



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

09 February 2023

22/11099/LIPN - New Premises Licence

Wok and Fire  
326 Vauxhall Bridge Road  
London  
SW1V 1AA

Director of Public Protection and Licensing

Vincent Square

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman  
Senior Licensing Officer

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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>	17 November 2022		
<b>Applicant:</b>	Global Partners Bd Limited		
<b>Premises:</b>	Wok and Fire		
<b>Premises address:</b>	326 Vauxhall Bridge Road London SW1V 1AA	<b>Ward:</b>	Vincent Square
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	Victoria
<b>Premises description:</b>	<p>Wok &amp; Fire is a chain of three restaurants &amp; take-aways which serve traditions Pan Asian Fusion Cuisine for consumption on the premises and for take-away &amp; delivery.</p> <p>The food is cooked to order for customers attending the premises, which is located on the ground floor with a smaller prep area and small office space on the first floor.</p>		
<b>Premises licence history:</b>	The premises have the benefit of two existing premises licences (Licence numbers 16/03312/LIPDPS and 16/06647/LIPN) Both Licences are currently suspended for non payment of the annual fee by the previous licence holder.		
<b>Applicant submissions:</b>	<p>The premises has been operating for nearly 3 years and is now seeking to licence the premises for Late Night Refreshment until 01.00.</p> <p>The applicant is aware that these hours fall outside of the core hours of the Westminster Licensing Policy, however the nature of the food served at the premises and the ability for people to remain inside when ordering or eating, along with the measures/ conditions put in place to prevent nuisance, means that we feel that Public Nuisance will be less of a concern than with similar styles of premises.</p> <p>The application is only for Late Night Refreshment and no alcohol is served from the premises</p>		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<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>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:00
<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>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	00:30
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Dave Morgan
<b>Received:</b>	12 December 2022 (withdrawn 5 January 2022)

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are **objecting** to this application as it is our belief that if granted, the application would undermine the Licensing Objectives, namely the Prevention of Crime and Disorder.

The applicant is seeking Late Night Refreshment for:

**Monday to Saturday: 2300 to 0100**  
**Sunday: 2300 to 0000**

The venue is situated within the Victoria Special Consideration Zone and the hours sought are beyond Westminster Councils Core Hours Policy.

As stated in Westminster Councils Fast Food Policy, venues which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area.

I am therefore concerned that this venue could become a 'destination point' for people who have consumed alcohol which may lead to further antisocial issues within the area.

Although you have supplied a number of conditions to help promote the licensing conditions, there are some further conditions that I would like to see added to the licence. However, before

I send these, can you please provide me with further information on how your client will regulate your conditions 7 and 9 (i.e. have you considered the need for SIA?).

**On 13 December 2022 the applicant provide the following response:-**

*Hi Dave,*

*Thank you for your email and for taking the time to give consideration to the application.*

*Conditions 7 & 9 we feel can both be regulated by the staff working at the premises.*

*Condition 7 regarding readmission was included to give reassurance that the premises will indeed close at 01.00 and make clear to customers that from 01.00 it is closed with signage backing that up. We have already discussed with the client the principle which catches out many Late Night Refreshment operations, this being that the 01.00 cut off, is not the time you take the last order, but rather the time the last food must be served by.*

*By this principle you would not want anyone else in the premises after 01.00, prevention being simpler than having to refuse service. I would expect the door to be closed at that time and adequately supervised by staff as is necessary. There may be some customers finishing their food inside on the few tables, hence the 01.30 opening hours, but as you can see from the plans there are not many seats and we would expect people at this time to eat their food and leave.*

*With no alcohol being served at the premises, there is little incentive for people to hang around after they have finished their food.*

*Condition 9 was included in part to demonstrate how small the premises is and also to provide reassurance that large numbers of people will not be permitted to gather. While staff will have to be aware of the numbers and ensure that it is not exceeded, I believe this will largely be self-regulating. By that I mean that the space itself is not conducive to having that number of people in it, seating is limited.*

*The premises also largely cooks to order. Customers come in and order bespoke dishes, which are then prepared in front of them. This differentiates it from a more traditional kebab / burger place where they have a constant churn of the same 4 or 5 dishes and where throughput is much quicker. I am not sure any customers are going to wait around if 20 people are ahead of them in the queue. On that basis I can't see the capacity being an issue.*

*However, if it were, then it would of course be for the staff to regulate this according to the condition.*

*That brings me onto your point about SIA registered Door Supervisors.*

*We did have a discussion about this when we were completing the risk assessment and it may well be that there are times in the future when Door Supervisors may be required as the business develops. The applicant is not against employing Door Supervisors in principle and if a situation were to arise where the limits outlined in Condition 9 were getting close on a regular basis, then I think a Door Supervisor would be a reasonable way of managing this.*

*Of course, not having included a condition regarding Door Supervisors, does not mean that Door Supervisors will never be employed at the premises. In a perfect world (I know...) there would be no need for the condition and operators would employ Door Supervisors as required. I think we will both be familiar with the three usual solutions here. No condition, a specified condition and a risk assessment based condition.*

*I don't feel there is a requirement for a specified condition which requires the premises to employ Door Supervisors on a daily basis, I am appreciative of the SCZ, but the nature of this premises and the products they are selling, which while it could business. I suspect there will be a lot of times, when to have a Door Supervisor would simply be unnecessary and the staff could easily exert a level of control sufficient to promote the Licensing Objectives*

*I was considering a Door Supervisor Risk Assessment condition; often we link these to certain activities such as events or regulated entertainment. While every premises should risk assess their need for Door Supervisors, I don't know if including a condition to that effect where it can't*

*be linked to a certain type of activity, brings anything constructive to a Premises Licence. In this case because all they are asking for is to sell some noodles & rice without entertainment or alcohol, I don't see a risk assessment style of conditions adding to what should already be their duty to risk assess the impact of their business.*

*On that basis we decided not to include a condition relating to Door Supervisors. It is not that we didn't consider them, nor that they might not employ one as and when it was necessary, but simply that a condition was not in this case and in our opinion a proportionate response to a low level of risk.*

*I hope this provides an insight into how we approached the application, specifically around those points you raised. If you would like to discuss these matters further, please do not hesitate to contact me.*

be described as 'fast food', is not your traditional kebab, burger or chip shop so favoured by those drunk people leaving pubs and bars who you describe. They do a fair bit of trade for example to theatre goers leaving the theatre after a show.

I think a requirement for Door Supervisors is going to be over burdensome for the nature of the

**In light of the above submissions, the Metropolitan Police withdrew their representation on 5<sup>th</sup> January 2023**

<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Ayesha Bolton
<b>Received:</b>	15 <sup>th</sup> December 2022

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted floor plans of the premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following:

1. To provide Late Night Refreshment indoors only from Monday to Saturday from 23.00 to 01.00 and Sunday from 23.00 to 00.00 hours.

I wish to make the following representation:

1. The provision and the hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.

The applicant has provided additional information within the application which is being assessed. Additional conditions will be proposed by Environmental Health to address the licensing objectives

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	13 December 2022
<p>This premises forms part of the ground floor of our residential block. I &amp; my neighbours strongly object to this licence which will further exacerbate the late night nuisance, particularly noise &amp; smell, caused by this establishment. The existing problems caused until 23.30hrs (often exceeded) is bad enough without an additional attraction to 'late nighters' of extended opening hours.</p> <p>As the granting of this licence is contrary to permitted hours of Westminster Licensing it should be refused on those grounds alone.</p>	

<b>3.</b>	<b>Policy &amp; Guidance</b>
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy SCZ1 applies</b>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>For the purpose of Clause A, the designated Special Consideration Zones for this application is the Victoria SCZ</p>
<b>Policy FFP1(A) applies</b>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</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 and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a fast food premises in Clause D.</li> </ol> <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption.</li> <li>2. Food and drink are:</li> </ol>

	<p>a. Available on the premises for self-selection.</p> <p>b. Prepared on the premises.</p> <p>c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers.</p> <p>3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.</p> <p>4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.</p>
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#### 4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, 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>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service representation	12 December 2022 <b>(withdrawn 5 January 2023)</b>
<b>5</b>	Environmental Health representation	15 December 2022
<b>6</b>	Interested Party representation	13 December 2022



**LEGEND**

	Fire alarm control panel		Fire extinguisher
	Fire escape		Fire door
	Fire hose reel		Fire blanket
	Fire alarm call point		Fire alarm indicator lamp
	Fire alarm bell		Fire alarm horn
	Fire alarm speaker		Fire alarm strobe
	Fire alarm bell		Fire alarm horn
	Fire alarm speaker		Fire alarm strobe
	Fire alarm bell		Fire alarm horn
	Fire alarm speaker		Fire alarm strobe
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	Fire alarm speaker		Fire alarm strobe
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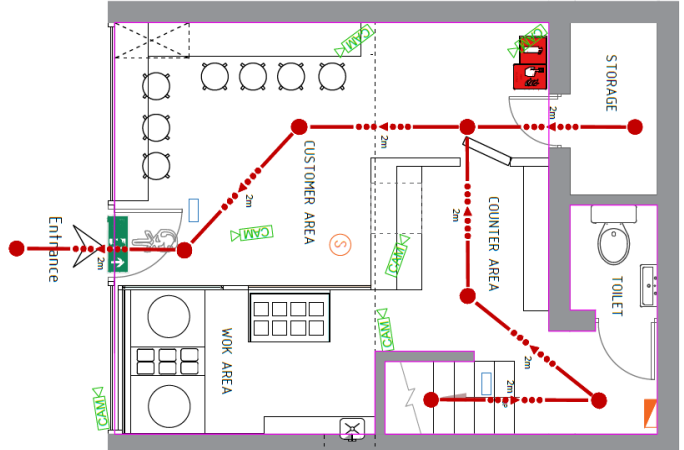
**Key**

	Visitor Park
	Fire door
	Fire escape
	Fire alarm
	Fire extinguisher
	Fire hose reel
	Fire blanket
	Fire alarm call point
	Fire alarm indicator lamp
	Fire alarm bell
	Fire alarm horn
	Fire alarm speaker
	Fire alarm strobe
	Fire alarm bell
	Fire alarm horn
	Fire alarm speaker
	Fire alarm strobe
	Fire alarm bell
	Fire alarm horn
	Fire alarm speaker
	Fire alarm strobe

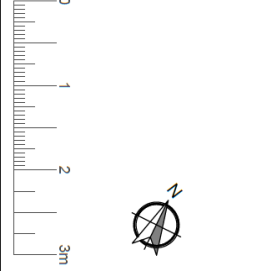
**FIRE PRECAUTIONS**

This drawing is intended only to refer to specifications for fire safety equipment and fire safety systems. It is not intended to be a substitute for the fire safety system design or the fire safety system specifications. The fire safety system design and specifications must be reviewed and approved by the fire safety system designer and the fire safety system contractor.

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**Ground Floor Plan**  
SCALE 1:50 @ A3



<b>PROJECT</b>	Wok & Fire Victoria
<b>CLIENT</b>	Mohamed
<b>DESIGNER</b>	Proposed Ground Floor Plan
<b>DATE</b>	15/01/22
<b>SCALE</b>	1:50 @ A3

**GENERAL NOTES:**

1. Technical specifications for specific installations on this plan are given in the notes to the drawings.
2. Scaffolding is permitted for painting purposes only.
3. All work is to be done in accordance with the relevant standards and codes of practice.
4. Check dimensions and levels to be checked on site by the contractor prior to all necessary work.
5. Set out dimensions and levels shown on the drawings shall be checked by the contractor and approved by the architect prior to construction.
6. The contractor is to ensure that the drawings are in accordance with the standards of the Code of Practice & Regulation 7 of Building Regulations.
7. All materials are to be used in accordance with the standards of the Code of Practice & Regulation 7 of Building Regulations.
8. The contractor is to ensure that the drawings are in accordance with the standards of the Code of Practice & Regulation 7 of Building Regulations.
9. The contractor is to ensure that the drawings are in accordance with the standards of the Code of Practice & Regulation 7 of Building Regulations.

**DESIGNER:**  
Mohamed

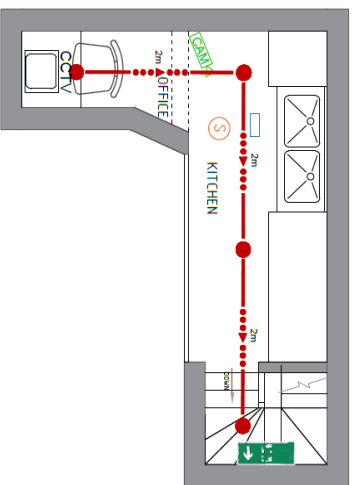
**CLIENT:**  
Wok & Fire Victoria

**DATE:**  
15/01/22

<b>PROJECT</b>	Wok & Fire Victoria
<b>CLIENT</b>	Mohamed
<b>DESIGNER</b>	Proposed Ground Floor Plan
<b>DATE</b>	15/01/22
<b>SCALE</b>	1:50 @ A3

- General notes:
1. Technical specifications or specific instructions on... (omitted)
  2. Siding permitted for planning purposes only... (omitted)
  3. Unless noted, all levels are in meters (m)... (omitted)
  4. Civils dimensions and levels to be checked on site by... (omitted)
  5. Set out dimensions and levels shown on the drawings... (omitted)
  6. All dimensions and levels are to be checked on site... (omitted)
  7. All materials are to be used in accordance with the... (omitted)
  8. The contractor shall ensure compliance with all... (omitted)
  9. The proposed works shall comply with the... (omitted)

### First Floor Plan SCALE 1:50 @ A3



#### LEGEND

<ul style="list-style-type: none"> <li> FIRE ALARM CALL POINT</li> <li> FIRE EXTINGUISHER</li> <li> FIRE ALARM CONTROL PANEL</li> <li> FIRE ALARM INDICATOR LAMP</li> <li> FIRE ALARM BELL</li> <li> FIRE ALARM SPEAKER</li> <li> FIRE ALARM MANUAL CALL POINT</li> <li> FIRE ALARM TEST BUTTON</li> <li> FIRE ALARM RESET BUTTON</li> <li> FIRE ALARM SOUNDER</li> <li> FIRE ALARM BATTERY</li> <li> FIRE ALARM CONTROL UNIT</li> <li> FIRE ALARM CONTROL PANEL</li> <li> FIRE ALARM INDICATOR LAMP</li> <li> FIRE ALARM BELL</li> <li> FIRE ALARM SPEAKER</li> <li> FIRE ALARM MANUAL CALL POINT</li> <li> FIRE ALARM TEST BUTTON</li> <li> FIRE ALARM RESET BUTTON</li> <li> FIRE ALARM SOUNDER</li> <li> FIRE ALARM BATTERY</li> </ul>	<ul style="list-style-type: none"> <li> FIRE ALARM CALL POINT</li> <li> FIRE EXTINGUISHER</li> <li> FIRE ALARM CONTROL PANEL</li> <li> FIRE ALARM INDICATOR LAMP</li> <li> FIRE ALARM BELL</li> <li> FIRE ALARM SPEAKER</li> <li> FIRE ALARM MANUAL CALL POINT</li> <li> FIRE ALARM TEST BUTTON</li> <li> FIRE ALARM RESET BUTTON</li> <li> FIRE ALARM SOUNDER</li> <li> FIRE ALARM BATTERY</li> <li> FIRE ALARM CONTROL UNIT</li> <li> FIRE ALARM CONTROL PANEL</li> <li> FIRE ALARM INDICATOR LAMP</li> <li> FIRE ALARM BELL</li> <li> FIRE ALARM SPEAKER</li> <li> FIRE ALARM MANUAL CALL POINT</li> <li> FIRE ALARM TEST BUTTON</li> <li> FIRE ALARM RESET BUTTON</li> <li> FIRE ALARM SOUNDER</li> <li> FIRE ALARM BATTERY</li> </ul>
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#### Key

- Fire Exit Point
- Distance of Fire Exit used typically at change in corridor direction
- Vision Line Door
- Open to view of most used fire escape route
- Fire Exit - Door / way leading to Escape Travel Distance
- Lockdown Area

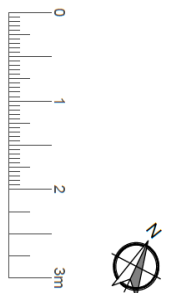
**FIRE SPECIFICATIONS**

This drawing is indicative only. Refer to specifications for full details of the alarm system and provision for fire detection. Fire alarm call points shall be provided at fire exits and at the main staircase in case where at the above and then set stairs through which a person may escape. Fire alarm call points shall be provided in a readily accessible position and shall be protected from physical damage.

Fire alarm call points shall be provided from the fire alarm control unit in accordance with the fire alarm specification and shall be provided in a readily accessible position and shall be protected from physical damage.

Fire alarm call points shall be provided in a readily accessible position and shall be protected from physical damage.

Fire alarm call points shall be provided in a readily accessible position and shall be protected from physical damage.



<p><b>Proposed First Floor Plan</b></p> <p>Fire Safety Floor Plan</p> <p>002</p> <p>Drawn By: ENV</p> <p>1:50 @ A3</p> <p>10/10/22</p>	<p>225 Waterloo Bridge Road, SW1V 4JA</p> <p>Mohammad</p>
	<p>325 Waterloo Bridge Road, SW1V 4JA</p> <p>Mohammad</p>
<p>225 Waterloo Bridge Road, SW1V 4JA</p> <p>Mohammad</p>	

Applicant response to Environmental Health conditions



## REPRESENTATION RESPONSE

PREMISES	Wok & fire, 326 Vauxhall bridge Road, London SW1V 1AA
APPLICANT	Global Partners BD Ltd
OBJECTOR	Ayesha Bolton
AGENCY	Environmental Health
DATE RECEIVED	31/01/2023
EMAIL(S)	abolton1@westminster.gov.uk
TELEPHONE	07885 457 659

THIS DOCUMENT AND ITS CONTENTS ARE SENT WITHOUT PREJUDICE

### REPRESENTATION RESPONSE

Having received your email, we have considered all the points raised and would welcome further discussions with an aim of reaching an agreement, which would see the representation being withdrawn.

In the response below, I have copied your proposed conditions; I have then added my comments in red, to make them easily distinguishable. These comments are made with a view to reaching an agreement in relation to the application.

Any comments or proposed agreements / amendments are made without prejudice.

### RESPONSES TO THE PROPOSED CONDITIONS

1. The number of persons accommodated at any one time (excluding staff) shall not exceed 10 persons

I would be interested to understand a little better the basis for this nominal number of 10?

Any such figure we finally agree on would need to be limited to the hours for which this licence applies, namely after 23.00.

2. No new admissions or re-admissions shall be allowed to the premises after 23.00 hours.

We could not agree to this condition, as this is in effect an objection to the application as a whole. No licence is required before 23.00 and the whole purpose

of the application is to permit Late Night Refreshment until 01.00 (00.00 on Sundays)

3. Deliveries of food shall only be made to a bonafide residential or business addresses

We can accept this proposed condition as a similar condition was offered in the original application. I would suggest that our proposed condition is more comprehensive than the one proposed here.

4. The premises Licence Holder shall ensure that riders/drivers will be instructed not to loiter in the vicinity of residential premises

I think this condition is a little imprecise and open to interpretation.

The term 'Loiter' suggests the riders hanging around without any purpose and the definition of 'riders / drivers' is also a little unclear.

Of course the premises should control the behaviour of delivery drivers they employ directly and the vehicles they use. However, to suggest when they are waiting for a collection they not 'loiter' near residential premises is quite difficult. We acknowledge that there are residents either side of the premises and we feel it is the behaviour of the delivery drivers which is important to control, rather than where they are on this very busy street.

The premises can of course not exact control over drivers not directly employed by them.

I think this is a very difficult condition for any premises licence holder to enforce. The condition we offered in the application (MC98) I think offers more protection to residents than the one proposed here.

See also point 6 below.

5. The premises Licence Holder shall ensure that riders/drivers will not be permitted to congregate in the immediate vicinity of the premises

I would refer you to my response to point 4 and see point 6 below.

6. The premises Licence Holder shall ensure that riders/drivers will not be permitted to smoke in the immediate vicinity of the premises

I think 4, 5 and 6 are very similar in nature and my response outlined in point 4 applies to all three.

I might suggest we amalgamate these into one condition such as:

*Drivers & riders directly engaged by the Premises Licence Holder shall be instructed not to congregate or smoke in the immediate vicinity of the premises.*



7. Delivery drivers/riders shall be given clear written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside of the licenced premises

This condition is acceptable, but I would suggest we use MC98 as offered in the original application, as it offers a more comprehensive description of the behaviours expected of drivers.

8. All outside tables and chairs shall be rendered unusable by 23.00 each day.

This condition is acceptable as a similar condition was offered in the original application.

9. 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.

This condition is acceptable as it was offered in the original application and has already been agreed with the Police.

10. 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.

This condition is acceptable as it was offered in the original application and has already been agreed with the Police.

11. 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 visit by a relevant authority or emergency service.

This condition is acceptable as it was offered in the original application and has already been agreed with the Police.

12. 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.

This condition is acceptable as it was offered in the original application.

13. All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons.

This condition is acceptable as a very similar condition was offered in the original application.

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.

This condition is acceptable as a very similar condition was offered in the original application.

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.

This condition is accepted by the applicant.

16. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

This condition is acceptable as it was offered in the original application.

17. 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.

My understanding of the waste arrangements for this area are that waste is collected by Westminster up to 3 times a day and that they do come as early as 06.00 and as late as midnight.

I think it would be difficult for the applicant to accept a condition which the Westminster Collection Service does not allow them to comply with. We would be happy to change this to:

*No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between midnight and 06.00 hours on the following day.*

18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.

I would refer you to the points raised in response to your proposed condition 17. We would be happy to agree to:

*No collections of waste or recycling materials (including bottles) from the premises shall take place between midnight and 06.00 on the following day.*





19. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

This condition is accepted by the applicant.

20. 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.

This condition is acceptable as a very similar condition was offered in the original application.

Updated: Peter Mayhew – 31/01/2023

**Licence & Appeal History**

<b>Premises Licence 16/03312/LIPDPS</b>			
<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/02360/LIPN	New premises licence		Granted by licensing sub committee
16/03309/LIPT	Transfer - Mr Luigi Venosi to Covent Garden Italy Ltd	19.04.2016	Granted under delegated authority
16/03312/LIPDPS	Variation of DPS	07.04.2016	Licence suspended 18.11.2022 for non-payment of annual fees

<b>Premises Licence 16/06647/LIPN</b>			
<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
16/06647/LIPN	Variation of DPS	07.04.2016	Licence suspended 18.11.2022 for non-payment of annual fees

**There is no appeal history**

**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. Appropriate induction training shall be undertaken with all relevant staff to cover appropriate subjects for their role including:
  - a. The hours of operation
  - b. Preventing Public Nuisance
  - c. Fire safety & emergency evacuation procedures
10. All training shall be recorded and training records made available on request to an authorised officer of the Licensing Authority or the Police.
11. 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 faults in the CCTV system or searching equipment or scanning equipment
  - g. any visit by a relevant authority or emergency service.
12. The delivery of food shall only be made to a residential or business address, where the customer uses that address as an official place of residence or their recognised designated place of work. The delivery of alcohol shall not be made or completed in a public place (on the street, in a park, by the bus stop, etc.).
13. 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.
14. 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.
15. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs shall be adopted and enforced.
16. No new admissions or re-admissions shall be allowed to the premises after 01.00. Signage to this effect shall be displayed at the premises
17. A fire risk assessment shall be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
  - a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
  - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
  - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
  - d. All emergency exits are marked on the premises plan.

18. The number of persons accommodated at any one time (excluding staff) shall not exceed 30 persons.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. Deliveries related to the permissible Licensable Activities shall not take place between the hours of 22.00 and 08.00
21. The area immediately outside the premises shall be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
22. 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.
23. Telephone contact details for the premises shall be provided to residents and the Responsible Authorities on request.
24. No amplification system or speakers shall be used in the external areas of the premises.
25. All tables and chairs located in the external areas of the premises shall not be used for the consumption any food or drinks sold under the Premises Licence as Late Night Refreshment.
26. A sign requesting customers to respect local residents and leave the premises quietly, shall be displayed at each public the exit to the premises.
27. All external doors to the premises shall remain closed after 23.00 except for entrance and egress, to prevent noise escaping from the premises.
28. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
29. Unaccompanied children under the age of 18 years shall not be permitted on the premises after 23.00 on any day.

**Conditions proposed by the Environmental Health to replace those contained in the operating schedule (numbering to correspond with the applicants response which appears at appendix 2)**

1. The number of persons accommodated at any one time (excluding staff) shall not exceed 10 persons
2. No new admissions or re-admissions shall be allowed to the premises after 23.00 hours.
3. Deliveries of food shall only be made to a bonafide residential or business addresses.

4. The premises Licence Holder shall ensure that riders/drivers will be instructed not to loiter in the vicinity of residential premises.
5. The premises Licence Holder shall ensure that riders/drivers will not be permitted to congregate in the immediate vicinity of the premises.
6. The premises Licence Holder shall ensure that riders/drivers will not be permitted to smoke in the immediate vicinity of the premises.
7. Delivery drivers/riders shall be given clear written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside of the licenced premises.
8. All outside tables and chairs shall be rendered unusable by 23.00 each day.
9. 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.
10. 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.
11. 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 visit by a relevant authority or emergency service.
12. 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.
13. All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons.
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. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.



17. 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.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
19. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
20. 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.

**Conditions proposed by the Police**

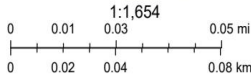
None

**326 Vauxhall Bridge Road**



27/01/2023, 15:43:44

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



**Resident count: 99**

**Licensed premises within 75m of 326 Vauxhall Bridge Road, London, SW1**

Licence Number	Trading Name	Address	Premises Type	Time Period
07/01007/WCCMAP	Il Posto	Ground Floor 314 - 316 Vauxhall Bridge Road London SW1V 1AA	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/11580/LIPDPS	Apollo Victoria Theatre	17 Wilton Road London SW1V 1LG	Theatre	Monday to Sunday; 09:00 - 00:30
14/05987/LIPDPS	Lime Orange Limited	Basement And Ground Floor 312 Vauxhall Bridge Road London SW1V 1AA	Restaurant	Monday to Sunday; 10:00 - 01:30
21/12390/LIPDPS	John Lewis Plc	171 Victoria Street London SW1E 5NN	Office	Monday to Sunday; 08:30 - 00:30