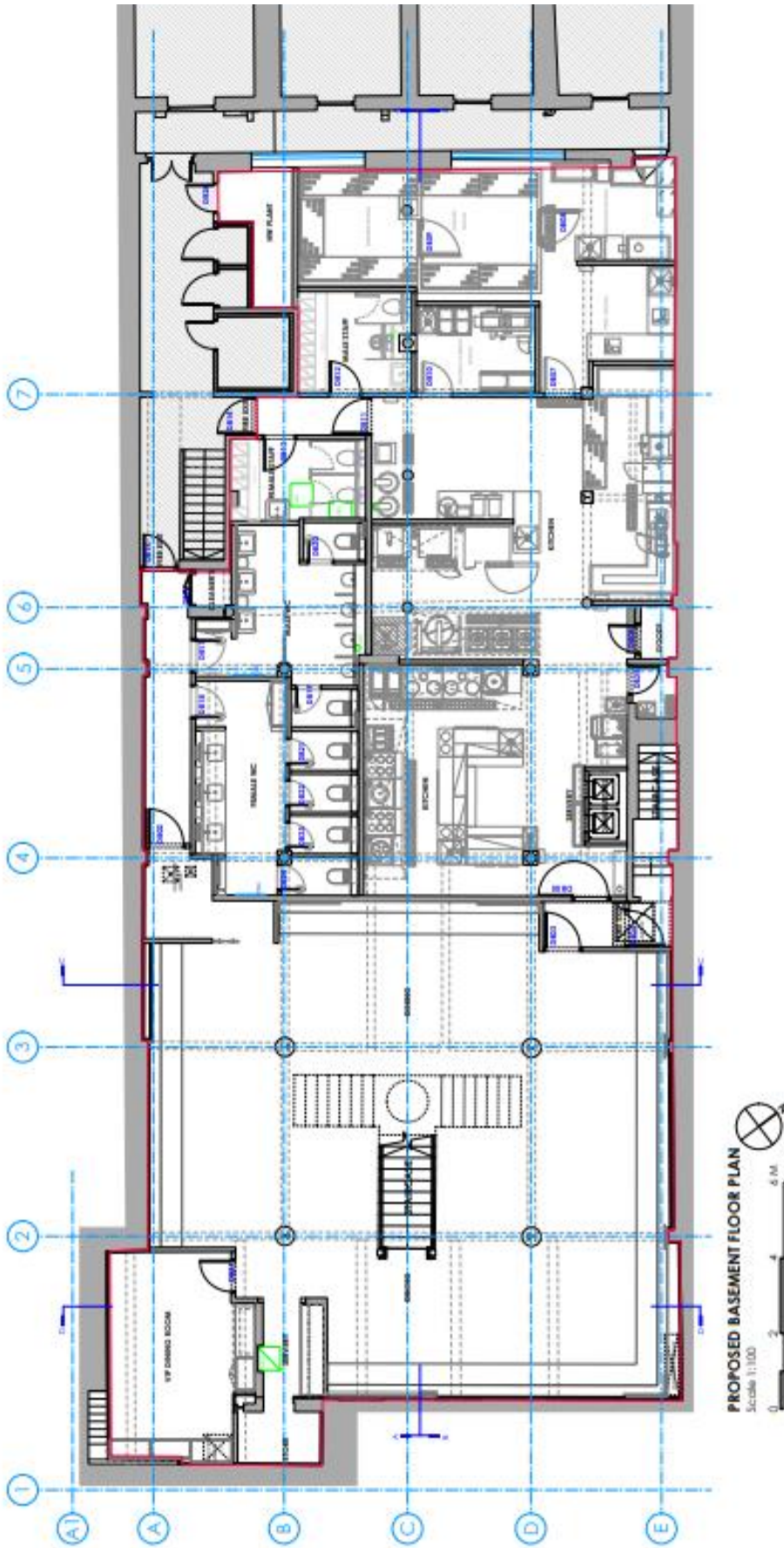
Appendix 1	Premises plans
Appendix 2	Existing Premises Licence
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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	Environmental Health Service Representation – withdrawn	7 th September 2018
5	Metropolitan Police Service Representation – Withdrawn	20 th August 2018
6	Licensing Authority Representation	11 th September 2018
7	Representation	11 th September 2018



<p>Project: 201 Client's Offices Drawing: Proposed Basement Floor - Landmark Plus Drwg No. - ANT - 454/101</p>	
<p>Client: LORIMAR Date: 11 Aug 13</p>	<p>Rev: *</p>

<p>1. All work shall be in accordance with the latest edition of the National Building Code of Canada (NBC) and the Ontario Building Code (OBC).</p>
<p>2. All work shall be in accordance with the latest edition of the National Electrical Code (NEC) and the Ontario Electrical Code (OEC).</p>
<p>3. All work shall be in accordance with the latest edition of the National Fire Protection Association (NFPA) and the Ontario Fire Code (OFC).</p>
<p>4. All work shall be in accordance with the latest edition of the National Mechanical Code (NMC) and the Ontario Mechanical Code (OMC).</p>
<p>5. All work shall be in accordance with the latest edition of the National Plumbing Code (NPC) and the Ontario Plumbing Code (OPC).</p>
<p>6. All work shall be in accordance with the latest edition of the National Gas Code (NGC) and the Ontario Gas Code (OGC).</p>
<p>7. All work shall be in accordance with the latest edition of the National Electrical Safety Code (NESC) and the Ontario Electrical Safety Code (OESC).</p>

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City of Westminster

Schedule 12
Part AWARD: St James's
UPRN: 010033536362

Premises Licence

Regulation 33, 34

Premises licence number:

17/10013/LIPDPS

Original Reference:

05/09486/LIPN

Part 1 – Premises details

Postal address of premises:

Masons Cafe Bar
Basement And Ground Floor
5 - 6 Henrietta Street
London
WC2E 8PS

Telephone Number: 020 7379 1871

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30
Non-standard Timings: See conditions 9 and 10

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30
Non-standard Timings: See conditions 9 and 10

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00
Non-standard Timings: See conditions 9 and 10

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30
Non-standard Timings: See conditions 9 and 10

The opening hours of the premises:

Monday to Saturday: 07:30 to 00:00
Sunday: 09:00 to 23:30

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

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

Part 2

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

LT Management Services Ltd
31 Havercroft Industrial Estate
New Road
Attleborough
Norfolk
NR17 1YE

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

02159755

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

Name: Andrew Burn

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

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

Licence Number: 22761
Licensing Authority: South Tyneside Metropolitan Council

Date: _____ 29 November 2017 _____

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that –

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

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

- 8
- (I) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (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.
- (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.
- (IV). (1) Sub-paragraph 8(IV)(2) below applies where the permitted price given by Paragraph 8(II)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The standard terminal hours for licensable activities and hours the premises are open to the public may be extended by one hour on St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day with seven days notice and agreement with the Police.
10. The standard terminal hours for licensable activities and hours the premises are open to the public may be extended by one hour on bank holiday weekend periods (Friday, Saturday, Sunday and Monday), on Thursday before Good Friday and on Christmas Eve. The extension will not apply on Bank Holiday Mondays where the following day is a working day.
11. Children under the age of 18 shall not be allowed to play on Section 34 permitted AWP machines.
12. Children shall not be allowed in the area immediately adjacent to the bar servery.
13. A recognised proof of age policy shall be enforced.
14. There shall be a no smoking area on the premises.
15. Disc Jockey (if used on any night) shall ask customers to leave quietly.
16. Live Music shall be limited to a maximum of two performers.
17. Notices shall be displayed asking customers to respect neighbours in the area when leaving the premises.
18. Any entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex encounter establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986, (whether or not locally adopted), shall not be provided.

a) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.
19. On the ground floor dining area at the rear of the premises, the supply of alcohol shall only be to persons taking table meals there and consumption by such a person is ancillary to his meal.
20. The supply of alcohol after 23:00 shall only be to persons taking table meals there and consumption by such a person is ancillary to his meal.
21. The basement area shall have a minimum of 70 seats and the supply of alcohol in this area shall only be provided by waiter or waitress service to persons seated at tables.
22. Substantial food and suitable beverages other than alcohol (including drinking water) shall be equally available during the permitted hours.
23. The premises will maintain a comprehensive CCTV system that ensures that all Bar and Restaurant areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing.

The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (Subject to the Data Protection Act 1998).

24. The number of persons accommodated (including staff) shall not exceed 230 on the ground floor and 85 in the basement.
25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
26. The doors to the premises are to remain closed after 21:00 except for immediate access and egress of patrons.
27. All off sales are to be in sealed containers except to persons seated at tables and chairs outside the premises which have been granted permission to be placed by Westminster City Council.
28. The supply of alcohol at any outdoor tables shall be by waiter/waitress service only.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. Refuse cannot remain presented for collection on the highway for more than 2 hours after the scheduled collection times.

Annex 4 – Plans

Attached



City of Westminster

Schedule 12
Part B

Premises licence
summary

WARD: St James's
UPRN: 010033536362

Regulation 33, 34

Premises licence number:

17/10013/LIPDPS

Part 1 – Premises details

Postal address of premises:

Masons Cafe Bar
Basement And Ground Floor
5 - 6 Henrietta Street
London
WC2E 8PS

Telephone Number: 020 7379 1871

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Anything of a similar description to Live Music or Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	See conditions 9 and 10

Anything of a similar description to Live Music or Recorded Music

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30
Non-standard Timings:	See conditions 9 and 10

Late Night Refreshment

Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Non-standard Timings:	See conditions 9 and 10
Non-standard Timings: See conditions 9 and 10	

The opening hours of the premises:

Monday to Saturday: 07:30 to 00:00
Sunday: 09:00 to 23:30

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

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

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

LT Management Services Ltd
31 Haverscroft Industrial Estate
New Road
Attleborough
Norfolk
NR17 1YE

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

02159755

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

Name: Andrew Burn

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

Restricted

Date: 29 November 2017

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

From: Jonathan Smith
Sent: 27 September 2018 10:28
To: Koduah, Maxwell: WCC <mkoduah@westminster.gov.uk>
Cc: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>; Eaton, Samantha: WCC <seaton@westminster.gov.uk>; Gadd, Daisy: WCC <dgadd@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>
Subject: Din Tai Fung, 5 - 6 Henrietta Street, WC2 - 18/09161/LIPN

All,

I refer to Maxwell's email, specifically of yesterday.

Condition M66 is only untenable in terms of post 23:00 when (vi) could not be observed. However, as long as alcohol sales stopped at 23:00, there would be nothing wrong in the application being granted with alcohol sales continuing until midnight.

As I have explained in previous emails, should this application be granted then my client would immediately apply for a minor variation to permit the sale of hot food until midnight for consumption on the premises only, which I understand can be dealt with by a minor variation, since it is only for hours permitted for other licensable activities on the Premises Licence and not for consumption off the premises.

You are entirely right of course, and I cannot simply add late night refreshment without the additional hours being consulted upon. My other option however is not to cut the hours of alcohol supply back to 23:00 but, rather, to apply for a minor variation. Should that variation not be granted for any reason to extend the hours for late night refreshment, then my client would simply have to cease alcohol sales by 23:00 in order to comply with M66 (vi).

So, in essence everyone, what I am asking for is for the existing application to stand, but only for the sale of alcohol and opening until midnight, but with sale of alcohol and opening on a Sunday curtailed to 23:30, in line with the existing Premises Licence, i.e., a reduction of 30 minutes on the application for the sale of alcohol and opening to mirror the hours permitted by the current Premises Licence for the sale of alcohol and opening.

My client is quite willing, Adam, to observe condition MC66, and I understand you and he had a discussion about people who are waiting for a table being permitted to consume alcohol. Whilst my client intends to apply for a Pavement Licence, it does not intend to allow people to drink alcohol outside and, therefore, there is no intention now to vary the Premises Licence to permit any off-sales.

What I would like confirmation from please Daisy, is should this application be granted as I am now requesting, can the two variations I will seek, namely: Late Night Refreshment for consumption on the premises only until midnight Monday to Saturday, and 23:30 on a Sunday, and for people who are waiting for a table meal to be able to consume alcohol, to be dealt with by a minor variation.

My apologies this is complicated but, as you know, my client has sought to apply for a new licence unaware of the existence of an existing Premises Licence at the premises.

I look forward to hearing from everyone as soon as possible.

Yours sincerely

Jonathan

Jonathan Smith | Partner

Poppleston Allen

From: Jonathan Smith

Sent: 05 October 2018 11:50

To: Koduah, Maxwell: WCC <mkoduah@westminster.gov.uk>

Cc: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>; Eaton, Samantha: WCC <seaton@westminster.gov.uk>; Gadd, Daisy: WCC <dgadd@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>

Subject: RE: Din Tai Fung, 5 - 6 Henrietta Street, WC2 - 18/09161/LIPN

Maxell

We are happy with your conditions and the capacity split is 190 Ground Floor and 110 basement (ex Staff) maximum 300.

I think this just leaves the Licensing rep Roxsana.

Roxsana can you confirm if we pull the Sunday hours back to 2330 for alcohol sales and drop recorded music (which we have agreed to do) so the hours are the same as on the existing licence (although this new licence will be subject to MC66) you would be prepared to withdraw your rep.

Once granted I confirm we will immediately apply to vary the Licence to permit LNR to 2330 Sundays and midnight other days of the week but for consumption on the premises only.

Jonathan Smith | Partner

Poppleston Allen

Premises History**Appendix 4**

Application	Details of Application	Date Determined	Decision
05/09486/LIPN	New Premises Licence Application	23.11.2005	Granted by Licensing Sub Committee
05/12952/LIPDPS	Application to Vary the Designated Premises Supervisor	09.12.2005	Granted under delegated authority
05/12594/LIPT	Application to transfer the Premises Licence	20.12.2005	Granted under delegated authority
06/00143/LIPDPS	Application to Vary the Designated Premises Supervisor	13.01.2006	Granted under delegated authority
06/00166/LIPDPS	Application to Vary the Designated Premises Supervisor	27.12.2007	Granted under delegated authority
06/09338/WCCMAP	Master Licence	28.02.2007	Granted under delegated authority
08/08396/LIPT	Application to transfer the Premises Licence	02.03.2009	Granted under delegated authority
09/00468/LIPDPS	Application to Vary the Designated Premises Supervisor	02.03.2009	Granted under delegated authority
09/03674/LIPV	Application to Vary the Premises Licence	16.06.2009	Granted under delegated authority
09/09051/LIPDPS	Application to Vary the Designated Premises Supervisor	04.01.2010	Granted under delegated authority
10/08035/LIPVM	Application for a Minor Variation	01.11.2010	Granted under delegated authority
11/10354/LIPVM	Application for a Minor Variation	08.11.2011	Granted under delegated authority
15/02891/LIPVM	Application for a Minor Variation	13.05.2015	Refused under delegated authority
15/04502/LIPDPS	Application to Vary the Designated Premises Supervisor	11.11.2015	Granted under delegated authority
15/08395/LIPT	Application to transfer the Premises Licence	11.11.2015	Granted under delegated authority
17/01121/LIPT	Application to transfer the Premises Licence	28.02.2017	Granted under delegated authority
17/01124/LIPDPS	Application to Vary the Designated Premises Supervisor	28.02.2017	Granted under delegated authority
17/10013/LIPDPS	Application to Vary the Designated Premises Supervisor	29.11.2017	Granted under delegated authority

There is no appeal history

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

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

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers 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 premises licence holder will ensure that management level restaurant staff to have formal qualifications for example personal license holders.

10. The premises licence holder will ensure that proper training for all staff on premise specific policies as part of new hire training.
11. The premises licence holder will ensure training records are recorded and documented.
12. Only low volume background music will be played in the restaurant premise.
13. Doors will have automatic closing functions to prevent noise leakage.

Alternate condition agreed with the Environmental Health Service:

All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

14. Windows will be kept closed at all times.

Alternate condition agreed with the Environmental Health Service:

All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.

15. Queues will be actively managed by door staff, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people queuing to get in should not be tolerated. Door staff will refuse entry to anyone behaving in an anti-social way.
16. Customers will not be allowed to take glasses out of the restaurant. This will prevent them from loitering outside the restaurant.
17. Staff who depart late at night when the business has ceased trading, will conduct themselves in such a manner as to avoid causing disturbance to nearby residents.
18. Commercial deliveries, collections and storage/ disposal of waste, including beer deliveries, refuse, collections and storage / disposal of waste and collections and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Sunday.
19. Kitchen machinery will not cause nuisance to local residents by way of noise, odours or vibration.
20. A 'Challenge 25' scheme gives staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.

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

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.

21. Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. If you accept other forms of ID such as EU National ID cards, these must bear a photograph, date of birth and holographic mark.
22. The bar will keep a refusals book (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18. The book will contain the date and time of the

incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.

23. Staff training in the age related sections of the Licensing Act 2003 will be provided to all bar and front of house staff. This includes the ability to competently check customers' identification where necessary. Training records will be documented and kept.
24. A health & safety policy and full risk assessment will be written by a qualified health & safety consultant.
25. All staff will be trained and will attain a level 2 health & safety certification from a national body. This will be part of the new hire training program. Training records will be documented and kept.
26. There will be a minimum of three first aiders on site at any given time and first aid boxes will be available on both floors.
27. The site will be adequately ventilated with appropriate temperatures and humidity levels. Kitchens will have proper exhaust systems.
28. A full fire risk assessment will be written by a qualified consultant and there will be a minimum of three fire marshals on site at any given time.
29. Customers will not be allowed to carry any glasses, bottles or tableware out of the restaurant.

Conditions proposed by the Environmental Health Service and agreed by the applicant to form part of the Operating Schedule:

30. The supply of alcohol shall cease at 23:00 hours until such time that the provision of Late Night Refreshment is permitted on the premises
31. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed:
 - a. Basement xx persons
 - b. Ground Floor xx persons

With no more than 300 persons on the premises at any one time (subject to clearance)

32. 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.
33. 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.
34. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
35. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
36. 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

37. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, all not be permitted to take drinks or glass containers with them
38. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
39. 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.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
41. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
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 by way of variation.

Conditions proposed by the Metropolitan Police Service and agreed by the applicant to form part of the Operating Schedule:

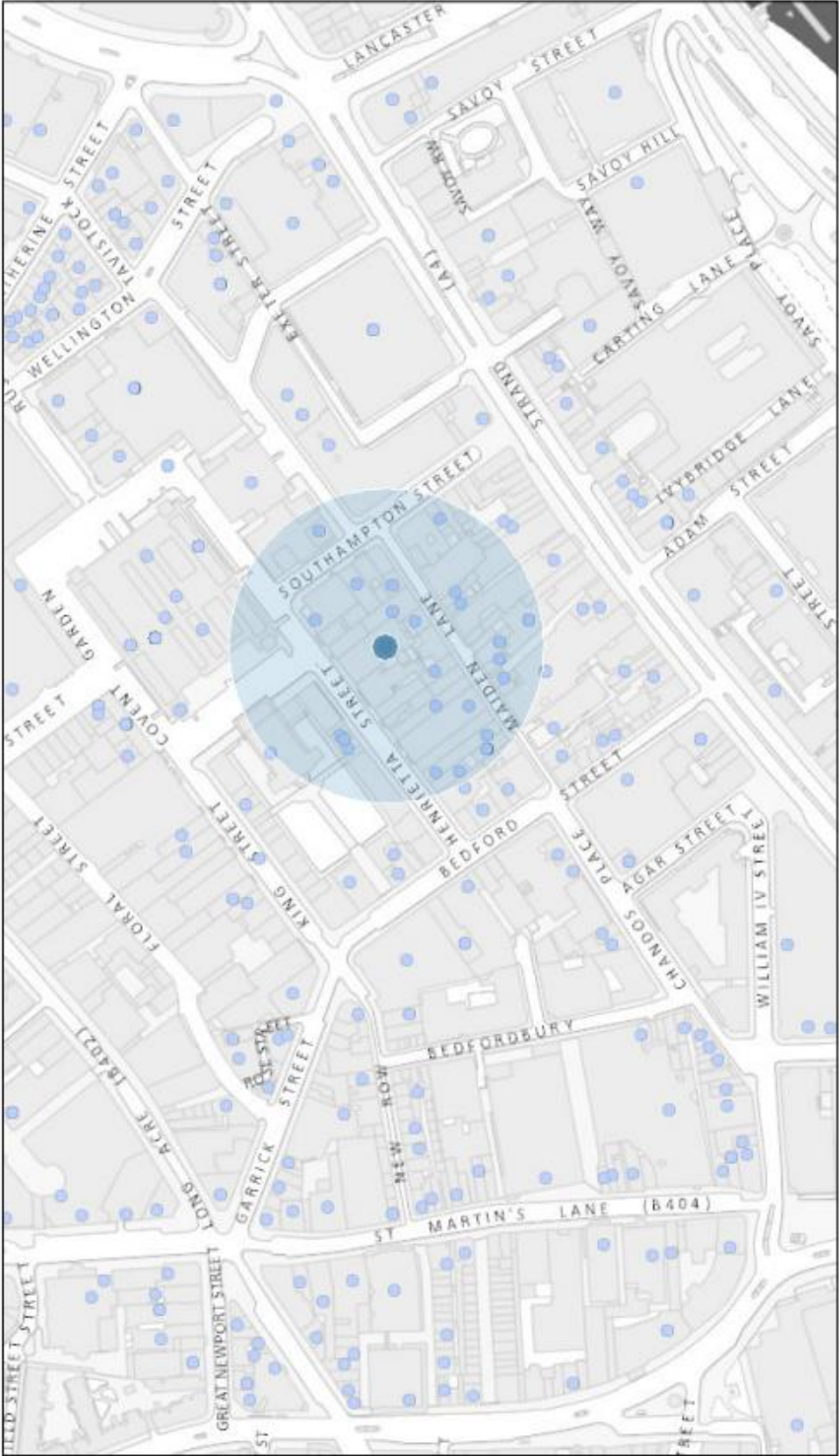
43. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
44. 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.
45. 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.
46. 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.

Residential Map and List of Premises in the Vicinity

5-6 Henrietta Street



October 18, 2018

● Live Licensing Act

Resident count = 99

Premises within 50 metres of: Din Tai Fung, 5-6 Henrietta Street, London

Ref	Name of Premises	Premises Address	Licensed Hours
17/10013/LIPDPS	Masons Cafe Bar	Basement And Ground Floor 5 - 6 Henrietta Street London WC2E 8PT	Monday to Saturday; 07:30 - 00:00 Sunday; 09:00 - 23:30
16/12576/LIPDPS	Maple Leaf	Ground Floor 41 Maiden Lane London WC2E 7LJ	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
16/10196/LIPCH	Franco Manca	38 - 39 Maiden Lane London WC2E 7LJ	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/04360/LIPV	Rules Restaurant	34 - 35 Maiden Lane London WC2E 7LB	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/05129/LIPV	Covent Garden Grind	42 Maiden Lane London WC2E 7LJ	Monday to Thursday; 07:30 - 23:30 Friday; 07:30 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30
18/01122/LIPDPS	The Ivy Market Grill	1A Henrietta Street London WC2E 8PP	Monday to Thursday; 07:00 - 00:30 Friday; 07:00 - 01:00 Saturday; 08:00 - 01:00 Sunday; 08:00 - 23:30
18/04918/LIPN	Abuelo	26 Southampton Street London WC2E 7JA	Monday to Thursday; 08:00 - 22:00 Friday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 2:00
16/12562/LIPDPS	Sticks 'n' Sushi	11 Henrietta Street London WC2E 8PY	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 22:50
17/05529/LIPN	Not Recorded	32 Henrietta Street London WC2E 8NA	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:30
17/08902/LIPN	Host Coffee	31 Henrietta Street London WC2E 8NA	Monday to Wednesday; 07:30 - 21:00 Thursday to Friday; 07:30 - 22:00 Saturday; 08:30 - 22:00 Sunday; 10:00 - 19:00

06/08725/WCCMAP	Covent Garden News	31 Henrietta Street London WC2E 8NA	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
18/00718/LIPDPS	Thai Pin Restaurant	Ground Floor 7 - 8 Maiden Lane London WC2E 7NA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09679/LIPCH	Da Polpo	Ground Floor 6 Maiden Lane London WC2E 7NA	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 09:00 - 00:30
18/06209/LIPVM	Cora Pearl	30 Henrietta Street London WC2E 8NA	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 00:00