



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

1 February 2024

Licensing Ref No:

23/07936/LIPN - New Premises Licence

Title of Report:

30 Old Burlington Street
London
W1S 3AP

Report of:

Director of Public Protection and Licensing

Wards involved:

West End

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: Jdonovan@westminster.gov.uk

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|---|------------------------------------|----------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 6 November 2023 | | |
| Applicant: | Old Burlington Spirit Limited | | |
| Premises: | N/A | | |
| Premises address: | 30 Old Burlington Street London W1S 3AP | Ward: | West End |
| | | Cumulative Impact Area: | None |
| | | Special Consideration Zone: | None |
| Premises description: | The premises intends to operate as a restaurant. | | |
| Premises licence history: | This is a new premises application and therefore no Premises Licence history exist. | | |
| Applicant submissions: | There are no supporting documents from the applicant. | | |
| Applicant amendments: | None | | |

| 1-B Proposed licensable activities and hours | | | | | | | |
|---|------------|--|------------|----------------------------------|------------|------------|------------|
| Late Night Refreshment: | | | | Indoors, outdoors or both | | | Indoors |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | N/A |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | N/A |
| Seasonal variations/ Non-standard timings: | | From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 23:00 – 00:00. | | | | | |

| | | | | | | | |
|---|------------|--|------------|---------------------------------|------------|------------|------------|
| Sale by retail of alcohol | | | | On or off sales or both: | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 09:00 – 00:00. | | | | | |

| 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: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 09:00 – 00:00. | | | | | |

2. Representations

| 2-A Responsible Authorities | |
|---|-------------------------------|
| Responsible Authority: | Environmental Health Service |
| Representative: | Ayesha Bolton |
| Received: | 4 th December 2023 |
| <p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the premises. This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> To provide Late Night Refreshment Indoors only, Monday to Thursday 23.00 to 23.30 and Friday to Saturday from 23.00 to 00.00 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 23:00 – 00:00 hours. To provide Supply of Alcohol both On and Off the premises, Monday to Thursday 09.00 to 23.30, Friday to Saturday 09.00 to 00.00 and Sunday from 09.00 to 22.30 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 09:00 – 00:00 hours. <p>I wish to make the following representation:</p> <ol style="list-style-type: none"> The provision and the hours requested for Late Night Refreshment will the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety. The provision and the hours requested for Supply of Alcohol will the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety. <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety within the area.</p> <p>The applicant has provided additional information within the application which is being</p> | |

considered. Additional conditions will be proposed by Environmental Health to address the licensing objectives.

Should you wish to discuss the matter further please do not hesitate to contact me.

| 2-B Other Persons | | | |
|--|------------------|-------------------------------|---------|
| Name: | | [REDACTED] | |
| Address and/or Residents Association: | | [REDACTED] | |
| Status: | Valid | In support or opposed: | Opposed |
| Received: | 04 December 2023 | | |
| [REDACTED] | | | |
| [REDACTED] | | | |
| [REDACTED] | | | |
| <p>Our client wishes to raise a representation in respect of the application for a new premises licence for the Premises on the grounds of potential public nuisance relating to noise and fumes from:</p> <ul style="list-style-type: none">• patrons inside the Premises;• those smoking, eating and drinking directly outside the Premises;• those leaving the Premises; and• from delivery drivers. <p>At present, our client has only had sight of the basic application and proposed conditions. Therefore, it has the following queries:</p> <ul style="list-style-type: none">• Whilst the Premises is described as a restaurant, the application does not provide any details as to the type of restaurant envisaged. The full model restaurant condition has not been proffered and there is nothing to prevent the Premises operating as a bar. Further information in respect of the proposed concept is therefore requested.• There is no indication as to the extent of the outside area and it is noted that, unless regulated entertainment is playing, there is nothing preventing doors and windows being kept open until 22.00 hrs. The applicant is asked for a plan showing the proposed outside layout and whether windows and door can always be kept closed at all times, save for access/egress.• Please can details be provided as to where the proposed smoking area will be located.• There is reference in the proffered conditions to private events where patrons may stand. Details of the nature and frequency of such events would be helpful.• The proffered conditions mention food takeaway deliveries. Again, our client would be grateful for further information as to the likely frequency of such deliveries. We would welcome this further information from the applicant and any other background information it can provide. Our client reserves the right to make further comments in respect of the application and Westminster Council's Licensing Policy either before, or at, any Licensing | | | |

Sub-Committee hearing if satisfactory assurance is not provided in respect of the above.
We should be grateful if we could be informed when this application has been listed for hearing.

| | | | |
|---|--|-------------------------------|------------|
| Name: | [REDACTED] | | |
| Address and/or Residents Association: | [REDACTED] [REDACTED] [REDACTED] | | |
| Status: | Valid | In support or opposed: | In support |
| Received: | 22 November 2023 | | |
| I support this application. 23/07936/LIPN | | | |
| The immediate area is very quiet and would benefit from more street lights and small restaurants in the evenings. | | | |

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

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|-----------------------------------|---|
| | <p>are expected to be covered by Temporary Event Notices or variation 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> <ol style="list-style-type: none"> 1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005. 2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am 3. Hotels: 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. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: 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. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 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. 9. Sexual Entertainment Venues and Sex Cinemas: 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>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

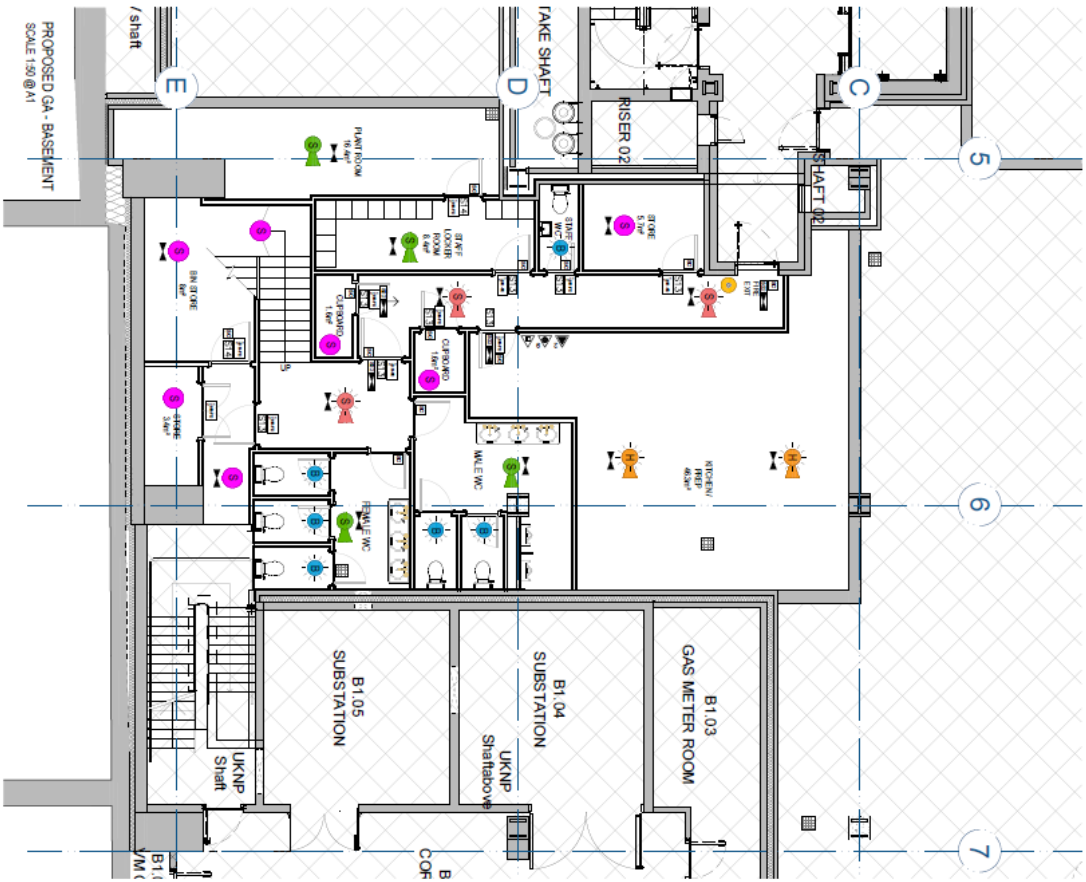
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|-------------------|--|
| Appendix 1 | Premises plans |
| Appendix 2 | Applicant supporting documents |
| Appendix 3 | Premises history |
| Appendix 4 | Proposed conditions |
| Appendix 5 | Residential map and list of premises in the vicinity |

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|-----------------------|--|
| Report author: | Jessica Donovan Senior Licensing Officer |
| Contact: | Telephone: 020 7641 6500 Email: Jdonovan@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 | 01 October 2021 |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | December 2022 |
| 4 | Environmental Health Service representation | 04 December 2023 |
| 5 | Interested party representation (1) | 04 December 2023 |
| 6 | Interested party representation (2) | 22 November 2023 |



PROPOSED GA-BASEMENT
SCALE 1/8" @ 1'

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE ALARM CODE (NFPA 72) AND THE NATIONAL ELECTRICAL CODE (NEC).

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITIES.

4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES AT ALL TIMES.

5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

LEGEND

- CALL POINT
- BEACON
- SMOKE DETECTOR OPTICAL
- SMOKE DETECTOR WITH SOUNDER
- SMOKE DETECTOR & BEACON
- OPTICAL DETECTOR WITH SOUNDER & BEACON
- HEAT DETECTOR
- HEAT DETECTOR WITH SOUNDER
- HEAT DETECTOR WITH SOUNDER & BEACON
- CONTINUOUS PULS FOR MAIN POWER

TO BE CONFORMED BY FIRE ALARM ENGINEER

EMERGENCY LIGHTING SYSTEM

1. ALL EMERGENCY LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH BS 5266-1:2001.

2. THE SYSTEM SHALL BE DESIGNED TO PROVIDE A MINIMUM OF 1 HOUR OF ILLUMINATION IN THE EVENT OF A POWER FAILURE.

3. ALL LIGHTS SHALL BE MAINTAINED AND TESTED REGULARLY.

FIRE ALARM SYSTEM

1. THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 72:2019.

2. THE SYSTEM SHALL BE DESIGNED TO PROVIDE A MINIMUM OF 1 HOUR OF ILLUMINATION IN THE EVENT OF A POWER FAILURE.

3. ALL LIGHTS SHALL BE MAINTAINED AND TESTED REGULARLY.

NOT TO SCALE

1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE SPECIFIED.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

LEGEND

- CALL POINT
- BEACON
- SMOKE DETECTOR OPTICAL
- SMOKE DETECTOR WITH SOUNDER
- SMOKE DETECTOR & BEACON
- OPTICAL DETECTOR WITH SOUNDER & BEACON
- HEAT DETECTOR
- HEAT DETECTOR WITH SOUNDER
- HEAT DETECTOR WITH SOUNDER & BEACON
- CONTINUOUS PULS FOR MAIN POWER

TO BE CONFORMED BY FIRE ALARM ENGINEER

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LEGEND

- CALL POINT
- BEACON
- SMOKE DETECTOR OPTICAL
- SMOKE DETECTOR WITH SOUNDER
- SMOKE DETECTOR & BEACON
- OPTICAL DETECTOR WITH SOUNDER & BEACON
- HEAT DETECTOR
- HEAT DETECTOR WITH SOUNDER
- HEAT DETECTOR WITH SOUNDER & BEACON
- CONTINUOUS PULS FOR MAIN POWER

TO BE CONFORMED BY FIRE ALARM ENGINEER

PUMPHOUSE DESIGNS

Architectural & Interior Design Consultants

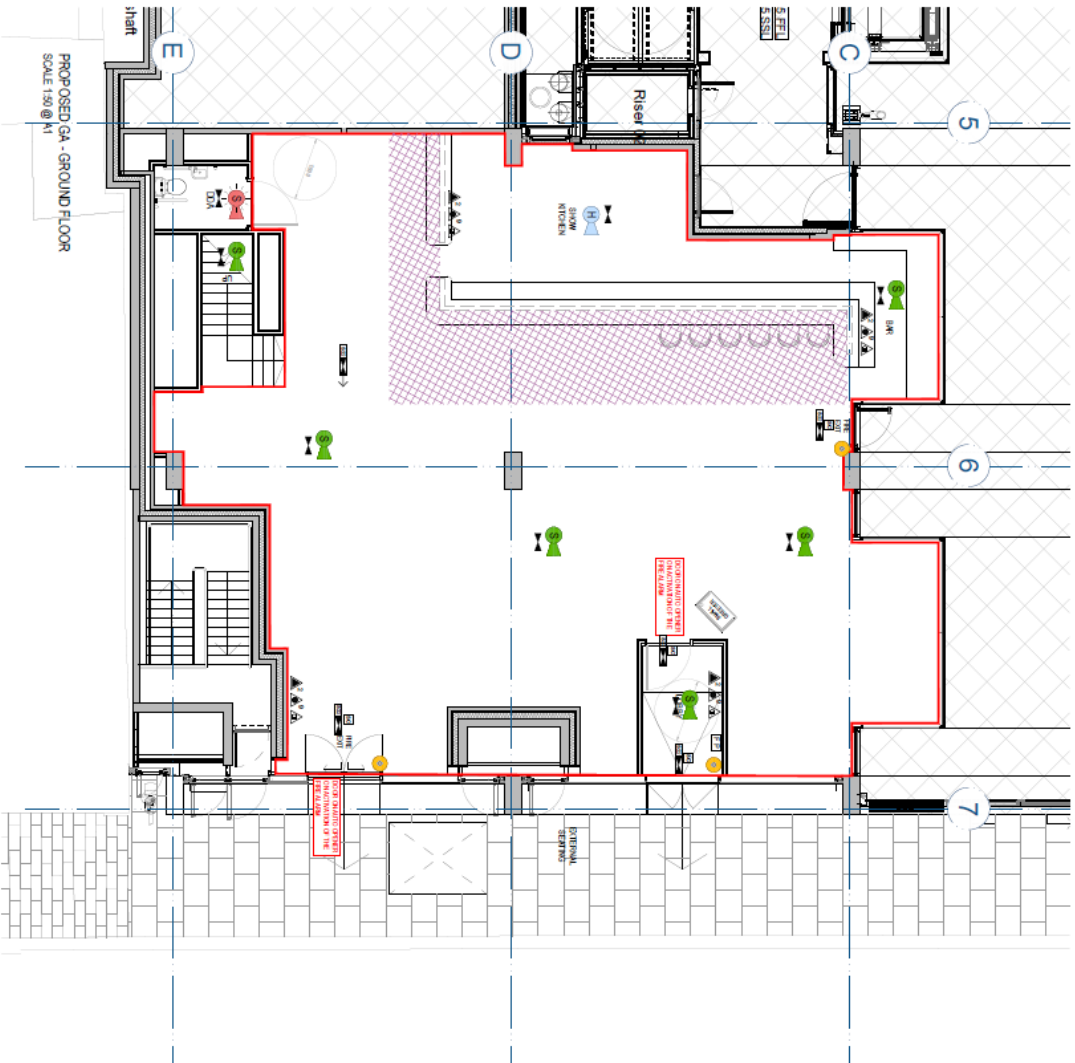
100 OLD BRACKENTON STREET
OLD BRACKENTON STREET
GL1 1AA, GLOUCESTER

TEL: 01452 512345
WWW.PUMPHOUSEDESIGNS.CO.UK

PROPOSED LICENSING PLAN - BASEMENT

OCT 2023 P. RAJENDRAN 150

4322 / 539 / 502 / A



PROPOSED GA - GROUND FLOOR
SCALE 1:50 @ A1

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE FIRE ALARM SYSTEMS REGULATIONS 2017.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE FIRE ALARM SYSTEMS INSURANCE COMPANY OF ANY CHANGES TO THE SYSTEM.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A COPY OF THE AS-BUILT DRAWINGS TO THE CLIENT.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A COPY OF THE AS-BUILT DRAWINGS TO THE LOCAL AUTHORITY.

THE ALARM SYSTEM

The Alarm System shall be installed in accordance with BS 5839-1:2013 and shall be designed to provide early warning of fire to the occupants of the building.

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THE ALARM SYSTEM

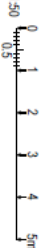
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TO BE COVERED BY THE ALARM BELLWOMEN

- CALL POINT
- BEACON
- SMOKE DETECTOR
- OPTICAL DETECTOR WITH SOUNDER
- SMOKE DETECTOR & BEACON
- OPTICAL DETECTOR WITH SOUNDER & BEACON
- HEAT DETECTOR
- HEAT DETECTOR WITH SOUNDER
- HEAT DETECTOR WITH SOUNDER & BEACON
- CONTINUOUS RINGS FOR MAIN POWER



EMERGENCY LIGHTING SYSTEM

The Emergency Lighting System shall be installed in accordance with BS 5266-1:2009 and shall be designed to provide a minimum of 1 hour of illumination in the event of a power failure.

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The Emergency Lighting System shall be installed in accordance with BS 5266-1:2009 and shall be designed to provide a minimum of 1 hour of illumination in the event of a power failure.

RE-FITTING OF EXISTING FIRE ALARMS

The existing fire alarm system shall be inspected and tested in accordance with BS 5839-1:2013 and shall be found to be satisfactory.

The existing fire alarm system shall be inspected and tested in accordance with BS 5839-1:2013 and shall be found to be satisfactory.

The existing fire alarm system shall be inspected and tested in accordance with BS 5839-1:2013 and shall be found to be satisfactory.

CLIENT

Architectural & Interior Design Consultants
PUMPHOUSE DESIGNS
PINEAPPLE GROUP
OLD BAKELINGTON STREET

PUMPHOUSE DESIGNS

Architectural & Interior Design Consultants
PINEAPPLE GROUP
OLD BAKELINGTON STREET

PROPOSED LICENSING PLAN - GROUND FLOOR
DATE: 01/10/2023
DRAWN BY: P. BAKER
SCALE: 1:50
4322 / 639 / 501 / A

Applicant Supporting Documents

Appendix 2

The are no supporting documents from the applicant.

Premises History

Appendix 3

There is no licence or appeal history for the premises.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9.
 - a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
 - d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 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. 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.
12. Save for private events, the supply of alcohol shall be by waiter or waitress service only to customers who are seated.
13. 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 refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service.
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.
14. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
15. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
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 collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 hours on the following day, unless in accordance with a Westminster City Council collection time.

19. No deliveries to the premises shall take place between 23:00 and 08:00 hours on the following day.
20. The sale and supply of alcohol for consumption off the premises shall be restricted to (i) sealed containers and/or; (ii) alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway.
21. All outside tables and chairs shall be rendered unusable by 23.00 each day.
22. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
23. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
24. 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.
25. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
26. 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.
27. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them unless seated in an authorised external area.
28. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
29. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
30. 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.
31. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
32. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
33. 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.

34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
40. Challenge 21 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.
41. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
42. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where there are minor changes to the premises layout during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Conditions proposed by the Environmental Health Service

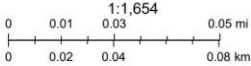
None

30 Old Burlington Street London W1S 3AP



18/01/2024, 13:01:24

- Property Mailing List
- ▭ Ward Boundaries
- Ward Labels



Resident Count: 12

Licensed premises within 75 metres of 30 Old Burlington Street, London, W1S 3AP

| Licence Number | Trading Name | Address | Premises Type | Time Period |
|-----------------------|-------------------------|---|----------------------|--|
| 14/00639/LIDPSR | The Embassy | Basement Mezzanine Floor And Ground Floor 29 Old Burlington Street London W1S 3AR | Restaurant | Sunday; 09:00 - 23:30 Monday to Saturday; 09:00 - 03:30 |
| 20/03154/LIPCH | Cecconi's Restaurant | 5A Burlington Gardens London W1S 3EP | Restaurant | Sunday; 08:00 - 01:00 Monday to Saturday; 07:00 - 01:30 |
| 23/09182/LIPT | HSBC | 7 - 8 Cork Street London W1S 3LH | Not Recorded | Monday to Sunday; 00:00 - XXXX |
| 22/05848/LIPDPS | Peyote | Ground Floor And Basement 13- 14 Cork Street London W1S 3NS | Restaurant | Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 01:00 Friday to Saturday; 07:00 - 02:00 Sundays before Bank Holidays; 07:00 - 02:00 |
| 10/00554/LIPDPS | Buck's Club | Ground Floor 18 Clifford Street London W1S 3RF | Club or institution | Monday to Sunday; 00:00 - 00:00 |
| 23/01674/LIPN | Not Recorded | 5 Savile Row London W1S 3PB | Restaurant | Friday to Saturday; 09:00 - 00:30 Sunday to Thursday; 09:00 - 00:00 |