



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	18 July 2019
Licensing Ref No:	19/06042/LIPV - Premises Licence Variation
Title of Report:	Crazy Pizza Ground Floor 7-9 Paddington Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	20 May 2019		
<b>Applicant:</b>	Pizza Crazy Ltd		
<b>Premises:</b>	Crazy Pizza		
<b>Premises address:</b>	Ground Floor 7-9 Paddington Street London W1U 5QH	<b>Ward:</b>	Marylebone High Street
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises trade as a Pizza restaurant		
<b>Variation description:</b>	<p>To vary the existing premises licence so as to</p> <p>1 Extend the terminal hour for late night refreshment and the sale of alcohol on Monday to Saturdays in line with the City Councils Core Hours being Monday to Thursday - 23.30 Friday to Saturday - 00.00 Sunday No change Sunday before bank holiday - 00.00</p> <p>2 Extend the opening hours to Monday to Thursday - 00.00 Friday to Saturday - 00.30 Sunday No change Sunday before bank holiday - 00.00</p> <p>3 Remove the embedded restriction at condition 13, with the retention of New Years Eve permission by way of non-standard timing.</p> <p>No other changes to the existing licence are applied for or implied</p>		
<b>Premises licence history:</b>	<p>The premises has had the benefit of a premises licence since 2005. The current premises licence reference is 19/03398/LIPDPS which is attached as Appendix 1 of this report.</p> <p>Please see Appendix 3 of the report for a full licence history.</p>		
<b>Applicant submissions:</b>	None submitted		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded Music and Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Ground and lower ground floors	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Ground and lower ground floor	No change
Tuesday	23:00	23:30	No change			
Wednesday	23:00	23:30	No change			
Thursday	23:00	23:30	No change			
Friday	23:00	23:30	23:00	00:00		
Saturday	23:00	23:30	23:00	00:00		
Sunday	N/A		N/A			
Seasonal variations/ Non-standard timings:	<b>Current:</b> The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.					

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and off		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	23:30	Ground and lower ground floor	No change
Tuesday	08:00	23:00	08:00	23:30		
Wednesday	08:00	23:00	08:00	23:30		
Thursday	08:00	23:00	08:00	23:30		
Friday	08:00	23:00	08:00	00:00		
Saturday	08:00	23:00	08:00	00:00		
Sunday	08:00	22:30	No change			

<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>	<b>Proposed:</b>
	(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 08:00 to 23.00. (b) On Sundays, other than Christmas Day or New Year's Eve, 08.00 to 22.30. (c) On Good Friday, 08.00 to 23.00. (d) On Christmas Day, 12.00 to 15.00 and 17.00 to 22.30. (e) On New Year's Eve, from 08:00 hours until the start of permitted hours on New Year's Day	Removal of the condition setting licensed hours apart from "from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day."  Until 00:00 on Sundays before Bank Holidays.

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	08:00	23:30	08:00	00:00	Ground and lower ground floor	No change
<b>Tuesday</b>	08:00	23:30	08:00	00:00		
<b>Wednesday</b>	08:00	23:30	08:00	00:00		
<b>Thursday</b>	08:00	23:30	08:00	00:00		
<b>Friday</b>	08:00	23:30	08:00	00:30		
<b>Saturday</b>	08:00	23:30	08:00	00:30		
<b>Sunday</b>	08:00	23:00	No change			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Good Friday 08:00 to 23:30				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  Until 00:30 on Sundays before Bank Holidays.	

<b>1-C</b>	<b>Layout alteration</b>
None	

<b>1-D</b>	<b>Conditions being varied, added or removed</b>
<b>Condition 13</b>	<b>Proposed variation</b>
Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means: (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 08:00 to 23.00. (b) On Sundays, other than Christmas Day or New Year's Eve, 08.00 to 22.30. (c) On Good Friday, 08.00 to 23.00. (d) On Christmas Day, 12.00 to 15.00 and 17.00 to 22.30. (e) On New Year's Eve, from 08:00 hours until the start of permitted hours on New Year's Day	Removal of Condition 13 apart from the hours relating to New Year's Eve.

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Caroline Cockshull
<b>Received:</b>	29 May2019
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application. It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.</p> <p>We would want to see Condition No. 11, which relates to a CCTV requirement, updated to the Model Condition of:</p> <p>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.</p> <p>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.</p> <p>Additionally we would want to see the following additional conditions added to the Licence:</p> <ol style="list-style-type: none"><li>1. A Challenge 21 or Challenge 25 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.</li><li>2. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.</li></ol> <p>If these conditions can be agreed the Police may be able to withdraw their objection.</p> <p><b>Following agreement with the applicant, the Police representation was withdrawn on 30 May 2019</b></p>	

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	17 June 2019

I refer to the application for variation of the Premises Licence.  
This representation is based on the operating schedule submitted.  
The applicant is seeking the following

1. To extend the terminal hour for late night refreshment and the sale of alcohol Monday to Thursday 08.00 to 23:30 hours, Friday to Saturday 08.00 to 00:00 hours. Sunday before bank holiday 08.00 to 00:00 hours.
2. Remove the embedded restriction at condition 13 with the retention of New Year's Eve permission by way of non-standard timing.

I wish to make the following representation

1. Representation is made to the change of hours on the likely effect of an increase in public nuisance and public safety.
2. No objection.

A visit will need to be made to the premises to assess the current operation and locality.  
Should you wish to discuss the matter further please do not hesitate to contact me

<b>2-B Other Persons</b>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	16 June 2019		

I would like to object to the licensing notice by Crazy Pizza to extend their opening hours and the hours during which alcohol may be sold.

I live In [REDACTED] the premises and believe that extended licensing hours will bring an increase in noise and street activity to a residential street.

Noise and crowded streets late at night can be problematic during spring and summer at Coco Momo, a bar with a late license a few doors down from Crazy Pizza, as people stand on the street drinking and smoking, and I do not want to see this repeated on a quiet street. There has already been an increase in taxis and private vehicles waiting on the street for customers to leave, and I believe extended licensing hours would only make this worse.

Crazy Pizza is a restaurant, not a late night drinking establishment, and it was aware of the licensing restrictions when it opened. It is not reasonable to expect these to be changed and for it's neighbours to be kept awake by people talking and smoking on its outside terrace, during opening hours and after as they leave. Noise travels upwards on the street and conversations by customers on the terrace below can be heard, and cigarette smoke smelt, in the flats above.

It's worth noting that the restaurant has installed a DJ booth, which makes me worry about extended licensing hours and the establishment becoming more drink rather than food orientated.

While I am supportive of the venue and want it to be a success, I believe that extended licensing hours will be unjustifiably detrimental to the quiet enjoyment of the street.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 May 2019		

I am concerned that an extension to the proposed hours will cause disturbance to the residential units above the restaurant late at night. The bedrooms of the apartments in [REDACTED] are directly above Crazy Pizza and face the street. Inevitably at the end of the evening clients leaving the premises talk outside and start up cars. This will make it difficult to sleep particularly during the summer when windows are open.

There is outside seating and again the extension of opening hours means these are likely to be occupied until closing time. Voices beneath our windows carry and are disruptive.

I object to the proposed increase in hours.

4 apartments at [REDACTED] are directly above Crazy Pizza and the main bedroom faces the road.

There will inevitably be disturbance from people leaving the premises late at night, talking, and starting up cars. In the summer the disturbance will be greater as windows will be open. There are outside tables which if occupied until the proposed closing time will mean people conversing directly below our windows and smoking till the early hours of the morning.

The current opening hours have been in existence for this reason for many years and are tolerable.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	26 May 2019		

I strongly object against Crazy Pizza's extension of their license to operate until 1 am, as this will further disturb me as well as other people living next the restaurant. I find that there has already been a lot more noise in the street at night since the restaurant arrived, as it simply does not bring a respectful clientele, they are noisy, speak loudly outside of the restaurant and this will get much worse if they get this extension until 1 am.

Thank you for your consideration.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 May 2019		

I object strongly to the proposed extension of the opening/licensing hours for this property.

Immediately above are four residential flats. The main bedrooms face over the main road. The current opening hours have been in place for many years - it is still occasionally noisy quite late, at or after closing time, but we have coped with that with previous, reasonable tenants. Those licensing hours are tolerable. An extension would inevitably lead to increased loud noise later at night. not least from the outside tables during good weather especially, to the detriment of those living above.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 May 2019		

[REDACTED] - I am a full time resident and do not own another home. The current closing times and associated noise levels have already disturbed the quiet, peaceful enjoyment of my home as both patrons and staff alike are very noisy when leaving the premises. To allow the restaurant to extend the drinking and closing times would significantly impact my daily life, as I often find the noise levels impact my ability to sleep (my bedroom being at the front of the property). I work long hours, and being deprived of sleep of course impacts my job in addition. On a separate note, and to give an indication of the issues with the restaurant, they regularly stand in our doorway to smoke, which finds its way into our communal stair well and up to my property. I am wholly against the application.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 June 2019		

I wish to object to the application by Pizza Crazy Limited to extend their opening hours and the hours during which alcohol may be sold.

The restaurant is on the ground floor of a residential block. We are situated at the front of the block. The hours as currently licensed are a sensible compromise between the requirements of the residents to be able to go to bed undisturbed at a sensible time and the restaurant to be

open. Extending the hours will encourage later smoking outside the premises, taxis, cars and other disturbances. Particularly in the summer when windows are open, this would mean that disturbance is likely to continue well past midnight which is wholly unacceptable. And despite best efforts will not be able to be controlled by the restaurant. This part of Marylebone is a quiet neighbourhood with a number of residential properties. This would change the character of the area. There are plenty of other less residential areas of Westminster when extended opening hours might be appropriate. It should be noted that when Crazy Pizza acquired the premises they were fully aware of the current licensed operating hours.

Whilst Crazy Pizza is a reputable restaurant, in the past this site has been primarily a bar rather than a restaurant, and if the Council allowed the increase in hours for Crazy Pizza, that would of course set a precedent if the premises were transferred in the future to an operator primarily alcohol rather than food focussed. We are extremely concerned that any extension of the operating hours will have a significant impact on ourselves and the other nearby residents

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 May 2019		

I would like to voice my strong objection to the new licensing hours of this restaurant. I have reported noise disturbance from this establishment to the Westminster noise line 3 times. The restaurant has an in-house DJ and the music disturbs us late into the evening. Additionally, the restaurant's patrons have very loud conversations outside and are particularly rowdy when they leave the restaurant at closing time (23:30). My repeated attempts to contact the manager while this is happening during the night have failed. None of the other restaurants in the vicinity cause problems of this nature, including a bar at the end of the street. This restaurant is disrespectful of local residents and extending its licensing hours will only make the problem worse.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 May 2019		

The suggested hours are too late for a heavily built up residential area. Late night licencing brings with it late drinking, which in turn will lead to too much noise for an area like this. Paddington is primarily a residential street and has more residential units than it does commercial. If properties are given late licences like this the tone of the area will quickly change to the detriment of the local residents, property prices and feel of the area.

If the business wanted later hours there are an abundance of heavily commercial areas that would have allowed for it, they should have located their business in one of those.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 May 2019		

We strongly object to new licensing hours. Paddington Street is a predominantly residential street, quite narrow with mainly single glazed windows and any extra noise would be detrimental to our health and well being.

As it happens we had a taste of things to come during the opening week of Crazy Pizza when we were kept awake until well past 1am by Patrons smoking/drinking outside and having loud conversations, calling taxis and saying their good byes.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	24 May 2019		

I strongly object to this extension of hours . This is a residential area and there has already been a significant increase in noise level late on in the evening . There has been live music and a party which has transmitted excessive noise to us already .This has already been reported to Westminster Council . The other establishments around this area do not open this late and they do not play live DJ music etc  
I am a local doctor and surgeon . The thought of having this disruption extended to the small hours is mind blowing  
Please have consideration for your residents . many thanks

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	30 May 2019		

I write in respect of the above application as a resident of Marylebone in relatively close proximity to the Premises.

I object to the application for later opening hours because of the noise and other associated disturbance it would cause to residents. The Council should consider when determining this application both the character of the Premises and the proximity to residential accommodation. Crazy Pizza is known to be a party restaurant concept from the restaurant group of Flavio

Briatore. It has a DJ booth inside the restaurant, has staff performances to which patrons clap along or bang tables and generally encourages a party atmosphere. It is also directly beneath residential accommodation and in extremely close proximity on all sides to residential accommodation. The nature of the Premises goes hand in hand with frequent smoking outside and heavy alcohol consumption. A variation of the opening hours to 2330 Monday to Thursday and 0000 hrs on Friday and Saturday; and permitting a further half an hour after this time would result in extended noise disturbance and very likely drunk patrons congregating outside what is a predominantly residential street and neighbourhood.

To grant such an application would not be in the interests or protection of residents, nor in the interests of the character of the wider Marylebone Village community. It would also potentially see a precedent for other similar party/music-oriented premises to follow suit.

### 3. Policy & Guidance

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

<b>Policy HRS1 applies</b>	<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:  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>For premises for the provision of other licensable activities:  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
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### 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

<b>Appendix 1</b>	Existing Premises Licence	
<b>Appendix 2</b>	Applicant supporting documents	
<b>Appendix 3</b>	Premises history	
<b>Appendix 4</b>	Noise Complaint History	
<b>Appendix 5</b>	Proposed conditions	
<b>Appendix 6</b>	Residential map and list of premises in the vicinity	
<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer	
<b>Contact:</b>	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk	
<b>If you have any queries about this report or wish to inspect one of the background papers please contact the report author.</b>		
<b>Background Documents – Local Government (Access to Information) Act 1972</b>		
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service Representation (withdrawn 30 May 2019)	29 May 2019
<b>5</b>	Environmental Health Service Representation	17 June 2019
<b>6</b>	Interested Party Representation (1)	16 June 2019
<b>7</b>	Interested Party Representation (2)	23 May 2019
<b>8</b>	Interested Party Representation (3)	28 May 2019
<b>9</b>	Interested Party Representation (4)	24 May 2019
<b>10</b>	Interested Party Representation (5)	17 June 2019
<b>11</b>	Interested Party Representation (6)	5 June 2019
<b>12</b>	Interested Party Representation (7)	28 May 2019
<b>13</b>	Interested Party Representation (8)	24 May 2019
<b>14</b>	Interested Party Representation (9)	23 May 2019
<b>15</b>	Interested Party Representation (10)	24 May 2019
<b>16.</b>	Interested Party Representation (11)	30 May 2019



## City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: Marylebone High  
Street  
UPRN: 010033548577

Premises licence

Regulation 33, 34

**Premises licence number:**

19/03398/LIPDPS

**Original Reference:**

05/05599/LIPCV

### Part 1 – Premises details

#### Postal address of premises:

Crazy Pizza  
Ground Floor  
7 Paddington Street  
London  
W1U 5QH

**Telephone Number:** 0207 580 3050

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

<b>Playing of Recorded Music</b>	Unrestricted
<b>Late Night Refreshment</b> Monday to Saturday:	23:00 to 23:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b>	Unrestricted
<b>Sale by Retail of Alcohol</b> Monday to Saturday:	08:00 to 23:00
Sunday:	08:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

#### The opening hours of the premises:

Monday to Saturday:	08:00 to 23:30
Sunday:	08:00 to 23:00
Good Friday:	08:00 to 23:30

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

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:**

Pizza Crazy Ltd  
63 Wigmore Street  
London  
W1U 1BQ

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

11277284

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

**Name:** Giacomo Tontarelli

***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:** LBWANDS/03516  
**Licensing Authority:** London Borough of Wandsworth

**Date:** 3 July 2019

**This licence has been authorised by Mr Kevin Jackaman 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.

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present

on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

**Conditions for Sale of Alcohol**

- 9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 10. The area hatched black on the deposited plan shall be permanently laid to tables and chairs.
- 11. A CCTV system shall be installed, and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer.
- 12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

## Annex 2 – Conditions consistent with the operating Schedule

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

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 08:00 to 23.00.
- (b) On Sundays, other than Christmas Day or New Year's Eve, 08.00 to 22.30.
- (c) On Good Friday, 08.00 to 23.00.
- (d) On Christmas Day, 12.00 to 15.00 and 17.00 to 22.30.
- (e) On New Year's Eve, from 08:00 hours until the start of permitted hours on New Year's Day

NOTE - The above restrictions do not prohibit:

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

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

14. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 135 persons.
15. Before 10.00am, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

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

None





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

Schedule 12  
Part B

WARD: Marylebone High  
Street  
UPRN: 010033548577

Premises licence  
summary

Regulation 33, 34

**Premises licence number:**

19/03398/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Crazy Pizza  
Ground Floor  
7 Paddington Street  
London  
W1U 5QH

**Telephone Number:** 0207 580 3050

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

<b>Playing of Recorded Music</b>	Unrestricted
<b>Late Night Refreshment</b> Monday to Saturday:	23:00 to 23:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind or consideration and with a view to profit</b>	Unrestricted
<b>Sale by Retail of Alcohol</b> Monday to Saturday:	08:00 to 23:00
Sunday:	08:00 to 22:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday:	08:00 to 23:30
Sunday:	08:00 to 23:00
Good Friday:	08:00 to 23:30

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

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

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

Pizza Crazy Ltd  
63 Wigmore Street  
London  
W1U 1BQ

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

11277284

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

**Name:** Giacomo Tontarelli

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

Restricted

**Date:** 3 July 2019

**This licence has been authorised by Mr Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

# **Pizza Crazy Ltd, 7 Paddington Street, W1U 5QH.**

## **Report on premises licence application**

**By**

**Adrian Studd, Independent Licensing Consultant.**

### **Contents.**

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### **Introduction.**

1. I have been instructed by Thomas and Thomas Solicitors to consider the application to vary the premises licence at the above premises so as to extend the terminal hour for late night refreshment and the sale of alcohol on Monday to Saturdays in line with the City Council's Core Hours:

- Monday to Thursday - 23:30
- Friday to Saturday - 00:00
- Sunday - No change
- Sunday before bank holiday – 00:00

And to extend the opening hours to:-

- Monday to Thursday - 00:00
- Friday to Saturday - 00:30
- Sunday - No change
- Sunday before bank holiday – 00:30

And to remove the embedded restriction at condition 13, with the retention of New Year's Eve permission by way of non-standard timing.

**Summary of expertise – Adrian Studd.**

2. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.
3. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to

support the Boroughs with licensing activity.

4. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
5. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
6. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I

have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).

7. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. I have also provided support, advice and evidence gathering for large music events such as FSTVL an annual music festival attended by up to 30,000 people. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

### **Overview.**

8. The premise operates as a high end pizza restaurant with an open kitchen. The licence was granted it would appear many years ago and varied on 12<sup>th</sup> February 2019 and it replaced a previous restaurant, Carluccio's. The premise is not located within a cumulative impact area and trades as a genuine restaurant with substantial food available throughout the permitted hours.
9. I am familiar with the area in which the premises is located from my time as a police officer heading the clubs and vice licensing unit based in Westminster and also since my retirement where I have worked as a licensing consultant within Westminster on many occasions. The premises are located in a street that has a diverse mix of shops and restaurants at ground level with residential flats above. There are a number of restaurants in Paddington Street such as OPSO, The Real Greek, Bombay Spice and The Rajdoot. Some of these premises currently trade to Core Hours and some to

similar hours as the existing Pizza crazy.

10. Paddington Street is one way where it runs past Pizza Crazy and there is parking permitted on both sides of the road with residential restrictions on the opposite side only between 8.30am and 8.30pm. Transport links in the area are good with bus routes nearby, including 24 hour and night bus services, and tube services, including night tube at weekends on the Central and Jubilee lines from Bond Street and Baker Street stations a short walk away.

### **Observations.**

11. I conducted observations in the area in connection with this application on the evening of Saturday 6<sup>th</sup> July 2019 between approximately 21.00 hours and 00.15 hours. There was a Temporary Event Notice in force on this evening that permitted the premises to operate to WCC Core Hours, the hours proposed in this application. This night was selected by me so that I could observe the operation of the premises to the proposed new hours without the knowledge of the staff.

12. On my arrival Paddington Street and the surrounding area was busy with vehicles and pedestrians making their way to and from the evening and night time premises close by. This included people visiting the restaurants located in Paddington Street and also a large number of people that passed along Paddington Street to and from premises in the wider area. There are a number of popular restaurants in Paddington Street and more restaurants, pubs and bars close by in surrounding streets such as the busy Marylebone High Street.

13. Between 21.00 hours and 23.00 hours I observed Pizza Crazy, Paddington Street and the surrounding streets. The area is vibrant and diverse and attracted locals, visitors and tourists. The atmosphere was good and the area appealed to a broad range of customers; male and female, in couples and small groups with an age range from mid 20's to 60's. I did not see any drunkenness or the very loud, boisterous

behaviour sometimes associated with a younger crowd and alcohol led premises.

14. I observed a number of people leaving the restaurants and making their way to flats located above the premises in Paddington Street and the surrounding streets as well as customers arriving at and leaving from the premises on foot, by taxi and Uber and by private vehicle. A small number of customers used vehicles to arrive at or leave from the restaurants in Paddington Street and these parked in the bays when parking was available. However the majority of customers for all the premises arrived and left on foot and mingled with others using the pavements.
15. Pizza Crazy was busy during this period with a large number of staff visible inside the premises. I observed a female who I now know to be Lorenza inside the premises and who appeared to be in charge, directing staff, dealing with customers and generally being pro-active in the management of the premises. Background music was playing and customers were seated and eating substantial meals. There was no noise break out from the premises into the street and the predominant noise I could hear in the street was generated by through traffic.
16. The weather was mainly dry although later in the evening there was light rain. A small number of customers smoked during the evening under the shelter of the awnings. I did not see more than 4 at any one time and they were close to the premises and under the supervision of staff in the premises. The other restaurants made similar provision for smokers and I did not see any nuisance caused by the smokers. Customers from Crazy Pizza that I observed in the restaurant and the street behaved in an orderly manner and did not cause noise, nuisance or anti-social behaviour. I did not see any drunkenness from Pizza Crazy customers or customers loitering in the vicinity when they had left the premises.
17. At about 23.10 I entered the premises. It was quieter than it had been earlier but still had two or three small groups eating and chatting at tables. The music was playing in the background at a level that allowed easy conversation. Staff were attentive to customers who were all seated and orderly. I asked to speak to the manager and I was introduced to Lorenza who was the female I had observed from

outside the premises. She was aware of the current application but not aware that I would be observing on this night. During our discussion she was knowledgeable about the premises, her role and responsibilities.

18. At about 23.15 I noticed a local authority recycling lorry that was negotiating the street collecting recycling waste and the noise generated by this was audible above the background noise. There was another waste collection at 23.30 which was also clearly audible. Between 23.30 and 00.00 hours Paddington Street was busy with people walking through and others leaving the various licensed premises. Some of the restaurants closed with staff clearing up inside while others such as Café Momo and Rajdoot were open. Pizza Crazy was open and had a small number of customers inside finishing their meals and leaving but they did not cause any additional noise on the street.

19. The predominant noise continued to be from the traffic on the road. There were pedestrians making their way along Paddington Street, most of whom had not been in the restaurants in Paddington Street but in premises elsewhere and appeared to be making their way home or to transport. In general they were behaving in an orderly manner although inevitably some were talking loudly and this was audible in the immediate vicinity. As the volume of traffic reduced the background noise also reduced, customers were still leaving the premises that remained open, including Pizza Crazy, but they did not appear to loiter in the area or cause noise or nuisance.

### **Conclusion.**

20. In my experience it is the operation of a premises that dictates the impact that it will have on the area and whether or not it will contribute to noise and nuisance on the street. Customers leaving an alcohol-led bar or club who have been drinking and not eating, and been in a high energy environment with loud music and disorientating flashing lights can then find it difficult to adjust when back on the street. This may result in loud, boisterous behaviour that can be anti-social and potentially bring them into conflict with others on the street. By contrast those leaving a restaurant

premises having been seated in a calmer, better managed and food led environment and are more likely to behave in an orderly manner and not cause the noise or nuisance that can disturb residents.

21. This application is for a premises that is a food led restaurant and is currently authorised to carry out the sale of alcohol until 23.00 Monday to Saturday and 22.30 on Sunday with late night refreshment until 23.30 Monday to Saturday. The application is to permit an additional 30 minutes for late night refreshment Friday and Saturday and permit the sale of alcohol for an additional 30 minutes on Monday to Thursday and an additional hour on Friday and Saturday. The application includes permitting the premises to remain open for an additional 30 minutes Monday to Thursday until midnight and an additional hour Friday and Saturday until 00.30 hours. The hours requested remain within the Westminster core hours.
22. Based on my experience and observations I consider that permitting this application for this premises will not have a negative impact on the promotion of the licensing objectives.

Adrian Studd,

Independent Licensing Consultant,

09/07/2019.

## Licence &amp; Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/05599/LIPCV	Conversion	04.09.2005	Granted under delegated authority
05/11662/LIPDPS	Variation of DPS	02.11.2005	Granted under delegated authority
06/00668/LIPDPS	Variation of DPS	07.02.2006	Granted under delegated authority
06/11345/LIPDPS	Variation of DPS	16.11.2006	Granted under delegated authority
07/02281/LIPDPS	Variation of DPS	01.05.2007	Granted under delegated authority
07/02881/LIPT	Transfer – Mitchells and Butler Retail Limited to La Tasca Restaurants Limited	17.04.2007	Granted under delegated authority
07/02888/LIPDPS	Variation of DPS	17.04.2007	Granted under delegated authority
07/03476/LIPDPS	Variation of DPS	30.04.2007	Granted under delegated authority
06/11958/WCCMAP	Master Licence	10.09.2007	Granted under delegated authority
07/10270/LIPDPS	Variation of DPS	10.12.2007	Granted under delegated authority
08/04509/LIPDPS	Variation of DPS	30.05.2008	Granted under delegated authority
08/06785/LIPDPS	Variation of DPS	03.10.2008	Granted under delegated authority

08/08329/LIPDPS	Variation of DPS	24.10.2008	Granted under delegated authority
09/01113/LIPCHT	Change of trading name	17.04.2009	Granted under delegated authority
09/02090/LIPDPS	Variation of DPS	17.04.2009	Granted under delegated authority
10/00607/LIPT	Transfer - La Tasca Restaurants Limited to Joint Venture Restaurants (London) Limited	22.03.2010	Granted under delegated authority
11/12517/LIPT	Transfer - Joint Venture Restaurants (London) Limited to Carluccio's Limited	17.01.2012	Granted under delegated authority
11/12540/LIPVM	Minor Variation – Change of layout	13.01.2012	Granted under delegated authority
12/00769/LIPDPS	Variation of DPS	03.04.2012	Granted under delegated authority
12/01224/LIPV	Variation – change of hours/conditions	03.04.2012	Granted under delegated authority
13/02724/LIPDPS	Variation of DPS	09.06.2013	Granted under delegated authority
14/03729/LIPDPS	Variation of DPS	27.05.2014	Granted under delegated authority
14/08671/LIPDPS	Variation of DPS	12.12.2014	Granted under delegated authority
17/00259/LIPDPS	Variation of DPS	28.02.2017	Granted under delegated authority
17/02219/LIPDPS	Variation of DPS	12.05.2017	Granted under delegated authority
17/04890/LIPDPS	Variation of DPS	12.05.2017	Granted under delegated authority

18/06354/LIPT	Transfer - Carluccio's Limited to C1 Acquisitions Limited	30.07.2018	Granted under delegated authority
18/14655/LIPT	Transfer - C1 Acquisitions Limited to Pizza Crazy Ltd	02.01.2019	Granted under delegated authority
19/01065/LIPDPS	Variation of DPS	12.02.2019	Granted under delegated authority
19/01739/LIPVM	Minor Variation – change of layout	27.02.2019	Refused
19/03083/LIPVM	Minor variation – change of layout	04.04.2019	Granted under delegated authority
19/03398/LIPDPS	Variation of DPS	24.05.2019	Granted under delegated authority

**There is no appeal history**

CITY OF WESTMINSTER

MEMORANDUM

---

TO	Licensing Officer
REFERENCE	19/06042/LIPV
FROM	EH Consultation Team
REFERENCE	
BEING DEALT WITH BY	Ian Watson (iwatson@westminster.gov.uk)
TELEPHONE	020 7641 3183
DATE	10th July 2019

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**The Licensing Act 2003****7 Paddington Street, W1**

I refer to the application for variation of the Premises Licence.

The following nuisance complaints have been received against the premises plus pro-active visits by City Inspectors.

Saturday 20<sup>th</sup> April 2019 @ 15.51 hours. Intruder alarm is sounding at the restaurant. Premises visited @ 16.30 and premises looked as if it had been entered illegally or a door had been left open. Police called. Alarm ceased after 20 minutes. Police will not attend due to resources stretched due to Extinction Rebellion Protests and a stabbing in Hyde Park. Closed and sealed door as best we could and customer advised to call back if it becomes a problem again.

Saturday 20<sup>th</sup> April 2019 @ 17.34 hours. Intruder alarm is sounding at the restaurant. Complainant contacted @ 17.44 hours and noise has stopped. No visit required.

Thursday 2<sup>nd</sup> May 2019 @ 23.25 hours. Crazy Pizza are playing live music guitar, caller is on the 4th floor as well. Only name and phone number available as system id down. No address or type of noise. No further action possible on night.

Friday 3<sup>rd</sup> May 2019 @ 07.24 hours. This newly opened restaurant has a DJ and the music blares until 11.30pm. In addition to this, last night noisy customers in front of the establishment disturbed us until 1am. We tried calling both the restaurant and the manager for an hour. The manager finally answered his phone at 00:16. The music has been a problem daily since the restaurant opened. We're not able to sleep. Complainant contacted @ 07.40 hours and noise not occurring now but at night. Advised to report it again tonight if it reoccurs but she said that an officer should visit as she has already reported it and demanded to speak to a manager.

Friday 3<sup>rd</sup> May 2019. Pro-active visit @ 15.15 hours 07.24 hours. Spoke with manager Giacomo Tontarelli about the recent noise complaint from residents about the alarm due to the front door being open. Also raised the issues about premises licence being displayed along with the section 57 details.

Saturday 4<sup>th</sup> May 2019 @ 23.16 hours. Very loud music and noisy customers. Complainant contacted @ 23.30 hours and agreed to visit premises that are licensed until 23.30 hours.

Wednesday 6<sup>th</sup> June 2019. Pro-active due to noise complaint. Spoke with manager and explained issue. Asked him to possibly move speakers as they were attached to the ceiling and no music after 11pm

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

### **Conditions consistent with the operating Schedule**

9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. The area hatched black on the deposited plan shall be permanently laid to tables and chairs.
11. A CCTV system shall be installed, and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer.

### **The Police have proposed the following alternative model conditions which have been agreed by the applicant**

11. **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.**
12. **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**
13. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
14. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 135 persons.
15. Before 10.00am, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

### **The applicant is proposing the following amended condition**

15. **Before 10.00am and after 11.00pm, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal**

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

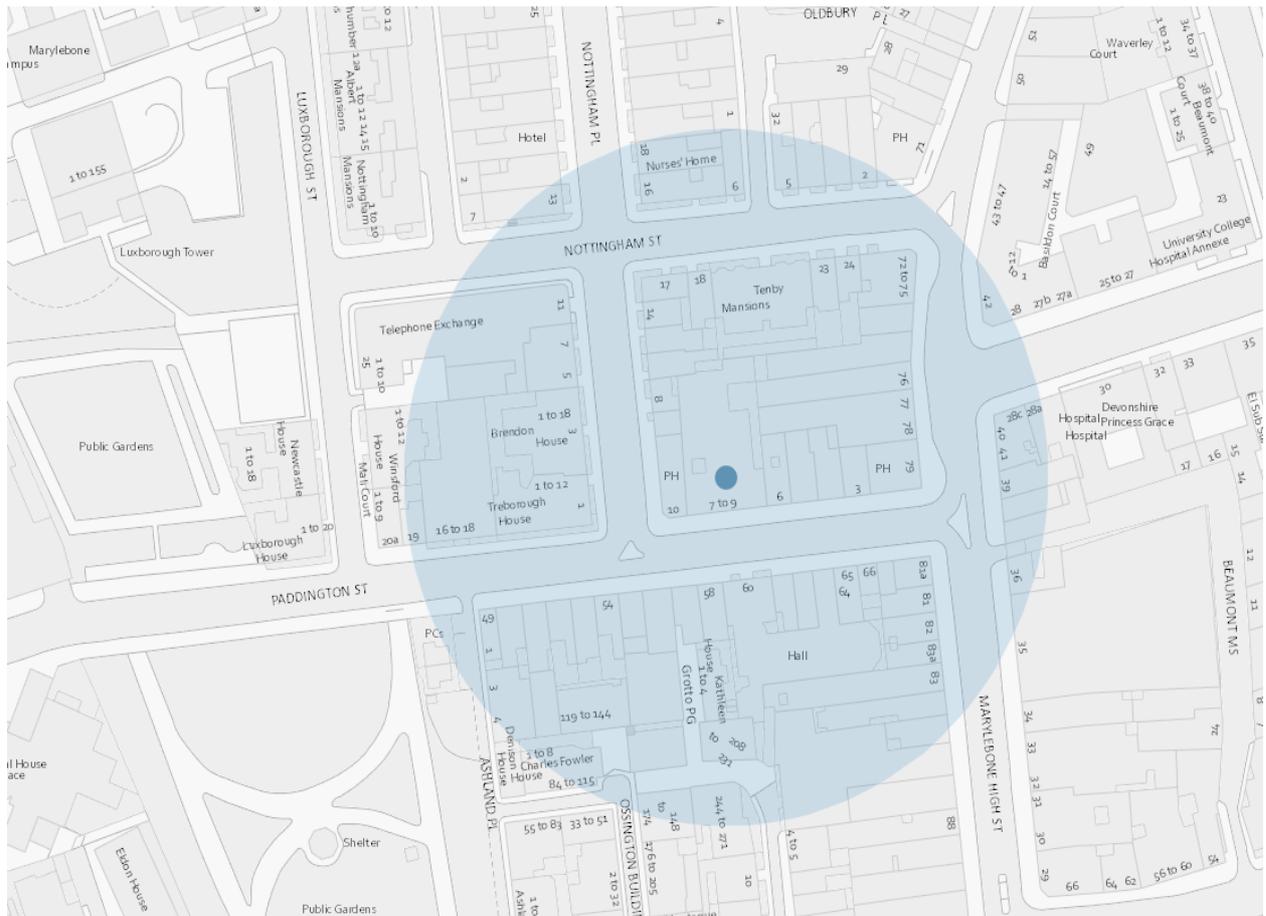
16. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

**Conditions proposed by Environmental Health**

15. 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.
16. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
17. The external doors shall be kept closed after 23.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
18. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. Alcohol consumed outside the premises building shall only be by persons seated at the tables.
21. 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.

**Residential Map and List of Premises in the Vicinity**

**Appendix 6**



Resident count: 292

**Licensed premises within 75 metres of 7 Paddington Street**

19/03398/LIPDPS	Carluccios	Ground Floor 7 Paddington Street London W1U 5QH	Restaurant	Monday to Saturday; 08:00 - 23:30   Sunday; 08:00 - 23:00   Good Friday; 08:00 - 23:30
14/03471/LIPV	Opso	Beer House 10 - 11 Paddington Street London W1U 5QL	Restaurant	Monday to Saturday; 08:00 - 23:30   Sunday; 08:00 - 23:00
12/08281/LIPN	Natural Kitchen	77 - 78 Marylebone High Street London W1U 5JW	Cafe	Monday to Friday; 07:00 - 20:00   Saturday to Sunday; 09:00 - 20:00

19/07414/LIPDPS	CoCo MoMo	79 Marylebone High Street London W1U 5JZ	Pub or pub restaurant with lodge	Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:20   Sunday; 12:00 - 22:50   Sundays before Bank Holidays; 12:00 - 23:50
16/05298/LIPCH	The Real Greek Souvlaki And Bar	Basement And Ground Floor 56 Paddington Street London W1U 4HY	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/00493/LIPCH	Le Pain Quotidien	72 Marylebone High Street London W1U 5JW	Cafe	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 07:00 - 00:00
09/01628/LIPD	Bombay Spice	50 Paddington Street London W1U 4HP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
06/06670/WCCMAP	The Hellenic Centre	16-18 Paddington Street London W1U 5AS	Leisure (other)	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 23:00
17/01113/LIPDPS	Rajdoot Restaurant	49 Paddington Street London W1U 4HW	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
15/03973/LIPT	Rajdoot Restaurant	49 Paddington Street London W1U 4HW	Restaurant	Monday to Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00