

Licensing Sub-Committee Report

Item No:	
Date:	26 October 2017
Licensing Ref No:	17/09529/LIPN - New Premises Licence
Title of Report:	Basement And Ground Floor 16 Irving Street London WC2H 7AU
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:	Miss Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	29 August 2017		
Applicant:	Akko Naz Ltd		
Premises address:	Basement And Ground Floor 16 Irving Street London WC2H 7AU	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application, the premises will operate as a restaurant		
Premises licence history:	The premise has been licenced since 2005. The company of the existing licence holder dissolved in 2016.		
Applicant submissions:	None		
Plans:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:			Christmas Eve: 23:00 to 02:00 New Year's Eve: 23:00 to 05:00				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	10:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	23:30
Seasonal variations/ Non-standard timings:			Christmas Eve hours until 02:00				

Following the agreement of conditions and proposed timings with the Police, the applicant has amended the times for sale by retail of alcohol on the premises to the below:

Sale by retail of alcohol				On or off sales or both:			Both
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	00:00
Seasonal variations/ Non-standard timings:			Christmas Eve hours until 02:00				

As part of the agreement with the Police, the applicant has agreed that all off sales must cease at 23:00 hours.

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:00
Seasonal variations/ Non-standard timings:			Christmas Eve: 07:00 to 02:30 New Year's Eve: 07:00 to 07:00				
Adult Entertainment:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	PC Sandy Russell
Received:	7 September 2017
<p>I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives. The premises are situated within the West End Cumulative Impact Area and aspects of your application are not within the guidelines set out within the Westminster Council Licensing Policy Document.</p>	
Responsible Authority:	Environmental Health
Representative:	Mr Anil Drayan
Received:	21 September 2017
<p>I refer to the application for a new premises licence for the above premises which is located in the West End Cumulative Impact Area.</p> <p>The applicant has submitted a basement and ground floor plan of the premises, drawing no P-101, dated 14/08/17.</p> <p>The following licensable activities are being sought:</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises between 09:00 and 00.30 Monday to Saturday, 10:00 and 23:30 Sunday and extend these hours on Christmas Eve to 02:00. 2. To provide Late Night Refreshment 'indoors' and 'outdoors' between 23:00 and 01:00 Monday to Saturday, 23:00 and 00:00 Sunday, and extend these hours on Christmas Eve to 02:00 and 05:00 on New Year's Eve. <p>I wish to make the following representations based on the plans submitted and the supporting operating schedule:</p> <ol style="list-style-type: none"> 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 Late Night Refreshment may lead to an increase in Public Nuisance in the West End Cumulative Impact Area <p>The hours requested for licensable activities are also beyond the 'core' hours as stated in Westminster's Statement of Licensing Policy and Environmental Health also makes the following further comments:</p> <ol style="list-style-type: none"> 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. 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 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 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.

Responsible Authority:	Licensing Authority
Representative:	Mr David Sycamore
Received:	22 September 2017

I write in relation to the application submitted for a new Premises Licence

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:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered. We note there have been amendments to the application after consultation with the Police and welcome the addition of our model condition 66 which relates to the premises operating as a restaurant by way of condition. We are concerned that the hours sought are outside of the core hours, as stated below –

Core hours when customers are permitted to be on the premises

(see Policy HRS1)

- 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

We would request that hours sought in the application are brought in line with the above hours rather than those agreed with the Police.

As the applicant has agreed to comply with the below condition-

- MC66 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.

Could you please confirm that you are now withdrawing the OFF sales part of the application. For the above reasons please accept this as a formal objection and we look forward to hearing from you with regards to the above points raised.

3. Policy & Guidance

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

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 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 RNT2 applies:	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.

4. 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
Appendix 5	Existing premises licence

Report author:	Miss Daisy Gadd Senior Licensing Officer
Contact:	Telephone: 020 7641 2737 Email: dgadd@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	March 2015
4	Representation Metropolitan Police	7 September 2017
5	Representation Environmental Health	21 September 2017
6	Representation Licensing Authority	22 September 2017

Applicant Supporting Documents

Appendix 1

None submitted

Application	Application description	Date determined	Decision
05/08011/LIPC	Application for a converted premises licence.	21.09.2005	Granted under Delegated Authority
06/01165/LIPDPS	Application to vary the DPS.	21.02.2006	Granted under Delegated Authority
06/01162/LIPT	Application to transfer the licence from Citywild Restaurants Limited to Goodtime Restaurants Limited.	21.02.2006	Granted under Delegated Authority
06/13478/WCCMAP	Master copy of the licence.	21.02.2006	Granted under Delegated Authority
09/03216/LIPT	Application to transfer the licence from Goodtime Restaurants Limited to Intraway Limited.	16.06.2009	Granted under Delegated Authority
09/03225/LIPDPS	Application to vary the DPS.	16.06.2009	Granted under Delegated Authority
10/09940/LIPT	Application to transfer the licence from Intraway Limited to Leicester Square Limited.	05.01.2001	Granted under Delegated Authority
11/07041/LIPT	Application to transfer the licence from Leicester Square Limited to Square One Associates Limited.	17.08.2011	Granted under Delegated Authority
13/00981/LIDPSR	Application to remove the DPS.	20.02.2013	Granted under Delegated Authority
13/04376/LIREVP	Application for a review of a premises licence, brought about by the Licensing Inspectors. The review was sought on the grounds of prevention of crime and disorder following what the Applicant deemed	08.08.2013	Condition attached by the Licensing Sub Committee: There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

	to be a series of breaches of the Licensing Act 2003 by way of unauthorised sales of alcohol on the premises.		
13/05310/LIPT	Application form to transfer the licence from Square One Associates Ltd to Woodblox Ltd.	28.08.2013	Granted under Delegated Authority
13/05312/LIPDPS	Application to vary the DPS.	28.08.2013	Granted under Delegated Authority
13/09816/LIPT	Application to transfer the licence from Woodblox Ltd to Eating Experience Restaurants Ltd.	31.12.2013	Granted under Delegated Authority

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 proposed by the applicant

- 9. The alcohol only will sale in operation hours and the alcohol will be consumed ON and OFF the premises.
- 10. The premises operates the 'Challenge 25' proof of age scheme.
- 11. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours.
- 12. Will not serve alcohol to those under the influence of alcohol. All staff that makes sale of alcohol receives regular training (induction and refresher).
- 13. The DPS will undertake routine monitoring of the refusals records and record that this is being done.
- 14. Installed CCTV systems that meet the standard in 'UK police requirements for digital CCTV systems' shall operate and record video images at all times that premises are open to the public and any recordings made will be retained for no less than 31 days and made available to a police officer on request. A member of staff on premises at the relevant time will be capable of operating the CCTV system.
- 15. Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all times of the operating hours.
- 16. 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 regards crime and disorder
 - d) any incidents of disorder
 - e) seizures of drugs or offensive weapons
 - f) any refusal of the sale of alcohol

17. suitable signage will be displayed at the point of exit advising customers leave the premises quietly.
18. Deliveries to the premises shall only be made during normal working hours.

Conditions proposed by the Police – all of these conditions have been agreed by the applicant

19. 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.
20. 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.
21. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
22. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises
23. There shall be no self service of alcohol on the premises
24. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
25. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
26. 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.
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.

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

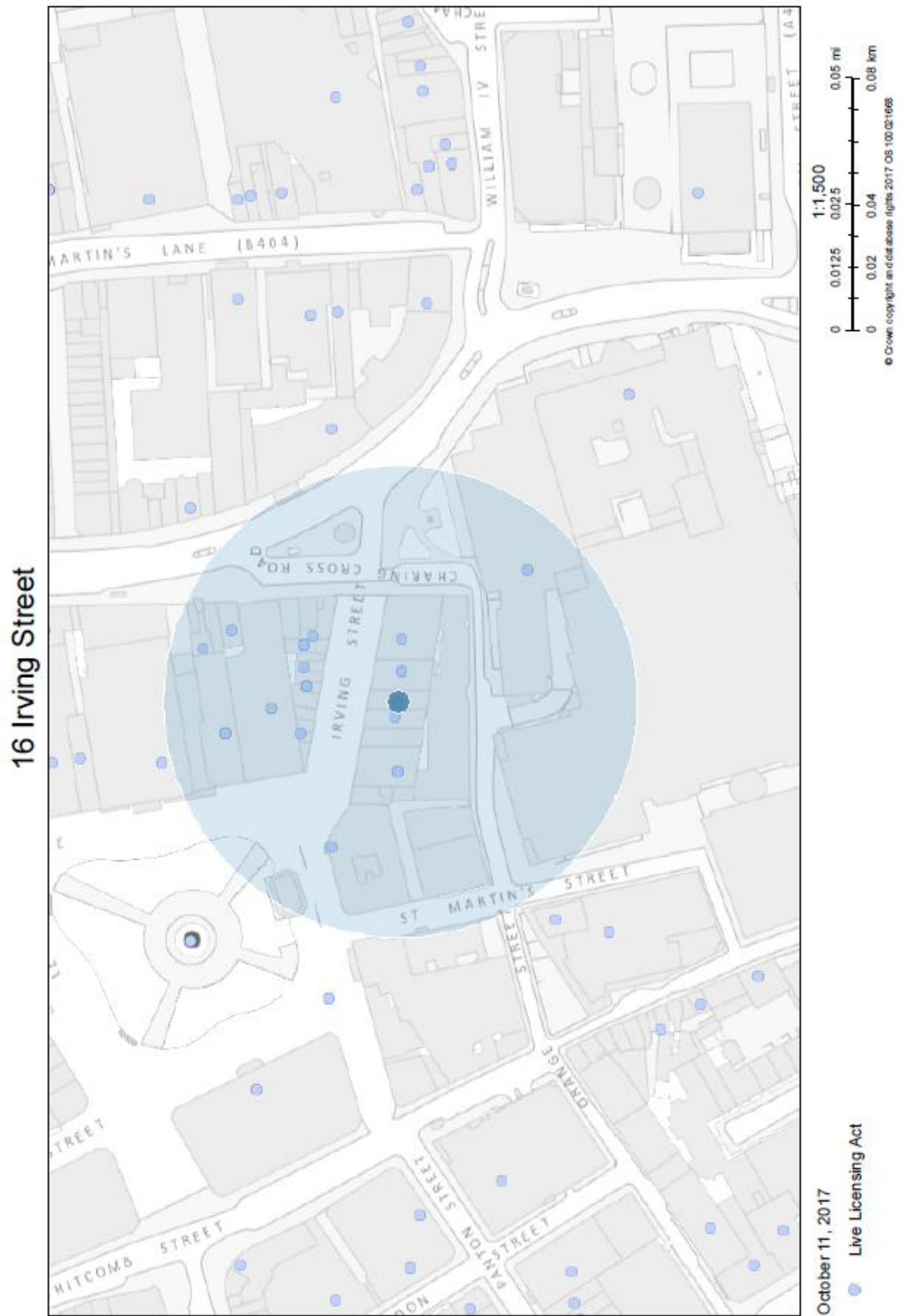
Conditions proposed by the Licensing Authority

28. 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.

Conditions proposed by the Environmental Health

None



Resident count = 16



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: St James's
UPRN: 010033536714

Premises licence

Regulation 33, 34

Premises licence number:

13/09816/LIPT

Original Reference:

05/08011/LIPC

Part 1 – Premises details

Postal address of premises:

The Italian Restaurant
16 Irving Street
London
WC2H 7AU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Eating Experience Restaurants Limited
194 Baker Street
London
NW1 5RT

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

08738223

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

Name: Mr Sherif El Magowry

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

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

Licence Number: 05/08894/LIPERS
Licensing Authority: City Of Westminster Council

Date: 31 December 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

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.

Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

- 4.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and

customers are made aware of the availability of these measures.

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Sale of Alcohol

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.

Conditions which reproduce the effect of any restriction imposed on these of the premises by specified enactments

11. Alcohol may be sold or supplied:
 - (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10.00 to 00.00
 - (b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12.00 to 23:30
 - (c) On Christmas Day: 12.00 to 22.30
 - (d) On New Year's Eve, except on a Sunday, 10.00 to 23.00

- (e) On New Year's Eve on a Sunday 12.00 to 22.30
- (f) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- (a) ~~during~~ the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ~~during~~ the first thirty minutes after the above hours the consumption of the ~~alcohol~~ on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (c) ~~the~~ sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) ~~the~~ ordering of alcohol to be consumed off the premises, or the despatch by ~~the~~ vendor of the alcohol so ordered;
- (e) ~~the~~ sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (g) ~~the~~ taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

- 12. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.
- 13. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

14. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033536714

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/09816/LIPT

Part 1 – Premises details

Postal address of premises:

The Italian Restaurant
16 Irving Street
London
WC2H 7AU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30
Sunday: 12:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

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

Eating Experience Restaurants Limited
194 Baker Street
London
NW1 5RT

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

08738223

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

Name: Mr Sherif El Magowry

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

Restricted

Date: 31 December 2013

This licence has been authorised by Mr Ola Owojori on behalf of the Operational Director - Premises Management.