



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 26th April, 2018**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Melvyn Caplan (Chairman)
Julia Alexander
Shamim Talukder



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. AVERY HOUSE, 1-3 AVERY ROW, W1

(Pages 1 - 24)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / not in cumulative impact area	Avery House, 1-3 Avery Row, W1	Variation of a Premises Licence	18/02645/LIPV

2. 52 RUPERT STREET & 2 TISBURY COURT, W1

(Pages 25 - 54)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	West End Ward / West End Cumulative Impact Area	52 Rupert Street & 2 Tisbury Court, W1	New Premises Licence	18/02747/LIPN

3. AQUAVIT, 1 CARLTON STREET, SW1

**(Pages 55 -
110)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	St James's Ward / West End Cumulative Impact Area	Aquavit, 1 Carlton Street, SW1	Variation of a Premises Licence	18/02000/LIPV

4. UNIT 1A, 4 SWISS COURT, LEICESTER SQUARE

**(Pages 111 -
134)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	St James's Ward / West End Cumulative Impact Area	Unit 1A, 4 Swiss Court, Leicester Square	New Premises Licence	18/01575/LIPN

**Stuart Love
Chief Executive
20 April 2018**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



City of Westminster

Licensing Sub-Committee Report

Agenda Item 1

Item No:	
Date:	26 April 2018
Licensing Ref No:	18/02645/LIPV - Premises Licence Variation
Title of Report:	Avery House 1 - 3 Avery Row London W1K 4AJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Simone Murray Senior Licensing Officer
Contact details	Telephone: 020 7641 1740 Email: smurray@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	9 March 2018		
Applicant:	Lemonthree Ltd		
Premises:			
Premises address:	Avery House 1 - 3 Avery Row London W1K 4AJ	Ward:	West End
		Cumulative Impact Area:	None
Premises description:	The Premises currently operates as a Restaurant.		
Variation description:	<p>The application proposes to vary the premises licence as follows:</p> <p>1. Changes to layout, which will include:</p> <p>a) Minor Changes to fixed furniture layout.</p> <p>b) Include the 1st floor area hatched black within the licenced area.</p> <p>c) On the second floor, removal of storeroom and re-location of bar servery</p> <p>d) Other minor changes as reflected on drawing numbers 500-503</p> <p>e) the addition of sofas.</p> <p>2. To extend the hours for the sale of alcohol, opening hours and other licensable activities from 10:00 to 01:00 Thursday to Saturdays (only) from the current provision:</p> <ul style="list-style-type: none"> • 10:00 to 23:30 Monday to Thursday • 10:00 to 00:00 Friday to Saturday • 12:00 to 22:30 on Sunday 		
Premises licence history:	The Premises currently benefits from a Premises Licence. History of which can be found at Appendix 3.		
Applicant submissions:	There are no additional applicant submissions		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at the Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No Change		Basement, Ground Floor, First Floor Second Floor	Include the 1st floor area hatched black within the licenced area
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30	23:00	01:00		
Friday	23:00	00:00	23:00	01:00		
Saturday	23:00	00:00	23:00	01:00		
Sunday	N/A	N/A	N/A	N/A		
Non-standard timings:	Current:				Proposed:	
	<p>From the end of permitted hours on New Year's Eve to start of permitted hours on New Year's Day.</p> <p>On Sundays prior to holidays/public holidays 23:00 until 00:30</p>				<p>No change to permitted hours on New Year's Eve.</p> <p>To extend the hours on Sundays prior to holidays/public holidays 23:00 until 01:00</p>	

Late Night Refreshment						
Both	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No Change		Basement, Ground Floor, First Floor Second Floor	Include the 1st floor area hatched black within the licenced area
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30	23:00	01:00		
Friday	23:00	00:00	23:00	01:00		
Saturday	23:00	00:00	23:00	01:00		
Sunday	N/A	N/A	N/A	N/A	N/A	N/A
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	No change to currently permitted hours on New Year's Eve			No change to currently permitted hours on New Year's Eve		
On Sundays prior to holidays/public holidays 23:00 until 00:00			On Sundays prior to holidays/public holidays 23:00 until 01:00			

Sale by Retail of Alcohol						
Both			Current :		Proposed:	
			Both		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No Change		Basement, Ground Floor, First Floor Second Floor	Include the 1st floor area hatched black within the licenced area
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	00:00	10:00	01:00		
Sunday	12:00	22:30	12:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	From the end of permitted hours on New Year's Eve to start of permitted hours on New Year's Day. On Sundays prior to holidays/public holidays 12:00 until 00:00				No change to standard hours Sunday – Wednesday; No change to currently permitted hours on New Year's Eve. On Sundays prior to holidays/public holidays 12:00 until 01:00	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No Change		Basement, Ground Floor, First Floor, Second Floor	Include the 1st floor area hatched black within the licenced area
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00	10:00	01:00		
Friday	10:00	00:30	10:00	01:00		
Saturday	10:00	00:30	10:00	01:00		
Sunday	12:00	23:00	No Change		No Change	No Change
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	From the end of permitted hours on New Year's Eve to start of permitted hours on New Year's Day. On Sundays prior to bank holidays/public holidays 12:00 until 00:30				No change to currently permitted hours on New Year's Eve On Sundays prior to holidays/public holidays 23:00 until 01:00	

1-C Layout alteration

The Applicant is seeking to vary the premises layout as follows:

- a) Minor changes to fixed furniture layout
- b) Include the 1st floor area hatched black within the licenced area.
- c) On the second floor, removal of storeroom and re-location of bar servery
- d) Other minor changes as reflected on drawing numbers 500-503
- e) The addition of sofas.

2. Representations**2-A Responsible Authorities**

Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Dave Nevitt
Received:	05 th April 2018

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.

2-B Other Persons

Received:	04 th April 2018
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My wife and I strongly object to this application.

A late restaurant licence for this premises will transform this section of Avery Row, our residence (29 Avery Row) is a matter of a few metres from the proposed new late operating business!

We already endure noise and inconvenience from trash removal from La Petite Maison, smokers sheltering in our doorway etc from the existing restaurants in Lancashire Court but a new licensed premises virtually opposite our bedroom windows would seriously impact any quieter periods which we as residents are currently able to enjoy ...

Please please refuse this application.

Received:	06 th April 2018
<p>I want to fully object to the licensing timing of 1am for this premises.</p> <p>We have a lot of anti social issues with all the existing licensed premises and this will add to the issues.</p> <p>I have children here whom have been exposed to aggressive behaviour from toxiated people leaving from some establishments around here and it is becoming too regular.</p> <p>There is a huge issue with noise and disturbances from people leaving these places too. They also urinate on our doors regularly. Also the constant screaming and shouting takes a toll on our sleep.</p> <p>It is a concern for us to having another place with a late license. We have to endure the problems as we live here. It is time that licenses were restricted. Also when the staff leave there is constant issues with noise. Also they chat, smoke and drink after work on the street also talk very loudly without any care about the residents.</p>	
Received:	04 th April 2018
<p>I have lived opposite these premises for the last 18 years and they have always been office space.</p> <p>A late license granted to these premises changes the character of the street.</p> <p>People leaving late at night and smoking outside will create considerable late night disturbance to the small residential block I live in.</p>	
Received:	04 th April 2018
<p>I have already objected to this application in the past for reasons that have been outlined in my past objection surely in Westminster records.</p> <p>The area is transforming from quiet residential to busy late night noise with considerable damage to our physical and emotional wellbeing. Please reject vehemently.</p> <p>This is the second application relating to this building and restaurant where I do not feel I was appropriately notified by the council (I had no idea these applications were happening: first the restaurant application now the variation of licence to late hours).</p> <p>I had already objected to the application for the restaurant in the past for reasons that I have outlined in my past objection surely in Westminster's records (please refer to those)</p> <p>The area is transforming from quiet and residential to busy late night noise with considerable damage to our physical and emotional wellbeing.</p> <p>The little courtyard just outside our door is already a smoking hub for waiters and staff of the all to many restaurants and bars around Avery Row, the late hours licence would</p>	

turn the area into a loud gathering site for drunk people.

Also, this licence variation application is quite tactical: first they applied for a regular restaurant and only upon winning the first application they applied for a late licence.

Received:	25 th March 2018
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The neighbourhood infrastructure cannot support more late night patrons, particularly if any alcohol is involved.

This is becoming an issue in the neighbourhood, with some vomit on doorsteps, glasses filling doorsteps, and significant noise issues increasing.

We already have noise issues associated with Patrons leaving Mews of Mayfair late in the evening.

The way in which the buildings are set up in Avery Row and Brooks Mews means that all noise resonates loudly up and is very disruptive to all residential neighbours. We also have an inability to do much reduce noise levels due to our own planning limits on window glazing.

In addition, neighbouring streets (such as Brooks Mews) are already struggling under the strain of traffic through day and night.

Please can you ensure our part of Mayfair retains its character by rejecting this late night license allowance.

Received:	5 th April 2018
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I am writing concerning the above licensing application in Avery Row by Lemonthree Ltd.

I am the owner of Flat E Avery Court, 29 Avery Row, which is partly opposite Avery House.

We are about 25-30 yards from the front door, our closest point being about 10-12 yards away, which are our bedrooms.

Avery Row is a vibrant and active street with many facilities, but later in the evening and at night it is an extremely quiet largely residential street and I am concerned that noise from this premises and its events may have a disproportionate impact long into the night if the variation to the licence is approved. My objection falls under the prevention of public nuisance licensing objective.

It is unclear, at this stage, of the layout proposed for the premises – will any part of it operate as a vertical drinking bar or a disco? Some of my representations are as

follows:

Extension of hours for sale of alcohol for consumption on the premises – will this be for restaurant use or bar use?

Extension of hours for sale of alcohol for consumption off the premises – why is this needed to 1am?

Hours of extension for recorded music – what type of music?

Would it be background or DJs?

Will doors and windows be kept closed to control noise breakout?

Will there be a noise limiter and is there sufficient insulation?

How large is the first floor area hatched black, which they wish to include within the licence?

The premises is not operating yet so we don't know what sort of operation is intended and don't have a 'baseline' to measure the impact of later hours as it hasn't yet operated to 'core' hours.

The plans are not available and so I cannot see the details of the changes or the location of the terrace – does the terrace overlook the bedrooms?

Terraces – will there be music on the terraces? Will people be able to drink on the terraces until 1am?

Will dispersal of customers later at night be an issue?

There doesn't seem to be planning permission for the hours sought.

More information and clarification on these points would be appreciated and I would consider withdrawing representation if these points are addressed,

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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.
Policy RNT1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Ms Simone Murray Senior Licensing Officer
Contact:	Telephone: 020 7641 1740 Email: smurray@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Environmental Health Service	05 th April 2018
5	Representation	04 th April 2018
6	Representation	05 th April 2018
7	Representation	06 th April 2018
8	Representation	04 th April 2018
9	Representation	04 th April 2018
10	Representation	25 th March 2018

Applicant Supporting Documents

None submitted.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
17/06724/LIPN	New Premises Licence Application	25 th August 2017	Granted Under Delegated Authority
18/02645/LIPV	Current Application		

There is no appeal history

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

When determining an application to vary a 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: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv).
 - (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

Ground and First Floor Only:

9. 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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

All Floors:

10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. 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.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

14. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly
16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (180) persons.
17. No deliveries to the premises shall take place between (22.00) and (08.00) on the following day.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (22.00) hours and (08.00) hours on the following day.
20. No collections of waste or recycling materials (including bottles) from the premises shall take place between (22.00) and (08.00) on the following day..
21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
22. 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.
23. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
24. Save for the external terrace(s) shown on the deposited plan, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

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

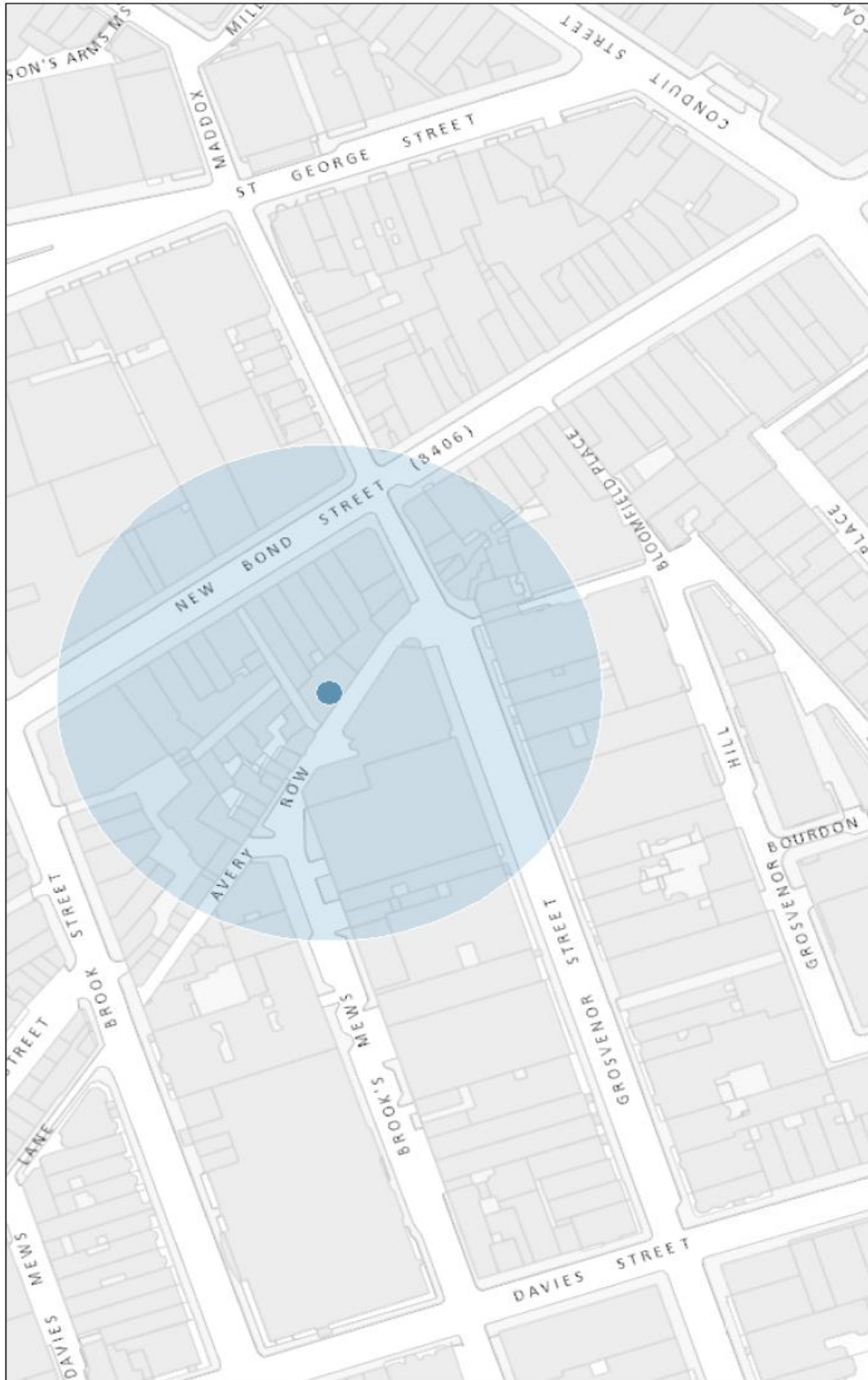
None

Proposed Condition by Police

25. Save for the external terrace(s) shown on the deposited plan, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Residential Map and List of Premises in the Vicinity

Avery House 1-3 Avery Row



LicenceNumber	TradingName	Address	PremisesType	TimePeriod
17/06724/LIPN	Not Recorded	Avery House 1 - 3 Avery Row London W1K 4AJ	Restaurant	Monday to Thursday; 10:00 - 00:00 | Friday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 23:00
12/10178/LIPT	Mews	10 Lancashire Court London W1S 1EY	Pub or pub restaurant with lodge	Monday to Sunday; 09:00 - 02:00
18/00292/LIPN	Itsu	4 - 5 Grosvenor Street London W1K 4PY	Restaurant	Monday; 07:00 - 23:30 | Tuesday; 07:00 - 23:30 | Wednesday; 07:00 - 23:30 | Thursday; 07:00 - 23:30 | Friday; 07:00 - 23:30 | Saturday; 07:00 - 23:30 | Sunday; 07:00 - 23:00
12/10430/LIPDPS	Leander Ventures Limited	4-6 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00

16/11290/LIPDPS	Hush	8 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 10:00 - 00:00
12/10172/LIPDPS	La Cave	7 Lancashire Court London W1S 1EY	Restaurant	Monday to Saturday; 08:00 - 23:30 | Sunday; 10:00 - 23:00
13/08579/LIPDPS	Iron Duke	11 Avery Row London W1K 4AN	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 23:00
15/02019/LIPN	Chalet	80-81 Grosvenor Street London W1K 3JY	Restaurant	Monday to Friday; 08:00 - 00:30 | Saturday; 09:00 - 00:30 | Sunday; 10:00 - 23:00
16/02087/LIPDPS	La Petite Maison	54 Brook's Mews London W1K 4EG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00 Not

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Item No:	
Date:	26 April 2018
Licensing Ref No:	18/02747/LIPN - New Premises Licence
Title of Report:	52 Rupert Street & 2 Tisbury Court London W1D 6DS
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Simone Murray Licensing Support Officer
Contact details	Telephone: 0207 641 1740 Email: smurray@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	12 March 2018		
Applicant:	Pocha Limited		
Premises:			
Premises address:	52 Rupert Street & 2 Tisbury Court London W1D 6DS	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	According to the application, the premises will operate as a Japanese Restaurant with tea and sake experience room.		
Premises licence history:	The premises has benefited from a premises licence (16/07079/LIPN). The licence history can be found at Appendix 3		
Applicant submissions:	<p>We recognise that this premises is located in the West End Cumulative Impact Area.</p> <p>We also recognise that licensing policy RNT 2 will apply to this application. We contend however, that the robust series of conditions we have proposed coupled with the premises' operation will not adversely impact upon the promotion of the licensing objectives nor contribute to cumulative impact.</p> <p>This premises will be operated as a restaurant, i.e. alcohol consumption may only be made ancillary to a table meal, while the restaurant's theme is aimed at those customers who wish to experience traditional Japanese sake and teas. We suggest that the nature of our business operation will not attract those customers who are likely to want to consume alcohol to excess and hence potentially misbehave upon exiting the venue.</p> <p>We believe that the proposed conditions, which follow, enable us to comply with the provisions of WCC's licensing policies CD1, PS1, PN1, CH1 and HRS1.</p> <p>The applicant has amended the original application for the operating hours for licensable activities and the opening times in line with the Council's core hours policy Monday to Thursday: 10:00 to 23:30</p>		

	Friday and Saturday: 10:00 to midnight Other Sundays: Midday to 22:30 Sundays immediately prior to Bank Holidays: Midday to midnight
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at the Licensing Committee.

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	23:00	23:00	23:00	N/A
End:	N/A	N/A	N/A	00:00	00:00	00:00	N/A

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	00:00	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			Sundays immediately prior to Bank Holidays: Midday to midnight				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			Sundays immediately prior to Bank Holidays: Midday to midnight				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	05 th April 2018
<p>I write in relation to the application submitted for a New Premises Licence for 52 Rupert Street & 2 Tisbury Court.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none">· Public Nuisance· Prevention of Crime & Disorder· Public Safety· Protection of children from harm <p>The premises is located within a Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, RNT2 and HRS1.</p> <p>The application seeks to permit the following licensable activities and operating times:</p> <ul style="list-style-type: none">· Late Night Refreshment on Thursday to Saturday from 23:00 to 00:00,· Sale by Retail of Alcohol on Monday to Wednesday from 10:00 to 23:00, Thursday to Saturday from 10:00 to 00:00, and Sunday from 10:00 to 22:30. <p>The proposed operating hours for licensable activities on Thursday and Sunday fall outside of Westminster's Core Hours policy. The Licensing Authority encourages the applicant to consider reducing the operating hours for licensable activities in line with the Council's core hours policy.</p> <p>The premises currently falls within policy RNT2. At present, the applicant has offered a condition whereby alcohol is ancillary to a table meal only. The Licensing Authority would ask that the applicant considers adding the following conditions to the operating schedule on the licence to support the Council's policy relating to the sale of alcohol for consumption on the premises:</p>	

- 1) 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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. Food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

- 2) There shall be no self-service of alcohol.

Furthermore, policy RNT2, as outlined in the Council's Statement of Licensing Policy 2016, states that "Applications will be granted subject to other policies... provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas." The Licensing Authority notes that the applicant has provided some information in the application form that addresses this policy concern, however it would be useful for the applicant to provide further submissions as to how the operation of the premises, along with its capacity of 26 persons, will not add to cumulative impact in the cumulative impact areas.

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

Further correspondence between the Applicant and the Licensing Authority
Dated

07th April 2018

Thank you for your e-mail. In response to it I can confirm that we are willing to modify our hours to fit in with WCC's core hours, i.e.:

Monday to Thursday: 10:00 to 23:30

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

We request that the processing licensing officer, Ms Murray I believe, amends our operating schedule to reflect this modification.

With regard to your proposed condition thus –

1) 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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. Food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

2) There shall be no self-service of alcohol.

- we will experience difficulty in complying with all its provisions, in particular 1(i), (ii) and (iv).

Our business does not fit easily into a pre-defined pigeon-hole. The premises is located over two rooms. One room will operate as a restaurant in which alcohol supplies will be made ancillary to a meal. The other room will operate as a 'quick-stop tea shop' in which Japanese teas and the like will be sold for consumption on and off the premises much in the way of a *Costa* or *Starbucks*. This side of the business will account for about 50% of the anticipated income. These hot drinks to take away will not be supplied after 23:00. Late night refreshment will therefore not apply to this element of the business.

With regard to 1(i) & (ii) we have a layout (please see premises plans attached) which requires that customers are seated at counters. As the premises plans (which were supplied with the application) make clear, we don't have tables as such in the premises.

Neither is there a need for waiter/waitress service. The limited space and additional salary expense would not make this viable. These two conditional provisions might therefore serve to prevent our compliance with this condition. The nature of our premises is that customers won't spend extended periods over their meals: they'll sit, they'll eat, they'll leave.

With regard to 1(iv) half the business involves hot drinks to take away, although not after 23:00. Hot drinks provided before 23:00 do not constitute the provision of a licensable activity. This should therefore not be a factor in a responsible authority's reasonable assessment of a premises licence application.

With regard to your suggestion that we provide further submissions addressing cumulative impact my previous submissions in the operating schedule and in my last e-mail form the basis of our argument further to CI. As I hope you might accept, this premises is a very small concern catering to a very small market. We are tea- rather than alcohol-led. Alcohol forms a very small element of our overall business approach. The emphasis is upon Japanese teas which will account for 50% of the business. The other 50% will be Japanese food-led. Alcoholic accompaniments will be provided only with meals and to a minimal degree.

Further to your observation that –

Policy HRS1 makes reference to the ability for residents in the local area to have an additional respite on Sunday and “expects applicants to consider how people using the premises are to depart from the premises and from the area and make reference to it in their operating schedule”

- I would direct your attention to our proposed conditions in section M(d) of our operating schedule and to the fact that we have modified our hours in line with your suggestion. Additionally, as the premises plans clarify, those diners seated in the restaurant room will be *less than ten* in number at any point. It is difficult to see how the dispersal of such a small number of diners might raise concern with regard to the potential for any adverse impact upon CI even in the unlikely circumstance that they happened to leave *en masse*.

With regard to your view that licences are granted to premises and can be easily transferred to others. It is therefore vital that the licence reflects that intended operation in a way where any potential increase to cumulative impact is mitigated I would like to politely express some concern at this statement. It appears that you may be assessing our application based upon some anticipated future use of this premises by persons other than the applicants. There is nothing in the Guidance to the Act which encourages a responsible authority to insert preventative measures into a licence to mitigate against a speculative future use by as yet unidentified individuals.

Paragraph 1.17 of the Guidance to the Act requires that each application must be considered on its own merits rather than on the perceived merits of some anticipated hypothetical future use to which the premises may be put. Paragraph 1.17 goes on to

clarify that this is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. We might reasonably consider the intended mitigation implied by the imposition of the entirety of your proposed condition to be disproportionate.

I am left feeling professionally uncomfortable that we appear to be required to add mitigating elements to our operating schedule based upon conjecture about a possible future situation which will likely never arise. As you are aware, we have offered the following condition in our operating schedule: Alcohol shall be supplied ancillary to a table meal only. We respectfully suggest that any potential future holder of this licence would be bound by this conditional requirement. This ensures the premises' continuation as a restaurant. The condition mitigates against the premises operating as a vertical drinking establishment. Any future licence holder would need to submit to your office an application to vary the licence to remove this condition in order to change the premises' operation. The responsible authorities would then have full rights of access to any such application. They would be able to make suitable representations as seen fit at that point in time as appropriate, rather than the applicant for the licence having to adopt preventative measures at this stage.

Hopefully, the mitigating effects of this condition will assuage your concerns further to the use this licence may be put at some point in an assumed future.

With regard to your request to meet with the applicant can I suggest that you contact the applicant directly via the e-mail address cc'd above, [REDACTED], copying me in of course, in order that you may arrange a mutually convenient appointment to do so. As I'm sure you are aware the 28 day consultation period for this application ends on Monday 9th April. We politely request that you are able to attend the premises at your earliest convenience. The consultation period had been underway for 25 days at the point your s.59 request to visit the premises was made. We might reasonably have hoped that your concerns might have been addressed within the consultation period rather than after its cessation.

To summarise, we have modified our hours in line with WCC's core hours further to your suggestion. In addition I have given further explanation of our premises' operation in relation to our contention that the provision of licensable activity at *Pocha* will not result in an adverse impact upon CI. I have also provided reassurance further to our belief that any future holders this licence may have will not be able to operate in any way other than as a restaurant without seeking a s.34 application to modify the use to which the licence may be put.

I hope all this is sufficient to allay your concerns and enable your representation against our application to be withdrawn. I look forward to your confirmation either way at your earliest convenience.

Email from Licensing Authority to Applicant

06th April 2018

Thank you for your email.

To start, I would like to address the point made in relation to policy CIP1 and its relevance to this application. The Council's Statement of Licensing Policy 2016 states that, under policy CIP1, "Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies" (inclusive of policies such as RNT2 and HRS1) "and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas." As highlighted in my representation sent on 5 April 2018, the application does fall within policy RNT2. The Council's policy for applications that fall within this remit within the cumulative impact area is as follows:

"Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas."

Although you have noted in the application form that the conditions that have been proposed coupled with the premises' operation will not contribute to cumulative impact, paragraph 2.4.4 of the policy states that an application cannot be viewed as exceptional "on the grounds that the premises have been or will be operated within the terms of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator". As a result of this, the Licensing Authority would like to continue to encourage the applicant to provide further submissions as to how the proposed operation of the premises, and the capacity of 26 people, will not add to cumulative impact in the Cumulative Impact Areas.

As you have highlighted, you intend to operate the premises as a small restaurant and not a premises where vertical drinking is permitted or where large crowds of people will be frequenting. However, licences are granted to premises and can be easily transferred to others. It is therefore vital that the licence reflects that intended operation in a way where any potential increase to cumulative impact is mitigated. On original submission of the Licensing Authority's representation, it was encouraged that the applicant considers reducing the operating hours for licensable activities to be in line with Westminster's Core Hours policy. Policy HRS1 makes reference to the ability for residents in the local area to have an additional respite on Sunday and "expects applicants to consider how people using the premises are to depart from the premises and from the area and make reference to it in their operating schedule."

It would be useful for the applicant to provide further submissions as to how the premises will address the concerns regarding cumulative impact and the operating hours for licensable activities. Conditions have been proposed by the Licensing Authority but have not yet been agreed with the applicant, so an update on the applicant's position with regards to these conditions would be helpful. I would like to schedule in time to meet with the applicant and discuss the application and the policy concerns raised in relation to this application. Could you please let me know your availability for next week?

Responsible Authority:	The Environmental Health Consultation Team
Representative:	Maxwell Koduah
Received:	22 nd March 2018

I refer to the application for a new Premises Licence for the above mentioned premises. These premises are located within the West End Cumulative Impact area.

This representation is based on a Ground Floor plan by UK Survey Ltd dated 23/03/2016 submitted with the operating schedule considered in line with the relevant policies within Councils Statement of Licensing Policy dated January 2016

The applicant is seeking the following licensable activity:

1. Provision of Late night refreshment (LNR) "Indoors" from 23:00 to 00:00 hours
Thursday to Saturday

2. Supply of alcohol for consumption "On the premises" at the following times:
Monday to Wednesday: 10:00 to 23:00 hours
Thursday to Saturday: 10:00 to 00:00 hours
Sunday: 10:00 – 22:30 hours

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

1. The hours requested to provide late night refreshment may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area
2. The supply of alcohol and the hours requested may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area

The hours requested to provide LNR is 30 minutes longer than the council's core hours for the area on Thursday. In addition, the hours requested to supply alcohol is longer than the council's core hours for Thursday & Sunday. The applicant has provided conditions in support of the application but these do not fully address the concerns of Environmental Health and additional conditions may be proposed.

It is my view that there is insufficient information to address the concerns of public nuisance and public safety associated with trading longer hours within the West End Cumulative Impact area. As such if further information is not forthcoming, the granting of the application, as presented, would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area.

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives

2-B Other Persons

Received: 05 Apr 2018

I am a tenant of Dewhurst House and I have lived in the first floor flat for nearly 36 years. My flat is situated on the corner of Rupert Street and Winnett Street. The application for a licence is from the occupiers of 52 Rupert Street. This is on two floors and the top floor is directly next to my kitchen.

I object to the application for licence because a restaurant will no doubt disturb the residents in the building and change the neighbourhood. There are too many bars and eateries in that area and another one will mean more pollution, noise, fumes, and attract rodents and cockroaches.

I believe it will be contrary to health and safety. I am also very worried about the noise from the fan and extractors from the kitchen if a licence is given. Further, the fumes from the restaurant will be over bearing and my home is just right above/next to it. A late licence will also mean noisy customers late at night and in the early hours of the morning.

The area in Soho near to my home is already over crowded and polluted and having another restaurant, and in so close proximity to my home, will only make things worse. I would therefore ask the council to take into account the lives and wellbeing of the local residents and how we will be affected and refuse the application.

Received: 20 Mar 2018

I have no objection to issuing a license to these premises if there is a cut off time prior to 11pm, but anything beyond that is problematic. I have lived on the corner of Rupert St and Tisbury Court for the last 17 years, and the noise levels and general nuisance level from drunks and druggies has got increasingly bad in that time. It's also a problem if people step outside to smoke, as the premises are directly opposite my block, which contains four residential flats. So I would have to say that it's unacceptable to we residents to have yet another place open beyond reasonable hours, which in my opinion is up to 11pm.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Ms Simone Murray Licensing Support Officer
Contact:	Telephone: 0207 641 1740 Email: smurray@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Application Form	12 th March 2018
5	The Licensing Authority	05 th April 2018
6	Environmental Health	22 nd March 2018
7	Representation	05 th April 2018
8	Representation	20 th March 2018

Applicant Supporting Documents

None submitted.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/07079/LIPN	Application for New Premises Licence	08 th September 2016	Granted by Licensing Sub Committee

There is no appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. All staff shall be suitable trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.
10. Alcohol shall be supplied ancillary to a table meal only.
11. A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.
12. The premises shall uphold a zero tolerance policy in relation to illegal drugs.
13. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.
14. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
15. The capacity of the premises, excluding staff, shall be 26.
16. The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.
17. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
18. Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.
19. Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.
20. Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.
21. The premises' frontage shall be regularly monitored to keep it clean and clear of litter.
22. The management shall ensure that receptacles for waste are emptied regularly to minimise nuisance smells.
23. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification

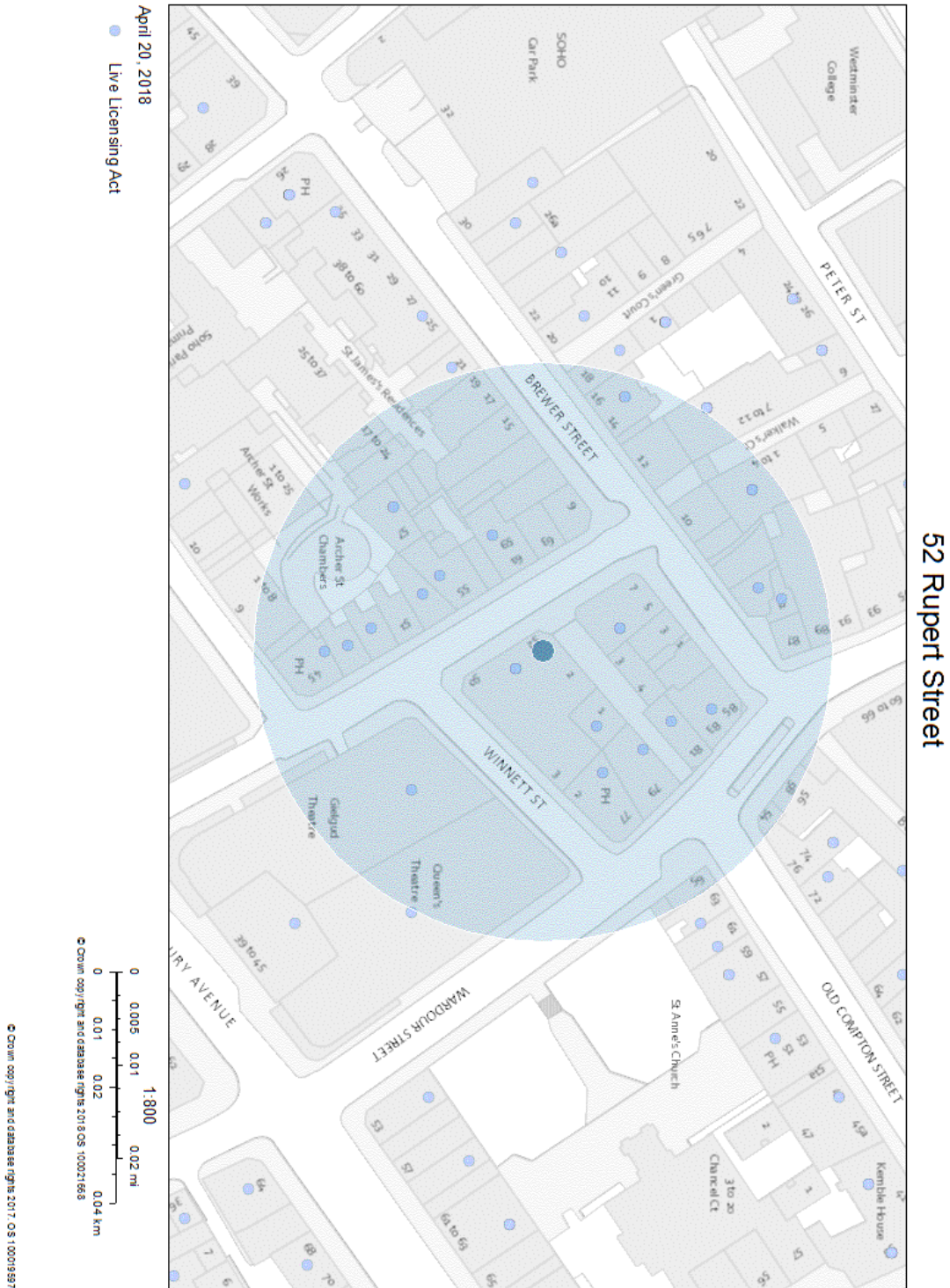
cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.

24. All occasions when persons have been refused service shall be recorded in the premises daily register.
25. There shall be no children unaccompanied by a responsible adult on the premises after 21:00.
26. All children under the age of 12 years shall be accompanied by an adult whilst on the premises.

Conditions proposed by the Local Authority

27. 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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
28. There shall be no self-service of alcohol.

Residential Map and List of Premises in the Vicinity



Resident Count: 252

Licence Number	Trading Name	Address	Premises Type	Time Period
17/14162/LIPVM	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:50 | Sundays before Bank Holidays; 12:00 - 00:00
16/07079/LIPN	Vegan Hippo	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 06:30 - 22:00 | Friday to Saturday; 06:30 - 23:30 | Sunday; 08:00 - 22:00
16/09817/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 06:00 | Sunday; 09:00 - 05:00 | New Year's Eve; 00:00 - 00:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 00:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 | Sunday to Thursday; 09:00 - 00:00
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Monday to Saturday; 08:00 - 23:00 | Sunday; 10:00 - 22:30

16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Monday to Thursday; 07:00 - 23:00 | Friday; 07:00 - 00:00 | Saturday; 08:00 - 00:00 | Sunday; 08:00 - 22:30 | Sundays before Bank Holidays; 08:00 - 00:00
17/09678/LIPCH	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30 | Sunday; 12:00 - 00:00
17/05525/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
12/00517/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30
18/00940/LIPDPS	Bubbleology	49 Rupert Street London W1D 7PJ	Shop (large)	Monday to Thursday; 11:00 - 23:30 | Friday to Saturday; 11:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00

16/04370/LIPDPS	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 00:00
13/02057/LIPN	Kirazu	47 Rupert Street London W1D 7PD	Restaurant	Monday to Sunday; 11:30 - 23:00
17/02027/LIPVM	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Theatre	Monday to Sunday; 09:00 - 00:00
17/12281/LIPDPS	O' Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday to Saturday; 09:00 - 03:30 | Sunday; 12:00 - 23:00 | Sunday; 12:00 - 00:00
10/01721/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PJ	Wine bar	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 23:00
16/10095/LIPDPS	White Horse Public House	45 Rupert Street London W1D 7PB	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 | Sunday; 12:00 - 23:00

14/08656/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Monday to Saturday; 11:00 - 01:00 | Sunday; 11:00 - 00:00
06/12416/WCCMAP	Soho Food And News	2 Brewer Street London W1F 0SD	Shop	Monday to Sunday; 09:00 - 03:00
12/01675/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 12:00 - 01:00 | Sundays before Bank Holidays; 12:00 - 03:30
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 12:00 - 01:00 | Sundays before Bank Holidays; 12:00 - 03:30
17/02049/LIPVM	Queens Theatre	Queens Theatre Ltd Shaftesbury Avenue London W1D 6BA	Theatre	Monday to Sunday; 09:00 - 00:00

17/12283/LIPT	Damson & Co	21 Brewer Street London W1F ORL	Restaurant	Monday to Sunday; 08:00 - 21:45 | Sundays before Bank Holidays; 08:00 - 00:00
17/00277/LIPVM	The Box	11-12 Walker's Court London W1F OED	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 | Sunday; 09:00 - 00:30
13/09851/LIPN	The Boulevard Theatre	8 - 9 Walker's Court London W1F OBY	Theatre	Monday to Thursday; 09:00 - 23:30 | Monday to Saturday; 09:00 - 01:00 | Monday to Sunday; 09:00 - 22:00 | Friday to Saturday; 09:00 - 00:00 | Sunday; 09:00 - 22:30 | Sundays before Bank Holidays; 09:00 - 00:00
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F OBY	Cinema	Monday to Sunday; 09:00 - 01:00
15/08865/LIPN	The Box	11-12 Walker's Court London W1F OED	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 | Sunday; 09:00 - 00:30
15/09155/LIPV	Lina Stores	18 Brewer Street London W1F OSH	Shop	Monday to Friday; 00:00 - 00:00 | Saturday; 00:00 - 00:00 | Sunday; 00:00 - 00:00

13/02742/LIPDPS	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
16/03644/LIPN	Cutter And Squidge	20 Brewer Street London W1F 0SJ	Shop (large)	Monday to Wednesday; 09:30 - 21:00 | Thursday; 09:30 - 22:00 | Friday; 09:30 - 23:00 | Saturday; 10:00 - 23:00 | Sunday; 11:00 - 21:30
06/05841/WCCMAP	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Monday to Saturday; 08:00 - 23:00 | Sunday; 10:00 - 22:30
15/02786/LIPDPS	El Camion	25-27 Brewer Street London W1F 0RR	Restaurant	Monday to Saturday; 09:00 - 03:30 | Sunday; 12:00 - 23:00
17/04220/LIPDPS	Cafe Monico	39 - 45 Shaftesbury Avenue London W1D 6LA	Restaurant	Monday to Saturday; 08:00 - 01:00 | Sunday; 08:00 - 00:00
17/06767/LIPT	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00

17/10558/LIPDPS	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
06/05560/WCCMAP	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Shop	Monday to Saturday; 08:00 - 23:00 | Sunday; 10:00 - 22:30
17/01943/LIPDPS	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
17/08789/LIPDPS	Bocca Di Lupo	Ground Floor 12 Archer Street London W1D 7BB	Restaurant	Monday to Saturday; 07:30 - 00:00 | Sunday; 11:00 - 23:30
16/07760/LIPDPS	Poppies Fish Chips	55-59 Old Compton Street London W1D 6HP	Cafe	Monday to Saturday; 09:00 - 01:30 | Sunday; 09:00 - 01:00
17/07738/LIPDPS	Chilango	24 Brewer Street London W1F 0SN	Restaurant	Monday to Friday; 10:00 - 23:00 | Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30

17/06328/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 | Friday to Saturday; 23:00 - 00:00
12/08457/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
14/09064/LIDPSR	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Restaurant	Monday to Saturday; 10:00 - 01:00 | Sunday; 12:00 - 00:00
14/09063/LIDPSR	(Restaurant)	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Restaurant	Monday to Saturday; 10:00 - 01:00 | Sunday; 12:00 - 00:00
10/10055/LIPRW	Gelupo	7 Archer Street London W1D 7AU	Cafe	Tuesday to Saturday; 11:00 - 01:00 | Sunday to Wednesday; 11:00 - 23:00

18/01086/LIPT	Byron	99 Wardour Street London W1F 0UF	Restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30 | Sundays before Bank Holidays; 12:00 - 00:00
16/01861/LIPVM	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00



City of Westminster

Licensing Sub-Committee Report

Agenda Item 3

Item No:	
Date:	26 April 2018
Licensing Ref No:	18/02000/LIPV - Premises Licence Variation
Title of Report:	Aquavit 1 Carlton Street London SW1Y 4QQ
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 February 2018		
Applicant:	Aquavit London Ltd		
Premises:	Aquavit		
Premises address:	1 Carlton Street London SW1Y 4QQ	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises currently operates as a high class restaurant with ancillary bar facilities.		
Variation description:	<p>The proposed variation is to amend condition 11 of the premises licence to read as follows:</p> <p>The supply of alcohol on 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, but in the private dining rooms on the mezzanine floor and in the bar area on the ground floor, these restrictions shall not apply.</p> <p>Full details of the variation can be found at box 1-D of the application form.</p> <p>No changes are proposed to the operating hours or licensable activities currently authorised by the premises licence.</p> <p>An updated ground floor plan numbered LL-FO-02 Revision B is attached showing the extent of the bar area.</p>		
Premises licence history:	The premises currently benefits from a Premises Licence. The full details of the premises licence can be found at Appendix 3 of the report.		
Applicant submissions:	There are no submissions from the Applicant.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:30	01:00	No Change	No Change	Basement, Ground Floor and Mezzanine	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	07:30	22:30				

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Both			No Change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:00	No Change	No Change	Ground Floor and Mezzanine	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	N/A					

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No Change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:30	01:00	No Change	No Change	Ground Floor and Mezzanine	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday	07:30	22:30				

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:30	01:00	No Change	No Change	Ground Floor and Mezzanine	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday	07:30	22:30				
Sunday						

1-C Layout alteration
No layout alternation; however an updated plan numbered LL-FO-02 Revision B has been provided to show the extent of the bar area.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<u>Condition 11:</u> The supply of alcohol on 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.	<u>Condition 11:</u> The supply of alcohol on 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, but in the private dining rooms on the mezzanine floor and in the bar area on the ground floor, these restrictions shall not apply.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	13 March 2018
<p>I write in relation to the application submitted for a variation of the premises licence for Aquavit, situated at 1 Carlton Street.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2003 the Licensing Authority have considered your application in full.</p>	

The variation application being considered seeks to amend condition 11.

Condition 11 currently reads as the following:

“The supply of alcohol on 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.”

The applicant seeks to amend this condition to the following:

“The supply of alcohol on 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, but in the private dining rooms on the mezzanine floor and in the bar area on the ground floor, these restrictions shall not apply.”

The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, PB2, RNT2 and HRS1.

Currently, condition 11 permits the supply of alcohol in all licensable areas of the premises to persons seated taking a table meal and for consumption by such a person as ancillary to their meal, in effect restricting the trading as a ‘restaurant’ type style of operation.

The Licensing Authority are concerned that removing the ancillary nature to which the supply of alcohol is permitted in the private dining rooms on the mezzanine floor and in the bar area on the ground floor may lead to increased vertical drinking which the licence does not currently permit. Furthermore, the current licensable hours for the sale by retail of alcohol exceed those as recommended under policy HRS1 in Westminster’s Statement of Licensing Policy. The Licensing Authority are concerned that the proposed increase in vertical drinking, coupled with the extensive licensable hours for the supply of alcohol will change the style of operation at the premises to become more ‘drinks led’ and will add to cumulative impact in the cumulative impact area. Paragraph 2.5.3 states in part that “The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as “vertical drinking” premises where customers consume alcohol standing throughout the evening”.

Furthermore, the Licensing Authority notes that the applicant have not given an indication, within the application, as to what the capacity of these areas will be. We would ask that you provide this figure in order for the Licensing Authority to consider further the implications that this may have on cumulative impact.

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forward on for Members information.

Please accept this as a formal representation.

Responsible Authority:	Environmental Health Service
Representative:	Mr Dave Nevitt
Received:	28 February 2018

I have submitted a Representation in the following terms in respect of the above application:

'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'

I have submitted the Representation because what is sought by the Variation appears to be contrary to the City Council's Licensing Policy with respect to a premises located in a Cumulative Impact Area.

Paragraph 2.5.3 of the Policy states:

'The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening. Submission has been made that not every individual in a group may wish to eat, but should not be prevented from accompanying diners and having a drink. The council, however, is not minded to relax conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal. However, it will prioritise its enforcement efforts at preventing a change of character of the premises towards bar use.'

For this reason I will be maintaining a Representation so that the matter may be adjudicated at a Hearing of the Licensing Sub Committee in due course.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	22 March 2018

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 as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the West End Cumulative Impact, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

It is for these reasons that we are objecting to the application.

3. Policy & Guidance

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

Policy CIP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Licensing Authority	13 March 2018
5	Environmental Health Service	28 February 2018
6	Metropolitan Police Service	22 March 2018

The Applicant has submitted the following additional documentation:

- Sarah Le Ferve (Counsel) submission
- Aquavit Menu

IN THE WESTMINSTER CITY HALL
and
IN THE MATTER OF AN APPLICATION FOR A NEW PREMISES
LICENCE ON BEHALF OF AQUAVIT RESTAURANT

OUTLINE SUBMISSION

1. Aquavit London Ltd ['ALL'] applies to vary its existing premises licence pursuant to section 34 Licensing Act 2003 ['LA 03'] for premises at 1 Carlton Street, London, SW1Y 4QQ ['the premises'].
2. As the Committee would expect and may know already, ALL is an experienced, specialist, and extremely successful restaurateur. The Committee may or may not know that the New York incarnation of Aquavit holds two Michelin stars; the London premises was recently awarded its first. ALL is entitled to say that it is an exceptional fine operator. Material to explain the nature of the premises, including menus, prices, and photographs, will be provided separately.
3. Aquavit in London is located – just – within the West End Cumulative Impact Area ['CIA'].

The Application

4. The premises are located in the St James's Market development, approximately half way between Pall Mall and Piccadilly.
5. The application has attracted no representations from or on behalf of residents or other persons.
6. The premises are currently licensed to play recorded music, provide late night refreshment, and for the sale by retail of alcohol until 01:00hrs (Monday to Saturday) and until 22:30hrs (Sundays).
7. Existing conditions which are unaffected by this application include:

Condition 12: The supply of alcohol on the premises shall be by waiter or waitress service only

Condition 16: Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

8. The application seeks to relax condition 11 insofar as it relates:
- a. To the area hatched in green on the ground floor, which incorporates the service channels from the kitchen into the restaurant, and which is otherwise substantially laid out for seating; and
 - b. The private dining areas on the first or mezzanine floor, which are separately serviced by a dedicated kitchen facility, on a limited number of occasions annually. Both areas are permanently and substantially furnished.
9. It follows that the proposal is:
- To retain through conditions the genuine restaurant character of the premises;
 - To limit clearly within the premises the areas where the relaxation sought is permitted. Those areas are integral parts of the premises, without direct access to the street; and
 - (in the case of the private dining areas) To limit the numbers of occasions per year where the relaxation sought is permitted.
10. To the best of the applicant's knowledge, there is no evidence that the licensing objectives have been undermined by the present operation. No such issues have been brought to its attention by the existing licensee or any responsible authority.

Policy

11. The application falls to be assessed against a number of Westminster's policies including in particular CIP1 (§§2.4.1-2.4.24; 2.4.25-2.4.27).
12. The principal causes of cumulative impact are described in WCC's policy in Appendix 14, p137. Supporting evidence and data are set out in Appendices 12 and 13.

Submissions

13. The context of the present application is an existing, ongoing, effective premises licence for the premises in question, which has not, in operation, undermined the licensing objectives.
14. Features of the existing and varied premises licence which are directly relevant to the causes of cumulative impact identified by WCC in its Policy are:
- (a) The primary restaurant function of the premises, which characteristic is reflected in the proposed (and existing) conditions. The variation sought could not properly be understood as altering the true and permanent – restaurant - character of the venue. WCC correctly recognises that cumulative impact '*arises mainly from the*

numbers of pubs and bars, music and dance premises and fast food premises.’ Aquavit is not, and would not be, any of these things.

- (b) The limited relaxation sought.
- (c) The characteristics of the premises, including the design, offering, layout, and management quality.
- (d) The location of the premises at the very periphery of the CIA. As WCC recognises, the nature of cumulative impact is that it is cumulative, within its potential impact experienced beyond the immediate vicinity of a particular premises (§2.4.13). In the case of Aquavit, the premises are located on a corner, and bound on the public facing sides by Carlton Street and St Alban’s Street, that is, by the south-westerly perimeters of the CIA. Any impact of Aquavit’s business is overwhelmingly likely to be experienced outside the CIA itself.

**Sarah Le Fevre
Three Raymond Buildings**

17th April 2018

ALL DAY MENU

12PM-5.30PM

Smörgåsbord (Smörgås-sandwich, bord- table) is a table filled with Nordic delicacies made for sharing between family and friends, especially during festive occasions and traditionally accompanied with Aquavit snaps - a flavoured spirit that contains caraway and dill as the main spice and has been produced since the 15th century.

SMÖRGÅSBORD

paired with our aquavit spirit selection

Pickles	3.00	Liver paté	6.00
<i>OP Anderson Petronella; cumin, apple</i>	4.50	<i>OP Extra; aquavit with sherry, whiskey</i>	5.00
Blod pudding, lingonberries, bacon, lardo	6.00	Jersey rock oysters, elderflower, shallots and dill, 6 or 12	16.00/32.00
<i>Lysholm Linie Original sherry</i>	5.00	<i>Aalborg Dild, dill 25ml</i>	4.50
Matje herring potato, sour cream, egg yolk	7.00	Vendace roe "Löjrom" red onion, sour cream & chives	27.00
<i>OP Anderson Original; cumin, anise, fennell</i>	4.00	<i>Aalborg Dild dill</i>	4.00
Veal tartare, dill, cauliflower	12.00	Celeriac, mustard, lovage	4.00
<i>OP Anderson Original; cumin, anise, fennell</i>	4.00	<i>Lysholm Linie Double cask, orange, caramel</i>	5.00
Herrings: Mustard, vendace roe & chives, Brantevik	12.00	Gravlax mustard & dill sauce	9.00
<i>OP Anderson Original; cumin, anise, fennell</i>	4.00	<i>Hallands fläder; elderflower</i>	4.50
Carrot, caraway, hazelnuts	3.00	Beetroot, horseradish	3.00
<i>OP Anderson Petronella; cumin, apple 25ml</i>	4.50	<i>Aalborg Dild dill 25ml</i>	4.00

Bread basket

2.50

LIGHT MEALS

Soup of the day	5.00
Hot smoked salmon salad, watercress, sorrel, soft boiled egg, horseradish	13.00
Roast chicken salad	14.00
Beetroot, hen's egg and watercress salad	10.00
Gravlax on rye bread, dill mustard, watercress	12.00
Toast Skagen	11.00/18.00
Aquavit beef burger, västerbotten cheese, pickles and dill vinegar crisps	15.00
Swedish meatballs, mash, pickled cucumber and lingonberries	19.00
Kroppkakor, wild mushrooms, lingonberries	18.00

DESSERTS

Lemon posset, blueberries, almonds	7.00
Almond cake, cloudberry, vanilla ice cream	8.00
Selection of cheese from Neal's Yard Dairy	12.00

Please inform your server if you have any allergies we need to be aware of
Prices include VAT • A discretionary 12.5% Service Charge will be added to your bill

LUNCH SET MENU

Carrot soup,
caraway, hazelnut

or

Salt-baked celeriac, king
oyster mushroom, confit
egg yolk

Cod, mussels,
lobster mayonnaise,
samphire

or

Venison haunch, kale,
rowans, celeriac

Choice from the Fika
trolley selection

or

Innes log, knäckebröd, crab
apple

Two course £24.00

Three course £28.50

LUNCH SET MENU

Carrot soup,
caraway, hazelnut

or

Salt-baked celeriac, king
oyster mushroom, confit
egg yolk

Cod, mussels,
lobster mayonnaise,
samphire

or

Venison haunch, kale,
rowans, celeriac

Choice from the Fika
trolley selection

or

Innes log, knäckebröd, crab
apple

Two course £24.00

Three course £28.50

“GROG”

Grön Tonic

Sorrel leaves, elderflower cordial, cucumber tonic 6.00,

Scandi Mule

OP Anderson, lemongrass and grapefruit syrup,
lime juice, fennel and caraway tincture, ginger beer 10.50

SMÖRGÅSBORD

paired with our aquavit spirit selection

Pickles	3.00	Mackerel tartare, kohlrabi, lovage	9.00
OP Anderson Petronella; cumin, apple 25ml	4.50	OP Anderson Petronella; cumin, apple 25ml	4.50
Blood pudding, lingonberries, bacon, lardo	6.00	Celeriac, mustard, lovage	4.00
Lysholm Linie Original sherry 25ml	5.00	Lysholm Linie Double cask orange, vanilla, caramel 25ml	5.00
Matje herring potato, sour cream, egg yolk	7.00	Gravlax mustard & dill sauce	9.00
OP Anderson Original; cumin, anise, fennel 25ml	4.00	Hallands fläder; elderflower 25ml	4.50
Veal tartare, dill, cauliflower, parmesan	12.00	Jersey rock oysters, elderflower, shallots and dill 6 or 12	16.00/32.00
Spirit of Hven Organic lemon, orange, rhubarb 25ml	5.00	Aalborg Dild, dill 25ml	4.00
Liver paté	6.00	Smoked eel, calçot onion	14.00
OP Extra; aquavit with sherry, whiskey 25ml	5.00	Skåne, mild cumin, fennel, anise 25m	4.00
Herrings: Mustard, vendace roe & chives, Brantevik,	12.00	Vendace roe “Löjrom” red onion, sour cream & chives	27.00
OP Anderson Original; cumin, anise, fennel 25ml	4.00	Aalborg Dild dill 25ml	4.00
Carrot, caraway, hazelnuts	3.00	Beetroot, horseradish	3.00
OP Anderson Petronella; cumin, apple 25ml	4.50	Aalborg Dild dill 25ml	4.00

SALADS

Hot smoked salmon salad, watercress, sorrel, soft boiled egg, horseradish . . .	9.00/13.00
Roast chicken salad, Nobis dressing	14.00
Beetroot, hen’s egg and watercress salad	10.00

HALF HOUR LUNCH £20

Meatballs, Gravlax on rye or Kroppkakor
with a beer, a glass of wine or a soft drink

SMØRREBRØD

Crab, rye brioche, fennel	14.00
Gravlax on rye bread, dill mustard, watercress.	12.00
Toast Skagen	11.00/18.00

MAINS

Cod, mussels, monk’s beard, leeks, lovage	24.00
Monkfish, ansjovis, Jerusalem artichokes, collard greens	29.00
Turbot, beetroots, Sandefjord sauce, horseradish	34.00
Whole boned trout, dill, almonds, capers	26.00
Lamb neck, tongue, brassicas	22.00
Duck breast, liquorice, carrots, fermented wild garlic	24.00
Beef Rydberg	29.00
Swedish meatballs, lingonberries, pickled cucumber	19.00
Kroppkakor, wild mushrooms, lingonberries	18.00

SIDE DISHES

Rydberg potatoes	5.00	Bitter leaves, nobis dressing	4.50
Charlotte potatoes	4.00	Jansson’s temptation	6.00
Green beans, shallots, smoked anchovy	4.00		

Please inform your server if you have any allergies we need to be aware of
Prices include VAT • A discretionary 12.5% Service Charge will be added to your bill

PRE/POST THEATRE

5.30 - 6:30PM/9.30 -10.30PM

Two course meal
£22.00

Three course meal
£25.00

SMÖRGÅSBORD

Liver paté

Blood pudding, lingonberries, bacon, lardo

Matje herring, potato, sour cream, egg yolk

Carrot, caraway, hazelnuts

MAINS

Swedish meatballs, lingonberries, pickled cucumber

Kroppkakor, wild mushrooms, lingonberries

DESSERT

Lemon posset, blueberries, almonds

Cheese from Neal's Yard Dairy

“GROG”

Grön Tonic

Sorrel leaves, elderflower cordial, cucumber tonic 6.00,

Scandi Mule

OP Anderson, lemongrass and grapefruit syrup,
lime juice, fennel and caraway tincture, ginger beer 10.50

SMÖRGÅSBORD

paired with our aquavit spirit selection

Pickles	3.00	Liver paté	6.00
OP Anderson Petronella; cumin, apple 25ml	4.50	OP Extra; aquavit with sherry, whiskey 25ml	5.00
Shrimp Skagen	11.00/18.00	Celeriac, mustard, lovage	4.00
Skåne, mild cumin, fennel, anise 25ml	4.00	Lysholm Linie Double cask orange, vanilla, caramel 25ml	5.00
Blood pudding, lingonberries, bacon, lardo	6.00	Gravlax mustard & dill sauce	9.00
Lysholm Linie Original sherry 25ml	5.00	Hallands fläder; elderflower 25ml	4.50
Matje herring potato, sour cream, egg yolk	7.00	Jersey rock oysters, elderflower, shallots and dill 6 or 12	16.00/32.00
OP Anderson Original; cumin, anise, fennel 25ml	4.00	Aalborg Dild, dill 25ml	4.00
Herrings: Mustard, vendace roe & chives, Brantevik	12.00	Vendace roe “Löjrom” red onion, sour cream & chives	27.00
OP Anderson Original; cumin, anise, fennel 25ml	4.00	Aalborg Dild dill 25ml	4.00
Carrot, caraway, hazelnuts	3.00	Beetroot, horseradish	3.00
OP Anderson Petronella; cumin, apple 25ml	4.50	Aalborg Dild dill 25ml	4.00

STARTERS

paired with our aquavit spirit selection

Grilled hispi cabbage, nobis dressing, rye bread crumbs	7.00
Hallands fläder; elderflower 25ml	4.50
Veal tartare, dill, cauliflower, parmesan	12.00
Spirit of Hven Organic lemon, orange, rhubarb 25ml	5.00
Crab, rye brioche, fennel	14.00
Hallands fläder; elderflower 25ml	4.50
Smoked eel, calçot onion	14.00
Skåne, mild cumin, fennel, anise 25ml	4.00
Mackerel tartare, kohlrabi, lovage	9.00
OP Anderson Petronella; cumin, apple 25ml	4.50

MAINS

Cod, mussels, monk’s beard, leeks, lovage	24.00
Monkfish, ansjovis, Jerusalem artichokes, collard greens	29.00
Turbot, beetroots, Sandefjord sauce, horseradish	34.00
Whole boned trout, dill, almonds, capers	26.00
Lamb neck, tongue, brassicas	22.00
Rib-eye, smoked bearnaise, hasselback potato	32.00
Duck breast, liquorice, carrots, fermented wild garlic	24.00
Beef Rydberg	29.00
Swedish meatballs, lingonberries, pickled cucumber	19.00
Kroppkakor, wild mushrooms, lingonberries	18.00

SIDE DISHES

Rydberg potatoes	5.00
Charlotte potatoes	4.00
Green beans, shallots, smoked anchovy	4.00
Bitter leaves, nobis dressing	4.50
Jansson’s temptation	6.00

DESSERTS

Arctic Bird’s Nest	9.50
Almond cake, cloudberry, vanilla ice cream	8.00
Panna cotta, sea buckthorn, meringue	8.00
Lemon posset, blueberries, almonds	7.00
Warm chocolate cake, liquorice ice-cream	8.00
Selection of cheese from Neal’s Yard Dairy	12.00

Please inform your server if you have any allergies we need to be aware of
Prices include VAT • A discretionary 12.5% Service Charge will be added to your bill

AQUAVIT

— L O N D O N —

“Water of Life”

[aqua vitae]

In the 1300s, a Spanish alchemist believed he had discovered a healing liquid that came to be called aqua vitae (meaning water of life in Latin), now known as;

aquavit.

A neutral spirit distilled from grain or potato. The spirit supposedly helped ward off disease, old age and ironically alcoholism.



Today aquavit is the national spirit of Scandinavia and is more known as a key component to your festive lunch or dinner. It is usually drank straight up in a chilled glass as a snaps (schnapps) adding some raucous drinking songs or slowly sipped along with a beer on the side.

AQUAVIT SPIRITS

The specific herbs and spices used to flavour aquavit are determined by local preference and cuisine.

Danish aquavit leans heavier on dill, coriander and caraway. Swedish aquavit features more anise and fennel flavours. Norwegian aquavit is more barrel-aged with diverse aromatics like cumin and citrus peel.

At Aquavit London you can find one of the largest aquavit selections in the UK. Enjoy your snaps as an aperitif, to your dinner or perhaps try one of our unique aquavit house cocktails created by our amazing bar team who can tell you more about our water of life!

Learn more about the aquavit spirits!
Aquavit masterclass

Monday
6.30 - 7.30pm

£15

AQUAVIT COCKTAILS

Freyja

OP Anderson Petronella, rose petal liqueur, lingonberry

lime, apple juice, cranberry bitters 11.00

Scandi Mule

OP Anderson, lemongrass and grapefruit syrup,

lime juice, fennel and caraway tincture, ginger beer 10.50

Midsummer Spritz

Hallands Flader, Lingonberry, Elderflower cordial,

Sparkling wine 10.50

Handtrykk

Linie Original, Arak, cherry liqueur, lemon juice

angostura bitters 11.00

Lomma Beach

OP Anderson, Aperol, rhubarb and rosehip cordial,

lemon juice, rhubarb bitters 11.00

Royal Blood

Aalborg Dild, Campari, Dolin Rouge Vermouth

10.50

Aquavit Express

OP Anderson Extra, Chocolate brownie tea, coffee liqueur

espresso 11.50

SIGNATURE COCKTAILS

Attikslag Martini

Don Julio blanco, cucumber, vinegar, pickles 11.00

Berserker Punch

*Zacapa 23, Lapponia Blueberry, Absinthe, gooseberries
orange marmalade* 11.00

Spiced Orange Collins

Ketel One, spiced orange tea, lemon juice, soda water 10.50

Aurora

Tanqueray NO.10, St Germain, Green Chartreuse, cucumber, lime, mint 12.00

Lucie

Hennessey, ginger liqueur, lime, rhubarb & rosehip syrup 11.00

Snowflake Sour

*Tanqueray, Pedro Ximenez, saffron syrup, egg white,
lemon juice, cranberry bitters* 10.50

Glat Buck

Bulliet Bourbon, peach liqueur, lime cordial, licorice, ginger ale 11.00

Nordic Bramble

Tanqueray, Lapponia cloudberry, pomegranate syrup, lemon juice 10.50

CLEANSERS & NON ALCOHOLICS

Berry Lemonade

Strawberries, Blueberries, Lingonberries, apple, lemon 6.00

Gron Tonic

Sorrel leaves, Cucumber, elderflower cordial, cucumber tonic 6.00

Spiced Orange Ice Tea

Spiced Orange tea, lemon, vanilla syrup. 6.00

C Booster

Fresh Lemon, Strawberries, lemongrass & Grapefruit syrup, lemon tonic water. 6.00

BEER

Carlsberg Export 5.0%

1/2 pint 3.25

Shed Head 4.6%

1/2 pint 3.75

Grimbergen Blonde 6.7%

1/2 pint 4.00

AQUAVIT

O.P. Anderson Original	<i>caraway, anise, fennel</i>	4.00
O.P. Anderson Klar	<i>lemon, dill</i>	4.00
Aalborg Dild	<i>dill</i>	4.00
Aalborg Taffel	<i>caraway</i>	4.00
Gammel Opland	<i>caraway, vanilla</i>	4.00
Herrgårds Aquavit	<i>coriander</i>	4.00
Skåne mild	<i>caraway, anise, fennel</i>	4.50
Petronella	<i>apple, caraway, cumin</i>	4.50
Läckö Slotts	<i>coriander, dill</i>	4.50
O.P. Anderson Extra Oloroso	<i>sherry, malt whiskey</i>	5.00
O.P. Anderson 125th Jubilee	<i>sherry, whiskey, cognac</i>	5.00
Lysholm Linie Original	<i>sherry</i>	5.00
Spirit of Hven Organic	<i>lemon, orange, St John's worth, rhubarb</i>	6.00
Hallands Fläder	<i>elderflower</i>	4.50
Östgöta Sädesbrännvin	<i>Barley malt, raisins</i>	5.00
Rånäs Brännvin	<i>bitter orange, cinnamon, angelica</i>	5.00

GIN

	50ml
Tanqueray	8.00
Bombay Sapphire	8.00
Plymouth	9.00
Portobello road	9.00
Rutte Old Simon Jenever	9.00
Boodles	9.50
Hayman's Old Tom	9.50
Hendrick's	10.00
Sipsmith	10.50
Tanqueray No.TEN	10.50
Sipsmith Sloe	10.50
Hernö	10.50
Star of Bombay	10.50
Blackwood's Vintage Dry	10.50
No3 London Dry	11.00
Spirit of Hven Organic	11.50
Junipero	11.50
Pink Pepper	12.00
Monkey 47	12.50

VODKA

	50ml
Ketel One	8.00
Zubrowka	8.00
Reyka	9.00
Chase	9.50
Ciroc	10.00
Ketel One Citroen	10.00
Konik's Tail	10.50
Belvedere	11.00
Grey Goose	11.00
Spirit of Hven Organic	11.50
Beluga Noble Export	11.50
Belvedere Unfiltered	13.00
Kauffman	14.50

TEQUILA

	50ml
Gran Centario Plata	9.00
Don Julio Blanco	12.00
Patron Silver	12.00
Patron Reposado	13.00
Don Julio Anejo	14.00
Don Julio 1942	24.00

MEZCAL

	50ml
Del Maguey Vida Joven	10.00
Illegal Anejo	16.00

RUM

	50ml
El Dorado 3yo	8.00
The Kraken	8.00
Gosling's Black Seal	8.00
Wray & Nephew	9.00
Bacardi 8yo	10.00
Diplomatico Reserva Exclusiva	10.00
Appleton Estate 12yo	10.50
El Dorado 12yo	11.00
Mount Gay XO	11.50
Pyrat XO	12.00
Zacapa 23yo	13.00
Flor de Caña 18yo	14.00
Zacapa XO	22.00

CACHAÇA

	50ml
Abelha Organic	8.00
Leblon	10.00

BRANDY

COGNAC

	50ml
Hennessy Fine de Cognac	10.00
Hine Antique XO	24.00
Remy Martin XO	26.00
Hennessy XO	28.00
Hennessy Paradis Rare	100.00
Hennessy Paradis Imperial	205.00

ARMAGNAC

	50ml
Baron de Sigognac 10yo	10.00
Baron de Sigognac 20yo	20.00

CALVADOS

	50ml
Pere Magloire VSOP	9.00
Camut 6yo	14.00

GRAPPA

	50ml
Grappa Antinori Tignanello	10.00
Grappa Jacopo Poli di Uva Moscato	14.00

Prices include VAT • A discretionary 12.5% Service Charge will be added to your bill

WHISKY

SWEDISH

	50ml
Mackmyra Brukswhisky	10.50
Mackmyra Vinterrök	14.00
Mackmyra Svensk Rök	18.00
Spirit of Hven Organic Seven Stars no. 3 Phecda	24.00
Box the Messenger	26.00

LOWLANDS

	50ml
Auchentoshan 3 wood	12.00
Inchmurrin 18yo	20.00

HIGHLANDS

	50ml
Glenmorangie 10yo	10.00
Oban 14yo	11.00
Glenmorangie Quinta Ruban 12yo	12.00
Old Pulteney 17yo	15.50
Dalmore Cigar Malt	17.00
Glenmorangie 18yo	19.00
Glenmorangie Signet	26.00
Dalmore King Alexander III	32.00

SPEYSIDE

	50ml
Macallan Gold	10.00
Glenrothes Select Reserve	10.00
Balvenie 14yo Caribbean Cask	13.00
Glenlivet 18yo	19.00
Macallan 18yo	34.00
Glenfarclas 40yo	76.00

ISLANDS

	50ml
Highland Park 12yo	9.00
Singleton 12yo	9.50
Talisker 10yo	10.00
Talisker 25yo	40.00
Highland Park 30yo	88.00

ISLAY

	50ml
Laphroaig 10yo	10.00
Ardbeg 10yo	11.00
Lagavulin 16yo	12.50
Ardbeg Uigeadail	15.00
Ardbeg Corryvreckan	18.50
Octomore 7.1	22.00

CAMPBELLTOWN

	50ml	
Springbank 10yo	.....	10.00
Springbank 15yo	.....	13.00

BLENDED

	50ml	
Johnnie Walker Black Label	.....	9.00
Johnnie Walker Gold Reserve	.....	11.50
Johnnie Walker Blue Label	.....	30.00

IRISH

	50ml	
Jameson	.....	9.00
Redbreast 15	.....	15.00
Middleton very rare	.....	30.00

JAPANESE

	50ml	
Hakushu Distiller's Reserve	.....	12.00
Yamazaki Distiller's Reserve	.....	12.00
Nikka from the Barrel	.....	13.00
Hibiki Harmony	.....	15.00

WORLD WHISKY

	50ml	
Penderyn Myth	.....	9.00
Amrut Fusion	.....	13.00
Kavalan Single Malt	.....	14.00
Overeem Sherry Cask	.....	32.00

AMERICAN

	50ml
Bulleit Bourbon	9.00
Buffalo Trace	9.00
Maker's Mark	9.00
Bulleit rye	9.00
Woodford Reserve	10.00
Wild Turkey 101 Proof	10.00
Elijah Craig 12yo	10.50
Four Roses Single Barrel	10.50
Eagle Rare 10yo	11.00
Jack Daniel's Single Barrel	12.00
Michter's US*1 Small Batch	13.00
Jack Daniel's Single Barrel Rye	14.00
Blanton's Gold	16.00
Stagg JR	16.50

CANADIAN

	50ml
Crown Royal	9.50
Whistle Pig 10yo	16.00

APERITIF & VERMOUTH

	50ml
Aperol	7.00
Martini Bianco	7.00
Martini Extra Dry	7.00
Martini Reserva Speciale Ambrato	7.00
Martini Reserva Speciale Rubino	7.00
Martini Rosso	7.00
Noilly Prat	7.00
Punt e Mes	7.00
Lillet Blanc	7.00
Campari	7.00
Cynar	7.00
China Martini	7.50
Cocchi Americano	7.50
Cocchi di Torino	7.50
Pimm's No 1	7.50
Antica Formula Carpano	8.00
Belsazar Red	8.00
Belsazar Rose	8.00
Regal Rogue Bold Red	8.00
Regal Rogue Wild Rose	8.00

DIGESTIVE

	50ml
Amaretto Disaronno	7.00
Baileys	7.00
Chambord	7.00
Cointreau	7.00
Fernet Branca	7.00
Kahlua	7.00
Limoncello Evangelista	7.00
Amaro del Capo	8.00
Benedictine	8.00
Gammel Dansk	8.00
Grand Marnier	8.00
Kummel Wolfschmidt	8.00
Chartreuse Yellow	9.00
Chartreuse Green	9.00
Domaine de Canton	9.00
Drambuie	9.00
Mandarine Napoleon	9.00
Patron XO Café	9.00
Sambuca Luxardo	9.00
Solerno	10.00

COFFEE - TEA - INFUSION

Espresso / Macchiato	3.00
Filter coffee <i>Johan & Nyström, Sweden</i>	3.50
Double espresso / Double macchiato	3.50
Americano / Cappuccino / Latte / Flat white	3.75
English Breakfast	3.50
Earl Grey	3.50
Green Tea	4.50
Jasmine Dawn	5.00
Chamomile	3.50
Marzipan	3.50

CIGARS

H. Upmann Half Corona	12.00
Romeo Y Julieta Short Churchill	21.00
Partagas Serie D - N. 4	22.00
Cohiba Siglo IV	45.00

BAR SNACKS
SMÖRGÅSBORD
paired with our aquavit spirit selection

Pickles	3.00
Shrimp Skagen	11.00 /18.00
Blood pudding, lingonberries, bacon, lardo.....	6.00
Matje herring, potato, sour cream, egg yolk.....	7.00
Herrings: Mustard, vendace roe & chives, elderflower & tomato.....	12.00
Liver paté	6.00
Celeriac, mustard, lovage.....	4.00
Gravlax, mustard & dill sauce	9.00
Jersey rock oysters, elderflower, shallots and dill 6 or 12.....	16.00/32.00
Vendace roe “Löjrom” red onion, sour cream & chives	27.00

AQUAVIT

— L O N D O N —

private dining
2018

AQUAVIT

LONDON

ABOUT US

Aquavit London is a new contemporary all day dining restaurant that showcases the very best of Nordic cuisine and design.

Inspired by the established two Michelin star Aquavit restaurant in New York City, London brings a more relaxed and casual dining experience in a sophisticated and elegant environment.

The highly acclaimed design studio of Swedish-born Martin Brudnizki has created an impressive dining space that celebrates Nordic heritage in a contemporary and welcoming space. All located in the prestigious redevelopment of St. James's Market in the heart of central London.

Our Executive Chef, Henrik Ritzen, has carefully crafted set menus exclusively for private dining and events. The selection of dishes are Nordic-inspired with fresh and locally sourced ingredients. The Nordic cuisine is inspired by Scandinavian nature; a land surrounded by water, rich in game, berries, mushrooms, and wild foods, with an abundance of seafood.

Aquavit London is aptly named after the Scandinavian spirit derived from **Latin aqua vitae** meaning the "water of life". It is traditionally flavoured with caraway and/or dill along with several other herbs. It is the ideal accompaniment to a smorgasbord or starter and is the perfect marriage between food and drink.

In November 2018, after one year of trading Aquavit London received their first Michelin star.



AQUAVIT

LONDON



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BREAKFAST MEETING

£24 Continental

A selection of Swedish pastries for the table, muesli, sliced fresh fruit and yoghurt, toast with butter and jam
Orange juice, filter coffee or breakfast tea

£26 The Nordic

A selection of Swedish pastries for the table, sliced fresh fruit and yoghurt.
The Nordic; crisp rye sourdough bread, boiled eggs, smoked cods' roe, avocado
Orange juice, filter coffee or breakfast tea

£28 The Scandinavian

Smoked salmon, scrambled eggs and selection of freshly baked breads
Orange juice, filter coffee or breakfast tea

£28 The Aquavit

A selection of Swedish pastries for the table, muesli, sliced fresh fruit and yoghurt.
Scrambled eggs, bacon, sausage, black pudding, raggmunk, & mushrooms
Orange juice, filter coffee or breakfast tea

AQUAVIT

LONDON



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LUNCH AND DINNER SET MENUS

Choose one of our set menus for the whole group to enjoy on the day. Dietary requirements will be honoured with a separate option. Please note we require your choice at least one week in advance of your party to guarantee your menu.

£50

Gravlax, dill mustard sauce
Swedish meatballs, lingonberries, pickled cucumber
Yorkshire rhubarb, vanilla ice cream and almond

£55

Charred leek, beetroot and goats' cheese
Cotswold white chicken, mash and wild mushrooms
Lemon posset, Swedish blueberries, almond biscuits

£60

Veal tartare, dill, cauliflower and parmesan
Cod, beetroots, Sandefjord sauce, horseradish
Pannacotta, sea buckthorn, meringue

£65

Toast Skagen
Dry-aged sirloin, Jansson's Temptation, red wine sauce
Chocolate cake, liquorice ice cream

£70

Mackerel tartare, kohlrabi and lovage
Monkfish, Jerusalem artichoke, 'Jansson's temptation sauce'
Almond cake, cloudberry, vanilla ice cream

AQUAVIT

LONDON

SMÖRGÅRSBORD

For a truly Nordic experience, enjoy a selection of our Nordic traditional sharing plates to start.

£15pp on top of the menu (replace the starter)

£14pp on top with a glass of Aquavit

Please select 3 choices to be served per two guests:

Pickles

Shrimp Skagen

Blood pudding, lingonberries, bacon, lardo

Matje herring Potato, sour cream, egg yolk

Liver pâté

Celeriac, mustard, lovage

Gravlax, mustard & dill sauce

Herrings: Mustard, Vendace roe & chives, Brantevik



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WINE LIST

Champagne

NV Hambledon 'Classic Cuvée', Brut £62

NV Ruinart 'R', Brut £76

NV Jacquesson 'Cuvée 740', Extra-Brut £98

White wines

2016 Amalaya - Torrontes, Riesling - Salta, Argentina £32.00

2016 Roberto Sarotto 'Bric Sassi', Gavi di Gavi - Piedmont, Italy £40.00

2015 Quinta de la Rosa 'Reserva - Douro, Portugal 3 45.00

2016 W. Josef Ehmoser Hohenberg 'Gruner Veltliner'- Wagram, Austria £48.00

2014 Pieropan 'Calvarino', Soave Classico - Veneto, Italy £57.00

2016 Sancerre, Claude Riffault 'Boucauds' - Loire Valley, France £59.00

2015 St Aubin, Henri Prudhon & Fils 'Le Ban' - Burgundy, France £61.00

2012 Savigny-Lès-Beaune, D. Jean-Jacques Girard - Burgundy, France £73.00

2015 Grosset 'Polish Hill', Clare Valley - S. Australia, Australia £84.00

2013 Ramey Wine Cellars 'Chardonnay' - Sonoma County, USA £99.00

Red wines

2016 Pulenta Estate La Flor 'Malbec' - Mendoza, Argentina £38.00

2014 Château Labadie, Cru Bourgeois - Bordeaux, France 42.00

2014 Bodega Mustiguillo, Pago El Terrerazo 'Mestizaje' - Murcia, Spain £42.00

2016 Crittenden 'Pinot Nor', Mornington Peninsula - Victoria, Australia £54.00

2010 Finca Allende - Rioja, Spain £59.00

2012 Anthonij Rupert Wines 'Optima' - Stellenbosch, S. Africa £59.00

2014 Malbec, Vina Koyle 'Royale' Colchagua Valley, Chile £61

2011 Volnay, Domaine Jean-Jacques Girard' - Burgundy, France £75.00

2008 Pomerol, Château Bellegrave - Bordeaux, France £98.00

2004 Margaux, Château Giscours, 3ème Grand Cru Classé - Bordeaux, France £133.00

Sweet wines

2015 Muscat de Beaumes-de-Venise, Domaine de Durban (375ml) - Rhone, France £29.00

NV Quinta do Passadouro 'Ruby Reserve Port' - Douro, Portugal £54.00

2012 Sauternes, Château Partarrieu - Bordeaux, France £78.00

Please note not some vintages may be subject to change due to availability and demand.

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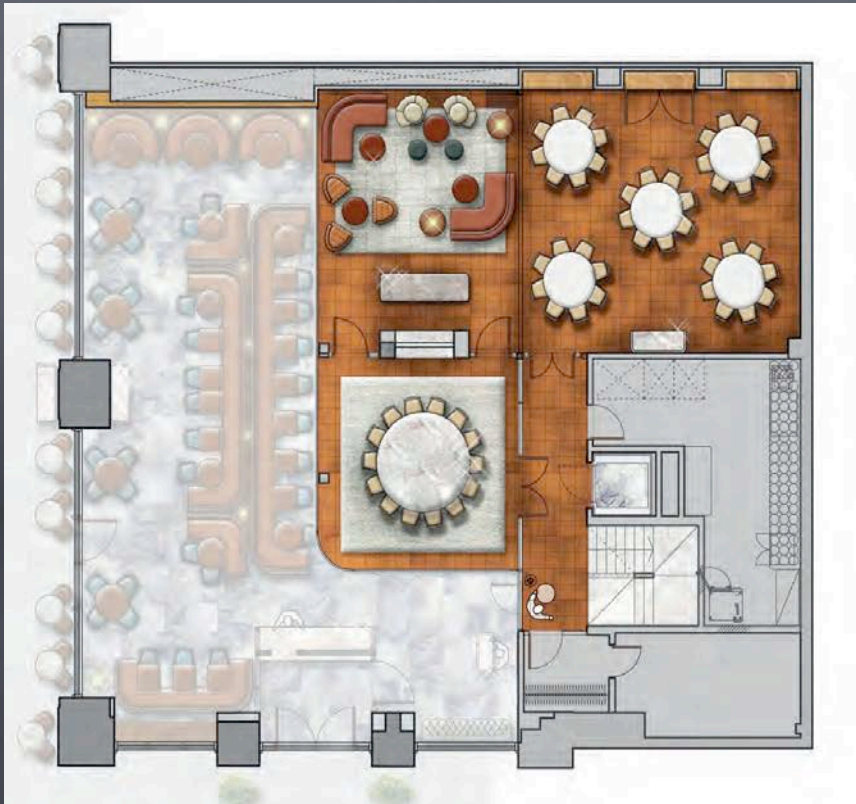
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AQUAVIT

- O .P . Anderson Original – cumin, anise, fennel £4.00
- O .P . Anderson Klar – dill, lemon, cumin £4.00
- Aalborg Dild – dill £4.00
- Aalborg Taffel – caraway £4.00
- Gammel Opland – caraway, vanilla £4.00
- Herrgårds Aquavit – coriander £4.00
- Skåne – mild cumin, anise, fennel £4.50
- Petronella –cumin, apple £4.50
- Läckö Slotts – coriander, dill £4.50
- O .P . Anderson Extra – with Oloroso sherry, malt whiskey £5.00
- O .P . Anderson 125th Jubilee – aged between 4-10 years in sherry, whiskey, cognac casks £5.00
- Lysholm Linie Double Cask – orange, vanilla, caramel £5.00
- Lysholm Linie Original – sherry £5.00
- Spirit of Hven Organic – lemon, orange, St John’s worth, rhubarb £6.00
- Hallands Fläder – eldrflower £4.50
- Östgöta Sädesbrännvin – barley malt, raisins £5.00
- Rånäs Brännvin – bitter orange, cinnamon, angelica £5.00

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LONDON



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ROOM AVAILABILITY

Both of our rooms are available throughout the entire day from the following timings

Monday - Friday

7.30AM - 11AM

12PM - 2.30PM

5.30PM - 10.30PM

Saturday - Sunday

11AM - 4.30PM

5.30PM - 1AM

For afternoon tea bookings or business meetings we offer flexibility dependant on availability.

Please advise us on your desired timings on applications of your enquiry and we will do our best to accommodate you.

Minimum spends for each space apply (including food, drink and VAT, excluding service at 15%).

AQUAVIT

— L O N D O N —

For all event enquiries contact our
Events Manager – Bethany Russell
events@aquavitrestaurants.com
07948 248 916

Don't forget to follow us
[@aquavitlondon](https://www.instagram.com/aquavitlondon)



Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/02619/LIPN	New premises licence application	26/05/2016	Granted in part by Licensing Sub-Committee
16/06318/LIPV	Application to vary the premises licence	16/07/2016	Granted under delegated authority
16/10681/LIPDPS	Variation of designated premises supervisor	12/03/2017	Granted under delegated authority
17/12687/LIPDPS	Variation of designated premises supervisor	21/12/2017	Granted under delegated authority
18/02000/LIPV	Current application		
18/02975/LIPDPS	Variation of designated premises supervisor		Awaiting determination

There is no appeal history

Temporary Event Notices

Application	Details of Application	Date Determined
17/09018/LITENN	Notice Granted	31/08/2017
17/06512/LITENN	Notice Granted	28/06/2017
17/04341/LITENN	Notice Granted	09/05/2017

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: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

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 supply of alcohol on 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.

Proposed variation to condition 11:

- 11a.** The supply of alcohol on 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, but in the private dining rooms on the mezzanine floor and in the bar area on the ground floor, these restrictions shall not apply.
12. The supply of alcohol on the premises shall be by waiter or waitress service only.
13. There shall be no take away of hot food or hot drink after 23:00 hours.
14. There shall be no off sales of alcohol other than to any dedicated ground floor external seating area or of alcohol in sealed containers.
15. There shall be no sales of alcohol for consumption off the premises after 23.00 (other than where customers consuming alcohol on the premises do not wish to finish a bottle and it is resealed for them to take away).

16. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. All outside tables and chairs within the ground floor outside seating area shall be rendered unusable by 23.00 hours each day.
18. There shall be no regulated entertainment in the external seating area.
19. All windows and external doors shall be kept closed when there is regulated entertainment after 23:00 hours, except for the immediate access and egress of persons.
20. 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; and
 - h. any visit by a relevant authority or emergency service.
21. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and businesses and leave the area quietly.
22. 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.
23. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (accepting that persons seated within the ground floor seating area may consume alcohol as an ancillary to a table meal).
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. Other than where deliveries take place in accordance with the Crown Estate delivery arrangements allowing delivery to the dedicated delivery area no deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

26. Other than where refusal is disposed of and collected in accordance with the Crown Estate refusal collection arrangements allowing collections from the dedicated area, all waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. The number of persons permitted to be within the premises at any one time (excluding members of staff) shall not exceed [figure to be determined by the District Surveyor and the Environmental Health Consultation Team].

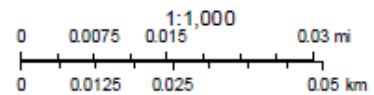
Annex 3 – Conditions attached after a hearing by the licensing authority

None

Aquavit, 1 Carlton Street



April 9, 2018



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Resident Count: 15

Licence Number	Trading Name	Address	Premises Type	Time Period
17/12687/LIPDPS	Aquavit	1 Carlton Street London SW1Y 4QQ	Restaurant	Monday to Saturday; 07:30 - 01:00 | Sunday; 07:30 - 22:30
16/09842/LIPN	Not Recorded	4 St James's Market London SW1Y 4AH	Restaurant	Monday to Saturday; 07:30 - 01:00 | Sunday; 07:30 - 23:30
17/14738/LIPT	Not Recorded	4 St James's Market London SW1Y 4AH	Restaurant	Monday to Saturday; 07:30 - 01:00 | Sunday; 07:30 - 23:30
15/12092/LIPT	Inamo	Ground Floor Rex House 4 - 12 Regent Street London SW1Y 4PE	Restaurant	Monday to Sunday; 11:00 - 00:30
15/04133/LIPCH	Wagamama	8 Norris Street London SW1Y 4RJ	Restaurant	Monday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 00:00
17/14765/LIPDPS	Ole Steen	Ground Floor Finland House 56 Haymarket London SW1Y 4RN	Markets (other than livestock)	Monday to Thursday; 06:30 - 23:30 | Friday to Saturday; 06:30 - 00:00 | Sunday; 06:30 - 22:30
18/01063/LIPT	Veneta	1 - 3 Norris Street London SW1Y 4RJ	Restaurant	Monday to Saturday; 07:00 - 01:00 | Sunday; 07:00 - 23:30 | Sundays before Bank Holidays; 07:00 - 00:00
16/02555/LIPN	Anzu	1 - 3 Norris Street London SW1Y 4RJ	Restaurant	Monday to Thursday; 11:00 - 00:00 | Friday to Saturday; 11:00 - 00:30 | Sunday; 11:00 - 23:00
17/06376/LIPDPS	Unit 2 St James Market	52 Haymarket London SW1Y 4RP	Restaurant	Monday to Saturday; 07:00 - 01:00 | Sunday; 07:00 - 23:30
18/00553/LIPT	Bilbao Berria	Basement And Ground Floor 2 Regent Street London SW1Y 4PE	Restaurant	Monday to Saturday; 08:00 - 01:30 | Sunday; 08:00 - 00:30

16/03554/LIPCH	Planet Hollywood (UK) Ltd	Ground Floor Right St Albans House 57-60 Haymarket London SW1Y 4QX	Restaurant	Monday to Saturday; 09:00 - 01:30 | Sunday; 09:00 - 00:30
17/01417/LIPRW	Shawa	Ground Floor Left St Albans House 57 - 60 Haymarket London SW1Y 4QX	Restaurant	Monday to Saturday; 11:00 - 01:30 | Sunday; 11:00 - 00:30
17/09826/LIPCH	Shoryu	Ground Floor 9 Regent Street London SW1Y 4LR	Restaurant	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30
17/03551/LIPN	Urban Tea Rooms St James's Unit 2A	St James's Market London	Cafe	Monday to Thursday; 07:00 - 00:00 | Friday to Saturday; 07:00 - 00:30 | Sunday; 09:00 - 23:00
17/13227/LIPDPS	1	St James's Market London	Office	Saturday to Sunday; 00:00 - 00:00
16/14122/LIPN	Ikoyi	St James's Market London	Restaurant	Monday to Thursday; 10:00 - 00:00 | Friday to Saturday; 10:00 - 00:30 | Sunday; 12:00 - 23:00
17/06464/LIPN	1	St James's Market London	Office	Saturday to Sunday; 00:00 - 00:00

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Item No:	
Date:	26 April 2018
Licensing Ref No:	18/01575/LIPN - New Premises Licence
Title of Report:	Unit 1A 4 Swiss Court Leicester Square London
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	13 February 2018		
Applicant:	Devyani International (UK) PVT Ltd		
Premises:	Unit 1A 4 Swiss Court, Leicester Square.		
Premises address:	Development Site At 5 Swiss Court And 48 Leicester Square London	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application the premises consists of a shop, restaurant and bar.		
Premises licence history:	This is a new premises licence application and therefore there is no premises licence history.		
Applicant submissions:	<p>The premises is on Leicester Square itself, in the newly developed Swiss Court building.</p> <p>They are spread over 3 floors, with basement storage, shop premises on the ground floor selling speciality teas and accessories and restaurant premises on the first floor.</p> <p>In total the floor space for the shop and first floor restaurant is 372 square metres and the first floor restaurant alone is 168 square metres.</p> <p>The restaurant will seat 80 diners. The bar is on the first floor, and it is not intended that drinks will be taken at the bar, but only with table dining. All alcohol will be stored in the bar area.</p> <p>The enterprise is "high-end" aiming to provide a sophisticated retail and dining experience.</p>		

1-B Proposed licensable activities and hours							
Regulated Entertainment: Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:	12:00 – 00:00 on Sundays immediately prior to Bank Holidays						

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			12:00 – 00:00 on Sundays immediately prior to Bank Holidays				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			12:00 – 00:00 on Sundays immediately prior to Bank Holidays				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	09 March 2018
<p>I write in relation to the application submitted for a New Premises Licence for Unit 1A, 4 Swiss Court, Leicester Square.</p> <p>As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none">• Public Nuisance• Prevention of Crime & Disorder• Public Safety• Protection of children from harm <p>The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1 and RNT2.</p> <p>The premises currently falls within policy RNT2. The applicant has given an indication within the application form that the capacity of the premises will be 80 persons. However, the applicant has not yet demonstrated how the additional 80 people will not add to cumulative impact in the cumulative impact area. No additional information has been received which addresses this policy concern, and the Licensing Authority encourages the applicant for further submissions as to how the premises will not add to cumulative impact.</p> <p>At present, the applicant has offered a condition whereby alcohol will only be sold with table meals by waiter/waitress service. The Licensing Authority would ask that the applicant considers adding the following conditions to the operating schedule on the licence to support the Council's policy relating to the sale of alcohol for consumption on the premises:</p> <ol style="list-style-type: none">1) The premises shall only operate as a restaurant:<ol style="list-style-type: none">(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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide	

taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. Food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

- 2) There shall be no self-service of alcohol.
- 3) The number of persons seated in the premises at any one time shall not exceed 80 persons (excluding staff).

Further discussions will be held with the applicants prior to the hearing and any further submissions will be forwarded on for Members information.

Responsible Authority:	Metropolitan Police Service (Withdrawn)
Representative:	PC Toby Janes
Received:	13 March 2018

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

I will be in touch shortly to discuss this application.

Following the agreement of conditions the Police have withdrawn their representation.

Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	15 March 2018

I refer to the application for a new premises licence for the above premises which is located in the West End Cumulative Impact Area.

The applicant has submitted the following plans of the premises:

- Basement, drawing : TWG.Leicester, dated 18/09/17
- ground floor, drawing : TWG.Leicester, dated 24/11/17
- first floor plans , drawing : TWG.Leicester, dated 24/11/17 .

The following licensable activities are being sought:

1. To provide for the Supply of Alcohol 'On' the premises between 10:00 to 23.30 Monday to Thursday, 10:00 to 24:00 Friday and Saturday and 12:00 and 22:30 Sunday and 12:00 to 24 Sundays prior to a Bank Holiday..
2. To provide Recorded Music 'indoors' between 10:00 to 23.30 Monday to Thursday, 10:00 to 24:00 Friday and Saturday and 12:00 and 22:30 Sunday and 12:00 to 24 Sundays prior to a Bank Holiday..

I wish to make the following representations based on the plans submitted and the supporting operating schedule:

1. The hours requested for and the Supply of Alcohol may lead to an increase in Public Nuisance in the West End Cumulative Impact Area
2. The hours requested for and the provision of Recorded Music may lead to an increase in Public Nuisance in the West End Cumulative Impact Area

Environmental Health also makes the following further comments:

- i. Although some undertakings have been offered in the operating schedule the relevant ones will need to be converted into enforceable conditions based on the Council's model conditions. It is also unclear if the undertakings for the sale of alcohol are fully compliant with Cumulative Impact Area policy as defined in Westminster's Statement of Licensing policy.
- ii. It is unclear from the application if the premises have already undergone refurbishment for the proposed use. Nevertheless it will need to be inspected for Public Safety prior to commencement of the licensable activities.
- iii. The premises will also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or noise from the operation of any plant and machinery. The applicant is therefore asked to submit this evaluation as part of an Appendix 11 Statement of Licensing Policy assessment on preventing Public Nuisance.
- iv. The applicant should also be made aware of the following considerations:
 - If the premises do not already have planning A3 Use then the applicant will also be required to submit a subsequent planning change of use application.
 - Any planning application for a change of use to a **new** A3 use will be objected to by Environmental Health (and Planning Department) if the kitchen extract ventilation does not discharge at 'full height' or does not operate using an 'approved recirculation' system.

- Nevertheless the applicant is advised that the planning status of the premises will not be a material consideration as to whether any Premises License will be granted. Conversely, under planning legislation, the approval of a Premises License does not provide automatic grounds for the planning status to also be granted.

v. The provision of sanitary accommodation for any proposed capacity must be in line with the minimum standards as provided in British Standard 6465 so as to help prevent an increase in Public Nuisance in the West End Cumulative Impact Area. In addition compliance with Food Hygiene requirements will also require separate facilities for staff if the overall capacity at the premises is more than 25 persons.

Representations are therefore made to this application on grounds of Public Nuisance, Public Safety and for being against Westminster’s Statement of Licensing Policy.

The applicant is therefore requested to contact the undersigned to discuss the above issues and arrange a site visit after which Environmental Health may propose additional conditions for the proposed use.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy CIP1 applies	<p>(i) It is the Licensing Authority’s policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Licensing Authority	9 March 2018
5	Metropolitan Police Service (Withdrawn)	13 March 2018
6	Environmental Health Service	15 March 2018

There are no additional supporting documents from the Applicant.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. CCTV will be in operation and it will comply with the Data Protection Act 1998, and any subsequent legislation/regulation.
10. CCTV will be in operation at entry/exit points and a total of 16 cameras will be used cover the shop floor and restaurant. The cameras will record to a minimum standard of "frontal" identification.
11. We will retain CCTV recordings for 24 hours a day on a roll around basis. Recording equipment and recordings will be stored in a secure area with access restricted to authorised staff. The recorder and recordings will be stored in lockable cabinets. A written record will be kept by the person accessing the equipment showing the time, date, printed name and signature.
12. There will be a minimum of 20 staff (including kitchen staff) on duty at all times, increasing in busy periods.
13. Staff will be trained to deal and recognise aggressive or suspicious behaviours, and there will be an incident log in operation to record crime and disorder incidents.
14. Staff will escort customers to their tables.
15. A premises supervisor will be on the premises at all times when alcohol is being served.
16. There is only one point of entry/exit for the public (up the stairs from the ground floor) and a rear entrance/exit intended for staff.
17. The toilets are monitored by cameras in the lobby area outside of the toilets, and are monitored by staff every half an hour. Toilet cisterns are boxed in and secure.
18. Noise levels will be limited to recorded background music only. There will be no outside tables or drinking. The position of the premises in Leicester Square means there are no residential premises close to the exits from the premises and exiting customers are unlikely to cause disturbance/disruption. The restaurant will only operate in standard hours and will display notices at the exits requesting patrons to leave the premises and area quietly. We will ensure that no nuisance will be caused by smells emanating from the premises. Waste will be placed outside for collection between the hours of 12midnight and 2am.
19. We will operate an age verification policy on the premises. Before serving them alcohol, individuals who appear to the responsible person to be under 18 will be requested to provide evidence of their date of birth.
20. Means of escape provision, emergency warning equipment and electrical and mechanical equipment shall be maintained in good working order.

21. Means of escape shall be unobstructed, free of trip hazards and be available and clearly identified.
22. Emergency exit doors shall not need a key, code, card or similar and all emergency doors shall be maintained, be self-closing and not help open other than by an approved device.
23. Stair treads shall be maintained and conspicuous.
24. Emergency safety signs and equipment shall not be obstructed/covered.
25. All fabrics, curtains, drapes and similar features shall be either non-combustible or of durably or inherently flame-retarded fabric.
26. The capacity of the licensed premises shall be limited to 80 diners plus staff.
27. Alcohol will only be sold with table meals, and by waiter/waitress service.
28. Free potable water will be available to customers upon request.
29. CCTV will be in operation and an incident log will be kept. A premises supervisor will be on the premises at all times when alcohol is being sold (see the prevention of crime and disorder section).
30. Noise levels will be limited to recorded background music only.
31. There will be no outside tables or drinking. Alcohol will only be sold with table meals. There are will be no off-sales of alcohol.
32. The position of the premises in Leicester Square means there are no residential premises close to the exits from the premises and exiting customers are unlikely to cause disturbance/disruption. The restaurant will only operate in standard hours and will display notices at the exits requesting patrons to leave the premises and area quietly.
33. Only recorded background music will be played on the premises. We will ensure that no nuisance will be caused by smells emanating from the premises.

34. Waste will only be placed outside for collection between the hours of 12midnight and 2am.

Conditions proposed by the Licensing Authority

35. 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 or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal. Food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Condition also requested by the Police

36. There shall be no self-service of alcohol.
37. The number of persons seated in the premises at any one time shall not exceed 80 persons (excluding staff).

Conditions proposed by the Police

39. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
40. 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.

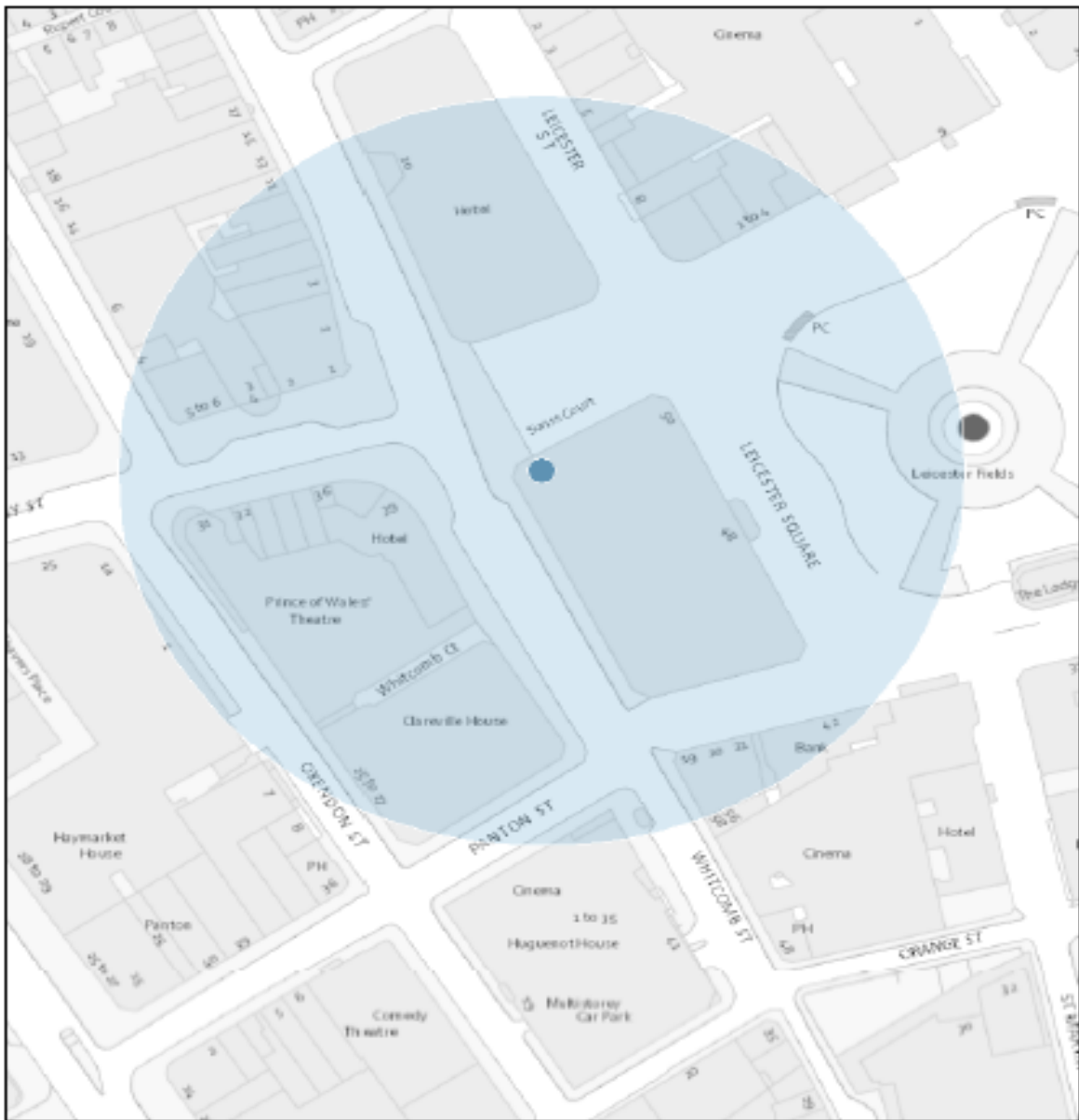
41. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
42. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
43. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
44. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Conditions proposed by the Environmental Health

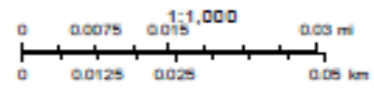
45. Notwithstanding condition (*restaurant condition*), alcohol may be supplied and consumed prior to their meal in the bar area (as designated on the plan), by up to a maximum at any one time, of 12 persons dining at the premises.
46. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
47. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
48. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
49. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
50. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

51. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
52. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
53. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
54. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
55. The number of persons accommodated at the premises at any one time (excluding staff) shall not exceed 80 persons (*subject to final inspection on completion*)
56. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority. If there are minor changes during the course of construction new plans shall be submitted with the application to remove this condition.

Unit 1A 4 Swiss Court, Leicester Square.



April 13, 2018



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Resident Count: 14

Licence Number	Trading Name	Address	Premises Type	Time Period
17/10019/LIPDPS	Every Hotel Piccadilly	39 Coventry Street London W1D 6BZ	Hotel, 4+ star or major chain	Monday to Saturday; 10:00 - 00:30 | Monday to Saturday; 10:00 - 23:30 | Sunday; 12:00 - 23:00 | Sunday; 12:00 - 00:00
17/10530/LIPVM	All Bar One	Concession Communications House 48 Leicester Square London WC2H 7LT	Wine bar	Monday to Thursday; 07:00 - 23:30 | Friday to Saturday; 07:00 - 00:00 | Sunday; 07:00 - 22:50 | Sundays before Bank Holidays; 07:00 - 00:00
16/10259/LIPVM	McDonald's	Development Site At 5 Swiss Court And 48 Leicester Square London	Restaurant	Monday to Sunday; 05:00 - 03:00

18/00255/LIPRW	Studio 88	Clareville House 47 Whitcomb Street London WC2H 7DH	Night clubs and discos	Monday to Tuesday; 09:00 - 01:30 | Wednesday; 09:00 - 02:30 | Thursday to Saturday; 09:00 - 03:30 | Sunday; 12:00 - 00:00
18/00378/LIPVM	Studio 88	Clareville House 47 Whitcomb Street London WC2H 7DH	Night clubs and discos	Not Recorded; XXXX - XXXX
17/08333/LIPDPS	Prince Of Wales Theatre	31 Coventry Street London W1D 6AS	Theatre	Monday to Sunday; 09:00 - 00:00
06/10262/WCCMAP	Cornishe	32 Coventry Street London W1D 6BR	Cafe	Monday to Sunday; 23:00 - 05:00
16/08990/LIPVM	Shake Shack	1 - 2 Coventry Street London W1D 6BH	Restaurant	Monday to Saturday; 23:00 - 03:00 | Sunday; 23:00 - 02:30

17/12527/LIPDPS	Shake Shack	1 - 2 Coventry Street London W1D 6BH	Food store	Monday to Saturday; 10:00 - 03:00 | Sunday; 10:00 - 02:30
18/00998/LIPDPS	Basement Of 3-5 Wardour Street	3-5 Wardour Street London W1D 6PB	Restaurant	Monday to Saturday; 12:00 - 23:00 | Sunday; 12:00 - 22:30
18/02164/LIPDPS	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	Night clubs and discos	Monday to Sunday; 09:00 - 06:00
18/01104/LIPVM	G. Casino Piccadilly	Upper Ground Floor To Third Floor 3-4 Coventry Street London W1D 6BL	Casino or gambling club	Monday to Saturday; 10:00 - 10:00 | Sunday; 12:00 - 12:00
17/04677/LIPDPS	Burger & Lobster	W London Leicester Square 10 Wardour Street London W1D 6QF	Not Recorded	Monday to Sunday; 08:00 - 01:00

17/11814/LIPDPS	W Hotel	W London Leicester Square 10 Wardour Street London W1D 6QF	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
18/00859/LIPDPS	Busaba	32-34 Panton Street London SW1Y 4EA	Night clubs and discos	Friday to Saturday; 10:00 - 01:00 | Sunday to Thursday; 10:00 - 00:30
12/11144/LIPDPS	Not Recorded	Basement And Part Ground Floor Clareville House 26 - 27 Oxendon Street London SW1 4EL	Night clubs and discos	Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 12:00 - 22:30
17/09834/LIPCH	Japan Centre	35 Panton Street London SW1Y 4EA	Cafe	Monday to Thursday; 08:00 - 00:00 | Friday to Saturday; 08:00 - 00:30 | Sunday; 10:00 - 23:00

16/08044/LIPN	Leicester Square Gardens	Leicester Square London WC2H 7LE	Theatre	Monday to Thursday; 12:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sunday; 10:00 - 23:00
07/03739/WCCMAP	Leicester Square Area	Leicester Square London WC2H 7LE	Park / Open Space	Monday to Sunday; 00:00 - 00:00
15/02410/LIPT	One London	Third Floor To Fifth Floor 1-4 Leicester Square London WC2H 7NA	Night clubs and discos	Monday to Sunday; 00:00 - 00:00
14/11478/LIDPSR	The Penthouse London	Sixth Floor To Eighth Floor 1-4 Leicester Square London WC2H 7NA	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 | Sunday; 09:00 - 01:00