

Licensing Sub-Committee Report

Item No:	
Date:	6 February 2020
Licensing Ref No:	19/16545/LIPN - New Premises Licence
Title of Report:	11 Upper St Martin's Lane London WC2H 9FB
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	9 December 2019		
Applicant:	Dishoom Limited		
Premises:	Dishoom		
Premises address:	11 - 12 Upper St Martin's Lane London WC2H 9FB	Ward:	St James
		Cumulative Impact Area:	West End
Premises description:	According to the application form the premises intend to trade as a basement and ground floor restaurant premises with external seating areas in Upper St Martin's Lane and the Courtyard.		
Premises licence history:	The premises currently consist of two separate licensed premises. The former restaurant premises at 11 Upper St Martin's Lane (Licence number 19/12180/LIPT, trading as Jamie's Italian) and 12 Upper St Martin's Lane (Licence number 18/06713/LIPDPS trading as Dishoom).		
Applicant submissions:	This application has been subject of pre-application advice of Westminster City Council.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:		The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day. Sundays before Bank Holidays 23:00 to 00:00					

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:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:		The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays 10:00 to 00:00					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:	The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Sundays before Bank Holidays 08:00 to 00:00						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Service
Representative:	Karyn Abbott
Received:	19 December 2019

Dear Sirs

I write in relation to the application submitted for a new premises licence for 11-12 Upper St Martin' Lane, London.

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

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

The application seeks the following:

- **Late Night Refreshment**

Sunday to Thursday 23:00 to 23:30

Friday to Saturday 23:00 to 00:00

Non Standard Timings:

The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day.

Sundays before Bank Holidays 23:00 to 00:00

- **Supply of Alcohol On & Off Premises**

Sunday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Non Standard Timings:

The hours for licensable activities may be extended from the end of permitted hours on New

Year's Eve to the start of permitted hours on New Year's Day.

Sundays before Bank Holidays 10:00 to 00:00

- **Opening Hours to Public**

Sunday to Thursday 08:00 to 23:30

Friday to Saturday 08:00 to 00:00

Non Standard Timings:

The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sundays before Bank Holidays 08:00 to 00:00

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.

The Licensing Authority had discussions with the applicant regarding the application and operating schedule on Tuesday 17th December 2019. It was mentioned that this application and operating schedule was to replicate the Jamie's Italian (19/12180/LIPT) and Dishoom (18/06713/LIPDPS) Licences at 11 and 12 Upper St Martin's Lane, London. The applicant has proposed the below conditions 11 and 12 of the operating schedule to specify supply of alcohol only with a table meal and by waiter/waitress service.

11. 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.

12. The supply of alcohol at the premises shall be by waiter or waitress service only.

During the discussions it was encouraged that the applicant considers Westminster's model condition 66 to bring the application in line with Westminster's RNT2 Policy so this will replace condition 11 and 12 of the proposed operating schedule if agreed. The Licensing Authority also advised that this is a new application and must be considered on its own merits.

MC66 The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

The Licensing Authority encourages the applicant to provide further submissions into condition 14 of the operating schedule and an explanation of the 'bar facility'. As condition 11 and 12 that's been proposed restricts the supply of alcohol to a table meal with waiter/waitress service, condition 14 will undermine these conditions.

14. No external advertising or promotion of the bar facility.

It is noted that the operating hours applied for licensable activities currently fall outside of Westminster's core hours. The Licensing Authority encourages the applicant to reduce the commencement and terminal hour for Supply of Alcohol on Sundays to 12:00 to 22:30hrs plus remove the Late Night Refreshment on a Sunday, so the application falls within Westminster's Core Hours Policy HSR1.

- **Supply of Alcohol On Premises**

Monday to Saturday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 12:00 to 22:30

The Licensing Authority note that the applicant has proposed 'Off Sales' plus the below condition within the operating schedule. The Licensing Authority believes that due to the 'Off Sales' being restricted to only person's that have eaten at the premises, the condition ensures there will be no adverse impact in regard to 'Off Sales' with the cumulative impact area.

15. The only permitted off sales will be sealed bottles to customers who have eaten in the premises.

As previously mentioned, the premises currently have two licences one for 11 Upper St Martin's Lane (Jamie's Italian) and the other for 12 Upper St Martin's Lane (Dishoom), the Licensing Authority would encourage further submissions as to if these two licences will be surrendered as it is not stated in the operating schedule. Would the applicant consider Westminster's model condition 62?

MC62 No licensable activities shall take place at the premises until premises licences 19/12180/LIPT and 18/06713/LIPDPS (or such other numbers 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 premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	24 December 2019

I wish to make Representations on the following grounds:
Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.

Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	Bryan Lewis
Received:	6 January 2020

Police objection to the premises licence application due to the proposed CCTV condition being out of date.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

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

Please agree to amend your proposed conditions to replace the CCTV condition with the WCC model CCTV condition shown above.

Following agreement of the above conditions, the Metropolitan Police withdrew their representation on 9th January 2020

3. Policy & Guidance

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

Policy CP1 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 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	<p>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.</p>

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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Existing Premises Licences
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 8094 Email: kjackaman@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	Licensing Authority Representation	19 December 2019
5	Environmental Health Service representation	24 December 2019
6	Metropolitan Police Service representation (Withdrawn 9 January 2020)	6 January 2020



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: St James's
UPRN: 010033586171

Premises licence

Regulation 33, 34

Premises licence number:

19/12180/LIPT

Original Reference:

09/03460/LIPN

Part 1 – Premises details

Postal address of premises:

Jamies Italian
Basement And Ground Floor
11 Upper St Martin's Lane
WC2H 9FB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	08:00 to 23:30
Friday to Saturday:	08:00 to 00:00
Sunday:	08:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

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:

Dishoom Limited
Tricor Suite
4TH Floor
50 Mark Lane
London
EC3R 7QR
Electronic Mail : hthomas@hcrlaw.com

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

06226963

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

Name: Anna Stewart

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/04990
Licensing Authority: London Borough Of Wandsworth

Date: 29 October 2019

This licence has been authorised by Emanuela Meloyan 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 premises 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.

- 9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

10. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed
- | | |
|----------------|-------------|
| Ground Floor : | 150 persons |
| Basement : | 110 persons |

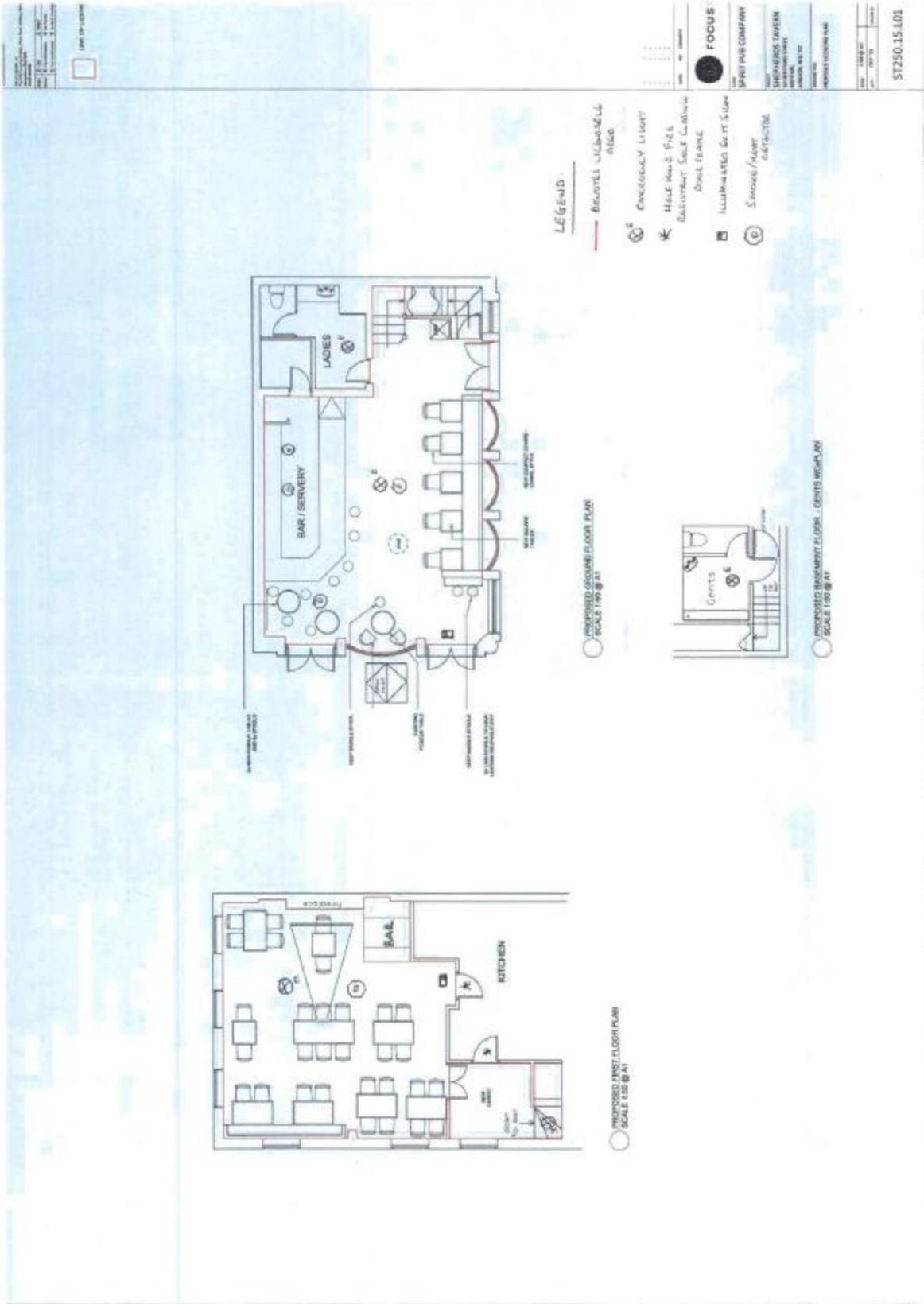
With no more than 230 persons at any one time.

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

11. This unit will only open within the times allowed on the planning permission.
12. All staff will be trained in respect of Licensing Act requirements and offences, and in particular in respect of underage sales. If there is any doubt about the age of any customers requesting the purchase of alcohol, photographic evidence will be required.
13. Full training including in the preparation of risk assessments for fire safety, food safety and the safety of customers and staff on the premises will be carried out at regular intervals.
14. 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.
15. The edges of the treads and steps and stairways shall be maintained so as to be conspicuous.
16. Curtains and hangings shall be arranged so as not to obstruct emergency signs or emergency equipment.
17. There will be background music only at these premises, with no recorded music as a licensable activity.
18. The management will use their best endeavours to make sure they are good neighbours to anyone, residents or businesses within the vicinity.
19. The outside sitting area is to be enclosed on a minimum of two sides with appropriate barriers.
20. The only permitted off sales will be sealed bottles to customers who have eaten in the premises.
21. The two external areas on the pavement on Upper St. Martin's Lane and within the Courtyard shown on the licensing drawing, attached to the premises licence, will not be used by customers after 23:00hrs.
22. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. Outside tables and chairs shall be rendered unusable by 23.00 each day.
25. Patrons permitted to temporarily leave and then re-enter the premises shall be limited to (15) persons at any one time.
26. 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.
27. The provision of films shall be incidental to other licensable activities and there shall be no cinema style showing of films
28. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
29. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

30. After 23:00 hours all entrance doors and windows to be kept closed except for immediate access and egress of persons.
 31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
 32. The venue will 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 venue is open for licensable activities for a 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.
 33. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
 34. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
 35. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
 36. Hot food and drink shall only be supplied to people seated at tables.
 37. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
38. 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.
 39. 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.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: St James's
UPRN: 010033586171

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/12180/LIPT

Part 1 – Premises details

Postal address of premises:

Jamies Italian
Basement And Ground Floor
11 Upper St Martin's Lane
London
WC2H 9FB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	08:00 to 23:30
Friday to Saturday:	08:00 to 00:00
Sunday:	08:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

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:

Dishoom Limited
Tricor Suite
4TH Floor
50 Mark Lane
London
EC3R 7QR

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

06226963

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

Name: Anna Stewart

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

Restricted

Date: 29 October 2019

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

Existing Premises Licence 18/06713/LIPDPS



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

Schedule 12
Part A

WARD: St James's
UPRN: 010033614245

Premises licence

Regulation 33, 34

Premises licence number:

18/06713/LIPDPS

Original Reference:

10/00008/LIPN

Part 1 – Premises details

Postal address of premises:

Dishoom
12 Upper St Martin's Lane
London
WC2H 9FB

Telephone Number: 02074209320

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Sunday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00

Late Night Refreshment

Sunday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol

Sunday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Sunday to Thursday: 08:00 to 23:30
Friday to Saturday: 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:

Dishoom Limited
2nd Floor
141 - 143 Shoreditch High Street
London
E1 6JE

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

06226963

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

Name: Ivan Squillace

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: 2010/00777/LAPER
Licensing Authority: London Borough Of Hammersmith & Fulham

Date: _____ 3rd July 2018 _____

This licence has been authorised by Miss Bina Patel 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.

Annex 2 – Conditions consistent with the operating Schedule

9. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 180, i.e.:
- 80 in the basement,
 - 100 on the ground floor
 - 30 in the external area,
- with the total on the ground floor and external area not exceeding 100(excluding staff) at any one time.

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

10. The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
11. All staff will be trained in respect of Licensing Act requirements and offences, and in particular in respect of underage sales. If there is any doubt about the age of any customers requesting the purchase of alcohol, photographic evidence will be required.
12. Full training including in the preparation of risk assessments for fire safety, food safety and the safety of customers and staff on the premises will be carried out at regular intervals.
13. 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.
14. The edges of the treads and steps and stairways shall be maintained so as to be conspicuous.
15. Curtains and hangings shall be arranged so as not to obstruct emergency signs or emergency equipment.
16. The management will use their best endeavours to make sure they are good neighbours to anyone, residents or businesses within the vicinity.
17. The outside sitting area is to be enclosed on a minimum of two sides with appropriate barriers.
18. The external areas shown on the licensing drawing, attached to the premises licence, will not be used by customers after 23:00hrs.
19. 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.
20. The supply of alcohol at the premises shall be by waiter or waitress service only.
21. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
22. No external advertising or promotion of the bar facility.
23. The sale of alcohol will be ancillary to the provision of substantial refreshment.
24. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
25. 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.
26. No striptease, no nudity and all persons to be decently attired at all times.
27. Tables and chairs in the external area shall be rendered unusable by 23.00 each day.

28. Patrons permitted to temporarily leave and then re-enter the premises shall be limited to (15) persons at any one time.
29. 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.
30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
32. A noise limiter located in a separate and remote lockable cabinet from the volume control 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's Community Protection Department 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 to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the Designated Premises Supervisor only, and shall not be accessed by any other person. 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.
33. After 23:00 hours all entrance doors and windows to be kept closed except for immediate access and egress of persons.
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
35. The venue will 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 venue is open for licensable activities for a 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.
36. 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 premise 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.
37. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
38. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
39. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
40. There will be no late-night refreshment off the premises

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033614245

Premises licence
summary

Regulation 33, 34

Premises licence number:

18/06713/LIPDPS

Part 1 – Premises details

Postal address of premises:

Dishoom
12 Upper St Martin's Lane
London
WC2H 9FB

Telephone Number: 02074209320

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Sunday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00

Late Night Refreshment

Sunday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol

Sunday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Sunday to Thursday: 08:00 to 23:30
Friday to Saturday: 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:

Dishoom Limited
2nd Floor
141 - 143 Shoreditch High Street
London
E1 6JE

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

06226963

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

Name: Ivan Squillace

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

Restricted

Date: _____ 3rd July 2018 _____

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

11 Upper St Martin's Lane

Application	Details of Application	Date Determined	Decision
09/03460/LIPN	New premises licence	16.07.2009	Granted by Licensing Sub Committee
10/03031/LIPVM	Minor variation – change of layout	21.05.2010	Granted under delegated authority
10/04104/LIPDPS	Variation of designated premises supervisor	17.06.2010	Granted under delegated authority
10/04191/LIPVM	Minor variation – change of layout	30.06.2010	Granted under delegated authority
10/04481/LIPVM	Minor variation - conditions	09.07.2010	Granted under delegated authority
10/06097/LIPVM	Minor variation – change of layout	31.08.2010	Granted under delegated authority
10/06201/LIPV	Variation of premises licence – conditions/layout	16.09.2010	Granted under delegated authority
10/09336/LIPVM	Minor variation - conditions	08.12.2010	Granted under delegated authority
13/01609/LIPDPS	Variation of designated premises supervisor	01.05.2013	Granted under delegated authority
14/05488/LIPDPS	Variation of designated premises supervisor	06.09.2014	Granted under delegated authority
15/03011/LIPDPS	Variation of designated premises supervisor	06.05.2015	Granted under delegated authority
16/01122/LIPDPS	Variation of designated premises supervisor	19.02.2016	Granted under delegated authority
16/06447/LIPV	Variation of premises licence – conditions/layout	26.07.2016	Granted under delegated authority
17/08362/LIPDPS	Variation of designated premises supervisor	24.10.2017	Granted under delegated authority
18/01372/LIPT	Transfer of premises licence – Jamie's Italian Ltd to Jamie's Italian Restaurants Ltd	10.05.2018	Granted under delegated authority
18/07934/LIPDPS	Variation of designated premises supervisor	02.08.2018	Granted under delegated authority

19/09956/LIPT	Transfer of premises licence – Jamie's Italian Restaurants Ltd to Longmartin Properties Ltd	29.10.2019	Granted under delegated authority
19/12180/LIPT	Transfer of premises licence – Longmartin Properties Ltd to Dishoom Ltd	29.10.2019	Granted under delegated authority

12 St Martins Lane

Application	Details of Application	Date Determined	Decision
10/00008/LIPN	New premises licence	18.02.2010	Granted by Licensing Sub Committee
10/04208/LIPDPS	Variation of designated premises supervisor	25.06.2010	Granted under delegated authority
10/04455/LIPVM	Minor variation – change of layout	09.07.2010	Granted under delegated authority
10/05481/LIPDPS	Variation of designated premises supervisor	10.08.2010	Granted under delegated authority
10/06134/LIPVM	Minor variation – change of layout	06.09.2010	Granted under delegated authority
10/08707/LIPVM	Minor variation – change of layout	24.11.2010	Granted under delegated authority
11/03003/LIPT	Transfer of premises licence – Longmartin Properties Ltd to Dishoom Ltd	14.06.2011	Granted under delegated authority
11/03008/LIPV	Variation of premises licence – Extension of hours	02.06.11	Refused by Licensing Sub Committee
11/06937/LIPDPS	Variation of designated premises supervisor	05.08.2011	Granted under delegated authority
13/09256/LIPDPS	Variation of designated premises supervisor	13.12.2013	Granted under delegated authority
15/09004/LIPVM	Minor variation – change of layout	28.10.2015	Granted under delegated authority
18/06713/LIPDPS	Variation of designated premises supervisor	03.07.2018	Granted under delegated authority

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 number of persons permitted in the premises at any one time (excluding staff) shall not exceed that number specified in the premises fire risk assessment;

10. All staff will be trained in respect of Licensing Act requirements and offences, and in particular in respect of underage sales. If there is any doubt about the age of any customers requesting the purchase of alcohol, photographic evidence will be required.
11. Full training including in the preparation of risk assessments for fire safety, food safety and the safety of customers and staff on the premises will be carried out at regular intervals.
12. 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.
13. The edges of the treads and steps and stairways shall be maintained so as to be conspicuous.
14. Curtains and hangings shall be arranged so as not to obstruct emergency signs or emergency equipment.
15. The management will use their best endeavours to make sure they are good neighbours to anyone, residents or businesses within the vicinity.
16. The outside sitting area is to be enclosed on a minimum of two sides with appropriate barriers.
17. The external areas shown on the licensing drawing, attached to the premises licence, will not be used by customers after 23:00hrs.
18. Tables and chairs in the external area shall be rendered unusable by 23.00 each day.
19. 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.
20. The supply of alcohol at the premises shall be by waiter or waitress service only.
21. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
22. No external advertising or promotion of the bar facility.
23. The only permitted off sales will be sealed bottles to customers who have eaten in the premises.
24. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
25. 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.
26. No striptease, no nudity and all persons to be decently attired at all times.
27. 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.

28. There will be background music only at these premises, with no recorded music as a licensable activity.
29. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. After 23:00 hours all entrance doors and windows to be kept closed except for immediate access and egress of persons.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
33. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
34. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
35. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
36. There will be no late-night refreshment off the premises
37. 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 the Environmental Health

None

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

38. 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 and will include the external area immediately outside the premises entrance. 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.

39. 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

Conditions proposed by the Licensing Authority

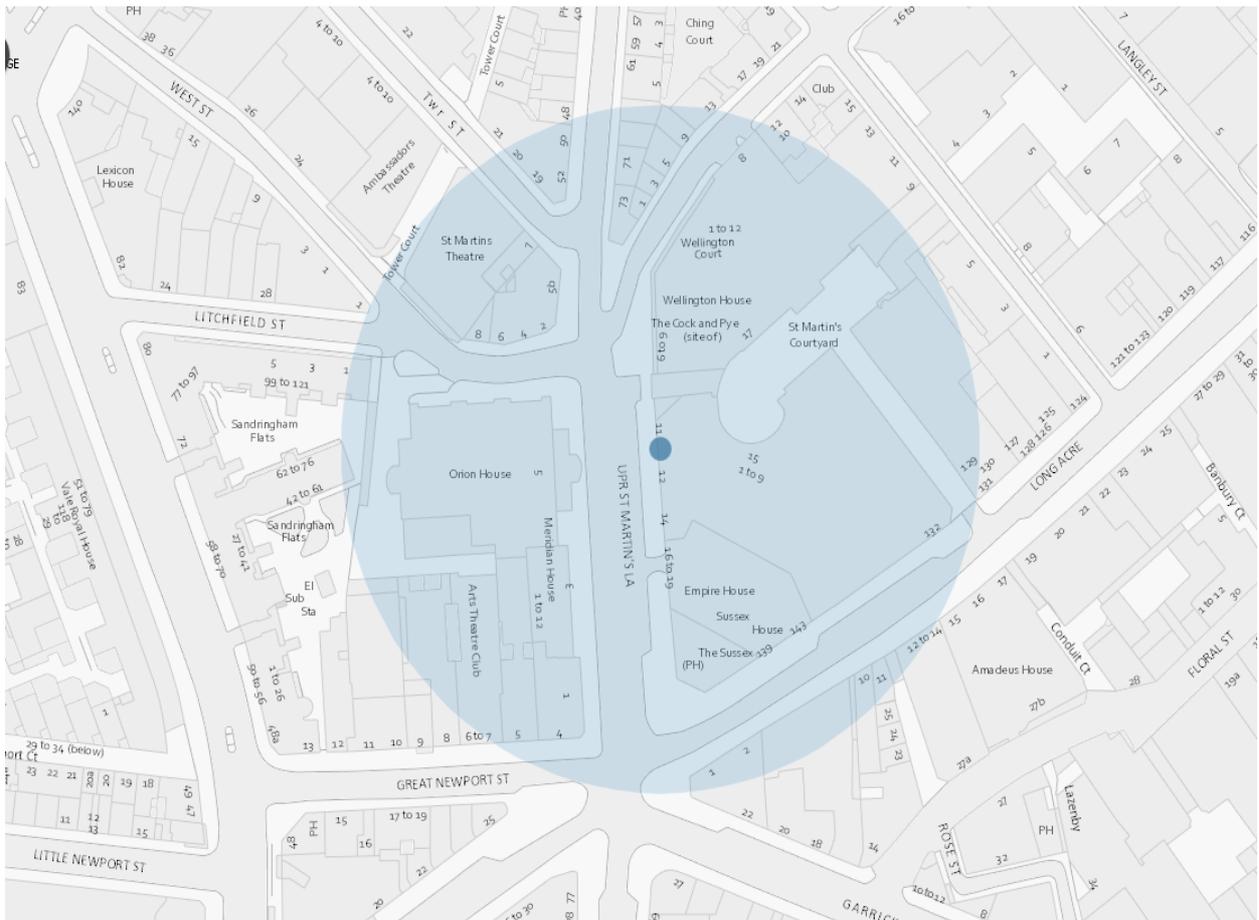
40. The premises shall only operate as a restaurant
- (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

41. No licensable activities shall take place at the premises until premises licences 19/12180/LIPT and 18/06713/LIPDPS (or such other numbers subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Residential Map and List of Premises in the Vicinity

Appendix 5



Resident count: 57

Licensed premises within 75 metres of 11-12 Upper St Martin's Lane, London WC2

Licence Number	Trading Name	Address	Premises Type	Time Period
18/06713/LIPDPS	Dishoom	12 Upper St Martin's Lane London WC2H 9FB	Restaurant	Friday to Saturday; 08:00 - 00:00 Sunday to Thursday; 08:00 - 23:30
19/12180/LIPT	Jamies Italian	Basement And Ground Floor 11 Upper St Martin's Lane London WC2H 9FB	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00

19/03254/LIPCH	Stringfellows	16-19 Upper St Martin's Lane London WC2H 9EF	Night clubs and discos	Not Recorded; XXXX - XXXX
19/14320/LIPDPS	Cantina Laredo	10 Upper St Martin's Lane London WC2H 9FB	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
15/06983/LIPDPS	Tredwell's	4A Upper St Martin's Lane London WC2H 9NY	Restaurant	Monday to Saturday; 08:00 - 02:00 Sunday; 08:00 - 00:30 Sundays before Bank Holidays; 08:00 - 00:30
16/03314/LIPV	Starbucks	Orion House 5 Upper St Martin's Lane London WC2H 9EA	Cafe	Monday to Saturday; 06:30 - 23:00 Sunday; 07:30 - 23:00
14/10096/LIPT	Subway	2 Upper St Martin's Lane London WC2H 9NY	Takeaway food outlet	Monday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:00
17/04590/LIPT	The Sussex	Ground Floor 20 Upper St Martin's Lane London WC2H 9JZ	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30
19/13245/LIPDPS	Longacre	1 Upper St Martin's Lane London WC2H 9NY	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00
13/07951/LIPDPS	White Space	5 Great Newport Street London WC2H 7JB	Conference or exhibition centre	Monday to Saturday; 09:00 - 00:30 Sunday; 10:00 - 23:00
19/04306/LIPVM	The Arts Theatre	The Arts Theatre 6-7 Great Newport	Not Recorded	

		Street London WC2H 7JB		
18/09006/PREAPM	Not Recorded	The Arts Theatre 6-7 Great Newport Street London WC2H 7JB	Not Recorded	
18/06836/LIPCH	Bills Produce	13 Slingsby Place London WC2E 9AB	Shop	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
17/02740/LIPDPS	Suda	23 Slingsby Place London WC2E 9AB	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
19/06362/LIPN	Not Recorded	21 Slingsby Place London WC2E 9AB	Restaurant	Monday to Sunday; 09:00 - 00:00
18/06686/LIPDPS	Dalla Terra	25 Slingsby Place London WC2E 9AB	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
19/06363/LIPN	Not Recorded	19 Slingsby Place London WC2E 9AB	Restaurant	Monday to Sunday; 09:00 - 00:00
19/06367/LIPN	Not Recorded	23 Slingsby Place London WC2E 9AB	Restaurant	Monday to Sunday; 09:00 - 00:00
19/14828/LIPDPS	Salvador & Amanda	8 Great Newport Street London WC2H 7JA	Restaurant	Monday; 09:00 - 01:30 Tuesday to Thursday; 09:00 - 02:30 Friday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
18/13121/LIPDPS	Five Guys	1-3 Long Acre London WC2E 9LH	Restaurant	Monday to Thursday; 08:00 - 23:30

				Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00
--	--	--	--	---