

Licensing Sub-Committee Report

Item No:	
Date:	23 April 2020
Licensing Ref No:	20/02212/LIPN - New Premises Licence
Title of Report:	Everbean 30 Avery Row London W1K 4BB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	21 February 2020		
Applicant:	Everbean Limited		
Premises:	Everbean		
Premises address:	30 Avery Row London W1K 4BB	Ward:	West End
		Cumulative Impact Area:	None
Premises description:	This is an application for a new Premises Licence and according to the applicant intends to operate as a coffee shop, delicatessen and wine bar.		
Premises licence history:	This is a new premises licence application and therefore no licence history exists for this premises.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.					

Recorded Music:				Indoors, outdoors or both			Indoors Only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

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	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	19 March 2020
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday and Saturday between 10.00 and 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday between 23.00 and 00.00 hours. New Year's Eve to New Year's Day. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> Recorded Music Monday to Thursday 10.00 to 23.30 hours, Friday and Saturday between 10.00 and 00.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the area. <p>The applicant has provided additional information with the application which is being addressed.</p>	

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	18 March 2020

I have seen the various submissions made by nearby residents and wish to register the support of the RSMSJ for their objections. The key point is the extremely close proximity of residential property to the premises concerned.

It seems that nuisance would inevitably be caused to these residential units if this application were to be granted.

Name:	██████████
Address and/or Residents Association:	██████████, ██████████ ██████████
Received:	10 March 2020

Please consider this e-mail as a fundamental objection to the licensing application above and I seek an outright refusal of such.

My ██████████ and I am the owner/leaseholder at ██████████ and have been there for ██████████

Avery Row is an active pedestrianised area during the daytime and in general a very quiet residential street in the evening and at night. Everbean Café is directly next to ██████████ and ██████████ I feel a licensed wine bar with outside space so close will have a significant detrimental effect to the local residents.

This will inevitably result in a huge increase in noise levels, which reverberate around Avery Court in the evening and at night, creating a public nuisance and furthermore our front door canopy will become increasingly a smoking shelter with more night-time patrons from Everbean.

In addition, Everbean and the outside area applied for, is literally only about ██████████ away from ██████████ window, which is a real worry in terms of noise and smoking smells as well as sleeping concerns, with the potential of them having to walk past a very busy front door every time they enter the building.

There does already seem to be plenty of drinking and eating establishments in Avery Row and Lancashire Court and I feel that another one, so close ██████████ music, drinking and eating outside until late and increased number of smokers will be a significant nuisance to the residents, and I ask for this to be refused outright.

The location of this premises makes it wholly inappropriate for the licensing authority to grant a premises licence permitting sale of alcohol inside and/or outside. It will have a manifestly disproportionate effect on the residents living immediately adjacent. We have discussed this as a group of residents, and we are unanimous that there are no conditions or amendments to the application which would mitigate the adverse effects which we foresee.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	16 March 2020
<p>I write as a [REDACTED] 18 years [REDACTED] to object to the licensing application referenced above, made by the coffee bar Everbean at 30 Avery Row, W1K 4BB. This part of Avery Row is a small courtyard area and Everbean is just a few feet from my front door. Any indoor/outdoor drinking activity into the evening there would create a huge increase in noise and considerable nuisance to the residents. The acoustics there create an echo chamber which is not a problem during day time but would be intolerable at night.</p> <p>I would also be very concerned that both the exit and entry to my building would become blocked with drinkers, making it very difficult to come and go, I would feel very unsafe. It would also exacerbate a problem we already have of smokers congregating under the canopy [REDACTED].</p> <p>Presently the bar Mews patrons in Lancashire Court next to Avery Row are not permitted to stand drinking or leave by the Lancashire Court exit that feeds into this part of Avery Row, as a consideration to the residents there, how can it be feasible to allow a further drinking area without hugely impacting the quiet enjoyment rights of the residents?</p> <p>I seek an outright refusal of this license.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	2 March 2020
<p>Please consider this e-mail as a fundamental objection to the licensing application ; Ref 20/02212/LIPN of Everbean (coffee bar at 30 Avery Row) who seek to commence selling alcohol whilst increasing their operating hours(hrs) late into the evening (increase of 49.5 hrs) including operating on a Sunday until 10.30pm ...</p> <p>I am [REDACTED] [REDACTED]</p> <p>The location who's licence application I am objecting against is [REDACTED] and is a relatively small 47 sq mtrs coffee bar (formerly a hairdressers) which currently [REDACTED] and currently operates to typical working/commuting hours (7.30-5.00 Mon/Fri & 10-5.30 on a Saturday; being closed on Sunday)</p> <p>Please consider this communication as an objection to the entire application which as submitted would allow a small relatively quiet 'working day' coffee bar to be transformed into a licensed wine bar playing music into the night with the majority of it's patrons generating noise and public nuisance outside our front door.</p> <p>Note that the 47 sq mtrs of the Everbean premises includes the staff serving area and food/coffee preparation area which is why the application seeks (because of the cramped nature of the premises) to use the pedestrian pavement area [REDACTED]</p>	

The [REDACTED] is adjacent to theirs and is only several metres away.

All of the windows to my [REDACTED] Everbean.

As a demonstration of how close we are to Everbean I confirm that from within the demise of Everbean [REDACTED]

[REDACTED] already have the issue of smokers (often staff) from the various bars in the area (Lancashire Court) using the sheltered/covered (out of the weather) access to our front door as a smoking hub ... the grant of this license would massively add to this problem as well as creating additional noise, nuisance and disturbance from the congregation of patrons outside [REDACTED]

I plead with the licensing authorities to refuse this licensing application and allow us and our families as Westminster residents some relatively quiet enjoyment of our homes into the late evening and on a Sunday.

As background it should be noted that the provision of alcohol in the locale is adequately provided for by the Iron Duke, by Onima (restaurant) and by the various bars and eateries of Lancashire Court which are all a very short stroll from this location.

I feel so strongly about this matter that I will adjust my diary to allow me to attend and speak in protest at any future license application hearing should it be necessary.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	11 March 2020

To whom it may concern:

Representation in respect of application for new premises licence for Everbean, 30 Avery Row W1, ref: 20/02212/LIPN.

Please consider this e-mail as a fundamental objection to the licensing application above and I seek an outright refusal of such.

[REDACTED],
and [REDACTED].

Avery Row is an active pedestrianised area during the daytime and in general a very quiet residential street in the evening and at night. Everbean is [REDACTED], and in particular a [REDACTED], and I feel a licensed wine bar with outside space so close will have a significant detrimental effect to the local residents.

This will inevitably result in a huge increase in noise levels, which reverberate around Avery Court in the evening and at night, creating a public nuisance and furthermore our front door canopy will become increasingly a smoking shelter with more night-time patrons from Everbean.

[REDACTED] already have the issue of smokers (often staff) from the various bars in the area (Lancashire Court) using the sheltered/covered (out of the weather) access to our front door as a smoking hub ... the grant of this license would massively add to this problem as well as creating additional noise, nuisance and disturbance from the congregation of patrons outside our residence.

These concerns are particularly aggravated by Grosvenor's intention to market the former

clothing shop Gallery 28 as a food venue. It is very foreseeable that a food venue would create additional traffic and noise, that the potential tenants would seek also an alcohol licence, therefore transforming our quiet residential courtyard into an unliveable mess. Please note that the courtyard is narrow, and sound travels very easily upwards.

There does already seem to be plenty of drinking and eating establishments in Avery Row and Lancashire Court and I feel that another one, [REDACTED] with music, drinking and eating outside until late and increased number of smokers will be a significant nuisance to the residents, and I ask for this to be refused outright.

I would also like to object on grounds safety as it would feel uncomfortable and risky to weave our way through a crowd of drinkers to get to our already busy entrance. Patrons I fear, would not [REDACTED]
[REDACTED]

The location of these premises makes it wholly inappropriate for the licensing authority to grant a premises licence permitting sale of alcohol inside and/or outside. It will have a manifestly disproportionate effect on the residents living immediately adjacent. We have discussed this as a group of residents, and we are unanimous that there are no conditions or amendments to the application which would mitigate the adverse effects which we foresee.

I would wish to attend the hearing of the application when it takes place in order to communicate these concerns and any other issues which may flow from this representation direct to the Licensing Sub-Committee.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PB1 applies	<p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4. Appendices

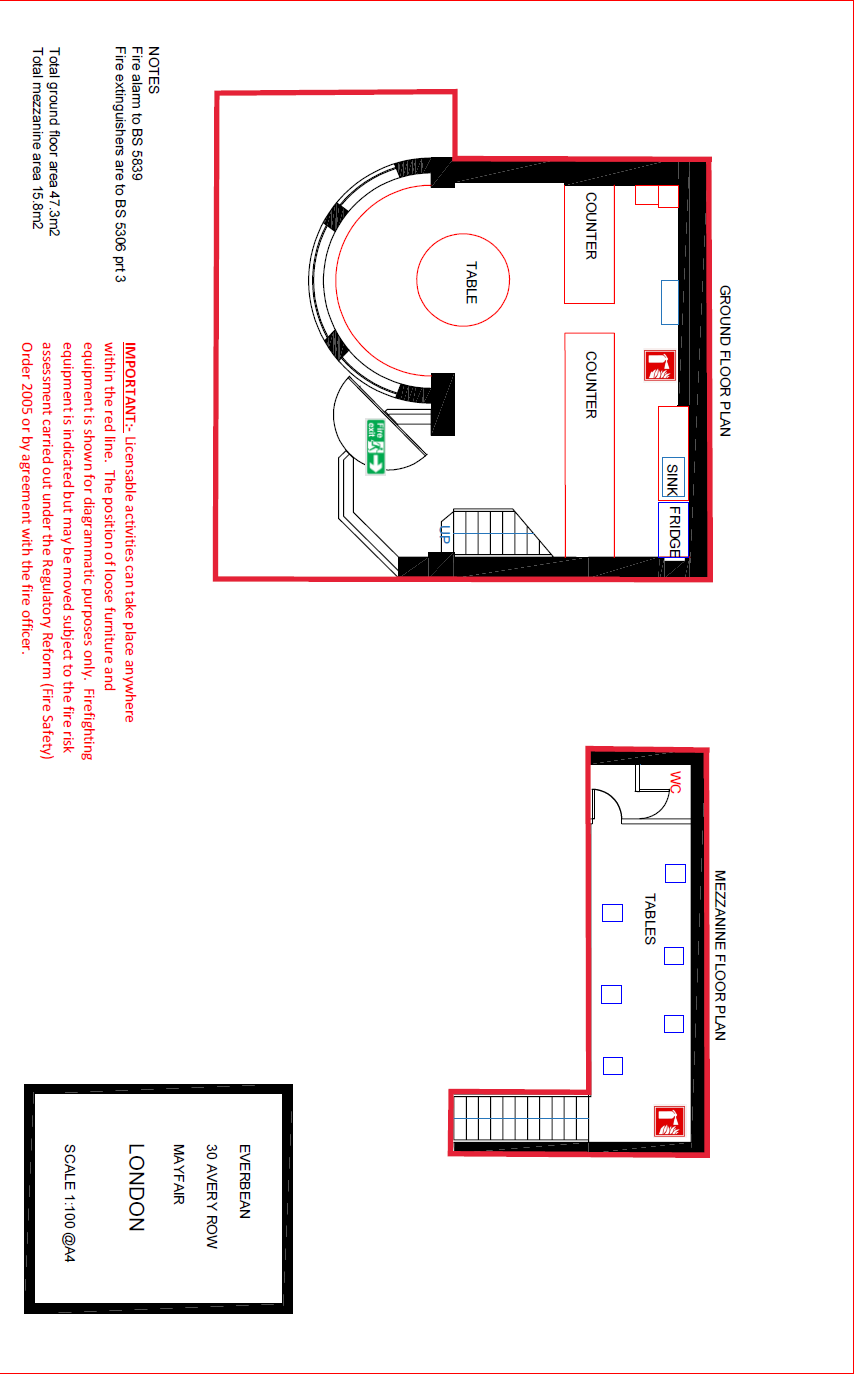
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

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

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	19 March 2020
5	Representation 1	18 March 2020
6	Representation 2	10 March 2020
7	Representation 3	16 March 2020
8	Representation 4	2 March 2020
9	Representation 5	11 March 2020



NOTES
 Fire alarm to BS 5839
 Fire extinguishers are to BS 5306 pt 3
 Total ground floor area 47.3m²
 Total mezzanine area 15.8m²

IMPORTANT: Licensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.

EVERBEAN
 30 AVERY ROW
 MAYFAIR
 LONDON
 SCALE 1:100 @A4

Applicant Supporting Documents

Appendix 2

There are no submissions from the applicant.

Premises History

Appendix 3

There is no licence or appeal history for the premises.

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. During the hours of operation, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
13. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
14. 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.
15. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
16. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
17. 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.
18. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

20. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
21. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. All crimes reported to the venue;
 - b. All ejections of patrons;
 - c. Any complaints received concerning crime and disorder;
 - d. Any incidents of disorder;
 - e. All seizures of drugs or offensive weapons;
 - f. Any refusal of sale of alcohol.
22. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
23. A challenge 21 proof of age scheme shall be operated at the premise where the only acceptable forms of identification are recognised photographic identification cards such as a driving licence, passport or proof of age card with the PASS hologram.
24. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
25. 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.
26. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
30. No licensable activities shall take place at the premises until the Environmental Health Consultation Team has determined the capacity of the premises and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined. In any event the capacity of the premises shall not exceed 30 persons (excluding staff)

31. Before the premises open to the public, the plans as deposited will be checked by the Environmental health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
32. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

Conditions proposed by the Environmental Health to replace the conditions suggested by the applicant to so as to form part of the operating schedule:

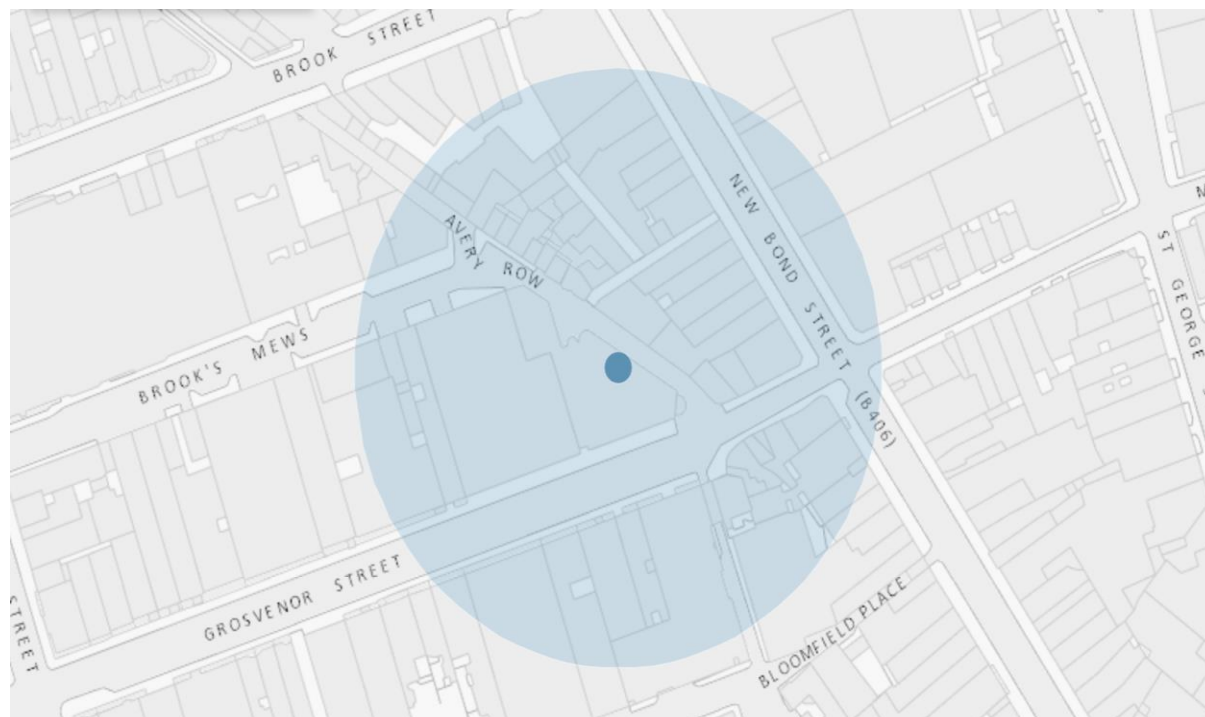
33. The supply of alcohol will always be ancillary to the premises operating as a coffee shop/patisserie.
34. Alcohol shall only be consumed by persons who are seated.
35. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
36. There shall be no self-service of alcohol
37. The maximum number of persons seated in the premises at any one time (excluding staff) shall not exceed 20 persons.
38. The sale and supply of alcohol for consumption 'Off' the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway OR in sealed containers only.
39. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
40. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
41. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
42. There shall be no 'Off' sales of alcohol after 23.00 hours.
43. 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.
44. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time

stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

45. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
46. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
All crimes reported to the venue;
All ejections of patrons;
Any complaints received concerning crime and disorder;
Any incidents of disorder;
All seizures of drugs or offensive weapons;
Any refusal of sale of alcohol.
47. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
48. 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.
49. 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.
50. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
51. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
52. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
53. 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.
54. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
55. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
56. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.

Conditions proposed by the Police

None



Resident Count: 18

Premises within 75 metres of Everbean, 30 Avery Row, London, W1K 4BB				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/10174/LIPDPS	Itsu	4 - 5 Grosvenor Street London W1K 4PY	Restaurant	Monday to Saturday; 07:00 - 23:30 Sunday; 07:00 - 23:00
18/12634/LIPDPS	Not Recorded	Avery House 1 - 3 Avery Row London W1K 4AJ	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:30
20/01191/LIPDPS	Mews	10 Lancashire Court London W1S 1EY	Pub or pub restaurant with lodge	Monday to Sunday; 09:00 - 02:00
19/14242/LIPDPS	Hush	8 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 10:00 - 00:30

				Sunday; 10:00 - 00:00
20/01305/LIPDPS	Leander Ventures Limited	4-6 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/01187/LIPDPS	Mews Wine Room	7 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 08:00 - 23:30 Sunday; 10:00 - 23:00
18/08554/LIPDPS	Iron Duke	11 Avery Row London W1K 4AN	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
18/16217/LIPN	52-54 Brooks Mews	54 Brook's Mews London W1K 4EG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/02087/LIPDPS	La Petite Maison	54 Brook's Mews London W1K 4EG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 Not Recorded; XXXX - XXXX
20/00341/LIPDPS	Grosvenor Estate Management	70 - 72 Grosvenor Street London W1K 3JP	Office	Monday to Friday; 08:00 - 23:30
16/03455/LIPV	Sotherby's Book Shop	Ground Floor To Second Floor Renoir House 136 New Bond Street London W1S 2TH	Auction Rooms	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00