



City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/08184/LIPV
Date:	27 November 2014
Classification:	For General Release
Title of Report:	14 Melcombe Street London NW1 6AH
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Sam Eaton Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 1868 E-mail: seaton1@westminster.gov.uk

APPLICATION DETAILS

Application Type:	Variation of the premises licence under the Licensing Act 2003.		
Applicant:	Saporito & Co LLP	Date Application Received:	26 September 2014 Validated 6 th October 2014
Premises Name and Address:	14 Melcombe Street London NW1 6AH		
Ward Name:	Bryanston And Dorset Square	Stress Area:	No
Premises Description:	The premises operates as a café over the Basement & Ground Floor.		
Variation description:	To increase the premises opening hour by one hour on Sunday's to 9:00 and to remove conditions 12 and 14 which relate to ancillary use.		

1. Proposed Licensable Activities and Proposed Hours:

1.1 The variation seeks to extend licensable activities as detailed below.

<u>Licensable activities permitted under the existing Premises Licence 13/05851/LIPN</u>	<u>Variation to Licensable Activities</u>
Sale of Alcohol: On and Off Sales Monday to Thursday: 12:00 to 22:00 Friday to Saturday: 12:00 to 23:00 Sunday: 12:00 to 20:00	Sale of Alcohol: On and Off Sales No change.
Capacity Not assessed	Capacity No change.
Opening Hours Monday to Thursday: 07:00 to 22:00 Friday to Saturday: 07:00 to 23:00 Sunday: 10:00 to 22:00	Opening Hours Monday to Thursday: No change Friday to Saturday: No change Sunday: 09:00 to 22:00 (No change to terminal hour)

1.2 Variation to conditions

To delete the following conditions:

Condition 12:

The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

Condition 14:

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a take-away meal.

2. Relevant representations

- 2.1 An adverse representation has been received by the **Environmental Health Service** stating the proposals are likely to increase Public Nuisance and may impact upon Public Safety. Conditions have been proposed and agreed and can be found in **Appendix B**.
- 2.2 An adverse representation has been received by the **Police Licensing Team** stating that the application if granted would undermine the Licensing Objectives. Conditions have been proposed and agreed and can be found in **Appendix B**. Following the agreement to conditions the Metropolitan Police Service have withdrawn their representation.
- 2.3 Adverse representations have been received from **twelve interested parties** stating that they have concerns regarding alcohol being able to be bought without food and the premises becoming a bar. Residents have stated they have concerns regarding noise, vandalism and nuisance.
- 2.4 Supporting comments have been received from **ten interested parties** who support the application.

3. Policies Applicable

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

Prevention of crime and disorder (CD1)
Public Safety (PS1)
Prevention of public nuisance (PN1)
Protection children from harm (CH1)
Hours (HRS1)
Bars and Pubs outside of the Stress Area (PB1)

- 3.2 **Policy HRS1 applies:**

- (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

- (ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy.

3.3 **Policy PB1 Applies:**

Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Summary

4.1 The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

4.2 Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in **Appendix B** to this report.

5. Current Licensing Position

5.1 The premises currently hold a Premises Licence 13/05851/LIPN. A full history of the premises licence can be found at **Appendix A**.

6. Current Planning Position

6.1 Planning permission was granted on 12th April 2007 for Retention of use of ground and basement floor levels as a coffee shop/ cafe (Sui Generis) with opening hours of between 06.00 and 18.00hrs Monday to Friday, 06.00 and 16.00hrs on Saturdays and closed on Sundays. (07/01553/FULL)

The lawful use is therefore Sui Generis (coffee shop/café)

The hours of operation specified in the description of development are reflected in Condition 1 of the planning permission. Condition 2 specifies that raw or fresh food must not be cooked on the premises.

There are no further planning conditions nor do we have any record of any further planning applications nor planning enforcement history since 2007.

7. Residential Density

140 of the 180 units within a 75m radius of the premises are residential, proposed residential or under construction (78%). Please refer to **Appendix C**

8. List of Appendices

- A – Premises Licence History
- B - Conditions
- C – Residential Map and list of premises in the vicinity

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)
- Application form
- Variation Description
- Existing Premises Licence - 13/05851/LIPN
- Representations received
- Photos

APPENDIX A

Licence & Appeal History

Application	Details of Application	Date determined	Decision
New Premises Licence 13/05851/LIPN	Application for a New Premises Licence for the Sale of Alcohol on and off the premises.	07.11.2013	Granted by Licensing Sub Committee.
Variation Application 14/08184/LIPV	Application to vary the licence to extend opening hours and remove ancillary conditions.		<i>Pending Application</i>

There is no appeal history for this premises.

APPENDIX B

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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions: Attached to the existing Premises Licence – 12/08903/LIPDPS

Annex 1 - 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

(Mandatory conditions 1-9 to be updated accordingly)

Annex 2 – Conditions consistent with the operating Schedule

None.

Annex 3 – Conditions attached after a hearing by the licensing authority

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 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 are 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. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. ***The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.***

To Be Amended to EH Condition (As agreed with the applicant):

The supply of alcohol for consumption on the premises shall only be to persons seated.

13. The supply of alcohol shall be by waiter or waitress service only.
14. ***Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a take-away meal. (Proposed for Deletion)***
15. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
16. All tables and chairs shall be removed from the outside area by 23.00 each day.
17. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
19. Deliveries to the premises shall only take place between 0800 and 2300 hours save for deliveries of freshly baked products.
20. During the hours of operation 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 the aforementioned 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.
21. The number of persons seated at any one time (excluding staff) shall not exceed 34.
22. No beer or cider above 5.5% ABV to be sold from the premises, excepting premium beers in glass bottles only, such premium beers to be identified on request to the Licensing Authority and the Police.
23. No more than 10% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
24. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
25. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
26. A 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.

27. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
28. 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.

Conditions proposed by the Environmental Health Service & the Metropolitan Police Service and agreed with the applicant:

29. There shall be no sale or supply of alcohol by draught.
30. 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.

Mandatory conditions to be added to the licence should the licence be granted:

- 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 -

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

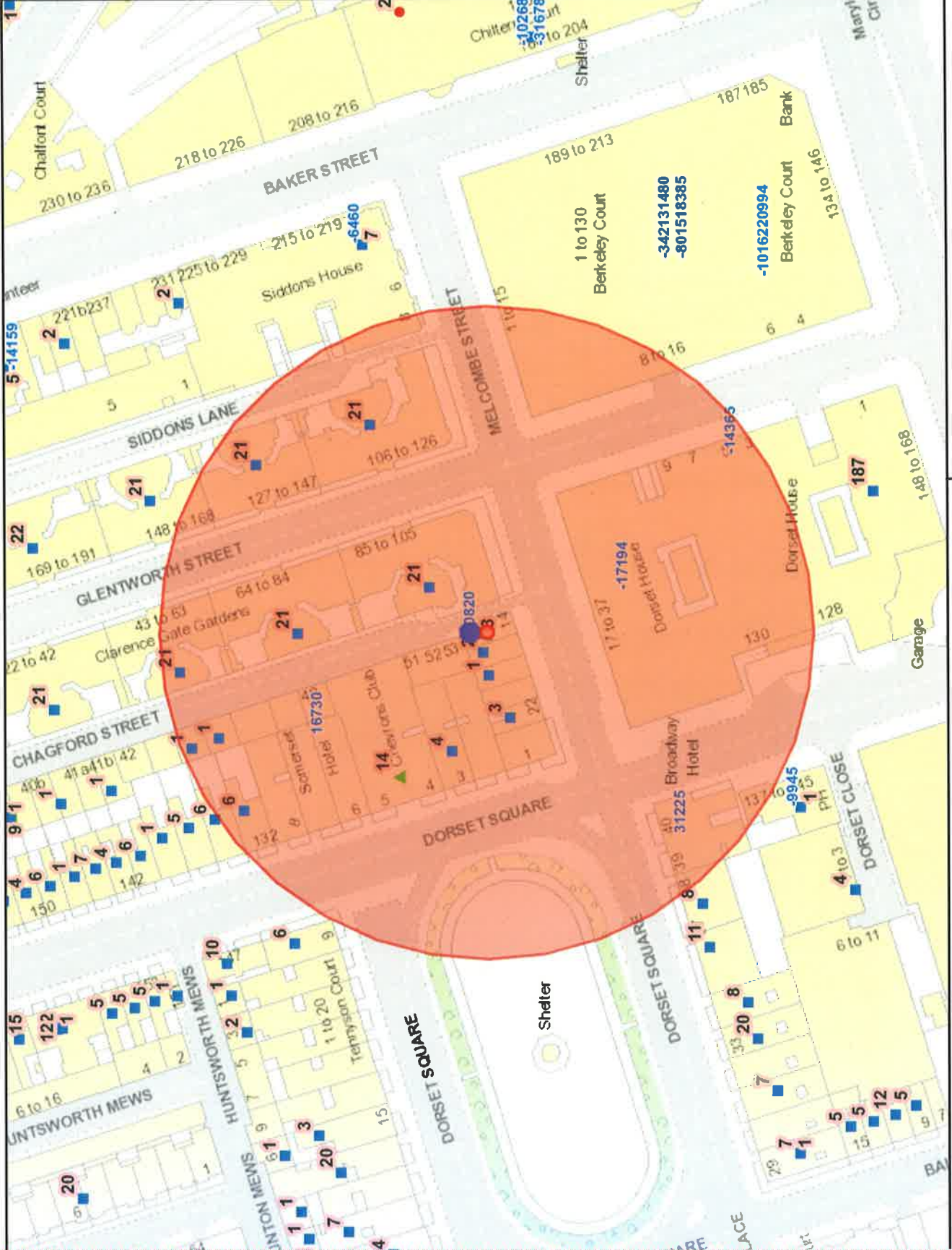
Where -

- (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.



Caffe Saporito, 14 Melcombe Street, London NW1 6AH



Residential / Proposed Residential	126
Under Construction	14
Other Uses	40
Proportion Residential of all Uses	78%

APPENDIX C

Data Source: Uniform Datab
 Date: 14/11/2014

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Premises within 75 metres of: Caffe Saporito, 14 Melcombe Street, London NW1 6AH

p / n	Name of Premises	Premises Address	Opening Hours
-17194	Oddbins	35 Melcombe Street London NW1 6AG	Monday to Sunday 09:00 - 22:30
-14365	The Phoenix Palace Chinese Restaurant	5 Glentworth Street London NW1 5PG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
10820	Caffe Saporito	14 Melcombe Street London NW1 6AH	Monday to Thursday 07:00 - 22:00 Friday to Saturday 07:00 - 23:00 Sunday 10:00 - 20:00
16730	Somerset Hotel	6-7 Dorset Square London NW1 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
31225	Dorset Square Hotel	39-40 Dorset Square London NW1 6QN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00

BACKGROUND DOCUMENTS

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SAPORITO & Co LLP

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	13/05851/LIPN
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Caffe Saporito 14, Melcombe Street			
Post town	LONDON	Postcode	NW1 6AH

Telephone number at premises (if any)	02072623377
Non-domestic rateable value of premises	£ 22,500

Part 2 – Applicant details

Daytime contact telephone number	07500047009		
E-mail address (optional)	mfinetto@gmail.com		
Current postal address if different from premises address			
Post town		Postcode	

[Type text]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

See attached "Part 3 - Variation"

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

[Type text]

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

[Type text]

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

[Type text]

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

[Type text]

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

[Type text]

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri.					
Sat					
Sun					

[Type text]

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

[Type text]

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
			State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Tue						
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Wed						
Thur						
Fri						
Sat						
Sun						

[Type text]

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

[Type text]

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

[Type text]

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

[Type text]

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>Customers are served, sitting down, indoor and a few tables outdoors</i>	Both	<input checked="" type="checkbox"/>
Tue	12.00	22.00			
Wed	12.00	22.00			
Thur	12.00	22.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	12.00	23.00			
Sat	12.00	23.00			
Sun	12.00	20.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

[Type text]

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Day	Start	Finish	
Mon	07.00	22.00	
Tue	07.00	22.00	
Wed	07.00	22.00	
Thur	07.00	22.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	09.00	20.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

[Type text]

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

All checked and signed off according to all four licensing objectives before we received our Premises Licence 10th of December 2013

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

[Type text]

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

[Type text]

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Maximiliano Finetto</i>
Date	<i>23/09/14</i>
Capacity	<i>Partnership Saporito & Co LLP</i>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Elisabet Finetto</i>
Date	<i>23/09/14</i>
Capacity	<i>Partnership Saporito & Co LLP</i>

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Part 3 – Variation

The current licence we hold on these premises demands that the intake of alcohol be accompanied by food. We are proposing that we be granted the right to serve our customers alcohol without intake of food.

We are frequently asked by our customers to serve them a glass of wine/beer on it's own. The general consensus is that, given the type of establishment we run, it seems unreasonable that we should not be able to accommodate this. This request has even been noted on tripadvisor. We have explained that these are the rules that Westminster Council have imposed upon us.

Understandably, both our customers and ourselves find it hard to see the logic in this, when people can go across the road and buy alcohol directly from Tesco, Newsagents or three pubs around the corner.

Saporito is starting to become an established local cafe /restaurant. We have many middle aged and elderly people coming regularly as they finally have a local place to go to. Not to mention all the young professional women and men that now choose to spend their lunches and evenings at Saporito.

To date we have had no problems with any noisy or abusive behavior since we received the licence for our premises, much thanks to our respectable clients and that we take our obligations seriously.

It would be underestimating the people in this residential area to think that they couldn't take on the responsibility of having a glass of wine close to home. Saporito offers another environment ,different from that of a pub ,which sole purpose is drinking.

We hope that you will consider our application favorably and by that endorsing the success of our small business venture.

SAPORITO &CO LLP



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Bryanston And
Dorset Square
UPRN: 100022780646

Premises licence

Regulation 33, 34

Premises licence number:

13/05851/LIPN

Original Reference:

13/05851/LIPN

Part 1 – Premises details

Postal address of premises:

Caffe Saporito
14 Melcombe Street
London
NW1 6AH

Telephone Number: 020 7262 3377

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Thursday:	12:00 to 22:00
Friday to Saturday:	12:00 to 23:00
Sunday:	12:00 to 20:00

The opening hours of the premises:

Monday to Thursday:	07:00 to 22:00
Friday to Saturday:	07:00 to 23:00
Sunday:	10:00 to 20:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Saporito & Co LLP
14 Melcombe Street
London
NW1 6AH

Registered number of holder, for example company number, charity number (where applicable)

OC383545

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mr Maximilian Finetto

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 13/07167/LIPERS
Licensing Authority: City Of Westminster Council

Date: 10th December 2013

Signed:

pp



Operational Director - Premises Management

Annex 1 – 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

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.

Annex 2 – Conditions consistent with the operating Schedule

None.

Annex 3 – Conditions attached after a hearing by the licensing authority

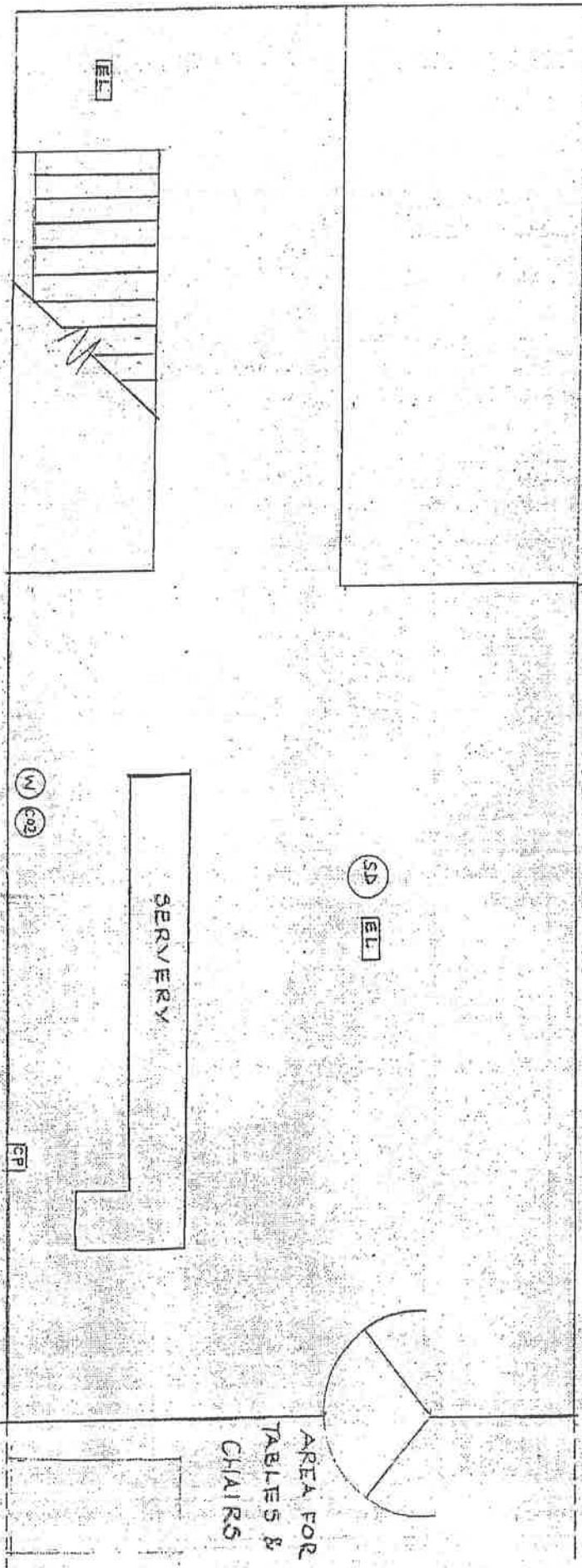
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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 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 are 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. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
13. The supply of alcohol shall be by waiter or waitress service only.
14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a take-away meal.
15. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
16. All tables and chairs shall be removed from the outside area by 23.00 each day.
17. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
19. Deliveries to the premises shall only take place between 0800 and 2300 hours save for deliveries of freshly baked products.
20. During the hours of operation 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 the aforementioned 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.
21. The number of persons seated at any one time (excluding staff) shall not exceed 34.
22. No beer or cider above 5.5% ABV to be sold from the premises, excepting premium beers in glass bottles only, such premium beers to be identified on request to the Licensing Authority and the Police.
23. No more than 10% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
24. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year.

Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.

25. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
26. A 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.
27. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
28. 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.

Annex 4 – Plans

Attached



- EL EMERGENCY LIGHTING
- SD SMOKE DETECTOR
- CP CALL POINT
- FB FIRE BLANKET
- CO2 CO2 FIRE EXTINGUISHER
- W WATER FIRE EXTINGUISHER

14, MELCOMBE STREET NW1

SCALE 1:50

GROUND FLOOR



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

**WARD: Bryanston And
Dorset Square
UPRN: 100022780646**

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

13/05851/LIPN

Part 1 – Premises details

Postal address of premises:

Caffe Saporito
14 Melcombe Street
London
NW1 6AH

Telephone Number: 020 7262 3377

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

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Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

Saporito & Co LLP
14 Melcombe Street
London
NW1 6AH

Registered number of holder, for example company number, charity number (where applicable)

OC383545

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Mr Maximilian Finetto

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 10th December 2013

Signed: pp



Operational Director - Premises Management

TO Licensing Officer

REFERENCE 14/08184/LIPV

FROM EH Consultation Team, 4th Floor (West) City Hall
REFERENCE 14/042076/EHCT
BEING DEALT WITH BY David Nevitt
TELEPHONE 3188
DATE 20.10.2014

LICENSING ACT 2003

APPLICATION FOR A VARIATION TO A PREMISES LICENCE

CAFFE SAPORITO, 14 MELCOMBE STREET, NW1

I refer to the above application which seeks a Variation to Premises Licence 13/05851/LIPN to include the following:

Deletion of Conditions 12 and 14

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

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

David Nevitt
Environmental Health Officer

PROPOSED EH AND POLICE CONDITIONS

CAFÉ SAPORITO, 14 MELCOMBE STREET

14/08184/LIPV

14.11.2014

The applicant seeks to vary the current Licence (Ref: 13/05851/LIPN) so as to allow customers to consume alcohol on the premises without the requirement for the alcohol to be ancillary to a meal. This requires the deletion or amendment of existing Condition 12. I propose the following amendment of Condition 12:

The supply of alcohol for consumption on the premises shall only be persons seated.

The Licence already includes the requirement for waiter/waitress service at Condition 13.

The applicant would also like to be able to sell alcohol for consumption 'Off' the premises without the need for the alcohol to be ancillary to a take away meal. This requires deletion of existing Condition 14. In relation to 'Off' sales, the existing Licence Conditions 15, 22 and 23 remain.

Police and EH also propose the following:

There shall be no sale or supply of alcohol by draught.

MC49 – incident log.

Environmental Health will maintain a Representation in respect of this application because there are a number of Representation from local residents.

David Nevitt

Eaton, Sam

From: maximilian@finetto.com
Sent: 14 November 2014 12:33
To: Nevitt, Dave
Cc: Eaton, Sam; Lewis, Bryan
Subject: Re: PROPOSED EH AND POLICE CONDITIONS 14 MELCOMBE STREET 14.11.2014.doc

Hi David

Thank you for this. Yes I agree to all the conditions.

Thank you very much

Kind regards
Maximilian Finetto

On November 14, 2014, Nevitt, Dave <dnevitt@westminster.gov.uk> wrote:

Mr. Finetto,

Further to our conversation on site yesterday I attach some comments and proposed Conditions for your consideration and comment. If you are in agreement with what is proposed you should confirm by email to the Licensing service (Samantha Eaton) and myself. You will see that I have copied in Bryan Lewis (Police Licensing). Bryan and I have discussed your application and the attached comments includes his proposed Conditions.

Many thanks.

The way you register to vote has changed. Find out what you need to do here.
<http://bit.ly/1slv9lv#>

If you have a business in Westminster, we can take care of your commercial waste or recycling.
Visit <http://cleanstreets.westminster.gov.uk> or call 020 7641 6180.

How can we make it easier for you to be involved in council decisions? Let us know by completing an online survey
<http://www.surveygizmo.com/s3/1729127/Community-Engagement-Survey> or come along to a drop-in session <https://www.westminster.gov.uk/future-area-forums>.

Westminster City Council: www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected

Your

Our 14/088184/LIPV

Date: 8th October 2014



To Mr Finetto

**METROPOLITAN POLICE
SERVICE**

Bryan Lewis PC4161CW
Westminster Police Licensing Team

Westminster City Hall

4th Floor
64 Victoria Street
London
SW1E 6QP

Dear Sir

Telephone: 020 7641 3347

mob

Facsimile: 020 7641 2436

Email:blewis1@westminster.gov.uk

Re: Application for a variation of Premises Licence
Caffe Saporito 14 Melcombe Street NW1

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application to a variation of Premises Licence as it is our belief that if granted the application would undermine the Licensing Objectives.

Our objections relate to the following:

New conditions are required to provide reassurance to Police, that should the alcohol ancillary to food requirement be withdrawn, the licensing objective concerning the prevention of crime and disorder, will be maintained.

I will send you my proposed conditions.

Yours sincerely

Bryan Lewis PC4161CW

Westminster Police Licensing Team

Eaton, Sam

From: Lewis, Bryan
Sent: 14 November 2014 13:31
To: maximilian@finetto.com
Cc: Nevitt, Dave; Eaton, Sam; idoxlicensing
Subject: RE: PROPOSED EH AND POLICE CONDITIONS 14 MELCOMBE STREET
14.11.2014.doc

Police objection withdrawn following agreement.

regards

Bryan Lewis PC4161CW

Westminster Police Licensing Team
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP
0207 641 3347

From: Nevitt, Dave
Sent: 14 November 2014 12:34
To: maximilian@finetto.com
Cc: Eaton, Sam; Lewis, Bryan
Subject: RE: PROPOSED EH AND POLICE CONDITIONS 14 MELCOMBE STREET 14.11.2014.doc

Noted.

Thanks.

From: maximilian@finetto.com [<mailto:maximilian@finetto.com>]
Sent: 14 November 2014 12:33
To: Nevitt, Dave
Cc: Eaton, Sam; Lewis, Bryan
Subject: Re: PROPOSED EH AND POLICE CONDITIONS 14 MELCOMBE STREET 14.11.2014.doc

Hi David

Thank you for this. Yes I agree to all the conditions.

Thank you very much

Kind regards
Maximilian Finetto

On November 14, 2014, Nevitt, Dave <dnevitt@westminster.gov.uk> wrote:

Mr. Finetto,

Further to our conversation on site yesterday I attach some comments and proposed Conditions for your consideration and comment. If you are in agreement with what is proposed you should confirm by email to the Licensing service (Samantha Eaton) and myself. You will see that I have copied in Bryan Lewis (Police Licensing). Bryan and I have discussed your application and the attached comments includes his proposed Conditions.

Many thanks.

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How can we make it easier for you to be involved in council decisions? Let us know by completing an online survey
<http://www.surveygizmo.com/s3/1729127/Community-Engagement-Survey> or come along to a drop-in session <https://www.westminster.gov.uk/future-area-forums>.

Westminster City Council: www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected from disclosure.

If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.

You should not disclose the contents to any other person or take copies.

Details of public representations relating to 14/08184/LIPV

Comments received electronically via PublicAccess:

OBJECTIONS:

- **Molly Shields And Charles Wolcott - 104 Clarence Gate Gardens, Glentworth Street, London**

Received: 17 Oct 2014

OBJECTION

I am writing to object to the license variation application for Cafe Saporito, 14 Melcombe St, NW1 6AH. I am a longtime resident of Clarence Gate Gardens. My family and I have suffered through many years of super noisy football fans spilling out of The Globe onto Marylebone Road. We can hear them through all the regular traffic noise and from 2 blocks away for hours, every time there is a game at Wembley. There are extra police officers stationed around the streets to keep the fans semi under control because they run across the road before the light changes, sing loudly, spill out into the road, block the sidewalk, spill beer and break bottles. They come up to Melcombe Street to buy more alcohol from Tesco and sometimes run back and forth between Baker St Station and Marylebone Station making lots of noise and singing. We have two young children and we don't like having to cross through the football fans as a family. Children find drunk adults to be frightening.

Besides football fans, we often hear various loud revellers on their way between Baker Street and Marylebone Station late at night. The sound reverberates all the way up to us when they are calling out to each other and laughing. My young daughter's bedroom is on the corner and she has said she gets spooked at night in bed when hearing people outside acting strangely. If Saporito was allowed to sell alcohol without food and there were more people enjoying alcohol on Melcombe Street late at night, there would invariably be more noise. It could be a real hotspot for commuters who want a drink or two on their way in or out of London and we would have to deal with the extra foot traffic, noise and possible sidewalk blockage. Please do not allow the license variation.

- **Dr Vijay Gadhvi - Flat 2, , 18 Melcombe Street,**

Received: 12 Oct 2014

OBJECTION

I am writing in response to your letter to us with notification of a premises licence variation application for Caffè Saporito, 14 Melcombe St, London NW1 6AH.

I am the owner of Flat 2, 18 Melcombe St, so the café requesting the licence variation is 5-10m to the east of our front door. It therefore has a very material impact on our environment and quality of life.

With regard to the 3 variations proposed:

1. *I have no objection to the café extending its opening hours on Sunday from 10-8 to 9-8*

2. *The proposed variation that concerns us more is the removal of Condition 12, which could be interpreted as enabling customers of the café to consume alcohol while standing around outside the café rather than remaining seated as it is presently. Given the external terrace of the café is extremely small and already has tables and chairs filling it, any patrons drinking outside would block the footpath to pedestrians and create a significant nuisance. In addition, the noise created by standing patrons (similar to a pub environment where alcohol is consumed without food) would impact materially on the quiet enjoyment of our apartment given both our lounge and main bedroom face Melcombe Street. I understand that the intentions of the variation may be to*

allow sale of alcohol to customers who do not also purchase food, but would like it clarified that this expressly forbids customers drinking outside the café unless they are seated at a table on the terrace.

3. Given that there is a wine shop opposite the café and 3 pubs in the vicinity I see no reason why their licence should remove Condition 14 that would allow them to sell alcohol for consumption off premises without purchase of takeaway food. Caffe Saporito are positioning themselves as a quality café so there should be no reason for them to attract customers who simply want to buy a bottle of wine.

Please confirm that our comments have been received and what assurances you can provide as a result.

- **Mr Julian Swallow - 185 Clarence Gate Gardens, Glentworth Street, London**
Received: 7 Oct 2014
OBJECTION

I refer to the above application and wish to object on the basis of Prevention of Public Nuisance.

The likely outcome of this application is that the premises in question will be transformed from a quiet eatery to a bar. The premises are small with an open frontage and drinkers are therefore likely to spill out onto the narrow pavement of Melcombe Street causing obstruction and creating a level of noise that is likely to cause disturbance to the numerous residents living above and immediately adjacent to the site.

The local area is already well served by pubs and bars serving alcoholic beverages and this establishment is not well-positioned for the reasons mentioned above were it to change from a restaurant to a bar.

- **Mr Mark Livingstone - 4/18 Melcombe St, Marylebone, London**
Received: 8 Oct 2014
OBJECTION

I am writing in response to your letter to us with notification of a premises licence variation application for Caffe Saporito, 14 Melcombe St, London NW1 6AH.

My wife and I have our permanent residence at Flat 4, 18 Melcombe St, so the café requesting the licence variation is 5-10m to the east of our front door. It therefore has a very material impact on our environment and quality of life.

With regard to the 3 variations proposed:

1. We have no objection to the café extending its opening hours on Sunday from 10-8 to 9-8
2. The proposed variation that concerns us more is the removal of Condition 12, which could be interpreted as enabling customers of the café to consume alcohol while standing around outside the café rather than remaining seated as it is presently. Given the external terrace of the café is extremely small and already has tables and chairs filling it, any patrons drinking outside would block the footpath to pedestrians and create a significant nuisance. In addition, the noise created by standing patrons (similar to a pub environment where alcohol is consumed without food) would impact materially on the quiet enjoyment of our apartment given both our lounge and main bedroom face Melcombe Street. We understand that the intentions of the variation may be to allow sale of alcohol to customers who do not also purchase food, but would like it clarified that this expressly forbids customers drinking outside the café unless they are seated at a table on the terrace.
3. Given that there is a wine shop opposite the café and 3 pubs in the vicinity we see no reason why their licence should remove Condition 14 that would allow them to sell alcohol for consumption off premises without purchase of takeaway food. Caffe Saporito are positioning

themselves as a quality café so there should be no reason for them to attract customers who simply want to buy a bottle of wine.

- **Chirag Bajaría - 18 Melcombe Street, London, NW1 6AH**

Received: 20 Oct 2014

OBJECTION

I live at 18 Melcombe Street, two doors away from Café Saporito and wish to object to this application to vary the license on the basis of added disturbance and nuisance to us and other nearby residents. I already suffer from noise and vandalism caused as a result of nearby pubs; this will bring more and further bring it to my doorstep.

So far in the 4 years I have lived here my doorway has been vomited in, drunk people have pressed my buzzer in the night and threatened me, my car has had many hundreds of pounds worth of damage and most weekends we have to endure singing, shouting and swearing at all hours of the night.

- **Marlene McGuinness - 93 Clarence Gate Gardens, Glentworth Street, London NW1 6QP**

Received: 11 Oct 2014

OBJECTION

I refer to the above application and wish to object on the basis of Prevention of Public Nuisance.

The likely outcome of this application is that the premises in question will be transformed from a quiet eatery to a bar. The premises are small with an open frontage and drinkers are therefore likely to spill out onto the narrow pavement of Melcombe Street causing obstruction and creating a level of noise that is likely to cause disturbance to the numerous residents living above and immediately adjacent to the site.

The local area is already well served by pubs and bars serving alcoholic beverages and this establishment is not well-positioned for the reasons mentioned above were it to change from a restaurant to a bar.

- **Anonymous**

Received: 14 Oct 2014

OBJECTION

Caffe Saporito - Ref: 14/08184LIPV

I object very strongly to Caffe Saporito's latest alcohol licence application . This is a predominantly residential area and we already have problems with drunken behaviour on Melcombe Street and people urinating in Chagford Street - Caffe Saporito is on the corner of both streets. Chagford Street is a narrow mews type street and due to the proximity of the buildings on both sides, sound tends to bounce along the walls and carries upwards and along. If the stipulation to be seated is removed, drinkers will be able to spread out on to the pavement and also into Chagford Street, which has very little traffic. It is only just over a year since Caffe Saporito was granted the current licence and this appears to be an attempt to overturn the original conditions and turn it into a bar.

I have no objection to Caffe Saporito opening at 9 am on a Sunday, as long as they are quiet.

Please do not copy my contact details to Caffè Saporito as I do not wish them to contact me direct, which is what happened with their previous application.

SUPPORT:

- **Mrs Hannah Haywood - 107 Berkeley Court, Glentworth Street, London**

Received: 7 Oct 2014

SUPPORT

10:17 AM on 07 Oct 2014 There are no wine bars for local residents here. Just chain coffee shops and cafes. There was Cafe Suzie in Glentworth Street which was a very popular wine bar now closed down. The pubs in Baker Street are always full and can never sit down or sports persons being rowdy from matches or park. We are resident and owners of flats in the road.

We fully support.

- **Hiroka Miyama - Dorset House, NW1 5AB ,**

Received: 23 Oct 2014

SUPPORT

I have no concerns with this application. And I feel strongly that it should be granted and will be an excellent addition to the neighbourhood. We are truly missing something like this.

Please grant this application.

- **Patricia Finetto - Montagu Square, W1H 2LH,**

Received: 2 Nov 2014

SUPPORT

This is an email in full support of Caffè Saporito's license application, which I hope will be granted.

I am a local resident and frequently go to this family-run Caffè for its good food, warm, relaxed and welcoming environment, and local clientele.

- **Ms Stephanie Finetto - The Bailey, Dorset House, Gloucester Place**

Received: 23 Oct 2014

SUPPORT

I am writing to you with regards to Caffè Saporito and their recent license application. I am a local resident (Dorset House NW1 5AB), and Saporito is my "neighbourhood bistro".

I would like to say that I fully support their application, without reservation, and I do hope it will be granted.

This is a family run business, it offers local residents the wonderful alternative to the pubs and tourist spots in the area. The clientele are very discreet and respectful, and as a home-owner in the area I do think it raises the profile of the street and the square (and thereby the value of the properties nearby).

- **Alessandro Giannini - 21 Lascelles House, Harewood Avenue , NW1 6NS**
Received: 25 Oct 2014
SUPPORT

*I do not have any objections. It would be incredible if this was approved.
Please grant this application.*

- **Mario Arena - 99 Clarence Gate Gardens, Glentworth St, London**
Received: 29 Oct 2014
SUPPORT

I write with regards to the recent licence application put forward by Caffe Saporito, Melcombe St Marylebone.

I have been a long standing resident of the area, and would like to express my full support for the licence application to be granted to the cafe.

The new proprietors of Saporito are very respectful of the surrounding residents and bring a very unique environment to a high density residential location, offering exceptional food and dining experience.

Saporito is a friendly meeting place for residents, families, workers and visitors to the area.

My Flat is at Clarence Gate Gardens overlooking the cafe, and have to say that since the licence to supply alcohol has been given there is no noise or disruption to the area.

I believe that Saportio have lifted the profile of what was a dowdy street, and to not support the continued growth and improvement of this establishment would be a loss to the area and residents as it brings a much nicer visitor to the area and lifts the profile of Melcombe Street.

Please do not hesitate to contact me to discuss further.

- **Miguel Graca - Montagu Square, W1H 2LH,**
Received: 29 Oct 2014
SUPPORT

To whom it may concern,

I am a local resident of Caffe Saporito and am writing to let you know of our support in their license application and do hope it will be granted to this very nice, family run (not many of these around any more), local cafe which is known for its very local up-standing clientele as well as its quality of service.

- **Boudy Joulian - Glentworth Street, London,**
Received: 24 Oct 2014
SUPPORT

I do not have any objections. It would be incredible if this was approved.

Please grant this application.

- **Mr Jean-Marc Ferret - NW1 6AA, ,**
Received: 25 Oct 2014
SUPPORT

I do not have any objections. It would be incredible if this was approved.

Please grant this application.

Comments received via other means:

- **Mr & Mrs S.M R.M & K.S PATEL - Flat 4, 18 Melcombe Street , NW1 6AH**
Received: 14 Oct 2014 by Members of the Public
OBJECTION
- **Gina Jennings - 86 Clarence Gate Gardens , Glentworth Street,**
Received: 13 Oct 2014 by Members of the Public
OBJECTION
- **Mehran Mehr - 89 Clarence Gate Gardens, Glentworth Street**
Received: 21 Oct 2014 by Members of the Public
OBJECTION
- **Dr Nouri – Flat 3, 18 Melcombe Street NW1 6AH**
Received: 15 Oct 2014 by Members of the Public
OBJECTION
- **Ms Susan Lockley - Not Provided, ,**
Received: 20 Oct 2014
PART SUPPORT

Eaton, Sam

From: maximilian@finetto.com
Sent: 21 October 2014 15:20
To: Agbley, Peter
Cc: Chirag Bajaria
Subject: Re: 14108184/LIPV - Caffè Saporito, 14 Melcombe Street, London, NW1 6AH

Dear Chirag Bajaria

I can appreciate you're worries but I will try and explain why they are not likely to become reality.

Saporito today are allowed to serve max 35 people drinking alcohol and they have to be SEATED. There will therefore not be any people standing around and certainly not standing on the pavement or even the road.

It is strictly regulated from the council what the person who is responsible for premises licence can do and should do.

For example, we cannot serve an already intoxicated person and it's our responsibility to see that under aged customers cannot be served alcohol. These are just some of the rules which we take very seriously as there are severe consequences for us if we don't.

Please read the letter from us to the council which is posted at Saporito and please come in and talk to either Maximilian Finetto or Elisabet Finetto to understand what and why we would like these changes in our licence.

This will not become a bar, we cannot live financially on that. We are developing the food that is being served and we have a lot of regular and happy customers which are increasing every day. It is quite clear that we needed a local place like Saporito in our neighbourhood. We just want to be able to serve a glass of wine or a glass of sherry without a full meal.

Or, if a customer enjoys his or her friends company with a glass of wine while the others eat.

For many of our customers pubs and bars are not an alternative. Young professional women for example feel much safer, sitting down in Saporito, then standing around in a pub where you can be sure there are a lot of drinkers that have had one or two to many. Saporito is a whole different concept which I hope you will come to understand.

If you see things a bit differently after our explanation I would be grateful if you withdrew your representation.

Kind regards

Maximilian Finetto

On October 21, 2014, Agbley, Peter <pagbley@westminster.gov.uk> wrote:

Dear Chirag,

I acknowledge receipt of your representation below to the application for 14/08184/LIPV in respect of the above premises (14/08184/LIPV - Caffè Saporito, 14 Melcombe Street,

London, NW1 6AH. This email and representation has been copied to the applicant for their attention.

You will be contacted by an officer in due course who will notify you of any action that is to be taken in regards to this case.

For general information on what happens next in the application process, please read the DCMS 'Guidance for Interested Parties' document which is attached.

In the meantime, if you have any queries relating to this matter please do not hesitate to contact the Licensing Service on 020 7641 8549.

Kind regards,

Peter Agbley
Licensing Support Officer

Environmental Health Consultation and Licensing
Premises Management Delivery Unit
Westminster City Council
4th Floor South
64 Victoria Street
London SW1E 6QP

Tel: 020 7641 2751
Fax: 020 7641 7815
Team E-mail: premiseslicensing@westminster.gov.uk
Web: www.westminster.gov.uk



Tel: 020 7641 6252
Email: ehtraining@westminster.gov.uk
www.westminster.gov.uk/training-programme

Dear Westminster Council

I am writing in response to your letter to us with notification of a premises licence variation application for Caffe Saporito, 14 Melcombe St, London NW1 6AH.

My wife and I have our permanent residence at Flat 4, 18 Melcombe St, so the café requesting the licence variation is 5-10m to the east of our front door. It therefore has a very material impact on our environment and quality of life.

With regard to the 3 variations proposed:

1. We have no objection to the café extending its opening hours on Sunday from 10-8 to 9-8
2. The proposed variation that concerns us more is the removal of Condition 12, which could be interpreted as enabling customers of the café to consume alcohol while standing around outside the café rather than remaining seated as it is presently. Given the external terrace of the café is extremely small and already has tables and chairs filling it, any patrons drinking outside would block the footpath to pedestrians and create a significant nuisance. In addition, the noise created by standing patrons (similar to a pub environment where alcohol is consumed without food) would impact materially on the quiet enjoyment of our apartment given both our lounge and main bedroom face Melcombe Street. We understand that the intentions of the variation may be to allow sale of alcohol to customers who do not also purchase food, but would like it clarified that this expressly forbids customers drinking outside the café unless they are seated at a table on the terrace.
3. Given that there is a wine shop opposite the café and 3 pubs in the vicinity we see no reason why their licence should remove Condition 14 that would allow them to sell alcohol for consumption off premises without purchase of takeaway food. Caffe Saporito are positioning themselves as a quality café so there should be no reason for them to attract customers who simply want to buy a bottle of wine.

Please confirm that our comments have been received and what assurances you can provide as a result.

Sincerely

Sim. KS - RM P at e
14 Melcombe St
Marylebone
London NW1 6AH



86 Clarence Gate Gardens,
Glentworth Street,
London NW1 6QP

13 October 2014

Dear Sir,

Reference 14/08184/LIPV

I write to protest in the strongest possible terms to the application to vary a premises licence granted to Caffè Saporito, 14 Melcombe Street, London NW1 6AH.

1. Prevention of Crime and Disorder – On this point, the granting of a licence is likely to increase the number of people spilling onto the pavement from the Cafe. At present, they are limited to tables and are not, generally, rowdy but people not confined to tables can soon form a crowd and as there have been break-ins to premises on either side of the cafe, it will become much easier for burglars to mingle with the crowd and effect break-ins through the doors to the west of the cafe.

Equally, variation to the licence is likely to lead to more public order offences which we see in great numbers at the Globe on the corner of Marylebone Road and Baker Street and at the Volunteer at the north end of Baker Street on where the drinking customers spill right out onto the street making it hard to pass and at the Allsop Arms on Portland Place where there is a similar problem.

2. Prevention of Public Nuisance - The neighbours to the east and the north side of the cafe are all private residents, as are the residents above the shops to the west side and all those to the south. Drinking in the street outside the cafe is likely to cause a considerable public nuisance from noise and other anti-social behaviour. Also, as the buildings all around are high, noise is likely to reverberate in a particularly strong way from anyone standing drinking outside the cafe. Drinkers from the cafe are likely to stand up against the railings outside our flat which will be a considerable public nuisance.

3. Protection of children from harm – as in the above point, almost all the neighbours (well in excess of 90%) are private residents and many children live in the area. I myself have three. They are all likely to have their sleep affected by noise from the cafe if numbers increase and if drinkers are allowed to stand outside on the area in front of it. Also, children are at risk of experiencing the harm of excessive adult drinking if this license is allowed.

We live in the lower ground flat immediately next to the cafe and suffer from litter being thrown into the area outside our flat. This is likely to increase if drinkers stand on the pavement and the number of cigarette ends and even lighted cigarettes is likely to increase dramatically with a consequent risk of smoke and fire, let alone litter. This could be a significant and dangerous risk to children, particularly if discarded cigarettes cause the litter to catch fire.

4. Public safety – For the reasons given above, namely, the risk of increased crime, public open air drinking, litter and the risk of discarded cigarettes as well as the significant risk of broken glass – a

feature of all the pubs mentioned in point 1 above, there is a significant risk to public safety, especially to all those residents nearby whether they have children or not.

In general, Caffè Saporito has been a most successful and thriving cafe which did a roaring trade for all the years that I have been a resident (10 years). The current owners have failed to run it as successfully, trying instead to turn it into a (rather poor) restaurant. All the regulars, such as ourselves, have tried it and fled elsewhere. Now that custom has dried up under their stewardship, they are trying to obtain an extended liquor licence to compensate for their poor management skills but to the great detriment of the local residents.

Please reject this application.

Yours faithfully,

Gina Jennings

Eaton, Sam

From: Gina Jennings [gina@outercircle.eu]
Sent: 24 October 2014 09:01
To: Koka, Nuptia
Subject: Caffè Saporito, 14 Melcombe St, NW1 ^AH Ref: 14/08184/LIPV

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Miss Koka,

Thank you for your letter of 17.10.14 in which you asked me to provide an email address. (I am an objector to the licensing application made by Caffè Saporito for an extension to their license to sell alcohol.)

My email address is gina@outercircle.eu

One point which I did not mention in my letter is that my son's bedroom is less than 20 feet from the applicant's premises and, therefore, noise and alcohol on the street will have a significant impact on his ability to sleep.

Many thanks,

Gina

Gina Jennings
Outer Circle
Tel: 07710 634 540

<http://www.outercircle.eu>

This email and any attachments are confidential and protected by copyright. If you are not the intended recipient you must not take action on, disseminate or copy this email. If you have received this in error please notify the sender by email and delete this email completely from your system. Outer Circle will not accept responsibility or liability for the presence of any virus or disabling code in this email.

Eaton, Sam

From: maximilian@finetto.com
Sent: 29 October 2014 17:44
To: gina@outercircle.eu; mr101mr@yahoo.com
Cc: Agbley, Peter; Koka, Nuptia
Subject: Re: Reference 14/08184/LPV - Caffè Saporito, 14 Melcombe Street, NW1 6AH

Dear Gina Jennings and M Mehr

This email addresses both your representations as it is quite clear that one is the copy of the other, except for a few differences.

I can appreciate your worries, specially living so close to Saporito, but I will try and explain why they are not likely to become reality.

At Saporito we are allowed to serve max 35 people drinking alcohol and they have to be SEATED. This will not be changed. There will therefore not be any people standing around and certainly not standing on the pavement or on the road. Saporito becoming like a pub, people standing around drinking, is therefore something that will not happen.

It is strictly regulated by the council what the person who is responsible for a premises license can do and should do.

For example, we cannot serve an already intoxicated person and it's our responsibility to see that under aged customers cannot be served alcohol. These are just some of the regulations which we take seriously as there are severe consequences for us if we don't.

The mentioning of break-ins to the building through the doors of the cafe is something that I have never heard of and it has certainly not happened during our ownership.

Your mentioning of increasing of public nuisance can, by referring to the above, also be discharged considering that the facts are wrong.

Concerning your reference to harming children by experience of excessive adult drinking I also refer to the above. I think your worries would be far better directed to pubs etc. I do feel confident that it is much better for children to see adults drinking nice, good quality wine, sitting down in an eating place like Saporito and certainly not being served excessive alcohol for the reasons stated above.

Your mention of litter does not come from Saporito. We put our rubbish in plastic bags which are fetched every morning by the council. Again our customers will not "rome around", they will be sitting down.

I'm also confused as it seems as if you both have lower ground apartments immediately next to the cafe and accordingly to your neighbours they've never ever seen any children in these apartments. Are you residents all year round? Are you living in the same apartment?

Your comments about Saporito are very personal and I wouldn't comment your last paragraphs if it didn't show such lack of real knowledge of the state of affairs.

Your mention of a "thriving cafe" was hardly what you could call Saporito before we bought it. We bought a "sinking ship". Maybe it was thriving at one point but, if not earlier, since Costas and other chains appeared nearby the establishment was an economic disaster.

I'm sorry to hear that you don't like what we can offer now but our sales are steadily increasing , we've had several fantastic reviews from food critics and most of all we now serve food from a kitchen that was at one point during previous ownership very close to be shut down by the council due to enormous lack of hygiene. Hygiene is important to us therefor we had to refurbished the whole place with costs that has taking its toll.

Customers were sitting upstairs in air conditioning that hadn't been serviced for years and behind every piece of furniture of the upstairs counter were years of dirt that had never been cleaned.

Taste is personal . Quality of food products and clean premises is what I think you should worry about ,more then all your warnings based on lack of knowledge of facts relevant to this application.

I hope that you could reconsider and withdraw you're representation or at least come in and talk to me or my mother Elisabet.

Kind regards
Maximilian Finetto

On October 16, 2014, Agbley, Peter <pagbley@westminster.gov.uk> wrote:

Dear Gina,

I acknowledge receipt of your representation attached to the application for 14/08184/LIPV in respect of the above premises -14/08184/LIPV - Caffè Saporito, 14 Melcombe Street, London, NW1 6AH. This email and representation has been copied to the applicant for their attention.

You will be contacted by an officer in due course who will notify you of any action that is to be taken in regards to this case.

For general information on what happens next in the application process, please read the DCMS 'Guidance for Interested Parties' document which is attached.

In the meantime, if you have any queries relating to this matter please do not hesitate to contact the Licensing Service on 020 7641 8549.

Kind regards,

89 Clarence Gate Gardens,
Glentworth Street,
London NW1 6QP

20 October 2014

Dear Sir or Madam,

Reference 14/08184/LIPV

I write to strongly protest the application to vary a premises licence granted to Caffè Saporito, 14 Melcombe Street, London NW1 6AH.

1. Prevention of Crime and Disorder – Presently, the Caffè's clients are confined to its tables and generally, not rowdy. The granting of a licence will most likely increase the number of people spilling onto the pavement from the Caffè and make it easier for burglars to mingle with the crowd and effect break-ins through the doors to the west of the cafe. There have already been break-ins to the building through the doors of the Caffè. As an owner of an apartment in the building, I hope that we will not create a situation that will aggravate the problem.

In addition, variation to the licence is likely to lead to more public order offences which have occurred in increasing numbers at the Globe on the corner of Marylebone Road and Baker Street and at the Volunteer at the north end of Baker Street where the drinking customers spill right out onto the street making it hard to pass. There is a similar problem at Allsop Arms on Portland Place.

2. Prevention of Public Nuisance - The neighbours to the east and the north side of the Caffè are all private residents. Similarly the neighbours above the shops to the west side and all those to the south are private residents. Drinking in the street outside the cafe is likely to cause a considerable public nuisance from noise and other anti-social behaviour. As the buildings all around are high, noise is likely to reverberate in a especially strong way from anyone standing drinking outside the cafe. Drinkers from the Cafe are likely to stand up against the railings right outside our flat which will be a considerable public nuisance to us and our neighbours.

3. Protection of children from harm – Almost all the neighbours are private residents. The apartments in the building are large and attract families many of whom have small children. They are all likely to have their sleep affected by noise from the cafe particularly if drinkers are allowed to stand outside on the area in front of it. Also, children are at risk of experiencing the harm of excessive adult drinking if this license is allowed.

As the owner of the lower ground flat immediately next to the Caffè, I do not appreciate the litter being thrown into the area outside our flat. This is likely to increase if drinkers stand on the pavement drinking and smoking. The number of broken glass, cigarette ends and even lighted cigarettes is likely to increase dramatically with a consequent risk of smoke and fire. This could be a significant and dangerous risk to children if discarded cigarettes cause the litter to catch fire.

4. Public safety – As discussed above, in order to prevent the risk of increased crime, public open air drinking, litter (including broken glass and cigarettes), all of which pose a significant risk to public safety to nearby residents we request that this liquor license be denied.

Caffe Saporito was a successful café and a favourite with many residents. The current owners have failed to run it as successfully, have lost their loyal customers and are trying to obtain an extended liquor licence to compensate for their poor management skills.

Please reject this application.

Thank you for your attention to this matter.

Sincerely yours,

M. Mehr

From: "Esmaeal Nouri" <mrenouri@yahoo.com>

Sent: 15/10/2014 13:27:37

To: Premises Licensing

Subject: your ref: 14/08184/LIPV response to licence variation application Caffè Saporito 14 Melcombe St London NW1

Dear Sir/Madam,

Ref no.: 14/08184/LIPV

I write in response to your letter of notification of a premises licence variation application for Caffè Saporito, 14 Melcombe Street, London NW1 6AH.

As the leaseholder of Flat 3, 18 Melcombe Street, London NW1 6AH, the entrance of which is a few metres to the east of my front door, I have serious concerns that the cafe's request for a licence variation will have a significant impact on my property by adversely affecting the environment and quality of life.

I state below my concerns and my response to the variations proposed:

1. I have no objection to the cafe extending its opening hours on Sunday from 10-8 pm to 9-8pm.

2. I have serious and justified concerns that the removal of Condition 12 may be interpreted as allowing the cafe's customers to consume alcohol while standing around the outside of the cafe instead of staying seated as the case currently is. Melcombe Street is already crowded. Despite being in central London, it has a large residential community as reflected by the number of residential blocks on and surrounding the street. The cafe's terrace has tables and chairs on it and the area is very small, therefore people drinking outside would block the pedestrian footpath resulting in a significant nuisance. There would be resulting noise and the creation of a 'pub-like' environment in this area. This would significantly affect the quiet enjoyment of my property. There would also be safety issues since the entrance to my property is next to the cafe and this could make access to the property unnecessarily unsafe and quite uncomfortable for all its residents, especially women and children. Customers drinking outside the cafe (with or without food) should be seated at a table on the terrace to avoid potential problems that are highly likely to arise and which shall cause significant disturbance to us.

3. With regards to removing Condition 14, concerns will obviously arise again. The cafe is an established, reputable, quality cafe and it is inappropriate for it (considering the issues raised above) to be attracting customers who just want to buy say a bottle of wine. There already is a wine shop opposite the cafe and there are pubs nearby. Removal of Condition 14 would allow them to sell alcohol for consumption off the premises without the purchase of a takeaway which naturally would give rise to our concerns.

I would be grateful if you would kindly confirm that you have received this email expressing my objections.

Please send any future correspondence via my email.

Yours faithfully,

Dr. Nouri
Flat 3
18 Melcombe Street
London
NW1 6AH

Eaton, Sam

From: maximilian@finetto.com
Sent: 16 October 2014 16:49
To: Qureshi, Sabihah
Cc: mrenouri@yahoo.com
Subject: Re: FW: your ref: 14/08184/LIPV response to licence variation application Caffè Saporito 14 Melcombe St London NW1

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Dr Nouri

I can appreciate you're worries, specially living so close to Saporito, but I will try and explain why they are not likely to become reality. I also would like to mention i notice you and many other from 18 melcombe street have simply copied the same letter.

At Saporito we are allowed to serve max 35 people drinking alcohol and they have to be SEATED. This will not be changed. There will therefor not be any people standing around and certainly not standing on the pavement or even the road. Saporito becoming like a pub, people standing around drinking, is therefor something that will not happen.

It is strictly regulated by the council what the person who is responsible for a premises licence can do and should do.

For example, we cannot serve an already intoxicated person and it's our responsibility to see that under aged customers cannot be served alcohol. These are just some of the regulations which we take seriously as there are sever consequences for us if we don't.

Please read the letter from us to the council which is posted at Saporito and please come in and talk to either Maximilian Finetto or Elisabet Finetto to discuss why we would like these changes in our licence.

This will not become a bar, we cannot live financially on that. We are developing the food that is being served and we have a lot of regular and happy customers . It is quite clear that we needed a local place like Saporito in our neighbourhood. We just want to be able to serve a glass of wine or a glass of sherry without a full meal.

Or, if a customer enjoys his or hers friends company with a glass of wine while the others eat.

For many of our customers pubs and bars are not an alternative. Young professional women for example feel much safer, sitting down in Saporito, then standing around in a pub where you can be sure there are a lot of drinkers that have had one or two to many. Saporito is a whole different concept which I hope you will come to understand and enjoy.

We need to do everything we can to attract customers to survive financially. High rents and charges make it very difficult. We have to fill Saporito with customers all through the day. We have to be able to satisfy our clients from breakfast, lunch, afternoon tea and dinner. To be able to sell wine, even as take away, can hardly disturb you as they actually walk away with the bottle. People who would abuse this would never come to Saporito for wine. They would buy much cheaper wine for ex at Tesco.

We have customers that are on their way to friends at 8 or 9 pm and they drop by us to try and buy a nice bottle of wine for their friends. The wine shop across the road is by then closed and I don't think we should force people to buy in a certain shop by penalising Saporito in selling wine.

Look at newsagents, butchers etc in Marylebone that can sell wine as take away.

If you see things a bit differently after my explanation I would be grateful if you withdrew your representation.

Kind regards

Maximilian Finetto

On October 16, 2014, Qureshi, Sabihah <squireshi@westminster.gov.uk> wrote:

Dear Dr Nouri,

I acknowledge receipt of your representation below to the application for 14/08184/LIPV in respect of the above premises Caffè Saporito, 14 Melcombe Street, NW1 6AH. This email and representation has been copied to the applicant for their attention.

You will be contacted by an officer in due course who will notify you of any action that is to be taken in regards to this case.

For general information on what happens next in the application process, please read the DCMS 'Guidance for Interested Parties' document which is attached.

In the meantime, if you have any queries relating to this matter please do not hesitate to contact the Licensing Service on 020 7641 8549.

Kind regards,

Miss Sabihah Qureshi
Licensing Support Officer

Eaton, Sam

Subject: FW: 14/08184/LIPV Caffe Saporito, 14 Melcombe Street, London, NW1 6AH
Attachments: DCMS Guidance for Interested Parties.pdf

From: Susan Lockley [<mailto:susan.lockley@thelockleys.net>]

Sent: 19 October 2014 14:43

To: Premises Licensing

Subject: 14/08184/LIPV Caffe Saporito

Dears Sirs,

We have no objection to this licence application and would support the amendments proposed.

/Susan Lockley

Eaton, Sam

From: Susan and/or Norman Lockley [lockleystravelling@gmail.com]
Sent: 17 November 2014 12:54
To: Eaton, Sam
Cc: Susan Lockley
Subject: Re: Notice of Hearing - Caffè Saporito, 14 Melcombe Street, London - 14/08184/LIPV

Dear Miss Eaton,
Thank you for the Notice of Hearing regarding application 14/08184/LIPV.

When writing in response to the initial information about this application, I had not received any comments from neighbours regarding the proposals (and they are usually pretty vociferous!) therefore, I was happy to support the proposals. Subsequently, I have been made aware that some of those residents whose flats are located at the corner of Melcombe Street and Chagford Street as well as some whose windows all face the southern end of Chagford Street at the rear of Clarence Gate Gardens are very alarmed at the prospect of disruption which may well result if the licence amendments are approved.

I am aware that the closing date for comments has now passed, however, I should be grateful if it were possible for you to amend my response in order that I can support some of the concerns which are being expressed.

The opponents are obviously very worried at the prospect of customers from Saporito taking advantage of a bar facility rather than the restaurant and, especially in the warmer months, spilling out into the side and rear of the premises, in Chagford Street, where quiet voices carry clearly with the "canyon" effect of the buildings on either side. Even voices from the restaurant tables immediately in front of the premises can be noticeable after 10 p.m.

If the application is likely to be approved, I would request that a condition were attached to limit service to customers seated at tables only. Customers standing outside the limits of the restaurant premises should not be allowed.

There is no wish to discourage the restaurant business in any way, unless changes to the licence give rise to the risk of noise and nuisance.

I hope it may be possible to add this requests to the file, even at this late stage. I regret I shall not be able to attend the Hearing on this occasion and look forward to receiving notification of a favourable decision in due course.

Yours sincerely,

Susan Lockley.
124 Clarence Gate Gardens

(sent via gmail from susan.lockley@thelockleys.net)



30/09/2014 11:31

StampThePhoto from An



saporito

30/09/2014 11:31:16



smiles



LE BEAUTIQUE SPA
www.lebeautiquespa.com

saporito

30/09/2014

11:30

Cambridge Photo Trip