



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	18 August 2022
Licensing Ref No:	22/05629/LIPN - New Premises Licence
Title of Report:	Isibani 9 Knightsbridge Green London SW1X 7QL
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge & Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	30 May 2022		
Applicant:	Isibani UK Ltd		
Premises:	Isibani		
Premises address:	9 Knightsbridge Green London SW1X 7QL	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises proposes to operate as an Afro/European Fusion Restaurant over the basement, ground and first floor.		
Premises licence history:	The premises previously had the benefit of a premises licence (17/04182/LIPT) which was granted in January 2015 and suspended in July 2022 following non-payment of annual fees.		
Applicant submissions:	<p>On original submission of the application, the applicant applied for the following.</p> <p>Record Music Friday to Saturday 23:00 to 01:30</p> <p>Late Night Refreshment Friday to Saturday 23:00 to 01:30</p> <p>Retail Sale of Alcohol Sunday to Thursday 09:00 to 22:30 Friday to Saturday 09:00 to 01:30</p> <p>Opening Hours Sunday to Thursday 09:00 to 23:00 Friday to Saturday 09:00 to 02:00</p>		
Applicant amendments:	<p>During the consultation period and after discussions with the interested parties the applicant removed Recorded Music.</p> <p>Furthermore, the hours for Late Night Refreshment, Retail Sale of Alcohol and Opening times for Friday and Saturday have since been amended to terminal hour of midnight and for Opening times 00:30 these are reflected in section 1-B of the report.</p>		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	23:00	23:00	N/A
End:	N/A	N/A	N/A	N/A	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	22:30	22:30	22:30	22:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:00	23:00	23:00	23:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Dave Morgan
Received:	21 June 2022 (Withdrawn 4th July 2022)

Application for a Premises Licence: 9 Knightsbridge Green, London, SW1X 7QL
22/05629/LIPN

With regards to the above, I am writing to inform you that the Metropolitan Police Service are **objecting** to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder.

The hours sought for the Supply of Alcohol for Fridays and Saturdays are beyond those of Westminster Core Hours Policy and there is insufficient detail within the operating schedule to promote the Licensing Objectives.

Although you have provided information within the application form, there are a number of conditions that I would like to see added to the licence. I will contact you early next week with a list for you to consider.

The Metropolitan Police withdrew their representation on the 4th July 2022 as a reduction in hours and amended conditions have been agreed with the applicant. These conditions can be found at Appendix 4.

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	22 June 2022

Isibani, 9 Knightsbridge Green, London, SW1X 7QL

I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.

The applicant is seeking the following licensable activities:

1. Playing of recorded music indoors Friday & Saturday 23:00 – 01:30 hours
2. Provision of late-night refreshment indoors Friday & Saturday 23:00 – 01:30 hours
3. Supply of alcohol for consumption on the premises at the following times
Sunday – Thursday: 09:00 – 22:30 hours
Friday – Saturday: 09:00 – 01:30 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:

1. The hours requested to play recorded music may have the likely effect of causing an increase in Public Nuisance within the area
2. The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
3. The supply of alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Conditions to form part of the operating schedule have been proposed below to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicant is advised to study these conditions for further discussion during an agreed site visit.

Proposed Environmental Health conditions to form part of the operating schedule

1. The number of persons permitted in the premises at any one-time (excluding staff) shall be:
Ground Floor – 25 persons
First Floor – 25 persons
With no more than 45 persons at any one time

2. A copy of the premises' dispersal plan shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council
3. 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
4. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
5. All tables and chairs on the 1st floor terrace shall be rendered unusable by 23.00 hours each day
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
7. 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
8. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity
9. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
10. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
11. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day
12. No deliveries to the premises shall take place between 23:00 and 08.00 hours on the following day
13. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day
14. The supply of alcohol at the premises, including alcohol consumed at the outside tables and chairs shown on the licence plan, shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

15. The supply of alcohol, including alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service only
16. 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.

17. 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
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them
19. 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.
20. 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
21. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated
22. 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

Please contact me if you are minded discussing any of the matters/conditions above.

Conditions have been agreed between the applicant and Environmental Health. These conditions can be found at Appendix 4.

2-B Other Persons	
Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	23 June 2022

Dear Licensing Team,

I act on behalf the freeholder, who represents all the leaseholders which includes 53 no. Apartments. We have reviewed the License application and we fully object.

On the basis of:

1. Public nuisance
2. Crime and disorder
3. Public safety

I have submitted our objection with full details via email.

Please accept our objection to this license.

Re: Representation to application reference: 22/05629/LIPN

1. I write to make a representation ("objection") on behalf of the residents at 10 Lancelot Place ("10LP") – address seen above.

2. The objection is made in relation to the application made by Isibani UK Ltd for a new premises license for 9 Knightsbridge Green, London, SW1X 7PL ("the restaurant").

3. 10LP represents residents living in 10 Lancelot Place, which comprises of 53 residential flats.

REASONS FOR THE OBJECTION

4. Further, granting the new license is not appropriate for the promotion of the licensing objectives, which are addressed below. The existing licence should stay the same, we are happy for new restaurants to open in the area. The only issue is the late night licence which is unacceptable in this residential and quiet area.

Prevention of public nuisance

5. The noise emanating from the proposed Restaurant would create an unacceptable level late at night (up to 02.30hrs after patrons leave the premises at the proposed 01.30hrs and hanging around). The level of noise after midnight is not acceptable, particularly in a residential area.

6. Isibani UK Ltd are also intending to play music on a Friday and Saturday night from 23.00hrs to 01.30hrs meaning it will probably turn into a club/music bar between these hours and not a restaurant as stated in the license. This will no doubt create much noise and disruption at the weekends for all of the Residential buildings surrounding 9 Knightsbridge Green.

7. The patrons of the Restaurant, during the proposed trading period, will use the surrounding area for littering, urinating and hanging around a secluded area (Raphael Street). This is also a

regular occurrence in other parts of the area (particularly the Wellington club) that hold a late licence, particularly on Friday and Saturday nights.

8. Further, the patrons of the restaurant would leave the premises well after the proposed trading hours (post 2.30am). This will result in a crowd of drunken people aggregating around the restaurant and its proposed late night refreshments, which would be extremely intimidating and a nuisance. The main nuisance would be caused by yelling, swearing, fighting and obstructions around Raphael Street and the surrounding area. There are many routes for the crowds to disperse by using Trevor Square and the alley ways surrounding 10 Lancelot Place and Bulgari Hotel moving into Brompton Road area and causing much disruption late night.

9. Granting the new license will create this public nuisance.

Prevention of Crime and Disorder

10. The patrons of the Restaurant could cause crime and disorder by: a. Being drunk and disorderly near the Restaurant and surrounding residential areas.

b. By urinating in a public place.

c. By yelling, swearing and possible fighting as they leave the Restaurant and hanging around the late night refreshment bar.

d. By congregating in large groups when they leave the Restaurant and making their way through Raphael Street into Brompton Road using various alley ways and routes near 10 Lancelot.

11. Granting the new license will create such a problem.

Public Safety

12. 10LP has the up most concern for the safety of its residents and the public.

13. The constant disturbance from the proposed late licence not only reduces all local residents' quality of life, but also leaves them with concerns for their safety, especially late at night. This is unacceptable in any area.

14. Having crowds of drunken users of the restaurant lingering outside late night in the vicinity of residential area and a quiet back street is not just a nuisance it's also unsafe.

15. Granting the new license will create such a problem.

CONCLUSION

16. The issues described above stem mainly from very late night alcohol consumption and people leaving the Restaurant in the early hours of the morning. With drunk people hanging around the late night refreshment bar.

17. The new license seeks to increase these activities with insufficient measures to prevent noise, disturbance and safety issues.

18. The new license will not promote the licensing objectives, but will increase the issues described and reduce further the quality of lives of the surrounding residents near the Restaurant.

19. Therefore, 10LP objects to the new licence and requests it be rejected. But there are no objections to the current licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	26 June 2022

Dear councillors,

I strongly object to this application.

Lancelot Place, Knightsbridge and Raphael Street as well as the Trevor Square conservation area are residential amenities.

The granting of this license would create major disturbances for the many families and individuals who live here.

I sincerely hope the council will not grant this licence which will be outside Westminster Core hours. This venue would effectively be a bar / nightclub as the application is for music and the serving to alcohol which is not ancillary to the serving of food.

We already suffer from crime, much noise and begging due to Zuma, the Buddha Bar and the Bulgari.

Only family restaurants within Westminster Core hours with no music and the serving of alcohol ancillary to the serving of food should be granted.

Our area cannot become the new Mayfair or Soho.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████████████ ██████████████████ ██████████ ██████████
Received:	26 June 2022

Being a local resident of ██████████ I strongly object to another new licence serving late night alcohol due to the following reasons.

1. This alleyway already has serious anti social behaviour at night and this can only intensify the issue we already have at this location.
2. There has been no consultation by the applicant 'Isibani'
3. The application based on the extended hours will be a president for other future restaurants.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	24 June 2022

This proposal for a restaurant on this small,narrow street called Knightsbridge Green with 50+ covers will create a public nuisance till the early hours on the weekend. Even on weekdays it will turn the quiet street where there are no outdoor restaurant covers, a roof terrace is highly undesirable. Please refuse this application. Thank you

Name:	██████████████████
Address and/or Residents Association:	██████████████████ ██████████ ██████████
Received:	25 June 2022 (Withdrawn 30 th July 2022)

Strongly object to the granting of this application on the grounds of excessive noise, late closing hour leading to late drinking of alcohol thus increasing the risk of public nuisance, law and order and public safety and seriously affecting the well being of children and increasing the potential of harm to minors.

After the agreement to the reductions in hours and conditions from the Police and Environmental Health, the Interested Party withdrew on the 30th July 2022.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	26 June 2022 (Withdrawn 11th July 2022)
<p>I object to this application on the grounds this will cause a number of problems for the local residents.</p> <p>We already have extensive experience of the result of such late licenses as this will end up in having drunk people leave the premises at the time when when residents need most their sleep and rest.</p> <p>My children need to be able to sleep at night without being woken up in a panic or in fear from people, shouting, fighting as a result of being drunk, revving up their car engines, slamming car doors and honking.</p> <p>Granting such a license runs against protecting children from the harm to their mental and physical health caused by having their sleep interrupted randomly at night due to uncivilised behaviour from drunken patrons leaving the premises late.</p> <p>Furthermore adults' sleep is also interrupted and this means adults are not as efficient in ensuring the safety of their children to and from school the next day, nor in their work. This also runs against residents' right to quiet enjoyment of our homes against keeping a balance taking into account the Residential character of Knightsbridge.</p> <p>This application also runs against the Knightsbridge Neighbourhood Forum Plan policies.</p> <p>After the agreement to the reductions in hours and conditions from the Police and Environmental Health, the Interested Party withdrew on the 11th July 2022.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	11 June 2022 (Withdrawn 11 July 2022)
<p>11/06/2022 11:39 AM I am the Licensing Representative for the Knightsbridge Association and a local resident. I wish to object to this application on the grounds that the very late terminal hour (2 a.m. on Saturdays and Sundays) will result in undue noise and disturbance for local residents, resulting in a public nuisance, the prevention of which is one of the four key aims of the Licensing Act 2003. Furthermore the terminal hour of 11 p.m. on weekdays (Mondays to Fridays) does not fall comply with Westminster City Council's definition of core hours as set out in its Licensing Policy. If there is to be a hearing for this application then I should like to informed so I can attend.</p> <p>After the agreement to the reductions in hours and conditions from the Police and Environmental Health, the Interested Party withdrew on the 11th July 2022.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	27 June 2022 (Withdrawn 7th July 2022)
<p>I am writing on behalf of the Knightsbridge Neighbourhood Forum (KNF) to object to the licensing application for 9 Knightsbridge Green (your reference 22/05629/LIPN).</p>	

The KNF is concerned that the proposal for extended hours would not be appropriate so close to residential properties and a premium hotel and could be used as a precedent for others if approved. In KNF's view, the application is contrary to Westminster's licensing objectives, policy and guidance.

In our view, applications at this location should be consistent with Westminster's policies and follow its model conditions for restaurants.

The KNF would be pleased to given evidence at any licensing hearing.

After the agreement to the reductions in hours and conditions from the Police and Environmental Health, the Interested Party withdrew on the 7th July 2022.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	15 June 2022 (Withdrawn 20th July 2022)

I strongly object to this application for the following reasons:

- the exact purpose of the venue is not clear. The venue may end up being a bar: there is no floor plan for the basement and the sale of alcohol is not ancillary to the serving of food.
- the hours proposed are outside Westminster core hours.
- we have no indication of the number of servings / people who would be allowed on the premises.

The lack of precision in the application is extremely problematic as neighbours and councillors have no precise view of what the application is really about.

The area already has several late night venues such as Zuma, the Bulgari, a pub and the Buddha bar.

I understand the need for people to go out and the importance of the economy getting going. However, residents already suffer excessive inconvenience due to late night / festive venues.

There is noticeable drug dealing and begging going on in Knightsbridge Green and Raphael Street. Very early deliveries which wake up residents (and sometimes starting as early as 5:30 in the morning) are also very regular.

I have also witnessed the smashing of car windows on my street.

Zuma's clients and all the deliveries on Raphael Street and Knightsbridge Green create quite a lot of traffic on streets which are mainly residential streets.

As a mother of three children with one going into teenage years, I really feel that for all the reasons stated above no additional late night venue should be granted in this area.

Thank you for your consideration.

After the agreement to the reductions in hours and conditions from the Police and Environmental Health, the Interested Party withdrew on the 20th July 2022.

3. Policy & Guidance

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

Policy HRS1 applies

- 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.
- 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:
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.
 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.
 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.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 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.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 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.
 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.
 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.
 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying 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

	<p>applications.</p> <p>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:</p> <p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</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>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

	5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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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.

5. Appendices

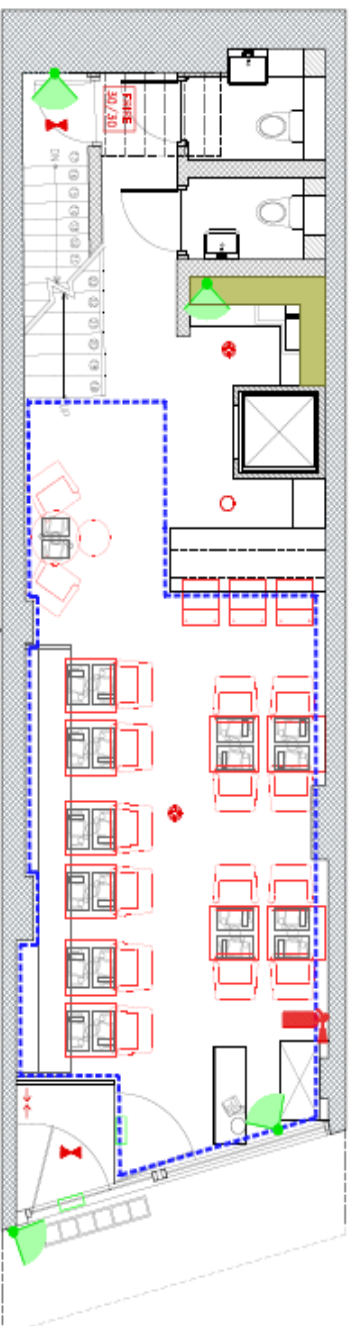
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Ms Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service (Withdrawn 4th July 2022)	21 June 2022
5	Environmental Health Service	22 June 2022
6	Representation 1	23 June 2022
7	Representation 2	26 June 2022
8	Representation 3	26 June 2022
9	Representation 4	24 June 2022
10	Representation 5 (Withdrawn 30th July 2022)	25 June 2022
11	Representation 6 (Withdrawn 11th July 2022)	26 June 2022
12	Representation 7 (Withdrawn 11th July 2022)	11 June 2022
13	Representation 8 (Withdrawn 7th July 2022)	27 June 2022
14	Representation 9 (Withdrawn 20th July 2022)	15 June 2022



GROUND FLOOR PLAN

SCALE 1:50 (A3)



Location Plan

LEGEND :

- ALL FIRE DOORS TO BE MARKED WITH RED X'S AND INTERLOCK STRIPS
- EMERGENCY EXIT SIGN
- EXIT
- EXTINGUISHER
- HEAT SENSITIVE CALL POINT (FIRE ALARM)
- SOUND ALARM
- ACQUIL - EMERGENCY EXIT
- ACQUIL STRIKE / SECURITY
- CHANGING LOCKER & SENSITIVE
- RECEPTION DESK
- RECEPTION

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United-m Design

Client:	ISIBANI UK LTD		
Project:	9 Knightsbridge Green London, SW1X 7QL		
Title:	Drawing No.	SW1X7QL-IDM/KA112340	
PROPOSED GROUND FLOOR PLAN	Drawn:	Scale:	Issue:
	majr	1:50 @A3	REV
Purpose:	Issued:	Date:	By:
Tender	06.04.22	0	REV

Applicant Supporting Documents

Appendix 2

None

Premises History**Appendix 3**

There is no licence or appeal history for the premises.

Temporary Event Notices

Application	Details of Application	Date Determined	Decision
22/06709/LITENP	Temporary Event Notice	14 July 2022	Notice Granted
22/06859/LITENP	Temporary Event Notice	19 July 2022	Notice Granted

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

None

Conditions proposed by the Environmental Health and agreed by the applicant to form part of the operating schedule.

9. The number of persons permitted in the premises at any one-time (excluding staff) shall be:
Ground Floor – 25 persons
First Floor – 25 persons
With no more than 45 persons at any one time
10. A copy of the premises' dispersal plan shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council
11. 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
12. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
13. All tables and chairs on the 1st floor terrace shall be rendered unusable by 23.00 hours each day
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day
20. No deliveries to the premises shall take place between 23:00 and 08.00 hours on the following day
21. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day
22. The supply of alcohol at the premises, including alcohol consumed at the outside tables and chairs shown on the licence plan, shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main

course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

23. The supply of alcohol, including alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service only
24. 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
25. 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
26. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them
27. 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.
28. 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
29. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated
30. 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 Police and agreed by the applicant to form part of the operating schedule.

31. 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.
32. 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.

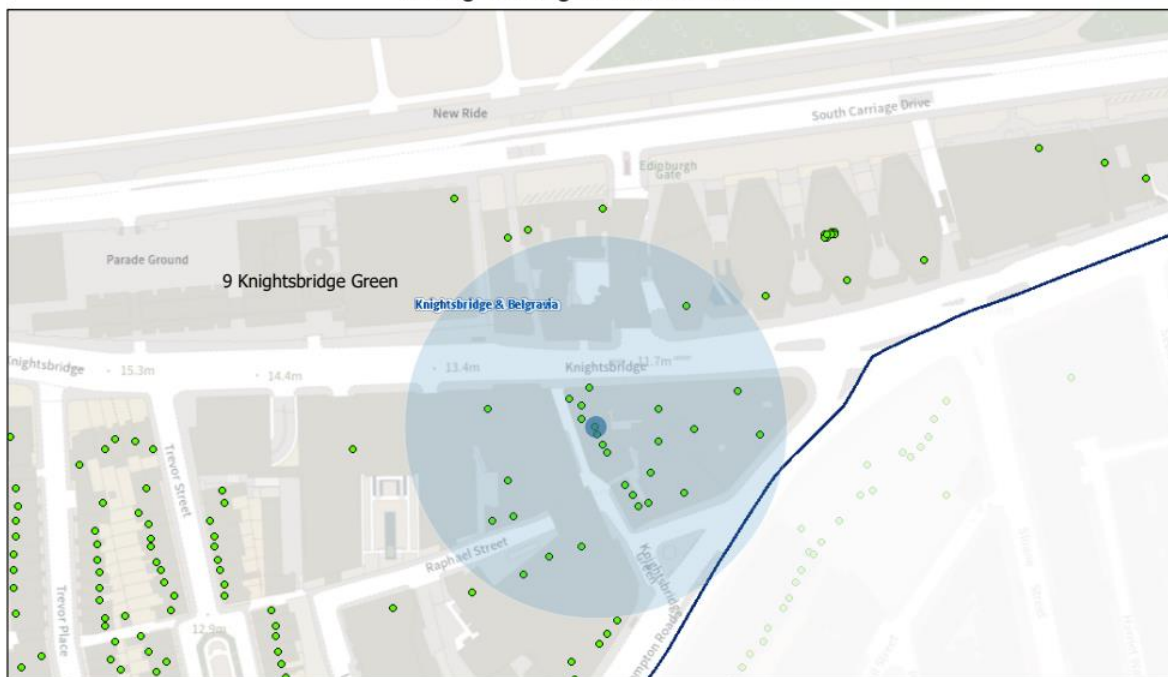
33. The premises shall only operate as a restaurant,
- (i) in which customers are shown to their table or the customer will select a table themselves,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - (v) 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.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

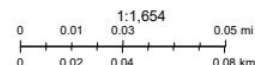
34. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
35. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
36. 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.
37. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.

9 Knightsbridge Green, London



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- Property Mailing List
- Ward Labels
- Stress Areas
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- Special Consideration Zones



Resident Count = 100

Licensed premises within 75 metres of 9 Knightsbridge Green, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
07/01492/WCCMAP	Sunny News	10 Knightsbridge Green London SW1X 7QL	Shop	Monday to Sunday; 05:30 - 23:00
17/13288/LIPDPS	Paxtons Head Public House	153 Knightsbridge London SW1X 7PA	Public house or pub restaurant	Monday to Sunday; 10:00 - 01:30
22/01121/LIPDPS	Signor Sassi	13 - 14 Knightsbridge Green London SW1X 7QL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30 Sundays before Bank Holidays; 12:00 - 01:00
14/08765/LIPDPS	Mr Chow Restaurant	151 Knightsbridge London SW1X 7PA	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
16/14239/LIPN	Not Recorded	17 Knightsbridge Green London SW1X 7QL	Restaurant	Sunday; 06:00 - 22:30 Monday to Thursday; 06:00 - 23:30 Friday to

				Saturday; 06:00 - 00:00
21/09018/LIPDPS	Bulgari Hotel	171 Knightsbridge London SW7 1DW	Hotel, 4+ star or major chain	Sunday; 09:00 - 22:00 Monday to Saturday; 08:00 - 22:00 Monday to Sunday; 00:00 - 00:00
21/11834/LIPDPS	Tattersalls Tavern	Tattersalls Tavern 2 Knightsbridge Green London SW1X 7QA	Public house or pub restaurant	Sunday; 07:00 - 00:00 Monday to Saturday; 07:00 - 00:30
21/10979/LIPDPS	Sautters	8 Raphael Street London SW7 1DL	Shop	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
18/03611/LIPDPS	Zuma	5 Raphael Street London SW7 1DL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/05571/LIPV	Buddha Bar	145 Knightsbridge London SW1X 7PA	Restaurant	Monday; 10:00 - 02:00 Tuesday; 10:00 - 02:00 Wednesday; 10:00 - 02:00 Thursday; 10:00 - 02:00 Friday; 10:00 - 02:00 Saturday; 10:00 - 02:00 Sunday; 12:00 - 23:30
13/05303/LIPVM	J Walter Thompson	First Floor 1 Knightsbridge Green London SW1X 7QA	Office	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30