

Licensing Sub-Committee Report

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| Item No: | |
| Date: | 27 June 2019 |
| Licensing Ref No: | 19/04945/LIPN - New Premises Licence |
| Title of Report: | Buns and Buns 5 The Market Covent Garden 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: | Michelle Steward Senior Licensing Officer |
| Contact details | Telephone: 0207 641 1872 Email: msteward1@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|---|--------------------------------|------------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 29 April 2019 | | |
| Applicant: | Cgunit1 Limited | | |
| Premises: | Buns and Buns | | |
| Premises address: | 5 The Market Covent Garden London WC2E 8RA | Ward: | St James's |
| | | Cumulative Impact Area: | West End |
| Premises description: | According to the application form the premises intend to trade as a restaurant. The application seeks to increase the hours for licensable activities as detailed below. | | |
| Premises licence history: | Although this is a new premises licence application, the premises has the benefit of a premises licence numbered 18/08034/LIPVM since 2012. The current premises licence is attached at Appendix 1 of the report. Please see Appendix 3 of the report for the full licence history. | | |
| Applicant submissions: | There are no submissions from the applicant. | | |

| 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: | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 |
| Seasonal variations/ Non-standard timings: | | All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | | |

| | | | | | | | |
|---|------------|--|------------|----------------------------------|------------|------------|------------|
| Films and Recorded Music: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 |
| End: | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 |
| Seasonal variations/ Non-standard timings: | | All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | | |

| | | | | | | | |
|---|------------|--|------------|---------------------------------|------------|------------|------------|
| Sale by retail of alcohol | | | | On or off sales or both: | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 |
| End: | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 | 01:00 |
| Seasonal variations/ Non-standard timings: | | All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | | |

| Hours premises are open to the public | | | | | | | |
|---|------------|--|------------|-------------|------------|------------|------------|
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 07:00 | 07:00 | 07:00 | 07:00 | 07:00 | 07:00 | 07:00 |
| End: | 01:30 | 01:30 | 01:30 | 01:30 | 01:30 | 01:30 | 01:30 |
| Seasonal variations/ Non-standard timings: | | All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | | | | |

2. Representations

| 2-A Responsible Authorities | |
|---|------------------------------|
| Responsible Authority: | Environmental Health Service |
| Representative: | Ian Watson |
| Received: | 23 May 2019 |
| <p>The premises is 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 floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday between 10.00 to 01.00 hours. New Year's Day to New Year's Day. 2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Sunday between 23.00 to 01.00 hours. New Year's Day to New Year's Day. 3. To provide regulated entertainment 'indoors' and 'Outdoors' comprising <ul style="list-style-type: none"> • Films • Recorded Music Monday to Sunday between 10.00 to 01.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CI Area. 2. The hours requested to permit 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. 3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the West End CI Area. <p>The applicant has provided additional information with the application which is being addressed.</p> | |
| Responsible Authority: | Licensing Authority |
| Representative: | Angela Seaward |
| Received: | 24 May 2019 |
| <p>I write in relation to the application submitted for a new premises licence for 5 The Market, Covent Garden, London, WC2E 8RA.</p> | |

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 has considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

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

The application seeks the following Licensable Activities:

Sale of Alcohol, recorded music and Films:

Monday to Sunday 10:00 – 01:00

Late Night Refreshment

Monday to Sunday 23:00 – 01:00

Non standard timings: All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Opening Hours

Monday to Sunday 07:00 – 01:30

Non standard timings: Opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and RNT2.

At present, the hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises, Westminster's core hours are as follows:

Monday to Thursday: 10:00 – 23:30

Friday and Saturday: 10:00 – 00:00

Sunday: 12:00 to 22:30

The Licensing Authority would encourage the applicant to consider reducing the hours for licensable activities to be in line with those of Westminster's Core Hours Policy, HRS1.

The application proposes to operate as a restaurant and the applicant has proposed the Councils Restaurant Model condition 66 making the application in line with Policy RNT2 of the councils policy which states that 'applications will be granted provided it can demonstrated that they will not add to cumulative impact in the Cumulative Impact Area'.

Paragraph 2.5.14 states that new restaurant premises will generally be granted the core hours (for premises that serve alcohol for consumption on the premises) in line with policy HRS1.

The Licensing Authority notes that the plan on the ground floor shows a bar with seated area around it, as there are no conditions offered from the applicant on how the premises intends to you this area, the Licensing Authority seeks further clarification on how this will operate.

The Licensing Authority notes that the applicant has applied for the sale by retail of alcohol both on and off the premises. The Licensing Authority would encourage the applicant to provide further submissions and information as to the proposed operation of 'off sales' from the premises, and how this is intended to be operated and controlled from the premises to ensure that there is no adverse impact within the West End Cumulative Impact Area.

The Licensing Authority also notes that the premises currently benefits from a premises licence 18/08034/LIPVM.

The Licensing Authority would like to propose Model Condition 62 to read as follows;

- *No licensable activities shall take place at the premises until premises licence 18/02631/LIPVM (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.*

The Licensing Authority encourages the applicant to provide further submissions as to how the operation of the premises will not add to cumulative impact in the cumulative impact areas in accordance with policy CIP1 and RNT2.

2-B Other Persons

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]

Received:

25 May 2019

This is an application for a New Premises Licence for the unit trading as Buns and Buns. The new licence would have the effect of making the operation open earlier (07:00 instead of 08:00) and close later (01:30 instead of 00:30). It would continue to operate as a restaurant with full MC66 conditions. The existing licence allows for up to 15 non-dining drinkers in the basement area until 20:00 (no consumption after 20:30) which is not included on the new licence.

The [REDACTED] OBJECTS to the proposed application because we believe that the additional 1 hour in both the morning and evening periods will harm the Public Nuisance Licensing Objective. This is because it will bring encourage people to arrive earlier in the morning and leave the area later in the evening. These people are likely to cause an additional disturbance for residents living in the vicinity.

In addition the ground floor unit is not a normal restaurant building but is open to the roof of the Piazza. Any noise generated within this area escapes and reverberates around the Piazza area increasing the noise level. This in turn may encourage other people in the area to make more noise and so increase the general noise level.

Our view is that the opening hours on the current licence should be maintained. These are:

Monday -Saturday: 08:00 to 00:30

Sunday: 08:00 to 00:00

If the Licensing Authority is minded to grant any extension then we would ask that a condition is added which requires the Licence Holder to implement a dispersal policy which ensures that customers are encouraged to arrive at and leave the Piazza area without causing a nuisance and that staff members are available to manage this process in the vicinity of the premises during any extended hours. This would perhaps mitigate some of the risk but would not make it, in our view, acceptable.

3. Policy & Guidance

| | |
|--|---|
| The following policies within the City Of Westminster Statement of Licensing Policy apply: | |
| 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 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><u>For premises for the supply of alcohol for consumption on the premises:</u> 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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> 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 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. Appendices

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

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| Report author: | Michelle Steward Senior Licensing Officer |
| Contact: | Telephone: 0207 641 1872 Email: msteward1@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 | 23 May 2019 |
| 5 | Licensing Authority | 24 May 2019 |
| 6 | Public Representation 1 | 25 May 2019 |

Applicant Supporting Documents

Appendix 2

None



Schedule 12
Part A

WARD: St James's
UPRN: 200001857368

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

18/08034/LIPVM

Original Reference:

12/01347/LIPN

Part 1 – Premises details

Postal address of premises:

Bun Buns
5 The Market
Covent Garden
London
WC2E 8RA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 10:00 to 23:30

The opening hours of the premises:

Monday -Saturday: 08:00 to 00:30
Sunday: 08:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

CGUNIT1 LIMITED
No.1 London Bridge
London
SE1 9BG

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

10490891

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

Name: Cihan Ozgur Karakas

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: LN000006993
Licensing Authority: London Borough Of Haringey

Date: 4 June 2019

This licence has been authorised by Mary Pring 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

- 9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 10. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 11. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the police which will record the following:

- a) All crimes reported at the venue
 - b) All rejections of patrons
 - c) Any incidents of disorder
 - d) Any faults in the CCTV system
 - e) Any refusal of the sale of alcohol
 - f) Any visit by relevant authority or Her Majesty's Service
12. Staff shall be trained in Licensing law and this will include in relation to children and under the age of 18. A record of the staff training will be maintained and can be inspected by the police or Licensing Authority.
13. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the council.
14. Litter shall always be properly presented and placed out for collection no earlier than 30 minutes of the scheduled collection time.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Notices shall be displayed requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
17. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex 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 be provided.
18. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
19. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 60 persons within the basement and 130 persons within the external seating area with no more than 158 persons at any one time.
20. The supply of alcohol shall only be by waiter or waitress service.
21. The variation of this premises licence (to the basement) seating area will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
22. The variation of this premises licence (to the ground floor and toilets in the basement) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
23. Before each works condition 1 and 2 are removed, 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.

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

24. The premises shall operate only as a restaurant:
- i) In which customers are shown to their table other than to a maximum of 15 persons in the basement,
 - ii) Provide food in the form of substantial table meals that are prepared on the premises and served and consumed at the table using non disposable crockery,
 - iii) Which do not provide any takeaway service of food or drink for immediate consumption and
 - iv) Where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial tables meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals other than to a maximum of 15 persons in the basement.

In the Basement

25. The terminal hour for the sale of alcohol to non-dining drinkers will cease at 20:00 hours.
26. A minimum of 50 seats to be provided.
27. All tables will be laid with cutlery and will display a restaurant menu.
28. The sale of alcohol to the 15 non-dining drinkers will only be to persons seated and only by way of waiter/waitress service.
29. Substantial food will always be available.
30. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
31. A maximum of three draft beers or ciders will be available for sale.
32. No alcohol shall be consumed by non-diners after 8:30pm.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 200001857368

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

18/08034/LIPVM

Part 1 – Premises details

Postal address of premises:

Bun Buns
5 The Market
Covent Garden
London
WC2E 8RA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 10:00 to 23:30

The opening hours of the premises:

Monday - Saturday: 08:00 to 00:30
Sunday: 08:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

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

CGUNIT1 LIMITED
No.1 London Bridge
London
SE1 9BG

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

10490891

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

Name: Cihan Ozgur Karakas

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

Registered

Date: 4 June 2019

This licence has been authorised by Mary Pring on behalf of the Director - Public Protection and Licensing.

| Application | Details of Application | Date Determined | Decision |
|--------------------|--|------------------------|------------------------------------|
| 12/01347/LIPN | Application for a new premises licence | 18 April 2012 | Granted under delegated authority |
| 12/04081/LIPV | Application to vary the premises licence | 26 June 2012 | Granted under delegated authority |
| 12/05122/LIPDPS | Application to vary the Designated Premises Supervisor | 28 June 2012 | Granted under delegated authority |
| 13/06496/LIPVM | Application for a minor variation | 12 September 2013 | Granted under delegated authority |
| 13/06586/LIPV | Application to vary the premises licence | 24 October 2013 | Granted at Licensing Sub-Committee |
| 15/05141/LIPT | Application to transfer the premises licence | 9 July 2015 | Granted under delegated authority |
| 15/11433/LIPVM | Application for a minor variation | 21 December 2015 | Granted under delegated authority |
| 16/10738/LIPDPS | Application to vary the designated premises supervisor | 14 December 2016 | Granted under delegated authority |
| 17/01134/LIPDPS | Application to vary the designated premises supervisor | 2 March 2017 | Granted under delegated authority |
| 17/04958/LIPDPS | Application to vary the designated premises supervisor | 31 March 2017 | Invalid application |
| 17/04960/LIPT | Application to transfer the premises licence | 1 August 2017 | Granted under delegated authority |
| 17/06093/LIPT | Application to transfer the premises licence | 1 August 2017 | Granted under delegated authority |
| 17/06679/LIPDPS | Application to vary the designated premises supervisor | 1 August 2017 | Granted under delegated authority |

| | | | |
|----------------|---|------------------|-----------------------------------|
| 17/14770/LIPVM | Application for a minor variation | 3 January 2018 | Granted under delegated authority |
| 18/01367/LIPT | Application to transfer the premises supervisor | 14 February 2018 | Withdrawn |
| 18/02631/LIPVM | Application for a minor variation | 3 April 2018 | Granted under delegated authority |
| 18/08034/LIPVM | Application for a minor variation | 30 August 2018 | 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 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 (except chopsticks),
 - (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.

10. During the hours of operation, 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.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
14. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
17. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. 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.
19. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental health Service, so as to ensure that no noise nuisance is caused to local residents or

businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental health Services and access shall only be by persons authorised by the Premises Licence Holder. The limiter shall not be altered without prior agreement with the Environmental health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

20. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
21. 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 preceding 31 day period.
22. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
23. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) All ejections of patrons;
 - c) Any complaints received concerning crime and disorder;
 - d) Any incidents of disorder;
 - e) All seizures of drugs or offensive weapons;
 - f) Any refusal of sale of alcohol.
24. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
25. A challenge 21 proof of age scheme shall be operated at the premise 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.
26. 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.
27. 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.
28. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
33. 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 there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
34. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

Residential Map and List of Premises in the Vicinity

Appendix 5



Resident Count: 21

| Licensed Premises within 75 metres of Buns and Buns, 5 The Market, Covent Garden, London, WC2E 8RA | | | | |
|---|------------------------------|--|----------------------|---|
| Licence Number | Trading Name | Address | Premises Type | Time Period |
| 19/01737/LIPDPS | Sushi Samba Covent Garden | 35 The Market Covent Garden London WC2E 8RF | Not Recorded | Monday to Thursday; 07:00 - 00:45 Friday to Saturday; 07:00 - 01:00 Sunday; 07:00 - 23:30 Sundays before Bank Holidays; 07:00 - 01:15 |
| 12/01629/LIPDPS | Battersea Pie Station | 28 The Market Covent Garden London WC2E 8RE | Restaurant | Monday to Sunday; 09:00 - 20:00 |
| 19/00352/LIPDPS | | 21 21 The Market Covent Garden London | Restaurant | Monday to Saturday; 09:00 - 02:30 Sunday; 12:00 - 23:00 |

| | | | | |
|-----------------|-------------------------|--|------------|---|
| 10/04974/LIPN | Dinner Jackets | Unit 18 And Unit 19 Jubilee Hall Jubilee Market The Piazza Covent Garden London WC2E 8BE | Restaurant | Monday to Sunday; 11:00 - 19:00 |
| 19/00562/LIPCH | Le Pain Quotidien | 26 - 49 The Market Covent Garden London WC2E 8RE | Cafe | Monday to Sunday; 07:00 - 00:00 |
| 16/05916/LIPN | Aubaine | 22 The Market Covent Garden London WC2E 8RD | Shop | Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 22:30 |
| 16/12633/LIPT | Sushi Samba | 35 The Market Covent Garden London WC2E 8RF | Restaurant | Monday to Saturday; 08:00 - 00:30 Sunday; 09:00 - 00:00 New Year's Eve; XXXX - XXXX |
| 19/03565/LIPDPS | The Crusting Pipe | 27 The Market Covent Garden London WC2E 8RD | Restaurant | Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:30 |
| 09/07681/LIPD | Tutti Frutti | Unit 29 Jubilee Hall Jubilee Market The Piazza Covent Garden London WC2E 8BE | Restaurant | Monday to Sunday; 11:00 - 19:00 |
| 18/03993/LIPDPS | Shake Shack | 23 The Market Covent Garden London WC2E 8RD | Restaurant | Monday to Saturday; 10:00 - 23:00 Sunday; 12:00 - 22:30 |
| 18/13855/LIPDPS | Meatailer | Unit 1a Mezzanine Jubilee Hall Jubilee Market The Piazza Covent Garden London WC2E 8BE | Restaurant | Monday to Sunday; 09:00 - 00:30 |
| 18/02583/LIPCH | Vini Italiani Wine Cafe | 33 The Market Covent Garden London WC2E 8RE | Restaurant | Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 12:00 - 22:30 |
| 18/02631/LIPVM | Bun Buns | 5 The Market Covent Garden London WC2E 8RA | Restaurant | Monday; 08:00 - 00:30 Tuesday; 08:00 - 00:30 Wednesday; |

| | | | | |
|-----------------|-----------------------------|--|--------------------------------|---|
| | | | | 08:00 - 00:30 Thursday; 08:00 - 00:30 Friday; 08:00 - 00:30 Sunday; 08:00 - 00:00 |
| 12/06319/LIPDPS | Laduree | 1 The Market Covent Garden London WC2E 8RA | Restaurant | Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30 Sundays before Bank Holidays; 09:00 - 00:00 |
| 18/03886/LIPDPS | Hotel Chocolat | 10 The Market Covent Garden London WC2E 8RA | Shop | Not Recorded; XXXX - XXXX |
| 16/06937/LIPCH | Punch And Judy Public House | The Punch And Judy 40 The Market Covent Garden London WC2E 8RF | Public house or pub restaurant | Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 23:30 |
| 17/06018/LIPN | Not Recorded | Basement 35 The Piazza Covent Garden London WC2E 8BE | Restaurant | Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 |
| 17/06988/LIPV | Chez Antoinette | The Piazza Covent Garden London | Not Recorded | Monday to Sunday; 11:00 - 23:00 |
| 19/01840/LIPDPS | The Roadhouse | Basement 35 The Piazza Covent Garden London WC2E 8BE | Restaurant | Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 |
| 17/03007/LIPDPS | Whittard Of Chelsea | 18 The Market Covent Garden London WC2E 8RB | Restaurant | Monday to Sunday; 09:00 - 22:00 |
| 15/08311/LIPN | Harrods Pop Up Store | 7 The Piazza Covent Garden London WC2E 8HD | Shop | Monday to Sunday; 09:00 - 20:30 |
| 16/12630/LIPT | Sushi Samba | 7 The Piazza Covent Garden London WC2E 8HD | Shop | Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00 |

| | | | | |
|-----------------|--|--|------------------------------------|---|
| 06/07969/WCCMAP | The Rock Garden And Gardening Club | 6 - 7 The Piazza Covent Garden London WC2E 8HB | Restaurant | Monday to Sunday; 09:00 - 06:00 |
| 17/02051/LIPCH | Apple | 1 The Piazza Covent Garden London WC2E 8HB | Shop (large) | Monday to Sunday; 09:00 - 21:00 |
| 15/07111/LIPN | Morelli's Gelato CG Ltd | 20A The Market Covent Garden London WC2E 8RB | Cafe | Monday to Sunday; 07:00 - 23:30 |
| 10/05496/LIPN | Hola Paella | 28B The Piazza Covent Garden London WC2E 8RD | Restaurant | Monday to Saturday; 09:00 - 23:00 Sunday; 09:00 - 22:30 |
| 10/05017/LIPV | Andronicas World Of Coffee | 28B The Piazza Covent Garden London WC2E 8RD | Restaurant | Monday to Friday; 08:00 - 00:30 Saturday to Sunday; 10:00 - 00:30 |
| 17/08680/LIPN | Andronicas World Of Coffee (Shadow 27B The Piazza) | 28B The Piazza Covent Garden London WC2E 8RD | Cafe | Monday to Saturday; 08:00 - 00:30 Sunday; 10:00 - 00:30 |
| 15/04356/LIPN | St Paul's Church And Grounds | St Pauls Church Bedford Street London WC2E 9ED | Village hall, scout hut or similar | Monday to Sunday; 00:00 - 00:00 |
| 18/07017/LIPT | Maxwells Restaurant | 8-9 James Street Covent Garden London WC2E 8BH | Restaurant | Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 01:00 |
| 19/04891/LIPDPS | Wahlburgers | 8-9 James Street Covent Garden London WC2E 8BH | Restaurant | Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 01:00 |
| 11/07818/LIPDPS | The Essex Serpent | 6 King Street Covent Garden London WC2E 8HN | Pub or pub restaurant with lodge | Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 10:00 - 00:00 |