



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/09445/LIPN</b>
Date:	<b>18 December 2014</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Ceru Basement And Ground Floor 29 Rathbone Place London W1T 1JG</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Sam Eaton, Environmental Health Case Officer (Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 1868 E-mail: <a href="mailto:seaton1@westminster.gov.uk">seaton1@westminster.gov.uk</a></b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Ceru Restaurants Limited	<b>Date Application Received:</b>	31 October 2014
<b>Premises Name and Address:</b>	Ceru Basement And Ground Floor 29 Rathbone Place London W1T 1JG		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	No
<b>Description of Premises:</b>	The application states that the premises will be operated as a bar and restaurant providing alcohol and late night refreshment.  The premises intends to operate over the Basement and Ground Floors.		
<b>Preliminary Note:</b>	A tables and chairs licence has been applied for but is currently invalid.		
<i>Note: 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 D to this report.</i>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<b><u>1.1 Sale of Alcohol: On and Off the premises</u></b>			
Monday to Thursday – 10:00 to 23:30 Friday to Saturday – 10:00 to 00:00 Sunday – 12:00 to 22:30 Sunday Before Bank Holiday - 12:00 to 00:00			
<b><u>1.2 Late Night Refreshment: Indoors</u></b>			
Monday to Thursday - 23:00 to 23:30 Friday to Saturday – 23:00 to 00:00 Sunday Before Bank Holiday – 23:00 to 00:00			
<b><u>1.3 Non-Standard Timings:</u></b>			
<i>The hours the premises are opening to the public and the hours for Late Night Refreshment and sale of alcohol are permitted may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>			
<b><u>1.4 Opening Hours:</u></b>			
Monday to Thursday – 08:00 to 23:30 Friday to Saturday – 08:00 to 00:00 Sunday – 08:00 to 22:30 Sunday Before Bank Holiday – 08:00 to 00:00			
<i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i>			

	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>
<b>1A</b>	The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and will impact on Public Safety in the area. Conditions have been proposed and agreed and can be found in <b>Appendix B</b> . Subsequently, the Environmental Health representation has been withdrawn.	<b>Environmental Health Service representation, Conditions &amp; Withdrawal</b>
<b>1B</b>	The Metropolitan Police Service had made an adverse representation to this application on the grounds that the proposals would undermine the Licensing Objectives. Conditions have been proposed and agreed and can be found in <b>Appendix B</b> . The Metropolitan police service have subsequently withdrawn their representation.	<b>Metropolitan Police Service Representation, Agreed Conditions and Withdrawal</b>
<b>1C</b>	One resident has made an adverse representation against this application as they have concerns that this premises will open later than the surrounding premises in the area. The resident has concerns that the premises are likely to be a bar rather than a restaurant and may increase the noise and disruption which the residents already experience.	<b>Residential representation</b>
<b>1D</b>	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) Restaurants outside the Stress Area (RNT1)	<b>Policies applicable</b>
<b>1E</b>	<b>Policy HRS1 applies:</b>  (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:	
<b>1F</b>	<b>Policy RNT1 applies:</b>  Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.	
<b>1G</b>	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:  <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> </ul>	<b>Summary</b>

	<ul style="list-style-type: none"> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	
<b>Current Licensing Position</b>	These premises do not hold a premises licence. Please refer to <b>Appendix A.</b>	
<b>Residential Density:</b>	66 of the 191 units within a 75m radius of the premises are residential, under construction or proposed residential, (35%), refer to <b>Appendix C.</b>	
<b>Planning Position:</b>	Unable to locate any planning information for these premises.	
<b>List of Appendices:</b>	A – Premises Licence History B - Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)
- Application form
- Plan
- Representations received
- Photos

## **Licence & Appeal History**

There are no previous Licensing Act 2003 applications for these premises.

An application was submitted relating to this premises for Buta Lounge. However, the application was withdrawn by the applicant on 24.05.2012.

**There is no appeal history**

## 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.

#### **Mandatory Conditions**

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

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

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

8. (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (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.
- (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.
  - (iv) (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions proposed by Police Licensing Team and agreed with the Applicant:**

- 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
11. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) which do not provide any take away service of food or drink after 23.00, and
  - (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

12. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. There shall be no self service of alcohol.
14. Save for persons seated at tables patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
15. 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) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.

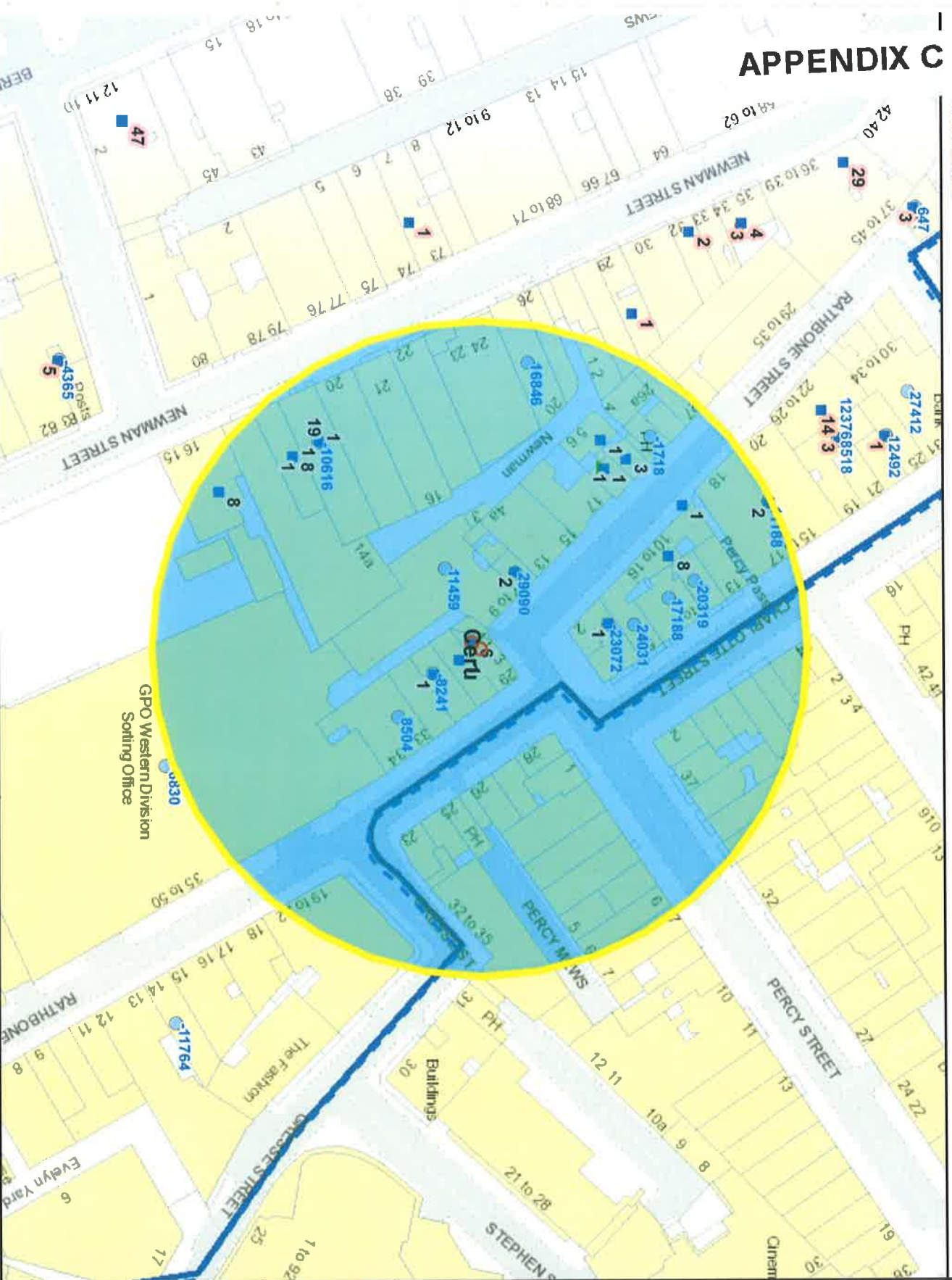
**Conditions proposed by Environmental Health Service and agreed with applicant:**

16. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. The capacity of the premises shall not exceed 30 people (inclusive of staff).
18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
20. 'Off' sales of alcohol shall be restricted to persons seated at the outside tables and chairs.

21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
22. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.

Ceru, 29 Rathbone Place, London

APPENDIX C



Residential / Proposed Residential	65
Under Construction	1
Other Uses	125
Proportion Residential of all Uses	35%

10 Meters

This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number: 1 A 100010507

Data Source: Uniform Database  
Date: 05/12/2014

**Premises within 75 metres of: Ceru, 29 Rathbone Place, London**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
29090	Koba	11 Rathbone Street London W1T 1NA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-1718	Newman Arms Public House	23 Rathbone Street London W1T 1NG	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:30
8504	Jerusalem Bar & Restaurant	Basement County House 33-34 Rathbone Place London W1T 1JJ	Monday to Thursday 09:00 - 02:30 Friday to Saturday 09:00 - 03:30 Sunday 09:00 - 00:00
16846	Nordic Bar	25 Newman Street London W1T 1PJ	Monday to Wednesday 10:00 - 00:30 Thursday to Saturday 10:00 - 02:30 Sunday 12:00 - 23:00
17188	PizzaExpress	Ground Floor 7-9 Charlotte Street London W1T 1RG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
24031	Cote	5 Charlotte Street London W1T 1RE	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 22:30
-23072	Marquis Of Granby Public House	Marquis Of Granby 2 Rathbone Street London W1T 1NR	Monday to Saturday 07:00 - 23:30 Sunday 07:00 - 23:00
-20319	Obika	11 Charlotte Street London W1T 1RQ	Monday to Saturday 08:00 - 00:30 Sunday 08:00 - 00:00
-11188	Charlotte Street Hotel	15-17 Charlotte Street London W1T 1RJ	Monday to Sunday 00:00 - 00:00 (residents) Monday to Sunday 10:00 - 03:00 (private functions) Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-10616	Private Members Club & Restaurant	19 Newman Street London W1T 1PF	Sunday to Wednesday 07:00 - 00:00 Thursday to Saturday 07:00 - 03:00
-8241	Lima	31 Rathbone Place London W1T 1JH	Monday to Thursday 10:00 - 23:30 Friday to Saturday 10:00 - 00:00 Sunday 12:00 - 22:30
11459	CHI Club	7-9 Rathbone Street London W1T 1LY	Monday to Friday 18:00 - 23:00



04/11/2014 15:52:02



04/11/2014 15:52:59



04/11/2014 15:53:12

# Background Papers



**Application for a premises licence to be granted  
under the Licensing Act 2003**

PREMISES MANAGEMENT  
LICENSING SERVICE  
  
3 1 OCT 2014  
  
CITY OF WESTMINSTER

**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 Ceru Restaurants Limited

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Ceru 29 Rathbone Place Fitzrovia			
<b>Post town</b>	London	<b>Postcode</b>	W1T 1JG
Telephone number at premises (if any)		n/a	
Non-domestic rateable value of premises		£18,700	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

<b>Name</b> Ceru Restaurants Limited
<b>Address</b> 1 Vincent Square Westminster London  SW1P 2PN
<b>Registered number (where applicable)</b> 09097079
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Company
<b>Telephone number (if any)</b> n/a
<b>E-mail address (optional)</b> n/a

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
Bar and restaurant for sale of alcohol and late night refreshment.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><u>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</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)				
Tue							
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)				
Thur							
Fri			<b><u>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</u></b> (please read guidance note 5)				
Sat							
Sun							



E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><u>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</u></b> (please read guidance note 5)</p>		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) To permit the sale of hot food and beverages after 11pm.		
Mon	23:00	23:30			
Tue	23:00	23:30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed	23:00	23:30			
Thur	23:00	23:30	<b>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</b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day. Until 00:00h on any Bank Holiday Sunday.		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00	23:30	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00	<b>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</b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day. Until 00:00h on any Bank Holiday Sunday.		
Sat	10:00	00:00			
Sun	12:00	22:30			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Barry Hilton	
Postcode	
Personal licence number (if known) PA0248	
Issuing licensing authority (if known) East Hertfordshire District Council	

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).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:30	<p><b><u>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</u></b> (please read guidance note 5)                      From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.                      Until 00:00h the morning after any Bank Holiday Sunday.</p>
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	22:30	

**M** Describe the steps you intend to take to promote the four licensing objectives:

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

The Premises Licence will have no effect until the premises are constructed/alterd only in accordance with the appropriate provisions of the local licensing authority and this condition has been removed from the premises licence.  
The full menu will be available throughout the trading day (subject to a permitted wind-down period before the terminal hour of service).  
Waiter/waitress service will always be available.  
The premises shall predominantly be run as a licensed restaurant.  
A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.  
Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.  
Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.  
All staff shall be suitably trained for their job function for the premises the training shall be written into a programme of ongoing review and will be made available to a responsible authority on reasonable request.

**b) The prevention of crime and disorder**

Other than in the areas designated for drinking and indicated in this application, no persons shall be permitted by the designated premises supervisor or persons acting under his/hers authorization to remove alcohol from the premises in an open container. Off sales are to be taken off the area marked on the licensed plan in sealed containers only.  
To be a member of Pubwatch or related scheme.  
Crime prevention posters/material aimed at preventing theft/loss of personal possessions will be affixed/displayed in prominent positions (agreed by both Police and Management) within the premises.  
A dispersal policy document is to be drawn up in consultation with Police and Council officers. Once agreed it is to be implemented in full. To include, but not *limited to*; (the monitoring of customers by (door) staff, the pre booking of mini cabs/taxis, orderly dispersal of patrons). This policy shall be reviewed on an annual basis to ensure it is still effective and shall be updated if necessary.  
A log for all incidents is to be kept and maintained. This log must be available to Police or Council Officers on request. Relevant offences will be reported to Police in good time.

**c) Public safety**

Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.

**d) The prevention of public nuisance**



A refuse store of sufficient size shall be provided  
 Late night refreshment is restricted to consumption on the premises.  
 A designated, de-lineated and bordered smoking area will be allocated outside the premises. Suitable receptacles will be provided within this area for cigarette litter. The Premises Licence Holder or nominated person shall ensure that the smoking area is regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed.  
 The Premises Licence Holder or nominated person shall ensure that suitable signage is positioned at exits to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises. Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.

**e) The protection of children from harm**

All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage and shall be aware of how to seek ID from anyone who appears to be underage.  
 All staff training on the issue of underage sales to be documented and made available to responsible authorities upon request.  
 A challenge 21 policy is employed whereby those who appear to be under the age of 21 and are attempting to purchase alcohol will be asked to provide identification.  
 The only type of identification that will be accepted is a photo driving licence, passport, PASS (Proof of Age Standards Scheme) or accredited Military identification cards.  
 Staff will be trained in this policy and records will be kept.  
 There shall be no adult entertainment, services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

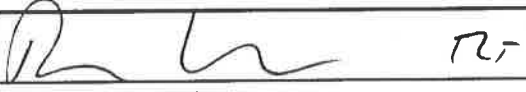
**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	
Date	30/10/14
Capacity	SOLICITOR FOR THE APPLICANT

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

Paul Uren  
TLT Solicitors  
One Redcliff Street

Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	+44(0)3330 060213		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
paul.uren@tltsolicitors.com

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



---

**TO** Licensing Officer

**REFERENCE** 14/09445/LIPN

---

**FROM** EH Consultation Team

**REFERENCE**

**BEING DEALT WITH BY** Ian Watson (iwatson@westminster.gov.uk)

**TELEPHONE** 020 7641 3183

**DATE** 26th November 2014

---

**The Licensing Act 2003**

**Ceru, 29 Rathbone Place, W1**

I refer to the application for a New Premises Licence.

The applicant has submitted floor plans of the Ground floor and Basement reference A02 A dated 25/10/2014.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday between 10.00 and 23.30 hours, Friday and Saturday between 10.00 and 00.00 hours and Sunday between 12.00 and 22.30 hours. Sundays before a Bank Holiday 12.00 to 00.00 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
2. To provide Late Night Refreshment 'Indoors' Monday to Thursday between 23.00 and 23.30 hours and Friday and Saturday between 23.00 to 00.00 hours. Sundays before a Bank Holiday 23.00 to 00.00 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

I wish to make the following representation

1. The provision and hours requested for the Supply of Alcohol 'On' and 'Off' the premises will have the likely effect of causing an increase in Public Nuisance in the area.
2. The provision and hours requested for Late Night Refreshment 'Indoors' will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has provided some conditions within the operating schedule in support of the application but these do not fully support the licensing objectives and further conditions will be proposed.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

**TO** Licensing Officer

**REFERENCE** 14/09445/LIPN

---

**FROM** EH Consultation Team

**REFERENCE**

**BEING DEALT WITH BY** Ian Watson (iwatson@westminster.gov.uk)

**TELEPHONE** 020 7641 3183

**DATE** 3rd December 2014

---

**The Licensing Act 2003**

**Ceru, 29 Rathbone Place, W1**

I refer to the application for a New Premises Licence.

The following conditions are proposed.

- Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- The capacity of the premises shall not exceed 30 people (inclusive of staff).
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 'Off' sales of alcohol shall be restricted to persons seated at the outside tables and chairs.
  
- The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

## Eaton, Sam

---

**From:** Watson, Ian  
**Sent:** 10 December 2014 07:43  
**To:** Matthew Phipps  
**Cc:** Eaton, Sam  
**Subject:** RE: Notice of Hearing - Ceru, 29 Rathbone Place, London - 14/09445/LIPN [TLT-TLT.FID3231950]

Morning Matthew

Thanks for that. Please be advised that the representation from Environmental Health is withdrawn.

Regards

### Ian Watson

Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing

### Premises Management

Westminster City Council  
City Hall, 4<sup>th</sup> Floor West  
64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183  
Fax: 020 7641 3436  
Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

### Westminster Council's Team of the Year 2012



---

**From:** Matthew Phipps [<mailto:matthew.phipps@TLTsolicitors.com>]  
**Sent:** 09 December 2014 18:00  
**To:** Watson, Ian  
**Cc:** Eaton, Sam  
**Subject:** RE: Notice of Hearing - Ceru, 29 Rathbone Place, London - 14/09445/LIPN [TLT-TLT.FID3231950]

yes all agreed, apologies thought id replied!

Matthew

---

**From:** Watson, Ian [<mailto:iwatson@westminster.gov.uk>]  
**Sent:** 09 December 2014 16:13  
**To:** Matthew Phipps  
**Cc:** Eaton, Sam  
**Subject:** RE: Notice of Hearing - Ceru, 29 Rathbone Place, London - 14/09445/LIPN [TLT-TLT.FID3231950]

Matthew  
Any movement on these conditions. Is your client content.

Regards

**Ian Watson**

Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing

**Premises Management**

Westminster City Council  
City Hall, 4<sup>th</sup> Floor West  
64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183

Fax: 020 7641 3436

Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

**Westminster Council's Team of the Year 2012**



---

**From:** Watson, Ian

**Sent:** 08 December 2014 10:01

**To:** 'Matthew Phipps'

**Cc:** Eaton, Sam

**Subject:** RE: Notice of Hearing - Ceru, 29 Rathbone Place, London - 14/09445/LIPN [TLT-TLT.FID3231950]

Matthew

That's fine. Modified conditions attached. Please advise if you are accepting these.

Regards

**Ian Watson**

Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing

**Premises Management**

Westminster City Council  
City Hall, 4<sup>th</sup> Floor West  
64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183

Fax: 020 7641 3436

Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

**Westminster Council's Team of the Year 2012**



## Eaton, Sam

---

**From:** Russell, Sandy  
**Sent:** 03 December 2014 08:42  
**To:** Matthew Phipps; Eaton, Sam; Paul Uren  
**Subject:** RE: CERU - 14/09445/LIPN (29, Rathbone Place) [TLT-TLT.FID3231950]

Thanks Matthew,

Police withdraw our rep.

Kind Regards,

Sandy

---

**From:** Matthew Phipps [<mailto:matthew.phipps@TLTsolicitors.com>]  
**Sent:** 02 December 2014 14:36  
**To:** Eaton, Sam; Russell, Sandy; Paul Uren  
**Subject:** RE: CERU - 14/09445/LIPN (29, Rathbone Place) [TLT-TLT.FID3231950]

Sam,

Thanks

They look good to me and as agreed with Sandy

Matthew

---

**From:** Eaton, Sam [<mailto:seaton1@westminster.gov.uk>]  
**Sent:** 02 December 2014 14:28  
**To:** Russell, Sandy; Matthew Phipps; Paul Uren  
**Subject:** RE: CERU - 14/09445/LIPN (29, Rathbone Place)

Hi All,

Have these conditions been agreed? If so Sandy have you withdrawn your representation?

Please advise.

Many Thanks

**Miss Sam Eaton**

Environmental Health Case Officer

**Environmental Health Licensing & Consultation - Premises Management**

Westminster City Council  
4th Floor West  
City Hall  
64 Victoria Street



London  
SW1E 6QP

Telephone 020 7641 1868  
email: [seaton1@westminster.gov.uk](mailto:seaton1@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



---

**From:** Russell, Sandy  
**Sent:** 19 November 2014 12:37  
**To:** Matthew Phipps  
**Cc:** Paul Uren; idoxlicensing  
**Subject:** RE: CERU - 14/09445/LIPN (29, Rathbone PLace)

Thanks Matthew,

Just to confirm that we are agreeing to the following wording:

3. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

6. Save for persons seated at tables patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

Once you have confirmed your client is in agreement to all conditions we will be in a position to withdraw our representation.

Best Wishes,

Sandy

The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments. TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland) operate under the TLT brand and are together known as

## Eaton, Sam

---

**From:** Russell, Sandy  
**Sent:** 05 November 2014 12:52  
**To:** Paul Uren  
**Cc:** idoxlicensing  
**Subject:** 14/09445/LIPN (29, Rathbone PLace)

Dear Mr Uren

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated within a locality where there is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact. It is for this reason that we are objecting to the application at this stage in the application process.

Police would be in a position to withdraw our representation if the following conditions could be agreed and added to any future operating schedule:

1. 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.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

4. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. There shall be no self service of alcohol.
6. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
7. 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) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.

Please let me know whether you are willing to agree to the above as soon as possible. Should you wish to discuss the matter further please contact me on **0207 641 1709** or via email [srussell@westminster.gov.uk](mailto:srussell@westminster.gov.uk)

Yours sincerely

Sandy Russell.

## Details of public representations relating to 14/09445/LIPN

### Comments received electronically via PublicAccess:

- **Mr Oscar Arias - Flat 4, 17 Rathbone Street, London**

**Received: 20 Nov 2014**

#### **OBJECTION**

*10:25 AM on 20 Nov 2014 This bar/restaurant is located at the corner of Rathbone street, where I currently live. The street is primarily residential except for a couple of pubs which close at 11. Even though the pubs close at 11, the street does not typically quiet down until at least 11:30. As a result, it is quite difficult to go to bed before this time. My concern about the licensing application is that this would push residents' bedtime even later as a result of the noise these places generate. I worry that many of the people drinking outside the Marquis of Granby, the pub across the road from 29 Rathbone Place, would then head to the new venue to continue drinking after the pubs' closing time. As the street is already very loud up to 11, I worry this venue would extend the noisy period later into the night. If the new venue is planned to primarily function as a restaurant, I don't see why they would need to have a bar which serves alcohol past normal pub opening hours.*

*If granted extended hours, this venue would be open later than most restaurants in the area. I worry that the venue will function more as a bar than a restaurant, particularly since it seems to have such few tables to serve food. Extended hours will only serve to increase the noise and disruption residents already experience. Additionally it is already difficult to navigate onto Rathbone street from Charlotte street as patrons of The Marquis of Granby block the street, forcing pedestrians onto the road. If the patrons of this new venue are also standing out on the street smoking, this will further compound the problem.*

### Comments received via other means:

None.