



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

16 February 2022

Licensing Ref No:

21/11580/LIPN - New Premises Licence

Title of Report:

38 Bruton Place  
London  
W1J 6NX

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:

Roxsana Haq  
Senior Licensing Officer

Contact details

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<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 October 2021		
<b>Applicant:</b>	Tila Bruton Deli Ltd		
<b>Premises:</b>	Trading name to be confirmed		
<b>Premises address:</b>	38 Bruton Place London W1J 6NX	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application the premises intend to operate as a delicatessen with the off sale of alcohol.		
<b>Premises licence history:</b>	This application is for a new premises, and therefore no premises licence history exists.		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			<b>Off sales</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

2.	<b>Representations</b>
2-A	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Metropolitan Police Licensing Service
<b>Representative:</b>	PC David Morgan
<b>Received:</b>	04 November 2021 ( <i>Withdrawn 05 November 2021</i> )
<p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Protection of Children from Harm.</p> <p>Although you have provided a number of proposed conditions already, I would also like to see the following added:</p> <ul style="list-style-type: none"> <li>• A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.</li> <li>• There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.</li> </ul> <p>Please let me know if you are happy to accept these or wish to discuss them further.</p> <p><b><i>Following agreement of conditions, the Metropolitan Police Service withdrew their representation on 05 November 2021.</i></b></p>	

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	16 November 2021		

We write on behalf of [REDACTED] to submit a vehement objection to the licensing application reference 21/11580/LIPN, which proposes the sale of alcohol at the premise. We recently submitted an objection to planning application reference 21/06509/FULL and listed building consent application reference 21/06510/LBC, which proposes the use of the ground floor as retail sales (Class E), specifically for the use as a delicatessen, internal alterations and other associated works. [REDACTED] to represent his views in writing. This written statement therefore provides an assessment of the issues arising from the licensing application and requests that the Council refuses the licence application.

The application proposes the sale of alcohol Monday to Saturday between the hours of 08:00 to 21:00 and on Sunday between the hours 09:00 to 21:00. Encouraging the sale of alcohol at 8am or 9am will create unacceptable residential impacts for residents [REDACTED] at an unacceptable hours in the morning. It could attract customers that are buying for necessity rather than enjoyment. The availability of alcohol at the premises would add to the availability of alcohol in an area where there are already a number of licensed premises. The existing bars and restaurants are often in conflict with customers who spill onto the street, with those that live or work on the street. Allowing an alcohol license at this premise would have a cumulative impact on neighbouring residents, contrary to the licensing objectives set out under Section 182 of the Licensing Act 2003.

The closest residential property, [REDACTED] Whether the sale of alcohol can be sustained in this location without adverse impacts on residential amenity must be considered. While the application is for the sale of alcohol to be consumed off site, the proposed license will very much alter the activity taking place within the unit. It also does not prevent a second licence application being submitted subsequently to extend the hours further to the great detriment of residents that live above and adjacent to the unit. The proposal will materially affect the neighbouring properties residential amenity due to the effects of people coming and going to the property on a daily basis. Noise levels will significantly increase. There is also nothing stopping people from loitering in the street once they have purchased alcohol. The proposal will therefore significantly impact the quiet enjoyment of residential property and is considered an inappropriate location for late night alcohol trade.

There are a number of existing licenced premises on Bruton Place but none of them have residential occupants living directly above the premises. A licenced restaurant bar will be materially harmfully impacted by the noise of customers, the preparation of food and serving, from orders for pick up and take away (motorbikes, scooters and cars) and smokers that will have no choice but to smoke on the pavement outside the unit. These will all be materially harmful impacts on residents who live in [REDACTED], which will be intensified with licenced alcohol sales.

Given the unit is on the ground floor, it is considered that it could be used as a takeaway or customers could order alcohol to be delivered and therefore the impact of delivery drivers must

be considered. If the business offers takeaway or deliveries, there is likely to be an increase in the number of small vehicles and motorbikes to the site particularly by noisy mopeds. The frequency of deliveries made from the site is likely to be most intense in the evening hours and has the potential to generate levels of noise and disturbance, which could harm the neighbouring residential amenity on a far greater scale. The owner as a chef, could seek to extend the use into the evening hours at great detriment to the existing residents, which is not acceptable and will not protect residential amenity.

For these reasons, it is considered that the sale of alcohol at the premise would be inappropriate and unacceptable for 38 Bruton Place due to the significant impact on residents amenity, the cumulative impact on the area and potential impacts that would arise from a takeaway service should the business morph into such a use. The Council is therefore asked to refuse the licence application in order to protect existing local residents amenity. This is not a town centre location but a mixed use mews where the finely balanced mix of businesses and residents must be considered and weighed in the balance.

Alongside the existing licenced premises, no 38 Bruton Place and 46 Bruton Place that has also applied for a licence this will tip the balance from a mixed residential mews to a commercial licenced trade location with unacceptable impacts on existing residents.

We would like to be kept informed about the progress of the application via the email addresses supplied below.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	15 November 2021		

[REDACTED]  
[REDACTED] As I am sure you are aware the West Garage, [REDACTED], is subject to a planning application to change the use to Retail. This proposal is highly relevant to me [REDACTED] the West Garage, and would materially adversely affect the appearance of my property, as well as my occupation and use of my property, and I believe it would also adversely affect my neighbour's properties as well.

I have commented in detail on this planning application via the Westminster portal, but in summary I object to the proposal based on several factors:

1. The change of use to retail will very adversely affect the appearance of a fine Listed Building, and neighbouring listed buildings, currently used for residential and garage
2. Bruton Place is already highly commercialised and under considerable strain from traffic (particularly delivery vans), noise pollution, and commercial waste disposal
3. Increasing commercialisation would appear at odds with the Mayfair Green Route proposal
4. Access to my property would be blocked or partially blocked for long periods during the day as [REDACTED]
5. The proposal is unlikely to be viable unless further commercialisation is intended, eg seating for customers and signage (which would further adversely change the appearance and use of the property) and/or via a high level of delivery services (adding to vehicle congestion and noise pollution).
6. The adverse environmental impact of noise and smells from the proposed retail sales and kitchens, with no plans whatsoever for extraction. The proposal is completely silent on Building Regulation issues, as well as Health & Safety and Fire risks.
7. I have taken legal advice and understand that the freeholder could well become in breach of its covenants to me on 'quiet enjoyment'.

In terms of a Licence to sell alcohol, I am concerned several of the above factors would make such a licence inappropriate and therefore I object, in particular:

- a. Increased noise and congestion in a mews which already suffers from traffic and noise pollution. And in particular this would directly and adversely affect occupation of my property. In addition:
- b. I am concerned about sales of alcohol during the day and in the evening will draw a variety of consumers, some of whom would be a threat to public safety. Bruton Place is not well lit and at times I do not feel completely safe, and so I am concerned the sale of alcohol will not help public safety, particularly for women and children living in the street.

For above reasons a change of use to Retail together with a License to sell alcohol would be completely inappropriate for this property, and I would be grateful if Westminster can please take these factors into consideration and reject the proposals.

3.	<b>Policy &amp; Guidance</b>
The following policies within the City of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</li> <li>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying</li> </ol>

shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

**1. Casinos**

Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

**2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 9am to Midnight.

**3. Delivery Centres**

Monday to Saturday: 8am to 11pm.  
Sunday: 9am to 10.30pm.

**4. Hotels**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.  
For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

**5. Outdoor Spaces**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.

**6. Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday: 10am to 11.30pm.  
Friday and Saturday: 10am to Midnight.  
Sunday: Midday to 10.30pm.  
Sundays immediately prior to a bank holiday: Midday to Midnight.

**7. Qualifying Clubs**

Monday to Thursday 9am to 11.30pm  
Friday and Saturday 9am to Midnight  
Sunday: 9am to 10.30pm  
Sunday immediately prior to a bank holiday: 9am to Midnight.

**8. Restaurants**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.



	<p><b>9. Sexual Entertainment Venues and Sex Cinemas</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b>  Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, ‘premises uses’ are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy SHP1 applies</b></p>	<p><b>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</b></p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council’s Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council’s Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1.</li> <li>4. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p><b>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</b></p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council’s Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council’s Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1.</li> </ol>

	<ol style="list-style-type: none"> <li>4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p><b>C. For the purposes of this policy:</b></p> <ol style="list-style-type: none"> <li>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</li> <li>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</li> <li>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</li> </ol>
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#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Roxsana Haq Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: rhaq@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	1 <sup>st</sup> October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service ( <i>Withdrawn 5<sup>th</sup> November 2021</i> )	4 <sup>th</sup> November 2021
<b>5</b>	Interested Party 1	16 <sup>th</sup> November 2021
<b>6</b>	Interested Party 2	15 <sup>th</sup> November 2021



**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 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.

5(iii). Where the permitted price given by Paragraph 5(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.

5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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.

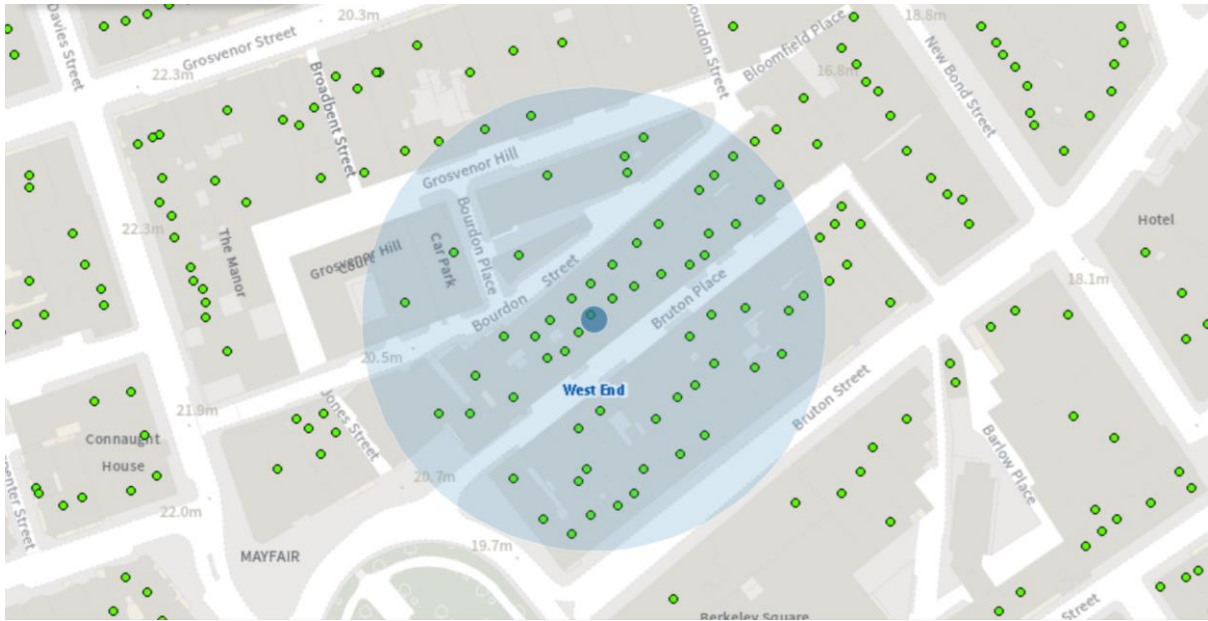


## Conditions consistent with the operating schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
7. 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.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
10. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
11. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
12. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. All key members of staff responsible for selling alcohol shall be trained on the hours the premises are permitted to sell alcohol to ensure no sales can take place outside the permitted hours.
15. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
16. 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.
17. Before the premises are open to the public under the licence, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the work carried out. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

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

18. 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.
19. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.



Resident Count: 125

**Licensed premises within 75 Metres of 38 Bruton Place, London W1J 6NX**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
16/04087/LIPDPS	Guinea	30 Bruton Place London W1J 6NL	Public house or pub restaurant	Sunday; 10:00 - 23:30   Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 01:00   Monday to Saturday; 10:00 - 00:00
21/04899/LIPN	Not Recorded	23 Bruton Place London W1J 6ND	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
21/01825/LIPN	Tila London	27 Bruton Place London W1J 6NQ	Restaurant	Sunday; 08:00 - 23:00   Monday to Saturday; 08:00 - 00:00
19/03055/LIPDPS	Babel London	Ground Floor 26 Bruton Place London W1J 6NG	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
13/05749/LIPV	Bellamy's	18-18A Bruton Place London W1J 6LY	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 08:00 - 00:30