



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 7th August, 2014**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**

Jean Paul Floru (Chairman) Aziz Toki
Peter Freeman

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 by ticket, issued from the ground floor reception at City Hall from 6.00pm. 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 Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

The Head of Legal and Democratic Services 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. LOBSTER ROLL DELI, MARANDA HOUSE, 26-28 BINNEY STREET, W1

(Pages 1 - 60)

2. STICKS N SUSHI, 11 HENRIETTA STREET, COVENT GARDEN, WC2

(Pages 61 - 116)

3. 189 PICCADILLY, W1

(Pages 117 - 170)

**Peter Large
Head of Legal & Democratic Services
1 August 2014**

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.

PERMITTED TEMPORARY ACTIVITIES

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- 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.

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/04951/LIPN
Date:	7 August 2014
Classification:	For General Release
Title of Report:	Lobster Roll Deli Maranda House, 26-28 Binney Street London W1K 5BN
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Sharon Bamborough, Assistant Service Manager, EHCT & Licensing
Contact Details:	Telephone: 020 7641 7824 E-mail: sbamborough@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	New application for a premises licence under the Licensing Act 2003.		
Applicant:	Lobster Roll Binney Street Ltd	Date Application Received:	10 June 2014
Premises Name and Address:	Lobster Roll Deli Maranda House, 26-28 Binney Street London W1K 5BN		
Ward Name:	West End	Stress Area	None
Premises Description:	<p>The premises intend to operate as a restaurant offering a take away service.</p> <p>The premises is currently licensed under two licences 10/08684/LIDPSR and 10/10104/LIPT (both have transfers pending to Lobster Roll Binney Street Ltd) and both of which are currently suspended for non payment of annual fee and therefore cannot be used. The applicant has indicated that these licences will be surrendered should this application be granted.</p>		
Preliminary note	The application has been amended to withdraw recorded music and late night refreshments and hours for the sale of alcohol have been reduced. Conditions have been agreed which restrict the operation to be that of a restaurant.		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1	<p>Sale of Alcohol: On and Off the premises</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:00</p> <p>Relevant representations and policies applicable:</p> <p>1A An adverse representation has been made against the application by the Environmental Health Service stating that the proposal will have the likely effect of causing an increase in public nuisance and will impact on public safety in the area. Please refer further to Appendix B1</p> <p>1B An adverse representation has been made against the application by the Metropolitan Police Service. Conditions have been proposed to the applicants for their consideration. Please refer to Appendix B2</p> <p>1C 12 Local residents, 2 Residents Associations and one ward councillor have made adverse representations to this application on the grounds of the licensing objectives. Their concerns are as follows:</p> <ul style="list-style-type: none"> There has been a history of public nuisance associated with the 		<p>Environmental Health representation</p> <p>Metropolitan Police Service</p> <p>12 Local residents, 2 Residents Associations and one Ward Councillor</p>

	<p>decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	
5	<p>Opening Hours</p> <p>(i) Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p>(ii) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p> <p><i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i></p> <p>Relevant representations and policies applicable:</p> <p>5A Please refer to 1A to 1H above.</p> <p>5B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by Environmental Health, Police, 12 Local residents, 2 Residents Associations and one Ward Councillor</p>
Current Licensing Position	The premises are currently licensed under two licences, but both are currently suspended for non payment of annual fees	
Current Planning Position	A certificate of lawful use was granted on 8 th February 2005 for the use of part basement of 24-28 Binney Street for class A3 (food and drink) . Planning permission was granted in 1983 for the use of ground floor for restaurant purposes. There are no restrictive planning conditions on this permission.	
Residential Density:	116 of the 212 units within a 75m radius of the premises are residential and proposed residential (55%), refer to Appendix E	
List of Appendices:	<p>A1 – Application Form & proposed conditions</p> <p>A2 – Proposed Plan</p> <p>B1 – Environmental Health Service representation</p> <p>B2 – Metropolitan Police representation with conditions</p> <p>B3 to B17 – representations form local residents, ward councillor and residents associations</p> <p>C – Licence History</p> <p>D - Proposed Conditions</p> <p>E – Residential Map and list of premises in the vicinity</p> <p>F – Photograph of the premises</p>	

Relevant Representations:	Environmental Health Service Metropolitan Police 12 Local residents 1 ward councillor 2 resident associations
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2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendices A1 & A2**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Lobster Roll Binney Street Ltd

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Smack Deli ground floor and basement 26-28 Binney Street			
Post town	London	Postcode	W1K 5BN
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£nil	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

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

Please tick yes

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

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Lobster Roll Binney Street Ltd
Address Lanmor House 370/386 High Road Wembley Middx HA9 6AX
Registered number (where applicable) 8546570
Description of applicant (for example, partnership, company, unincorporated association etc.) limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises will operate as a restaurant/bar also offering a take-away service.

The premises are currently licensed under two premises licences - 10/10104/LIPT (formerly Corks Wine Bar) and 10/08684/LIDPSR (formerly Caffe Uno). It is proposed to surrender those licences if this application is granted.

The operators are experienced restaurant operators and already have a number of restaurants in London (Burger & Lobster, and Goodmans).

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	10:00	23:30			
Fri	10:00	24:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sat	10:00	24:00			
Sun	12:00	22:30			

G

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

H

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

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23:00	23:30			
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	23:30			
Fri	23:00	24:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	24:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	24:00			
Sat	10:00	24:00			
Sun	12:00	22:30			

K

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

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	23:30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	24:00	
Sat	10:00	24:00	
Sun	12:00	22:30	

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

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

See attached schedule of conditions

b) The prevention of crime and disorder

see attached schedule of conditions

c) Public safety

see attached schedule of conditions

d) The prevention of public nuisance

see attached schedule of conditions

e) The protection of children from harm

see attached schedule of conditions

Checklist:

Please tick to indicate agreement

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>Thomas & Thomas</i>
Date	12 June 2014
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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

TOM/TB/GOO.1.10
 Thomas & Thomas Partners LLP
 38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0415Q		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tburton@tandtp.com			

22/07/2014 15:03:58

From: "Rachel Hepworth" <RHepworth@tandtp.com>
Sent: 18/06/2014 15:50:00
To: Child Protection Licensing; EH Consultation Team; 'Fire Safety'; Premises Licensing; DPDU; Police General Licensing; PH_Licensing_WCC
Subject: Smack Deli, 26-28 Binney Street, W1K 5BN - 14/04951/LIPN

Dear All,

Please be advised that the above premises will now be known as 'Lobster Roll Deli' and not Smack Deli.

Could you please amend your records accordingly.

Regards,

Rachel

Rachel Hepworth
Licensing Assistant

Thomas Thomas Partners LLP

38a Monmouth Street

London WC2H 9EP

DD: 020 7042 0417

T: 020 7042 0410

F: 020 7379 6618

E: rhpworth@tandtp.com <mailto:rhpworth@tandtp.com>

W: www.tandtp.com <http://www.tandtp.com/>

<http://www.tandtp.com/>

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Bamborough, Sharon

From: Thomas O'Maoileoin [TOMaoileoin@tandtp.com]
Sent: 24 July 2014 16:00
To: Bamborough, Sharon
Cc: Bamborough, Sharon; Tilly Burton; O'Grady, Maureen
Subject: Re: lobster roll deli, Binney Street

Recorded music withdrawn and LNR now irrelevant as the new hours

Best wishes
Thomas

Thomas O'Maoileoin
Thomas & Thomas Partners LLP
M 07786 966173
E tomaioileoin@tandtp.com

On 24 Jul 2014, at 15:45, "Bamborough, Sharon" <sbamborough@westminster.gov.uk> wrote:

Sorry, but what about late night refreshment too?

Sharon Bamborough
Assistant Service Manager

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

Tel: 0207 641 7824
direct email: sbamborough@westminster.gov.uk
team email: premiseslicensing@westminster.gov.uk

www.westminster.gov.uk

<image001.png>

<image002.png>

From: Bamborough, Sharon
Sent: 24 July 2014 15:44
To: 'Thomas O'Maoileoin'
Cc: Tilly Burton; O'Grady, Maureen
Subject: RE: lobster roll deli, Binney Street

Are you withdrawing recorded music? I note the tiles state sale of alcohol only at the top? (It may be you've previously offered this up and I've not seen it, but just double checking)

Sharon Bamborough
Assistant Service Manager

Lobster Roll Deli, Binney Street

AMENDED Conditions

Proposed hours for licensable activities:

Sale of alcohol ONLY:

Monday to Saturday 10am until 11pm

Sunday midday until 10pm

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
5. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
6. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
8. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
9. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by staff so as to ensure that there is no public nuisance or obstruction to the public highway. Any queue that may form will be directed towards Oxford Street.
10. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08:00 hours on the following day.
12. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 on the following day. No deliveries to the premises shall take place between 08:00 and 08:00 on the following day.
13. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 120 persons.
14. The supply of alcohol on the premises shall only be for consumption ancillary to a table meal.
15. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
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. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
18. 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.

19. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
20. This licence shall not take effect until:
- (i) Notice of surrender of licence number xx/xxxxx/xxxx [*i.e. the Corks Wine Bar and Café Uno licences*] (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003 (the Act)
 - (ii) A period of 28 days from the date of surrender has elapsed
 - (iii) No application by any person under section 42 of the Act for a transfer of the licence has been made within the period referred to in paragraph (ii) above, (or any such application has been withdrawn); and
 - (iv) the licence(s) has accordingly lapsed by virtue of section 28(3) (and section 50(6) if applicable) of the Act.

CITY OF WESTMINSTER

MEMORANDUM

TO Sharon Bamborough
REFERENCE 14/04951/LIPN

FROM EH Consultation Team, 4th Floor, City Hall
BEING DEALT WITH BY Louise Joyce
TELEPHONE 0207 641 1773
DATE 14th July 2014

Re: 26-28 Binney Street, W1K 5BN

I refer to the application for a New Premises Licence number 14/04951/LIPN. The applicant has submitted plans for the premises drawing number: 07-01 and 07-02. This representation is based on the application submitted and the operating schedule.

The applicant is seeking the following:

1. To provide regulated entertainment 'indoors' comprising of 'recorded music' on Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 24:00 hours and Sunday 12:00 to 22:30.
2. To provide facilities for late night refreshment 'On' Monday to Thursday 23:00 to 23:30, Friday to Saturday 23:00 to 24:00
3. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10:00 to 23:30, Friday to Saturday 10:00 to 24:00 and Sunday 12:00 to 22:30.

I wish to raise following representations:

1. The hours requested to provide regulated entertainment will have a likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance in the area.
3. The provision of the supply of alcohol 'On' and 'Off' the premises and the hours requested may have the likely effect of an increase in Public Nuisance and impact on Public Safety in the area.

The granting of the new premises licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety.

A site visit will be arranged 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 Prevention of Public Nuisance and Public Safety.

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

Louise Joyce
Environmental Health Officer

Agbley, Peter

From: Deweltz, Adam
Sent: 18 June 2014 14:10
To: Tilly Burton
Cc: idoxlicensing
Subject: Smack Deli, 26 - 28 Binney Street, W1 - 14/04951/LIPN

Dear Tilly,

Smack Deli, 26 - 28 Binney Street, W1 - 14/04951/LIPN

I acknowledge receipt of your application for a new premises licence.

I have been through your operating schedule and in order for the licence to be granted I will need the following conditions agreed to:

- 1) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the **Westminster Police Licensing Team**. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 3) An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service.
- 4) 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.

5) There shall be no sales of alcohol for consumption off the premises.

I look forward to your prompt response.

Many thanks.

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Comments for Licensing Application 14/04951/LIPN

Application Summary

Application Number: 14/04951/LIPN

Address: Maranda House 26 - 28 Binney Street London W1K 5BN

Proposal: Premises Licence - New

Case Officer: Miss Sharon Bamborough

Customer Details

Name: Miss Jacey Powell

Address: Moore Buildings Gilbert St London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:51 PM on 23 Jun 2014 I couldn't be more against this application and I think I speak for everyone else on Binney Street, especially in my block. I live directly opposite this premises. When Corks Wine Bar was there previously we had nothing but trouble. Even after the premises closing hours people were still spilling out onto the street and would not leave the area. There used to be cars pulling up all night playing music and leaving their engines running. There were always fights in the street from the customers.

Having this sort of premises (open late hours, playing music and selling alcohol) will make our lives hell again! If needed we will get all of the residents on the street to sign a petition.

Agbley, Peter

From: ELIZABETH MAGILL [elizabeth.magill@virgin.net]
Sent: 24 June 2014 09:35
To: Premises Licensing
Subject: ref 14/04951/LIPN -Smack Deli, Maranda Hs., Binney St., London W1

Follow Up Flag: Follow up
Flag Status: Completed

Smack Deli, Maranda Hs., 26-28 Binney St., London W1

Dear Licensing Service,

I strongly object to the application for a late license for the above premises.

I live opposite this proposed site and when it was once a late night bare called 'Corks' I suffered years of not being able to sleep because of the high noise levels and rowdiness after the clients spilled out on to the streets and there was no controlling these disturbances.

This is a large residential area and we don't need or want another late night venue.

please acknowledge my objection

with thanks

Elizabeth Magill
22 Moore flats
Gilbert Street
London W1K 5HW

Agbley, Peter

From: eaethe1st [eaethe1st@hotmail.com]
Sent: 14 July 2014 23:15
To: Premises Licensing
Subject: Re: 26/28 Binney Street W1K 5BN

Follow Up Flag: Follow up
Flag Status: Completed

Sent from Samsung Mobile

----- Original message -----

From: eaethe1st <eaethe1st@hotmail.com>
Date: 14/07/2014 17:48 (GMT+00:00)
To: premiseslicensing@westminster.gov.uk
Subject: 26/28 Binney Street W1K 5BN

Miss E Evripidou,
8 Moore Building,
Gilbert street,
London,
W1K 5HN.

Dear Sir/Madam

I am writing in objection to an alcohol licence for The Smack Deli/Lobster Roll 26-28 Binney Street W1K 5BN ref 14/04951/LIPN.

I live directly opposite about 20/ 30 feet maximum from this building and I am very concerned about the possible high risk of noise from people, urinating in the streets, slamming of car doors and engines revving, rubbish and problems with people who use the establishment drinking, shouting and smoking outside in the street. My living room and bedroom are directly opposite and while I appreciate that it is central London I feel I would be unable to sleep or even open or look out of my window if this proposal would go ahead. I think I would be forced to move.

There are people of various ages and some with very serious health problems as well as people who work various shifts here and we would all suffer from excess noise. The gardens already attract unwanted people during the night and I think the patrons from the above venue will also use our gardens for anti-social behaviour.

Yours faithfully
Miss E Evripidou

obste. roll Deli

Subject: Ref: 14/04951/LIPN Smack Deli 26-28 Binney St W1K 5BN

11 Hanover Flats
Binney St
W1K 5BE



Dear Licensing Service,

I am writing as a resident to object to the application for a late license for the above premises.

Binney Street is a residential St and has suffered in the past from noise and disruption from previous late licenses granted to this address. It is inappropriate to have any late night licensing in such an area.

I am objecting to the proposed, as I am very concerned regarding the noise and disturbance that this will cause to us all. plus, the late night dumping of rubbish and noisy collections.

There are no parking to facilitate such a venue and license. In the past people parked all the way along the street and we had to endure late night revelers slamming doors and revving cars in the early hours of the morning, also there was fighting, screaming and disturbing the peace of people living on the Street. I have concerns that this will return if a late license is to be granted again.

We also have the problems of people using the street as a toilet and this will no doubt increase with the volume of people leaving the premises full of alcohol.

We already suffer noise pollution plus the disturbance from Crossrail and this will add to the already unsatisfactory situation.

Please send acknowledgement of my objection.

Yours sincerely

A handwritten signature in black ink, appearing to read "S Drewett", written over a horizontal line.

Mrs S Drewett

9 Moore Flats
 Gilbert Street
 London
 W1K 5HN
 +44(0) 2074092137



4th July 2014

Licensing Applications
 Westminster City Council
 4th Floor South
 64 Victoria Street
 London
 SW1E 6QP

14/04951/LIPN
 S.G

Dear Sir/Madam

Re: New Premises Licence 14/04951/LIPN Smack Deli T/A Lobster & Burger 26-28
 26-28 Binney Street London W1K 5BN.

I am most concerned regarding this new proposed venue in Binney Street. This area is almost 100% residential and historically we the residents have all suffered the aggravation, exasperation, constant worry and sleepless nights of the late night venue called 'Corks Wine bar' which was in the identical position of the this proposed new premises. It took us the resident's years of stress and nervous tension until the LSC in their wisdom rescinded the late night license to a 1am closing which we felt was a compromise to placate all parties concerned. I along with all my fellow resident's were absolutely delighted when Grosvenor Estates re developed the site and Corks finally closed down for good.

We were therefore astounded and astonished that Grosvenor would consent to another late night venue in the exact place that that caused so much anxiety and stress to the inhabitants of the immediate area.

Notwithstanding this you will of course be aware that Mayfair and St. James's are residential areas and it is to that end I wish to object to the proposed new premises licence. I firmly believe that any late night venue on this site will have a negative impact on the residents living in this predominately residential neighbourhood. To that end I wish to strongly object to the proposed license on the basis it will cause severe noise pollution along with anti social behaviour due to the proposed late night terminal hour.

Please confirm in your usual manner that you have received my objection in good time and it will be lodged with the LSC for consideration.

Yours faithfully,

Shelia Nobel

Shelia Nobel

LICENSING Westminster City Council
64 Victoria Street
London SW1 6QP

15D Chesham Flats
Brown Hart Gardens
London W1K 6WP



8 July 2014

Dear Sir/Madam

REF: 14/04951/LIPN -- SMACK DELI, 26-28 Binney Street, W1K5BN

Concerning the above I take this opportunity to object in the strongest possible terms to this application for the following reasons:

NOISE : This is a major residential area and I know from bitter experience that noise from this type of business is never controlled and in fact is uncontrollable by the Owners, Local Authority or Police

As residents we are entitled to peace and quiet during the late evening and early morning hours without disturbance. The majority of us have to work as opposed to the drunken clientele, and any action taken by Local Authority – takes years if ever to become effective, in the meantime it is the Residents that suffer day after day – night after night.

HEALTH: Licensing hours are just that – mandatory hours which alcohol can be served

they have nothing to do with the amount of time that their customers spend outside after the DELI doors have been closed : **DRINKING, SHOUTING, LAUGHING, SPEAKING VERY LOUDLY ON THEIR MOBILES, VOMITING, URINATING IN RESIDENTS DOORS/LETTER BOXES, BREAKING WINE BOTTLES AGAINST THE WALL, FIGHTS, PLUS MANY COLLAPSING TO AWAIT THE AMBULANCE OR POLICE**

SAFETY: As Residents we have a right to expect that we can reach our homes in safety without the fear of intimidation or being accosted by aggressive drunks. **WHO IS GOING TO GUARANTEE THAT???**

I certainly had enough misery from previously and expect that those responsible for granting this application **WILL REJECT IT ON THE BASIS OF THE RESIDENTS RIGHTS**

Such establishments should only be granted licenses within a commercial area, where Residents are free from night after night of disturbance and intimidation and where the business owners are responsible for clearing up the mess left by their customers on the public highway and adjacent properties

Yours faithfully

I. Costa (Ms)

Agbley, Peter

From: Derek Stratton [delboyofw1@btinternet.com]
Sent: 04 July 2014 14:04
To: Premises Licensing
Subject: Licensing Objection Letter

Follow Up Flag: Follow up
Flag Status: Flagged

Please see my letter of to days date regarding the new premises license for Smack Deli/Lobster & Burger 26-28 Binney Street London W1K 5BN.

19 Moore Flats
Gilbert Street
London
W1K 5HN
+44(0) 2074090667
+44(0) 7714219762
delboyofw1@btinternet.com

4th July 2014

Licensing Applications
Westminster City Council
4th Floor South
64 Victoria Street
London
SW1E 6QP

Dear Sir/Madam

Re: New Premises Licence 14/04951/LIPN Smack Deli T/A Lobster & Burger 26-28 26-28 Binney Street London W1K 5BN.

I am most concerned regarding this new proposed venue in Binney Street. This area is almost 100% residential and historically we the residents have all suffered the aggravation, exasperation, constant worry and sleepless nights of the late night venue called 'Corks Wine bar' which was in the identical position of the this proposed new premises. It took us the resident's years of stress and nervous tension until the LSC in their wisdom rescinded the late night license to a 1am closing which we felt was a compromise to placate all parties concerned. I along with all my fellow resident's were absolutely delighted when Grosvenor Estates re developed the site and Corks finally closed down for good.

We were therefore astounded and astonished that Grosvenor would consent to another late night venue in the exact place that that caused so much anxiety and stress to the inhabitants of the immediate area.

Notwithstanding this you will of course be aware that Mayfair and St. James's are residential areas and it is to that end I wish to object to the proposed new premises licence. I firmly believe that any late night venue on this site will have a negitave impact on the residents living in this predominately residential neighbourhood. To that end I wish to strongly object to the proposed license on the basis it will cause severe noise pollution along with anti social behaviour due to the proposed late night terminal hour.

Please confirm in your usual manner that you have received my objection in good time and it will be lodged with the LSC for consideration.

Yours faithfully,

Derek Stratton

PREMISES MANAGEMENT
LICENSING SERVICE

09 JUL 2014

CITY OF WESTMINSTER

JULY 7 2014

ERNEST CHRISTINE

POOLE

29 HANOVER FLATS

RINNEY ST.

N.W. 589

REF 14/0495/LIPN

DEAR SIR/MADAME,

WE ARE BOTH PLEASED TO HEAR
THE UNITS IN 26-28 RINNEY ST
HAVE BEEN TAKEN TO BECOME
THE SNACKS DELI.

OUR MAIN OBJECTIONS
ARE THE ADDED TIMES ~~FOR~~
FOR LATE NIGHT REFRESHMENTS

M-THURS 23-00 - 23-30

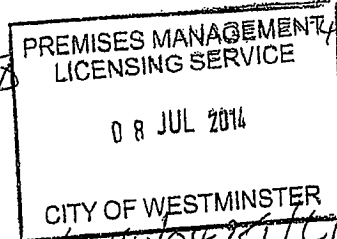
FRI-SAT 23-00 - 24-00.

WE ALSO OPPOSE THE SALES OF
ALCOHOL TO BE TAKEN OFF THE
PREMISES

Yours faithfully

E. J. Poole

32, Balderton Buildings,
Balderton Street,
London W1Y 1TA
18th of July 2014
Dear Sirs,



Re: ref 14/04751/CIPN
Sunack Deli, 26-28, Bunney Street,
London W1K 5BN
- objection to the application
for an alcohol licence

I am writing to object to the application for an alcohol licence on this site. It will exacerbate anti-social behaviour, and crime threat to local residents, and add to noise problems at night, and endanger health and safety for local residents.

In today's press, Manchester City Centre is reported to be too dangerous even for the police, because of clubs opening and alcohol abuse. Approval for such a licence in Bunney Street, means we are threatened with a situation such as now exists in Manchester.

Yours faithfully, R. E. Shorter (Mr)

Agbley, Peter

From: LUCINDA SIEGER [lucindasieger@talktalk.net]
Sent: 27 June 2014 15:18
To: Premises Licensing
Subject: Subject:OBJECTION TO ref 14/04951/LIPN -night club Maranda Smack Deli, Maranda Hs., Binney St., London W1

Follow Up Flag: Follow up
Flag Status: Flagged

Subject: ref 14/04951/LIPN -Smack Deli, Maranda Hs., Binney St., London W1

Date: 24 June 2014 09:34:39 BST

To: premiseslicensing@westminster.gov.uk

night club Maranda Hs., 26-28 Binney St., London W1

Dear Licensing Service,

I strongly object to the application for a late license for the above premises.

I live in Binney and when it was once a late night bar called 'Corks' I suffered years of not being able to sleep because of the high noise levels and rowdiness after the clients spilled out on to the streets and there was no controlling these disturbances. We had endless talks with the police due to the noise and bad behaviour of the clubs clients, we went to court and had an ongoing battle with CORKS. Their clients came, rolling out drunk, having fights, using our back yard as a play ground for sexual acts. In short, no respect for the residents.

This is a large residential area and we don't need or want another late night venue to destroy our peace of mind, as we already have enormous noise pollution with the building of Cross rail to contend wit.

Please acknowledge my objection

Kind Regards,

Lucinda Sieger

Lucinda Sieger

singer/songwriter/performer/artist

Mb: + 44 (0) 7968 308 726

E: info@lucindasieger.com

E: lucindasieger@talktalk.net

W: <http://www.lucindasieger.com>

YOU TUBE VIDEOS: <http://www.youtube.com/user/lucindasieger06/videos>

W: <http://www.myspace.com/lucindasieger>

From: Dobedoo deedee [blackeye91@hotmail.com]
Sent: 05 July 2014 10:15
To: Premises Licensing; licensing@westminster.gov.uk
Subject: FW: D.Osborne 14/05626/LIPN & 14/04951/LIPN

I object to the planning applications for Jigsaw and the proposed bar/club on Binney St, W1k.
The reasons being: more noise, litter, urination in the area, risk of crime, more attraction to the gypsy problem.

Please advise.

D Osborne

48 Hanover Flats
Gilbert St
W1K5HL

19 Moore Flats
Gilbert Street
London
W1K 5HN
+44(0) 2074090667
+44(0) 7714219762
delboyofw1@btinternet.com



8th July 2014

Licensing Applications
Westminster City Council
4th Floor South
64 Victoria Street
London
SW1E 6QP

Dear Sir/Madam

Re: New Premises Licence 14/04951/LIPN Smack Deli T/A Lobster & Burger 26-28 Binney Street London W1K 5BN

I act as licensing officer for and on behalf of the Residents Society of Mayfair & St. James's.

As you are no doubt aware Mayfair and St. James's are residential areas and it is to that end the society wish to object to the proposed new premises licence of the above.

Historically this site was occupied by a wine bar called Corks which I'm sure the LSC will remember brought nothing but grief to the residents in the immediate area. There are as the committee will no doubt be aware many hundreds of people living very close by to the proposed new premises. These people are mostly elderly and some in the twilight of their lives.

The Society firmly believes that to grant a licence for the late night retail sale of alcohol on and off the premises will lead to anti social behaviour and noise pollution and will have a negative impact on the residents living in this predominately residential neighbourhood.

The Residents Society of Mayfair & St. James's therefore wishes to register an objection for and on behalf of the residents on that basis.

Please confirm in your usual manner that you have received our objection in good time and it will be lodged for the LSC for consideration.

Yours faithfully,


Derek Stratton
Licensing Officer Residents Society of Mayfair & St. James's

Agbley, Peter

From: david brookfield [gmra.peabody.uk@btinternet.com]
Sent: 10 July 2014 12:11
To: Premises Licensing
Subject: 14/04951/LIPN Miss Bamborough

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Miss Bamborough

We object to the alcohol licence for Smack Deli 26-28 Binney Street W1K 5BN, under ref 14/04951/LIPN on the following grounds.

The Smack Deli will be part of a group of eateries and will be in an area heavily populated with residents of various ages, Binney Street alone has approximately 100 dwellings some above the restaurant and some with bedroom windows just a few yards from the entrance to the restaurant, there are also private gardens and courtyards in the street that already attract ASB and with a new restaurant very close by there is a fear of even more ASB in the gardens

Other restaurants in the group have had complaints made against them concerning late night noise, rubbish being dumped and ASB, the management have failed to control these problems, the owners appear to have failed to instruct the management to act on the complaints. We fear the same situation will arise at the new premises.

There is a great fear that there will be disturbance to residents many of whom have to get up early for work during the week and weekends, there is a fear of noise from people leaving the restaurant as well as ASB in the street and the gardens and courtyards, litter being dropped cars illegally taking up the much needed residents car parking spaces and causing noise as they leave and arrive. Under the smoking laws no smoking will be allowed on the premises so there is a fear of people gathering outside the premises to smoke and leaving behind cigarette butts.

These are our grounds for objection to the licence but reserve the right to alter add or withdraw the objection.

Yours sincerely
Dave Brookfield
Chair Grosvenor Mayfair Residents Association (GMRA)

From: Roberts, Glenys (Cllr) CODE03
Sent: 04 July 2014 10:31
To: Premises Licensing
Cc: dave brookfield; Nigel Hughes; Ronald Cottee; Richard Brown
Subject: 26-28 Binney st W1k 5 BN ref 14/04951/LPN

Follow Up Flag: Follow up
Flag Status: Flagged

I support the residents' reservations about licensing a premises in this location in the middle of a large social housing complex. There was a lamentable history of violence and antisocial behaviour from a previous operator and they obviously fear a repeat of the same in an area where there are families with young children and many elderly residents. Speaking from memory I believe the licence was revoked.

if the proposed restaurant is allowed, there should be no off sales. We have successfully restricted off sales in the neighbourhood preventing troublemakers from cracking open bottles of wine in the residents' gardens.

Equally there must be a condition stipulating no noise breakout including music from the restaurant at any time and a terminal hour imposed for everyone to be off the premises half an hour after the last sales of alcohol. There is a precedent for this elsewhere in the neighbourhood.

I may wish to speak at the hearing
Cllr Glenys Roberts

Sent from my iPad

FAO Mr S. Harrison
Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP
11th July 2014



Dear Mr Harrison,

RE: NEW PREMISE LICENSE APPLICATION UNDER THE LICENCING ACT 2003
SMACK DELI MARANDA HOUSE, 26-28 BINNEY STRETT, LONDON W1K 5BN.
REFERENCE: 14/04951/LIPN

I strongly object to the proposed plan as above to have licensable activities listed.

1. Playing of recorded music
2. Late night refreshments
3. Sale by retail of alcohol

This is a residential area, which is already subjected to excessive noise, buskers, pedicab music and litter. To have increased noise levels plus refuse and bottle collections will be intolerable. There are already too many licensed restaurants in this area, we do not need more.

Binney Street is a narrow street and my flat is directly opposite the proposed site of 26-28 Binney Street. As a resident I worry about anti-social behaviour, urinating anywhere and everywhere, and on occasions worse! Fighting, car horns, shouting and the police being called because of criminal activity.

Also there were problems with rat infestation at the former premises.

Further more I object to the proposed licensing hours, which from previous experience can/will be extended.

Your notification on the 17th June 2014 does not state if tables and chairs will be situated outside the premises, which will add to the noise pollution from visiting buskers and pavement obstructions for pedestrians.

This application must **NOT** be allowed to go through.

Yours sincerely,

A handwritten signature in black ink that reads "Susan B. Buckley".

Susan B. Buckley

Licence & Appeal History

Application	Details of Application	Date determined	Decision
05/09934/LIPC	Conversion by Café Uno for 26-28 Binney Street	1.10.2005	Granted under delegated authority (GDA)
05/12241/LIPDPS	Variation to change DPS (VDPS)	2.12.2005	GDA
05/13093/LIPT	Transfer to Café Uno Brasseries Ltd	28.12.2005	GDA
07/04234/LIPDPS	VDPS	1.6.2007	GDA
09/00462/LIPDPS	VDPS	12.2.2009	GDA
09/06770/LIPDPS	VDPS	1.11.2009	GDA
10/00056/LIPDPS	VDPS	1.3.2010	GDA
10/01355/LIPDPS	VDPS	22.3.2010	GDA
10/07513/LIPDPS	VDPS	8.12.2010	GDA
10/07533/LIPT	Transfer to Grosvenor Properties	8.12.2010	GDA
10/08684/LIDPSR	Removal of DPS	9.12.2010	GDA
	non payment of annual fee	11.11.13	Licence suspended
14/05014/LIPT	Transfer to Lobster Roll Binney Street Ltd	Pending	<i>Due to be GDA but will remain suspended</i>
05/05580/LIPC	Conversion by Chicks Ltd for Corks Wine Bar , 28 Binney Street	1.9.2005	GDA
05/11547/LIPV	Variation to increase hours (up to 2am)	19.1.2006	REFUSED
09/02140/LIPV	Variation to increase hours (up to 2am)	14.5.2009	REFUSED
10/10104/LIPT	Transfer to Grosvenor properties	24.1.2011	GDA
	non payment of annual fee	11.11.2013	Licence suspended
14/05008/LIPT	Transfer to Lobster Roll Binney Street Ltd	9.7.2014	GDA but remains suspended
14/04951/LIPN	NEW PREMISES LICENCE APPLICATION	PENDING	

Appeal history to follow

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:

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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8. The responsible person shall ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

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

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

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.

9(iii). Where the permitted price given by Paragraph 9(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.

9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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.

Applicants proposed conditions: (10-12 also proposed by Police)

10. 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.

11. 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.

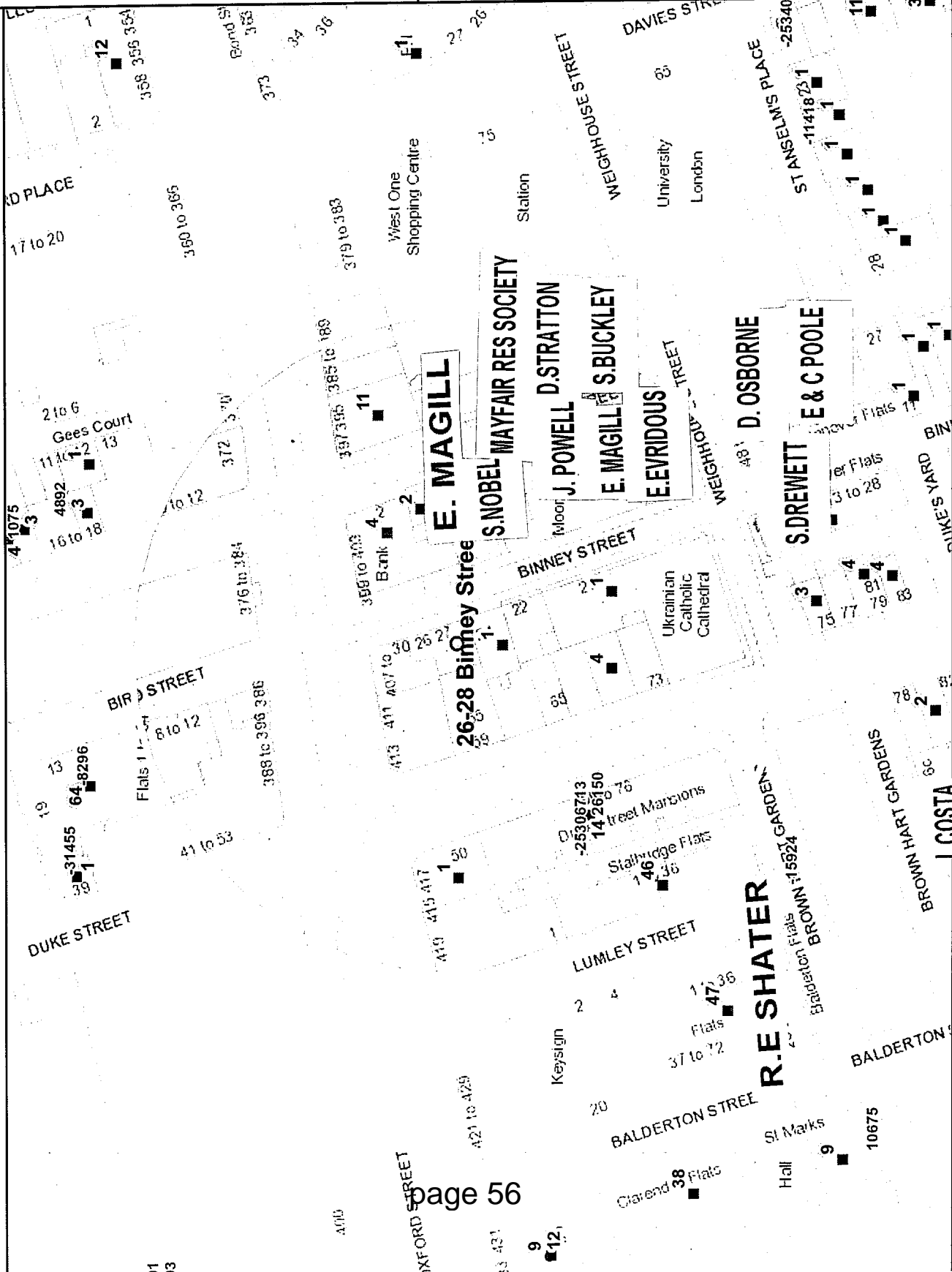
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue

- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
18. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by staff so as to ensure that there is no public nuisance or obstruction to the public highway. Any queue that may form will be directed towards Oxford Street.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08:00 hours on the following day.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 on the following day. No deliveries to the premises shall take place between 08:00 and 08:00 on the following day.
22. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 120 persons.
23. The supply of alcohol on the premises shall only be for consumption ancillary to a table meal.
24. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
25. 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.
26. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

27. 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.
28. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
29. This licence shall not take effect until:
- (i) Notice of surrender of licence number xx/xxxxx/xxxx [*i.e. the Corks Wine Bar and Café Uno licences*] (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003 (the Act)
 - (ii) A period of 28 days from the date of surrender has elapsed
 - (iii) No application by any person under section 42 of the Act for a transfer of the licence has been made within the period referred to in paragraph (ii) above, (or any such application has been withdrawn); and
 - (iv) the licence(s) has accordingly lapsed by virtue of section 28(3) (and section 50(6) if applicable) of the Act.



Residential / Proposed Residential	116
Under Construction	0
Other Uses	96
Proportion Residential of all Uses	55%

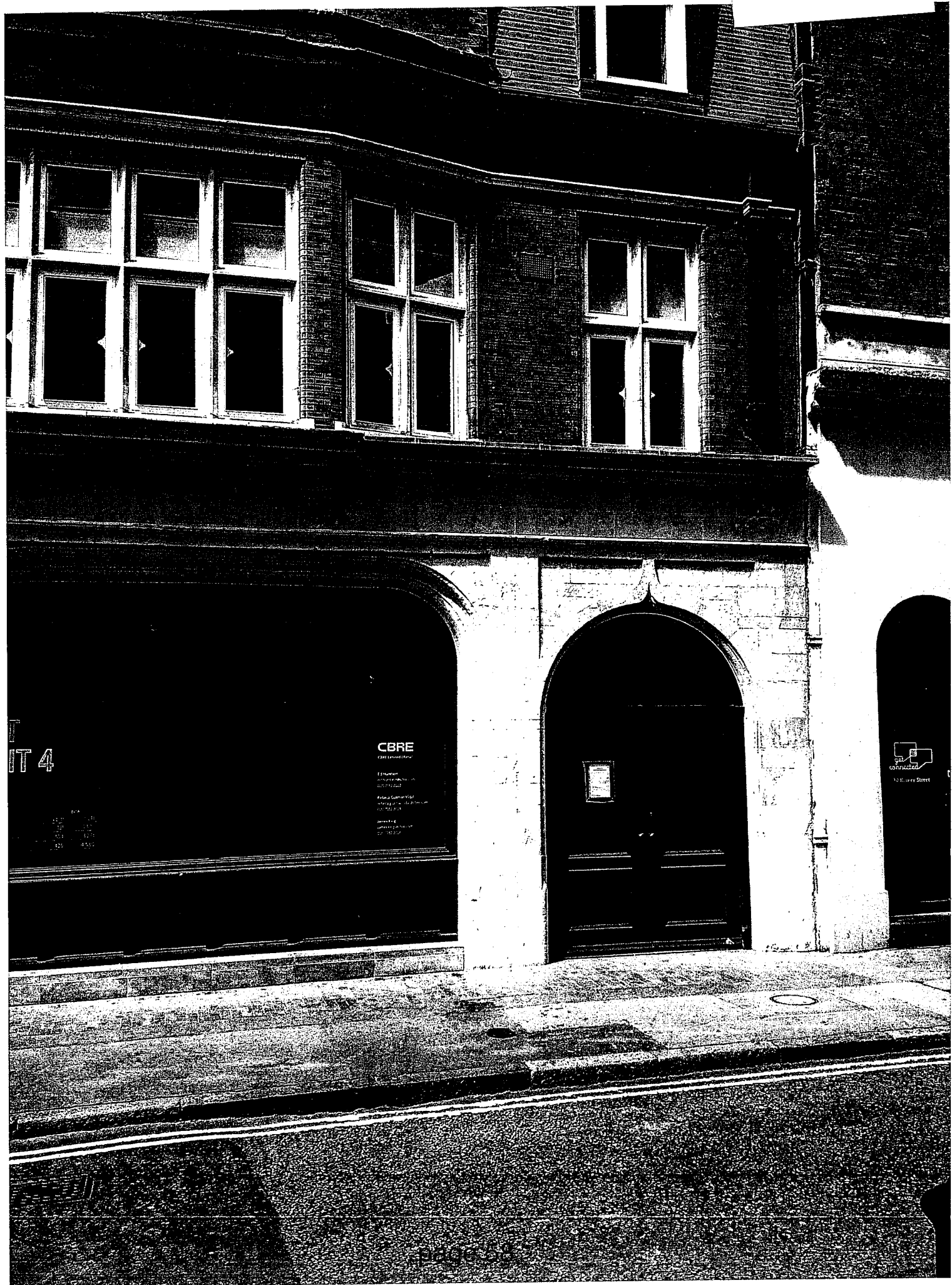
Data Source: Uniform Database

Date: 14/07/2014

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Premises within 75 metres of: Maranda House, 26-28 Binney House, London W1K 5BN

p / n	Name of Premises	Premises Address	Opening Hours
26150	Spaghetti House	76 Duke Street London W1K 6JZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
6713	Bella Italia	64 - 66 Duke Street London W1K 6JA	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 01:00 Sundays before Bank Holidays 09:00 - 01:00
-2530	Ponti's Restaurant	54 Duke Street London W1K 6JN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

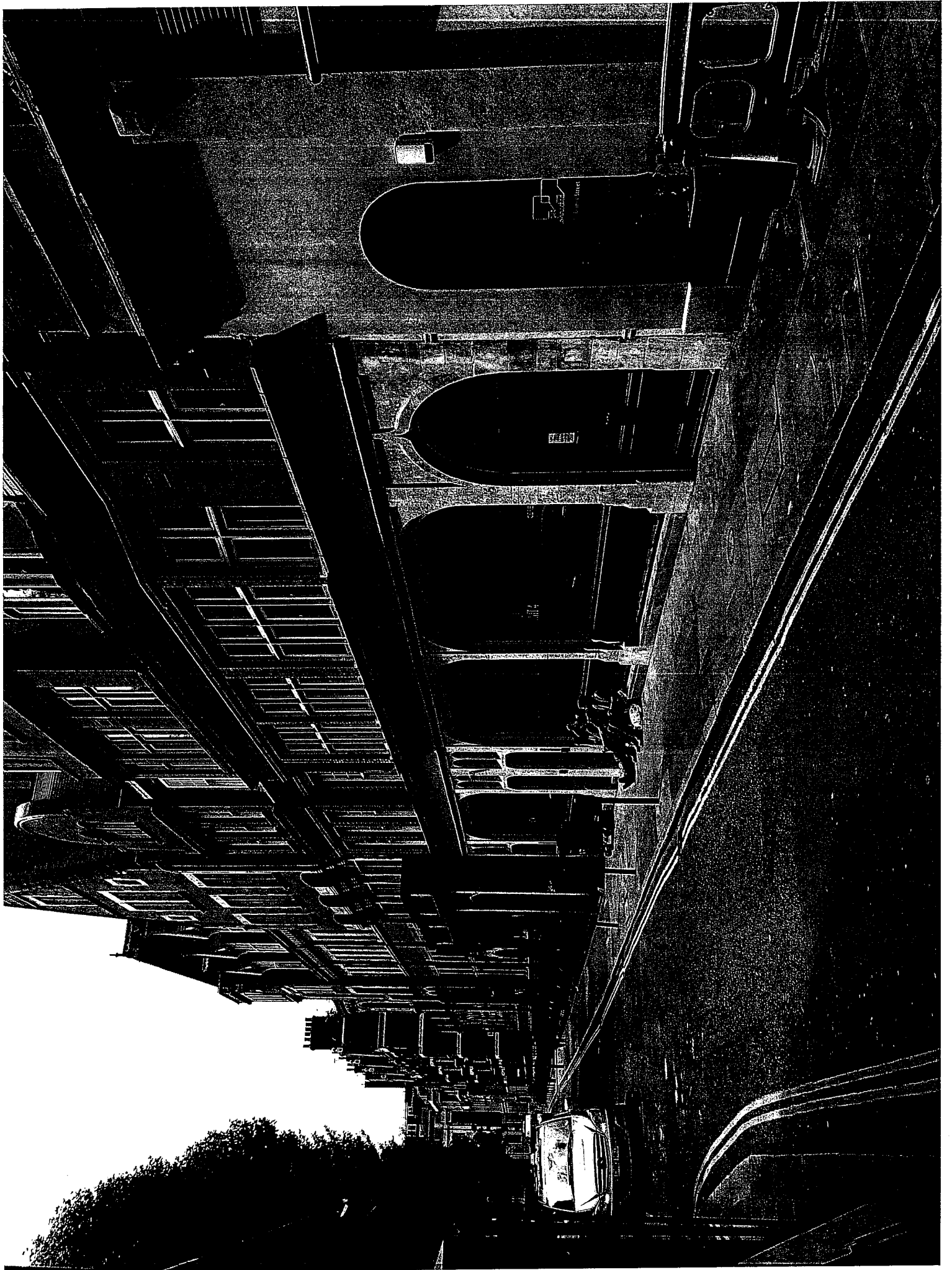


IT 4

CBRE

12 Murray Street







City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/03454/LIPV
Date:	7 August 2014
Classification:	For General Release
Title of Report:	Sticks N Sushi, 11 Henrietta Street Covent Garden, London, WC2E 8PY
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Susan Patterson, Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 2207 E-mail: spatterson@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	A variation to the premises licence application under the Licensing Act 2003.		
Applicant:	Sticks N Sushi UK Limited	Date Application Received:	1 May 2014, adjourned from LSC 17 July at applicants request
Premises Name and Address:	Sticks N Sushi, 11 Henrietta Street Covent Garden, London, WC2E 8PY		
Ward Name:	West End	Stress Area:	West End
Description of Premises:	The premises are a restaurant, on the ground floor and basement level. However in accordance with condition 18 on the existing licence, at Appendix A1 , in the ground floor bar area, up to 40 people may take alcohol without a table meal.		
Description of variation:	See Appendix A7 , the application is drawback to request the extension of opening hours Monday – Saturday ONLY, no other changes.		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1. Opening Hours:			
	To extend the terminal opening hours:- Monday - Thursday to 00:00 Friday and Saturday to 00:30 <i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i> Relevant representations and policies applicable:		
1A	An adverse representation has been made against the application by the Environmental Health Service, See Appendix B1 . Representation is raised as the granting of the variation application may cause an increase in Public Nuisance in the West End Stress Area .		Environmental Health representation
1B	An adverse representation has been made against the application by a local councillor, see Appendix B2 , on the grounds that the application should stick to the Westminster Core Hours.		Local Councillor representation
1C	There are two local resident representation outstanding at Appendix B3 and B4 . They have noise concerns regarding bottles being dumped after 11pm. One has concerns over the condition that has been suggested by the applicant in discussion with the 4 residents who have withdrawn their representations. He feels it will cause public noise nuisance in the area. It is reflected in Appendix D		2 Local resident representations
1D	The following policies within the City Of Westminster Statement of		Policies applicable

Licensing Policy apply:

Prevention of crime and disorder (CD1)
Public Safety (PS1)
Prevention of public nuisance (PN1)
Protection children from harm (CH1)
Hours (HRS1)
Stress Areas (STR1)
Restaurants within the Stress Area (RNT2)
Public Houses and Bars in the Stress Area (PB2)

Policy HRS1 applies:

- (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
- (ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:

Policy STR1 applies:

- (i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; late night refreshment premises offering hot food and drink to take-away 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 Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.

Policies STR1, FFP2 and PB2 and MD2 are intended to be strict and will only be overridden in genuinely exceptional circumstances. However, the Licensing Authority will not apply these policies inflexibly. It will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to policy.

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 Stress Areas.

Policy PB2 applies

It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.

- 1E The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and

Summary

- protection of children from harm.

Existing Premises Licence at 4 Brewer Street (13/08080/LIPDPS)		New Proposed Licensable Activities
Regulated Entertainment Recorded Music Monday – Thursday 10:00 – 23:30 Friday – Saturday 10:00 – 00:00 Sunday 12:00 – 22:30	Regulated Entertainment Recorded Music No change	
Late Night Refreshment (indoors) Monday – Thursday 23:00 – 23:30 Friday – Saturday 23:00 – 00:00	Late Night Refreshment (indoors) No change	
Sale Of Alcohol (On and off the premises) Monday – Thursday 10:00 – 23:30 Friday – Saturday 10:00 – 00:00 Sunday 12:00 – 22:30	Sale Of Alcohol (On and off the premises) No change	
Capacity: Basement – 40 Ground Floor- 130	Capacity: Basement – 40 Ground Floor- 130	
Opening Hours: Monday – Thursday 10:00 – 23:30 Friday – Saturday 10:00 – 00:00 Sunday 12:00 – 22:50	Opening Hours: Monday – Thursday 10:00 – 00:00 Friday – Saturday 10:00 – 00:30	
Current Licensing Position	The premises are currently licensed. See Appendix A1	
Current Planning Position	Planning have advised that planning permission was granted for the use of the basement and ground floor as a restaurant (Class A3) in 1986 (application reference 85/03413/FULL). However they were unable to confirm whether any conditions were imposed on the permission relating to the restaurant use.	
Residential Density:	69 of the 201 units within a 75m radius of the premises are residential or proposed residential, (34%), refer to Appendix E .	
List of Appendices:	A1 –Current Licence A2 – Application form A3 – A6 Conditional withdrawal of 4 representations A7 – Application drawback to change of opening hours only A8 – Metropolitan Police making no representation B1 – Environmental Health Service representation B2 – Local councillor representation B3 – B4 Local residents representations C – Premises Licence History D - Conditions E – Residential Map and list of premises in the vicinity F – Photo of premises	

Relevant Representations:	Environmental Health Service Local councillor 2 Local residents
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2. APPLICANT SUBMISSIONS AND EVIDENCE

- 2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendix A2.**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

- 3.1 Any applications under the Licensing Act 2003 are set out in Appendix C
- 3.2 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)



Schedule 12
Part A

WARD: St James's
UPRN: 100023431063

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/08080/LIPDPS

Original Reference:

05/04139/LIPCV

Part 1 – Premises details

Postal address of premises:

Sticks 'n' Sushi
11 Henrietta Street
London
WC2E 8PS

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
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50

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

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

Part 2

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

Sticks 'n' Sushi UK Ltd
58 Wimbledon Hill Road
London
SW19 7PA

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

07307090

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

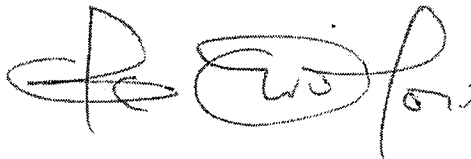
Name: Rebekah Jacobs

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: LN 2011 2553
Licensing Authority: London Borough Of Merton

Date: 7 November 2013



Signed: pp

Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
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6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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

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

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

Conditions relating to Regulated Entertainment

9. A comprehensive CCTV system shall be installed that ensures that all areas of the licensed premises are monitored including all entry and exit points that enables frontal identification of every persons entering the premises, regardless of the level of illumination. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a Police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice.
10. The licensee puts in place measures to ensure that staff are aware of the establishment's responsibilities under section 34 of the Environment Protection Act 1990 and that waste should only be put out at the appropriate time and that this includes both verbal instructions to staff and highly visible notices at all relevant places within the working areas of the premises.
11. All waste at the premises shall be paid for, properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
12. The licensee shall ensure that the highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.

Conditions related to the Sale of Alcohol

13. No striptease, no nudity and all persons on the premises to be decently attired.
14. There shall be no payment made by or on behalf of the licensee to any person for bringing customers to the premises.

15. In all parts of the premises where intoxicating liquor is sold or supplied:
- a) suitable beverages other than intoxicating liquor, including drinking water, shall be available during the whole of the permitted hours.
 - b) substantial food shall be available between the hours of, but not restricted to, 12:00 noon and 21:30 (Monday to Saturday) and 12:00 noon to 14:30 and 19:00 to 21:30 (Sundays, Christmas Day and Good Friday, when open).

Annex 2 – Conditions consistent with the operating Schedule

16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 170 persons with the following local restrictions:
 - . Basement - 40
 - . Ground Floor - 130
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. The supply of alcohol at the premises shall be to a person seated taking a table meal there and for consumption by such a person ancillary to their meal, except in the ground floor bar area, a maximum of 40 persons will be allowed to:
 - (i) Be supplied and consume alcohol either seated or standing prior to or after their meal;
 - (ii) Be supplied or consume alcohol either seated or standing without taking a table meal.
19. Seating for a minimum of 100 persons will always be provided whenever the premises are conducting licensable activities.

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

None

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 100023431063

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

Premises licence
summary

Regulation 33, 34

Premises licence number:

13/08080/LIPDPS

Part 1 – Premises details

Postal address of premises:

Sticks 'n' Sushi
11 Henrietta Street
London
WC2E 8PS

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
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:30

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:50

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

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

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

Sticks 'n' Sushi UK Ltd
58 Wimbledon Hill Road
London
SW19 7PA

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

07307090

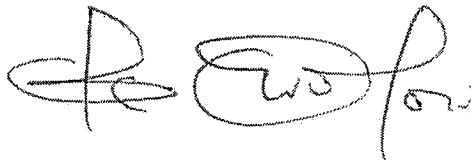
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Rebekah Jacobs

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

Restricted

Date: 7 November 2013



Signed: pp

Operational Director - Premises Management

Westminster City Council

Application to vary a premises licence under the Licensing Act 2003

PREMISES MANAGEMENT
LICENSING SERVICE
01 MAY 2014
CITY OF WESTMINSTER

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Sticks 'n' Sushi UK Ltd
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 13/08080/LIPDPS

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Sticks 'n' Sushi 11 Henrietta Street Covent Garden			
Post town	London	Post code	WC2E 8PY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£241,000 - Band E

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	58 Wimbledon Hill Road		
Post Town	London	Postcode	SW19 7PA

Part 3 - Variation

Please tick yes

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

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

Day		Month		Year	

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

1. To extend the terminal hour for the sale of alcohol and late night refreshment to midnight Monday to Thursday, 00.30 Friday & Saturday and 23.00 Sunday.

2. To extend opening hours to 00.30 Monday to Thursday, 01.00 Friday & Saturday and 23.30 Sunday. 3. An amendment to condition 18 – see application for full details.

3. To add the following words to condition 18 (i) and (ii) "but there will be no supply of alcohol after 23.30 on Monday to Thursday inclusively, 22.30 on Sundays and midnight on Fridays and Saturdays".

All other licensable activities, permitted hours and opening hours to remain as existing.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	No Change		Please give further details here (please read guidance note 3) No Change		
Tue	No Change				
Wed	No Change		State any seasonal variations for the playing of recorded music (please read guidance note 4) No Change		
Thur	No Change				
Fri	No Change		Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) No Change		
Sat	No Change				
Sun	No Change				

G

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

H

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

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) No Change		
Mon	23.00	00.00			
Tue	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) No Change		
Wed	23.00	00.00			
Thur	23.00	00.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) No Change		
Fri	23.00	00.30			
Sat	23.00	00.30			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) No Change		
Mon	10.00	00.00			
Tue	10.00	00.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) No Change		
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	00.30			
Sat	10.00	00.30			
Sun	12.00	23.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8) None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) No Change
Day	Start	Finish	
Mon	10.00	00.30	
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	01.00	
Sat	10.00	01.00	
Sun	12.00	23.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
None

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
n/a

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

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

Sticks 'n' Sushi have been operating these premises successfully for around 6 months.

The premises previously traded as the rather unloved "Walkabout" Antipodean themed sports bar.

The applicant submits that the change of operation from a sports bar with an occupancy in excess of 300 to a predominantly restaurant based operation with a total occupancy of 170

has already promoted the licensing objectives and had a beneficial impact on the West End Stress Area.

The applicant now seeks to extend its terminal hour for the sale of alcohol, provision of late night refreshment and closing time.

The applicant has found that a number of its diners wish to eat later (for example post theatre) and indeed to stay and enjoy the atmosphere a bit later.

This application only relates to the restaurant part of the premises and therefore excludes the 40 persons who are allowed in the ground floor bar area to be sold and consume alcohol which is not ancillary to a table meal.

For those persons will continue to be bound by the existing terminal hour for the sale of alcohol and the following extra wording to condition 18 paragraphs 1 and 2 is proposed to enforce this:-

("but there will be no supply of alcohol after 23:30 on Monday to Thursday inclusively, 22:30 on Sundays and midnight on Fridays and Saturdays")

The applicant therefore contends that because the extended hours will only apply to those customers who are or have been dining that accordingly there will be no addition to the cumulative impact in the West End Stress Area.

All existing conditions and restrictions including the occupancy will continue to apply".

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

Please tick yes


- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	30 April 2014
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Vicki Caress Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 934 9176		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) v.caress@popall.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If

By Email & Post premiseslicensing@westminster.gov.uk; 5 Great College Street
spatterson@westminster.gov.uk Westminster
London SW1P 3SJ
www.rb-law.com
Direct Dial +44 (0)20 7227 7242

Tel +44 (0)20 7222 7040
Fax +44 (0)20 7222 6208
LDE 113 London Chancery Lane
info@rb-law.com
trevor.standen@rb-law.com

RadcliffesLeBrasseur

City of Westminster
Licensing Service
4th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

17 July 2014

Our Ref: TRS/MD/45124.012

Your Ref:

W 4339807 v1

FAO: Miss Susan Patterson

Dear Sirs

Notification of a Premises Licence variation application under the Licensing Act 2003
Reference: 14/03454/LIPV - Sticks 'n' Sushi, 11 Henrietta Street, London WC2E 8PS

We would refer to our objection to this application.

We have been told that the application is to be amended with a condition that would state:

“After 11.30pm on Monday to Thursday and midnight on Friday and Saturday unless there is an emergency all customers will leave the premises via the exit on Maiden Lane only”.

On the basis that this condition is imposed in any consent granted, we would on behalf of our client be happy to withdraw our objection.

Yours faithfully

RadcliffesLeBrasseur

c.c. Lady Angela Bernstein

By Email & Post
premiseslicensing@westminster.gov.uk

5 Great College Street
Westminster
London SW1P 3SJ
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LDE 113 London Chancery Lane
info@rlb-law.com
trevor.standen@rlb-law.com

RadcliffesLeBrasseur

City of Westminster
Licensing Services
Westminster City Hall
64 Victoria Street
London SW1E 6QP

15 May 2014

Our Ref: TRS/BMB/45124.012

Your Ref:

W 4319993 v1

Dear Sirs

Notification of a Premises Licence variation application under the Licensing Act 2003
Reference: 14/03454/LIPV - Sticks 'n' Sushi, 11 Henrietta Street, London WC2E 8PS

We write on behalf of our client Lady Angela Bernstein of Apartment 4, 34A Henrietta Street, London WC2E 8NA to object to the above application. The application is:-

1. To extend the terminal hour for the sale of alcohol and late night refreshment to midnight Monday to Thursday, 00.30 Friday and Saturday and 23.00 Sunday.
2. To extend opening hours to 00.30 Monday to Thursday, 01.00 Friday and Saturday and 23:30 Sunday.
3. To add the following words to condition 18(i) and (ii) " but there will be supply of alcohol after 23:30 on Monday to Thursday inclusively, 22:30 on Sundays and midnight on Fridays and Saturdays"

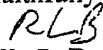
This application seeks to obtain permission to operate outside of the core hours within the stress area. This is an observation already drawn to our attention by Mr David Nevitt of your Noise Team.

Our client already finds that with the existing operation, its customers take drinks out onto the pavement and are sometimes very noisy. Her property, which also has a roof terrace, is diagonally opposite No.11. She is naturally very concerned at extending the hours of operation of an activity which is already causing a noise nuisance to her.

No doubt your officers will visit the property one night during good weather to see the existing state of affairs. The prospect of the noise nuisance resulting from this proposed extension, fills our client with dread.

Under the circumstances, we would wish you take this letter as a letter of objection to this application.

Yours faithfully


RadcliffesLeBrasseur

Patterson, Susan

From: David Kaner [david.kaner@outlook.com]
Sent: 15 July 2014 16:58
To: 'James Anderson'; Patterson, Susan
Cc: Drayan, Anil; 'Suraj Desor'; Admin; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; Hyams, Louise (Cllr); richardcthomson@yahoo.co.uk
Subject: RE: Sticks 'n' Sushi, Henrietta Street

Dear James, Susan,

This is to confirm that on the basis of the revision to the requested hours and this condition regarding exiting the premises the CGCA hereby withdraws its Representation.

Regards

David Kaner

From: James Anderson [mailto:J.Anderson@popall.co.uk]
Sent: 15 July 2014 11:19
To: admin@cgareatrust.org.uk; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; lhyams@westminster.gov.uk; david.kaner@outlook.com; richardcthomson@yahoo.co.uk
Cc: adrayan@westminster.gov.uk; spatterson@westminster.gov.uk; Suraj Desor
Subject: Sticks 'n' Sushi, Henrietta Street

Dear all

Many thanks for those of you who have been good enough to respond and particularly to Simon Grigg and Sarah Lane on behalf of the Covent Garden Area Trust who have indicated they are content to withdraw their representations.

I note Trevor Standen's comments on behalf of Lady Bernstein and I suspect that the use of the word "encouraged" may make the condition difficult to enforce.

I would therefore propose the following amendment:-

"After 11.30pm on Monday to Thursday and midnight on Friday and Saturday unless there is an emergency all customers will leave the premises via the exit on Maiden Lane only".

Please do let me know if you are happy with the amended condition.

Yours sincerely

James Anderson
 Partner, Poppleston Allen
 T: 0115 934 9195 M: 07971 284605 W: www.popall.co.uk
[LinkedIn](#)
 Download our App [Here](#)

Nottingham Office : 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS T : 0115 953 8500 F : 0115 953 8501

Authorised and Regulated by the Solicitors Regulation Authority (SRA No: 78244). The professional rules to which we are subject are the Solicitors Code of Conduct. These rules can be viewed at www.sra.org.uk.

Comments for Licensing Application 14/03454/LIPV

Application Summary

Application Number: 14/03454/LIPV

Address: 11 Henrietta Street London WC2E 8PY

Proposal: Premises Licence - Variation

Case Officer: Mr Ola Owojori

Customer Details

Name: Mr. David Kaner

Address: 21 Mercer Street London

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:10:27 AM on 20 May 2014 This representation is being made on behalf of the Covent Garden Community Association.

We appreciate that the applicant wishes to extend hours for the restaurant use only beyond the core hours of WCC's Licensing Policy. However allowing the premises to operate later will mean that people leave the area later and in doing so are likely to disturb residents on Henrietta Street and in the surrounding area.

Whilst we agree that this type of premises is preferable to Walkabout when residents are disturbed by people leaving at 01:00 or later the type of premises they have visited beforehand is of little consequence.

We therefore ask that the Licencing Committee refuse this application for variation.

Regards

David Kaner

for CGCA Licensing Subcommittee

Patterson, Susan

From: Saint Paul [spcfolks@googlemail.com] on behalf of Rev Simon Grigg [info@actorschurch.org]
Sent: 16 July 2014 11:38
To: David Kaner; 'James Anderson'; Patterson, Susan
Cc: Drayan, Anil; 'Suraj Desor'; Admin; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; Hyams, Louise (Cllr); richardcthomson@yahoo.co.uk
Subject: Re: Sticks 'n' Sushi, Henrietta Street

This is to confirm that on the basis of the revisions discussed, the Church of St. Paul's, Covent Garden hereby withdraws its Objection to the Application

Simon Grigg

St. Paul's Church

From: David Kaner
Sent: Tuesday, July 15, 2014 4:58 PM
To: 'James Anderson'; spatterson@westminster.gov.uk
Cc: adrayan@westminster.gov.uk; 'Suraj Desor'; admin@cgareatrust.org.uk; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; lhyams@westminster.gov.uk; richardcthomson@yahoo.co.uk
Subject: RE: Sticks 'n' Sushi, Henrietta Street

Dear James, Susan,

This is to confirm that on the basis of the revision to the requested hours and this condition regarding exiting the premises the CGCA hereby withdraws its Representation.

Regards

David Kaner

From: James Anderson [<mailto:J.Anderson@popall.co.uk>]
Sent: 15 July 2014 11:19
To: admin@cgareatrust.org.uk; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; lhyams@westminster.gov.uk; david.kaner@outlook.com; richardcthomson@yahoo.co.uk
Cc: adrayan@westminster.gov.uk; spatterson@westminster.gov.uk; Suraj Desor
Subject: Sticks 'n' Sushi, Henrietta Street

Dear all

Many thanks for those of you who have been good enough to respond and particularly to Simon Grigg and Sarah Lane on behalf of the Covent Garden Area Trust who have indicated they are content to withdraw their representations.

I note Trevor Standen's comments on behalf of Lady Bernstein and I suspect that the use of the word "encouraged" may make the condition difficult to enforce.

I would therefore propose the following amendment:-

"After 11.30pm on Monday to Thursday and midnight on Friday and Saturday unless there is an emergency all customers will leave the premises via the exit on Maiden Lane only".

Please do let me know if you are happy with the amended condition.

Yours sincerely

James Anderson

Partner, Poppleston Allen

T: 0115 934 9195 M: 07971 284605 W: www.popall.co.uk

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Nottingham Office : 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS T : 0115 953 8500 F : 0115 953 8501

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Owojori, Olaposi

From: Saint Paul [spcfolks@googlemail.com] on behalf of Rev Simon Grigg
[info@actorschurch.org]
Sent: 27 May 2014 10:47
To: Premises Licensing
Subject: 14/03454/LIPV

Follow Up Flag: Follow up
Flag Status: Completed

To Whom it May Concern

St. Paul's Church, Covent Garden objects to the proposed variation to the licence in the application numbered above. The objection is on the grounds of noise and antisocial behaviour. The previous occupants of the unit were allowed a late night licence and this caused immense difficulty for the church. In particular, the tunnel access that leads from Henrietta St. to the church grounds was used for public urination by drunk patrons of the unit. It was also used for illegal drug taking. We are anxious that this is not repeated with another late night licence. When the current occupant moved in, we were assured that this would NOT become another late night venue, and now, just a short time after such assurances were given, it is proposed that yet another late night venue be added to Covent Garden.

In addition, the area has become more residential since the last late night licence and it would be detrimental to the residents for the noise of another late night venue to be added to the area. There are plenty of late night licence premises available in the immediate vicinity and it would be inappropriate to add another.

Rev'd Simon Grigg

Rector

St. Paul's Church, Covent Garden.

Patterson, Susan

From: admin [admin@cgareatrust.org.uk]
Sent: 15 July 2014 11:57
To: 'James Anderson'; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; Hyams, Louise (Cllr); david.kaner@outlook.com; richardcthomson@yahoo.co.uk
Cc: Drayan, Anil; Patterson, Susan; 'Suraj Desor'
Subject: RE: Sticks 'n' Sushi, Henrietta Street

Dear James

I am happy with the wording – I appreciate the difficulty with using “encouraged” but also I hope you understand my point. I repeat, the Trust is now happy to withdraw its objection.

Kind regards

Sarah

Sarah Lane
Trust Secretary
Covent Garden Area Trust
1st Floor
13 New Row
London
WC2N 4LF
020 7497 9245 (direct dial)
07756 068628 (mobile)
www.coventgardentrust.org.uk

Registered charity number 299874
Registered at Companies House, Cardiff
Registered number 02280893
A company limited by guarantee

From: James Anderson [mailto:J.Anderson@popall.co.uk]
Sent: 15 July 2014 11:19
To: admin@cgareatrust.org.uk; joweir@ymail.com; spcfolks@googlemail.com; linda@campin.co.uk; trevor.standen@rlb-law.com; lhyams@westminster.gov.uk; david.kaner@outlook.com; richardcthomson@yahoo.co.uk
Cc: adrayan@westminster.gov.uk; spatterson@westminster.gov.uk; Suraj Desor
Subject: Sticks 'n' Sushi, Henrietta Street

Dear all

Many thanks for those of you who have been good enough to respond and particularly to Simon Grigg and Sarah Lane on behalf of the Covent Garden Area Trust who have indicated they are content to withdraw their representations.

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“After 11.30pm on Monday to Thursday and midnight on Friday and Saturday unless there is an emergency all customers will leave the premises via the exit on Maiden Lane only”.

Please do let me know if you are happy with the amended condition.

Yours sincerely

James Anderson

Partner, Poppleston Allen

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Covent Garden Area Trust

13 New Row, Covent Garden, London WC2N 4LF
Telephone 020 7497 9245 Facsimile 020 7240 2405

Email: admin@coventgardentrust.org.uk

Website: www.coventgardentrust.org.uk

Registered Charity No. 299874

Licensing Service
Westminster City Council
14th Floor City Hall
64 Victoria Street
London
SW1E 6QP

BY POST AND EMAIL

28th May 2014

Dear Sirs

**Re: Application for a variation of Premises Licence – 14/03454/LIPV
Sticks 'n' Sushi, 11 Henrietta Street, London WC2E 8PY**

The Covent Garden Area Trust wishes to object to the application for a variation to the premises licence at 11 Henrietta Street by Sticks 'n' Sushi Limited by extending the terminal trading hours.

The application seeks to extend the trading hours outside of the core hours within the stress area. Henrietta Street has a number of restaurants and bars which already cause annoyance and distress to the large number of residents who also live in the street.

The Trust is aware that many customers, both of the applicant establishment and others, take their drinks out on to the pavement in order to smoke and socialise and are often very noisy. The Trust is concerned at the prospect of extending the hours of operation of an activity which is already causing a noise nuisance to residents.

If this application were to be granted, the Trust envisages other similar establishments in the street applying for the same extended hours, causing further distress to residents, and there would then be no point in having core hours, or a stress area, for this busy area of Covent Garden. This is a precedent which should not be set.

Yours faithfully

Mrs Sarah Lane
Trust Secretary

Patterson, Susan

From: James Anderson [J.Anderson@popall.co.uk]
Sent: 10 July 2014 11:41
To: Patterson, Susan; Owojori, Olaposi
Subject: RE: Sticks 'n' Sushi, Henrietta Street

Susan, thank you and that is correct; I look forward to hearing from you. Regards, James.

From: Patterson, Susan [mailto:spatterson@westminster.gov.uk]
Sent: 09 July 2014 15:14
To: Owojori, Olaposi
Cc: James Anderson
Subject: RE: Sticks 'n' Sushi, Henrietta Street

Hello James

Just to advise that I have taken over handling this case to resolution. Thanks for the copies of all the emails you have sent to the representers following your meeting with them, Ola has forwarded them to me.

I understand that you now just wish this application to be for the extension of opening hours only to apply on to Monday to Saturday inclusively, and will mean that customers will be able to remain in the premises until midnight on Monday to Thursday and 12.30am on Friday and Saturday.

NO extension to late night refreshment hours and Sale of Alcohol hours

Could you just confirm back to me for clarity.

The case is listed for LSC on 7th August 2014. I will send out Notice of Hearings next week and advise the representers , again of the applications reduction to see if their concerns are addressed.

As we have 7 reps on the case only if all are withdrawn will we not proceed to a hearing for a resolution.

Thanks

Ms Susan Patterson
 Environmental Health Consultation and Licensing
 Premises Management
 Westminster City Council
 4th Floor South
 City Hall
 64 Victoria Street
 London
 SW1E 6QP
 Tel: 020 7641 2207
 Fax: 020 7641 7815
 Mobile:07983398635
spatterson@westminster.gov.uk
www.westminster.gov.uk

From: Owojori, Olaposi
Sent: 09 July 2014 13:15
To: Patterson, Susan
Subject: FW: Sticks 'n' Sushi, Henrietta Street

Owojori, Olaposi

From: Sollars, Jim
Sent: 09 June 2014 10:30
To: Vicki Caress
Cc: Owojori, Olaposi; idoxlicensing
Subject: 14/03454/LIPV STICKS N SUSHI

Vicki,

Just a brief email to confirm that Police had no representation to make against the above application.

Jim Sollars PC 2142CW

Westminster Police Licensing Team
4th Floor Westminster City Hall,
64, Victoria Street,
LONDON
SW1E 6QP

Tel: 0207 641 3179

CITY OF WESTMINSTER

MEMORANDUM

TO Ola Owojori, Licensing Officer**REFERENCE** 14/03454/LIPV

FROM EH Consultation Team
REFERENCE 14/016858/EHCT
BEING DEALT WITH BY Anil Drayan
EMAIL adrayan@westminster.gov.uk
TELEPHONE 020 7641 1774
DATE 27 May 2014

The Licensing Act 2003**Sticks 'n' Sushi, 11 Henrietta Street, London, WC2E 8PS**

I refer to the application for a variation of a Premises Licence for the above premises.

The premises are located in the West End Stress area as defined in the Westminster City Council's Statement of Licensing Policy

The applicant is seeking the following variation to licensable activities:

1. To extend the terminal hours for the sale of alcohol and late night refreshment to midnight Monday to Thursday, 00:30 hours Friday and Saturday and 23:00 hours Sunday.
2. To amend condition 18

I wish to make the following representations:

1. The extension in hours sought will lead to an increase in Public Nuisance in the West End Stress Area.
2. Representation is raised against the proposed amendment of condition 18 as it could only apply if the extension in hours sought was to be permitted.

No additional conditions have been provided by the applicant, in particular, with regards to controls of any external areas and a 'dispersal' policy to prevent nuisance.

The applicant is advised to contact the undersigned to discuss these issues after which Environmental Health will propose additional conditions to allay its concerns.

As the extension in hours sought for the licensable activities is beyond 'core' hours in a stress area and, even if conditions are agreed, Environmental Health considers that this should be a matter for the Licensing-subcommittee to decide

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

Anil Drayan, Environmental Health Officer, EH Consultation Team

Owojori, Olaposi

From: Hyams, Louise (Cllr)
Sent: 21 May 2014 13:46
To: Premises Licensing
Subject: 11 Henrietta Street. Ref:14/03454/LIPV

Follow Up Flag: Follow up
Flag Status: Completed

I understand that an application has been lodged to extend the terminal hour for the sale of alcohol and to extend the opening hours of the above premises.

As Ward Councillor, I would like to register my objection to these requests being granted as I have had representations from local residents who already complain about noise from this venue and any increase of opening would severely harm their quality of life.

In Westminster we introduced a policy of core hours in the stress area and I would urge officers to comply with the policy at this establishment.

Yours sincerely,
Cllr. Louise Hyams
St. James's Ward

--
Louise Hyams

Comments for Licensing Application 14/03454/LIPV

Application Summary

Application Number: 14/03454/LIPV

Address: 11 Henrietta Street London WC2E 8PY

Proposal: Premises Licence - Variation

Case Officer: Mr Ola Owojori

Customer Details

Name: Mrs Linda Campin

Address: Apartment 1, 34A Henrietta Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:47 PM on 26 May 2014 We are concerned that the application to increase the opening hours and the licensing hours (beyond 11pm) is changing the nature of activity in the street. Henrietta Street is becoming increasingly more residential and currently it is not a destination for late night dining. During the week by 11pm it is relatively quiet. However, this is the second restaurant in the last couple of months to seek a late night licence which is a considerable extension beyond the core hours. This will have a dramatic impact on the amount of activity within the street in the early hours of the morning. We therefore respectfully request that this application is not approved.

Comments for Licensing Application 14/03454/LIPV

Application Summary

Application Number: 14/03454/LIPV

Address: 11 Henrietta Street London WC2E 8PY

Proposal: Premises Licence - Variation

Case Officer: Mr Ola Owojori

Customer Details

Name: Mr Richard Thomson

Address: Flat 11 Turner House 6 Exchange Court London

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Comment Reasons:

Comment:8:47 PM on 11 May 2014 As a local resident I do not have an objection provided that it is clearly stated that any external noise from eg disposing bottles into bins is kept to the 11pm cutoff (incidentally - per council guidelines). I flag this as late night bottle dumping at another venue on Maiden Lane has become a major issue recently. Any bottle dumping after 11pm should result in license forfeit. Richard

Patterson, Susan

From: Drayan, Anil
Sent: 10 July 2014 08:33
To: James Anderson
Cc: Patterson, Susan
Subject: FW: RE: Sticks 'n' Sushi, Henrietta Street

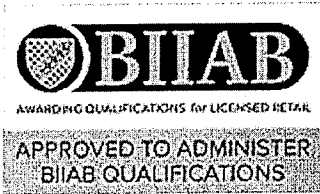
Hi James – FYI

please see e-mail trail below

regards
Anil

Anil Drayan
Environmental Health Officer
Environmental Health Consultation Team
tel/mob 0207 641 1774
fax 0207 641 3436
adrayan@westminster.gov.uk
www.westminster.gov.uk

**Premises Management
Westminster City Council
4F, City Hall
64 Victoria Street
London SW1E 6QP**



From: Richard Thomson [mailto:richardcthomson@yahoo.co.uk]
Sent: 10 July 2014 08:22
To: Patterson, Susan; Owojori, Olaposi; Info@Bynk.com; Drayan, Anil
Subject: Re: RE: Sticks 'n' Sushi, Henrietta Street

Hi westminster team,

Just in relation to the below...

- I didnt meet anyone on 2nd july, I assume there is a mixup with email addresses. But I would be interested who had taken this up already.

- but I did make a representation to you about no noise outside of the council guideline 7am-11pm and specifically requested absolutely NO bottle dumping or collection, written as a clear condition. As you will know this has become a major issue and it is the diplomacy of turner house residents which have sorted issues with the porterhouse, we would hate to have to reopen.

- I understand one stipulation has been added that people can only exit onto maiden lane. Clearly this is inappropriate and penalises a far more residential and more open

covent garden area. I would like to add my objection to this part.

Kind regards
Richard
11 TURNER HOUSE
WC2R 0PP
07790908143

Sent from Yahoo Mail on Android

From: Patterson, Susan <spatterson@westminster.gov.uk>;
To: Owojori, Olaposi <oowojori@westminster.gov.uk>; Info@Bynk.com <Info@Bynk.com>; Drayan, Anil <adrayan@westminster.gov.uk>;
Cc: richardcthomson@yahoo.co.uk <richardcthomson@yahoo.co.uk>;
Subject: RE: Sticks 'n' Sushi, Henrietta Street
Sent: Wed, Jul 9, 2014 2:05:04 PM

Hello Mr Langlois

I have taken this case over today from Mr Owojori. I can advise that you can only make further comment on this case if you already have a representation in, thus I think that Mr Thomson, your neighbour would need to do this if he wished as he made a representation on the case in the statutory time limit of 28 days

Thanks

Ms Susan Patterson
Environmental Health Consultation and Licensing
Premises Management
Westminster City Council
4th Floor South
City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 2207
Fax: 020 7641 7815
Mobile:07983398635
spatterson@westminster.gov.uk
www.westminster.gov.uk

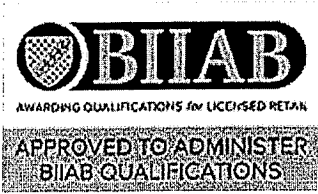
From: Owojori, Olaposi
Sent: 09 July 2014 13:16
To: Patterson, Susan
Subject: FW: Sticks 'n' Sushi, Henrietta Street

Mr Ola Owojori
Environmental Health Case Officer

Environmental Health Licensing & Consultation - Premises Management

Westminster City Council
4th Floor South
City Hall
64 Victoria Street
London
SW1E 6QP

Telephone 020 7641 7830
Fax 020 7641 7815
email: oowojori@westminster.gov.uk
Web: www.westminster.gov.uk




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From: Info@Bynk.com [mailto:[info@bynk.com](mailto:Info@Bynk.com)]
Sent: 09 July 2014 12:35
To: Drayan, Anil; Owojori, Olaposi
Subject: Re: Sticks 'n' Sushi, Henrietta Street

Dear Adrayan,

I was forwarded this email by my neighbour Richard Thomson.

Can you please tell me if this extra condition is added will we again have the right to make a comment on this application?

Many thanks,

Mark Langlois

07776 137 138

6 Exchange Court

WC2R 0PP

From: James Anderson <J.Anderson@popall.co.uk>;
To: richardcthomson@yahoo.co.uk <richardcthomson@yahoo.co.uk>;
Cc: adrayan@westminster.gov.uk <adrayan@westminster.gov.uk>; owojori@westminster.gov.uk <owojori@westminster.gov.uk>; licensing@westminster.gov.uk <licensing@westminster.gov.uk>;
Subject: Sticks 'n' Sushi, Henrietta Street
Sent: Wed, Jul 9, 2014 10:08:47 AM

Dear Mr Thomson

Thank you very much to those of you who met Andreas and myself on Wednesday 2 July at the premises.

I write to confirm that the applicant wishes to amend the application so that there is no extension at all of licensable activities (including the sale of alcohol) but only an extension of the closing time.

This is only apply on to Monday to Saturday inclusively, and will mean that customers will be able to remain in the premises mid-night on Monday to Thursday and 12.30am on Friday and Saturday.

As Andreas explained, it will allow the premises to serve food and drink to the post-theatre crowd and other later diners v having to rush them out of the door.

Your concerns about people leaving later on to Henrietta Street have been noted.

We would therefore propose to add the following condition which will be attached to the premises licence and which will therefore be enforceable by Westminster's Licensing Enforcement Team;-

“After 11.30pm on Monday to Thursday and midnight on Friday and Saturday all customers will leave the premises via the exit on Maiden Lane only.”

I have sent a copy of this email to the Licensing Department, the Environmental Health Officers and other interested parties who have made observations about the application.

If you wish to discuss the application further, then please do not hesitate to contact me.

Yours sincerely

James Anderson

Partner, Poppleston Allen

T: 0115 934 9195 M: 07971 284605 W: www.popall.co.uk

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Licence & Appeal History of Existing Licence at this Address

Application	Details of Application	Date Determined	Decision
Conversion and variation application 05/04139/LIPCV	Conversion of licence and variation to extend hours.	5/7/2005	Conversion variation granted by Licensing Sub Committee.
Transfer 13/03239/LIPT		14/6/2013	Granted under delegated authority
Variation 13/03241/LIPV		13/8/2013	Granted under delegated authority
Minor Variation 13/06824/LIPVM		26/9/2014	Granted under delegated authority
Variation 14/03454/LIPV	As detailed in this report	7/8/2014	Pending Licensing Sub Committee Decision

History of appeal to follow – if applicable

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

Existing Licence Conditions

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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

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

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

Conditions relating to Regulated Entertainment

9. A comprehensive CCTV system shall be installed that ensures that all areas of the licensed premises are monitored including all entry and exit points that enables frontal identification of every persons entering the premises, regardless of the level of illumination. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a Police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice.
10. The licensee puts in place measures to ensure that staff are aware of the establishment's responsibilities under section 34 of the Environment Protection Act 1990 and that waste should only be put out at the appropriate time and that this includes both verbal instructions to staff and highly visible notices at all relevant places within the working areas of the premises.
11. All waste at the premises shall be paid for, properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.

12. The licensee shall ensure that the highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.

Conditions related to the Sale of Alcohol

13. No striptease, no nudity and all persons on the premises to be decently attired.
14. There shall be no payment made by or on behalf of the licensee to any person for bringing customers to the premises.
15. In all parts of the premises where intoxicating liquor is sold or supplied:
- suitable beverages other than intoxicating liquor, including drinking water, shall be available during the whole of the permitted hours.
 - substantial food shall be available between the hours of, but not restricted to, 12:00 noon and 21:30 (Monday to Saturday) and 12:00 noon to 14:30 and 19:00 to 21:30 (Sundays, Christmas Day and Good Friday, when open).

Annex 2 – Conditions consistent with the operating Schedule

16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 170 persons with the following local restrictions:
- Basement - 40
 - Ground Floor - 130
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. The supply of alcohol at the premises shall be to a person seated taking a table meal there and for consumption by such a person ancillary to their meal, except in the ground floor bar area, a maximum of 40 persons will be allowed to:
- Be supplied and consume alcohol either seated or standing prior to or after their meal;
 - Be supplied or consume alcohol either seated or standing without taking a table meal.
19. Seating for a minimum of 100 persons will always be provided whenever the premises are conducting licensable activities.

End of existing LICENCE CONDITIONS

Proposed by the applicant, in discussion with residents making representations, 4 of whom have withdrawn their representations

20. After 11.30 pm on Monday to Thursday and midnight on Friday and Sunday all customers will leave the premises via the exit on Maiden Lane only

Below is a new mandatory condition which will be added to the licence when re - issued

- 21(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.
- 21(ii) For the purposes of the condition set out in paragraph 9(i) above -
- "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - "permitted price" is the price found by applying the formula -

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

Where -

- 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.

21(iii). Where the permitted price given by Paragraph 9(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.

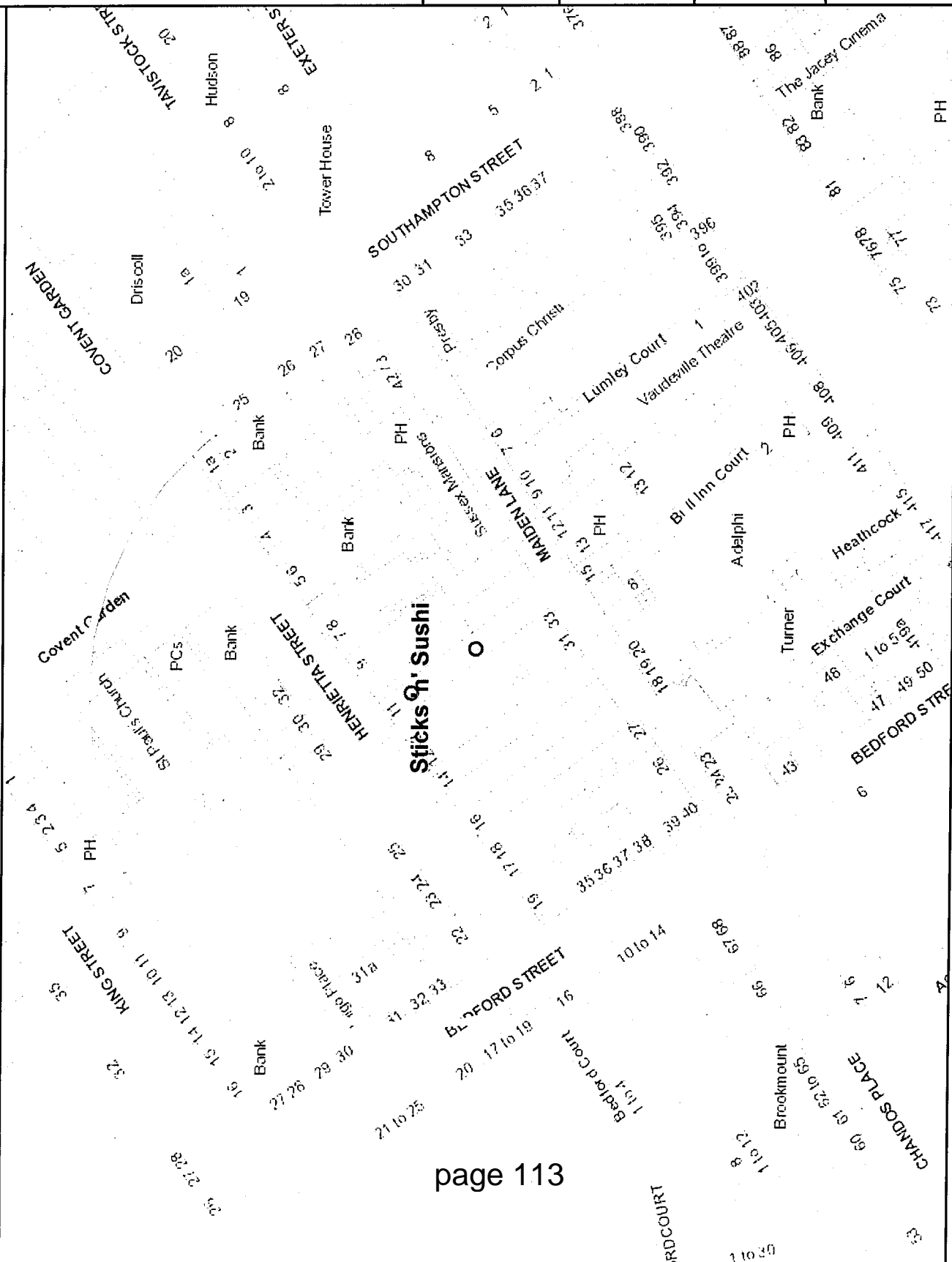
21(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(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.



11 Henrietta Street, WC2E 8PY

APPENDIX E



Residential / Proposed Residential	69
Under Construction	0
Other Uses	132
Proportion Residential of all Uses	34.33%

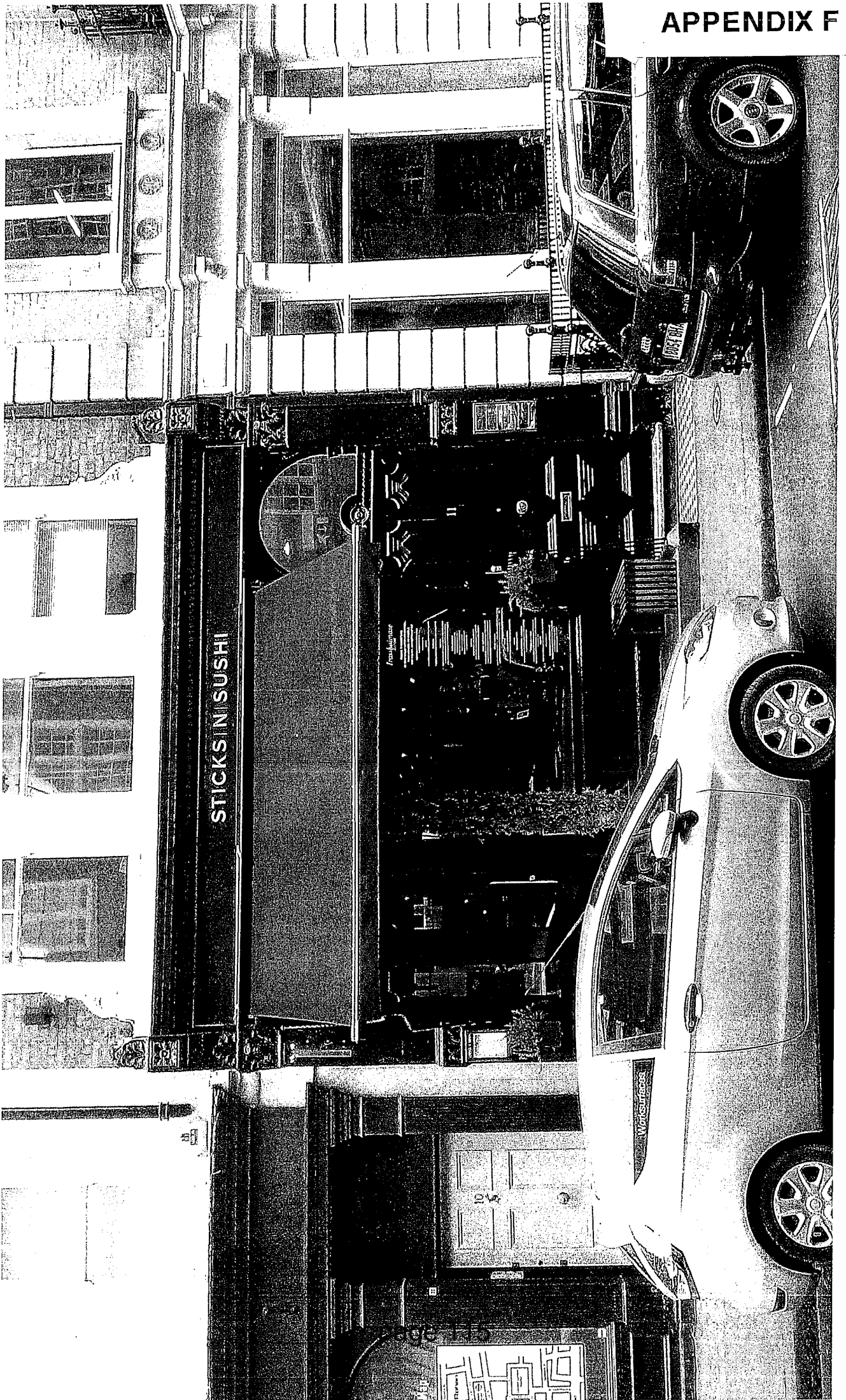
Data Source: Uniform Database
Date: 10/06/2014

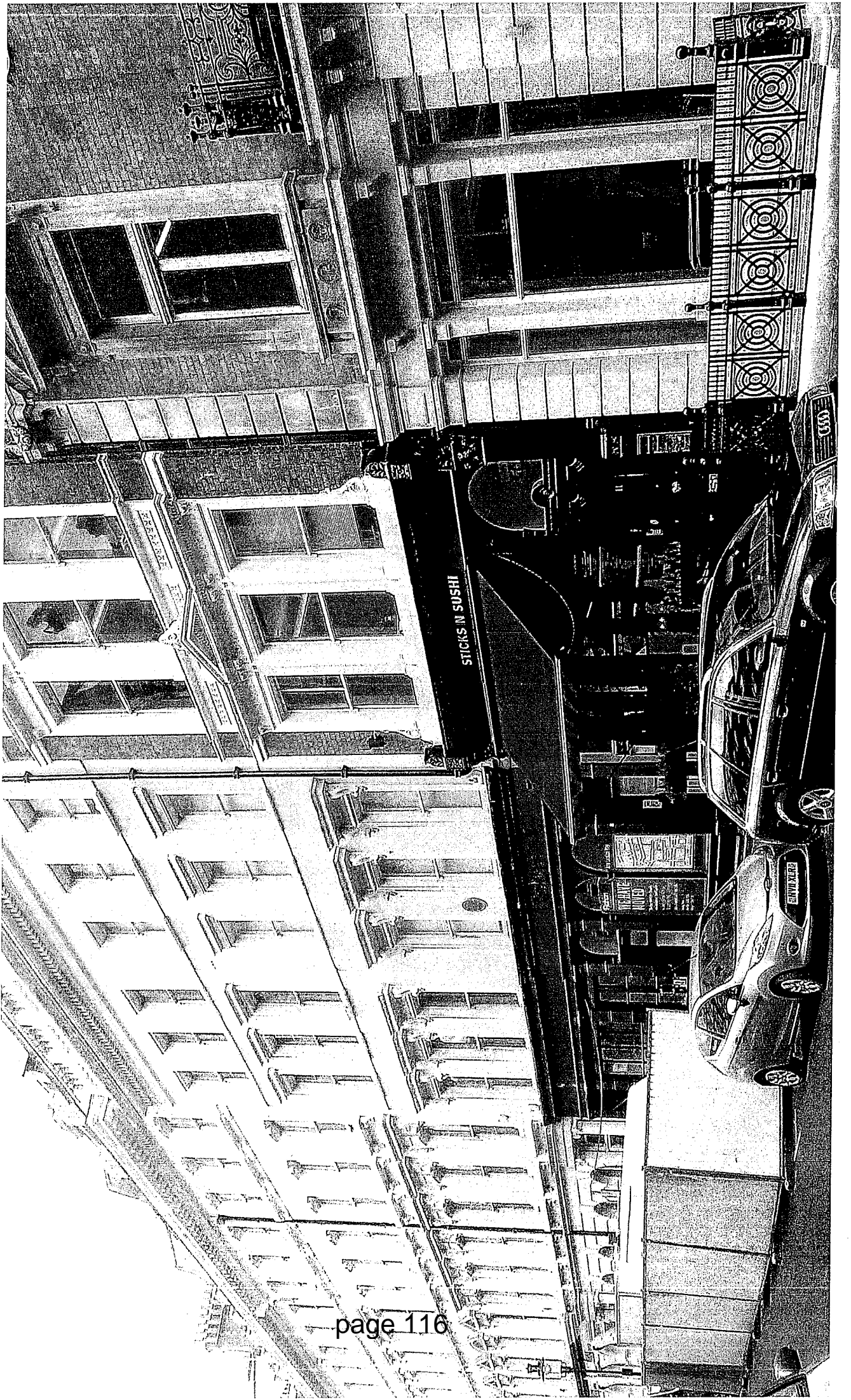
This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2013. All rights reserved. Licence number: LA 100010507

0 Meters

Premises within 75 metres of: Sticks 'n' Sushi, 11 Henrietta Street, London, WC2E 8PY

p / n	Name of Premises	Premises Address	Opening Hours
2653	Jewel	29-30 Maiden Lane London WC2E 7JS	Sunday to Tuesday 09:00 - 01:00 Wednesday to Saturday 09:00 - 01:30
5357	Maple Leaf	Ground Floor 41 Maiden Lane London WC2E 7LJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
5447	Thai Pin Restaurant	Ground Floor 7 - 8 Maiden Lane London WC2E 7NA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
5958	Fire And Stone	31-32 Maiden Lane London WC2E 7JS	Monday to Sunday 00:00 - 00:00
6086	Adelphi Theatre	411 Strand London WC2R 0NS	Saturday to Sunday 09:00 - 00:00 Monday to Friday 09:00 - 04:00
12415	Sticks 'n' Sushi	11 Henrietta Street London WC2E 8PY	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:50
13212	La Perla	28 Maiden Lane London WC2E 7JS	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 10:00 - 23:00 Sundays before Bank Holidays 12:00 - 00:00
-32473	La Perla	28 Maiden Lane London WC2E 7JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-30564	Pasta Brown	31 Bedford Street London WC2E 9EH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-8332	Gourmet Burger Kitchen	13-14 Maiden Lane London WC2E 7NA	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
-1110	Bella Italia	30 Henrietta Street London WC2E 8NA	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
-254	Henry's Cafe Bar	Basement And Ground Floor 5 - 6 Henrietta Street London WC2E 8PS	Monday to Saturday 07:30 - 00:00 Sunday 09:00 - 23:30
431	Condesa Tapas Bar	15 Maiden Lane London WC2E 7NA	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
2638	Rules Restaurant	34-35 Maiden Lane London WC2E 7LB	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
6934	Condesa Tapas Bar	15 Maiden Lane London WC2E 7NA	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
8012	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 23:00
28161	All Bar One	Ground Floor And Basement 19 Henrietta Street London WC2E 8QH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
32722	Porter's English Restaurant	Ground Floor 16 Henrietta Street London WC2E 8QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-20251	Da Polpo	Ground Floor 6 Maiden Lane London WC2E 7NA	Sundays before Bank Holidays 09:00 - 00:30 Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 10:00 - 23:00







City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/04363/LIPV
Date:	7 August 2014
Classification:	For General Release
Title of Report:	189 Piccadilly London W1J 9ES
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Bina Patel, Environmental Health Case Officer
Contact Details:	Telephone: 020 7641 2125 E-mail: bpatel@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	Variation of the premises licence under the Licensing Act 2003.		
Applicant:	189 Piccadilly Limited	Date Application Received:	30 May 2014
Premises Name and Address:	189 Piccadilly London W1J 9ES		
Ward Name:	St James's	Stress Area	No
Premises Description:	The premises operate as a restaurant & Café /Bar over 4 floors: Basement & Ground Floors – Cafe/Bar First & Second Floors – Restaurant		
Variation description	The application submitted is to amend and/or delete conditions on the exiting licence		

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

Proposed Licensable Activities, Proposed Hours:		References / Notes
1	<p>Variations to conditions on the licence</p> <p>(i) To amend condition 17 on the existing licence at Appendix A1 which currently reads:</p> <p style="padding-left: 40px;"><i>17. There shall be a minimum of 1 SIA licensed door supervisors on duty at the premises after 23.00 hours</i></p> <p>To be amended as follows:</p> <p style="padding-left: 40px;"><i>17. There shall be a minimum of 1 SIA licensed door supervisor on duty at the premises after 23.00 hours on Friday and Saturday.</i></p> <p>(ii) To delete condition 26 on the existing licence at Appendix A1 which currently reads:</p> <p style="padding-left: 40px;"><i>26. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.</i></p>	

(iii) To amend condition 42 on the existing licence at Appendix A1 which currently reads:

42. Children under 16 will be allowed in the restaurant, in the basement until 19:00 and not at all on the ground floor.

To be amended as follows:

42. Children under 16 will be allowed in the restaurant in the basement and ground floor until 19:00

(iv) To amend condition 47 on the existing licence at Appendix A1 which currently reads:

47. There shall be no supply of alcohol on the premises (in the restaurant) area otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.

To be amended as follows:

47. Alcohol on the premises (in the restaurant) area may be provided to all persons whether or not they are taking a table meal there

(v) To amend condition 49 on the existing licence at Appendix A1 which currently reads:

49. In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be served by waiters and to persons seated.

To be amended as follows:

49. In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be provided to persons seated.

Relevant representations and policies applicable:

1A An adverse representation has been made against the application by the Environmental Health Service to proposals (iv) and (v) above stating that the proposal will have the likely effect of causing an increase in public nuisance in the area and may impact on public safety.

They have no objections to the amendments sought to proposals (i), (ii) and (iii) above however, alternative conditions have been proposed. **Please refer further to Appendix B1**

1B An adverse representation has been made against the application by the Metropolitan Police Service. They have raised representations to proposals (ii), (iv) and (v) and have provided alternatives conditions to the applicant for consideration.

**Environmental
Health
representation**

**Metropolitan Police
Service**

They have no objections to the amendments sought to proposals (i) and (iii) above. **Please refer further to Appendix B2**

1C The following policies within the City of Westminster Statement of Licensing Policy apply:

- Prevention of crime and disorder (CD1)
- Public Safety (PS1)
- Prevention of public nuisance (PN1)
- Protection children from harm (CH1)
- Restaurants outside the Stress Area (RNT1)
- Pubs and Bars outside the Stress Area (PB1)

1D Policy RNT1: Applications will generally be granted and reviews determined subject to the relevant criteria in policies CD1, PS1, PN1 and CH1.

1E Policy PB1 Applies: Applications will generally be granted, if it can be demonstrated that the proposals meets the relevant criteria in policies CD1, PS1, PN1 and CH1.

1F The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

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

Policies applicable

Summary

Licensable activities permitted under the existing Premises Licence 13/05754/LIPDPS

Variation to Licensable Activities

Regulated Entertainment:

- Exhibition of Film
- Live Music
- Playing of Recorded Music
- Anything of a similar description to Live Music, recorded Music or Dance
- Provision of facilities for entertainment of a similar description to making music or dance

Monday to Saturday 10:00 to 01:30
Sunday 12:00 to 01:30

Please note following recent change in legislation, faculties for entertainment is no longer licensable and will be removed from the licence following the determination of this application.

Regulated Entertainment:

No Change

<p>Late Night Refreshment: Indoors</p> <p>Monday to Saturday 23:00 to 01:30 Sunday 23:00 to 01:30</p>	<p>Late Night Refreshment: Indoors</p> <p>No Change</p>
<p>Sale of Alcohol: On and Off the premises</p> <p>Monday to Saturday 10:00 to 01:00 Sunday 12:00 to 01:00</p>	<p>Sale of Alcohol: On and Off the premises</p> <p>No Change</p>
<p>Non Standard Timings</p> <p>The premises may remain open for the sale of alcohol from 10:00 on 31 December to 10:00 on 01 January, for late night refreshment from 23:00 on 31 December to 05:00 on 01 January and for recorded music from 10:00 on 31 December to 11:00 on 01 January</p>	<p>Non Standard Timings</p> <p>No Change</p>
<p>Capacity</p> <p>The number of persons permitted in the following rooms when regulated entertainment is being provided (excluding staff) shall not exceed :</p> <p>Basement: 60 persons First Floor: 74 persons Second Floor: 40 persons</p> <p>with a maximum of 150 persons at any one time</p>	<p>Capacity</p> <p>No Change</p>
<p>Opening Hours</p> <p>Monday to Saturday 10:00 to 01:30 Sunday 12:00 to 01:30</p>	<p>Opening Hours</p> <p>No Change</p>
<p>Current Licensing Position</p>	<p>The premises currently holds a premises licence 13/05754/LIPDPS (Appendix A1)</p>
<p>Current Planning Position</p>	<p>Planning permission was granted on 7 December 2004 for 'Installation of glazed staircase enclosure at second floor rear in connection with alterations, including erection of conservatory at rear second floor level and relocation of existing plant, all in connection with the enlargement of the existing restaurant.' (04/04096/FULL)</p> <p>The following conditions are imposed on the permission granted:</p> <p>You must not sell hot food to customers for take-away, despite the provisions of Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). This does not preclude the sale of hot drinks to customers to take away. (C05CA)</p> <p>You must only use the reconfigured restaurant shown on the 1st and 2nd floors as a restaurant with waiter service. You must not use any part of this area as an bar or bar area unless it is ancillary to the restaurant to serve restaurant customers only, before, during or after their meals. it must not be used for any other purposes, including any within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C05EA)</p>

Residential Density:	5 of the 88 units within a 75m radius of the premises are residential and proposed residential (6%), refer to Appendix E
List of Appendices:	A1 – Existing Premises Licence 13/05754/LIPDPS A2 – Application B1 – Environmental Health Service representation B2 - Metropolitan Police Service representation C – Licence History D - Proposed Conditions E – Residential Map and list of premises in the vicinity F – Photograph of the premises
Relevant Representations:	Environmental Health Service Metropolitan Police Service

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendix A2**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)



Schedule 12
Part A

WARD: St James's
UPRN: 100023472912

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

Premises licence

Regulation 33, 34

Premises licence number:

13/05754/LIPDPS

Original Reference:

05/08749/LIPN

Part 1 – Premises details

Postal address of premises:

189 Piccadilly
189 Piccadilly
London
W1J 9ES

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Performance of Live Music

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Playing of Recorded Music

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Non-standard Timings: Please see Annex 3 (44)

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Late Night Refreshment

Monday to Saturday: 23:00 to 01:30
Sunday: 23:00 to 01:30

Non-standard Timings: Please see Annex 3 (43 and 44)

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 01:00

Non-standard Timings: Please see Annex 3 (44)

The opening hours of the premises:

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

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

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

Part 2

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

189 Piccadilly Limited
189 Piccadilly
London
W1J 9ES
Business Phone Number : 020 7402 7788

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

08320089

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

Name: Bishwa Shresta

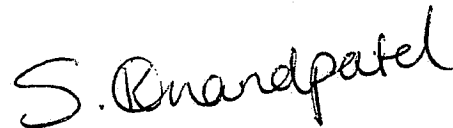
Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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: 416447
Licensing Authority: London Borough of Brent

Date: 22nd August 2013

Signed: pp



Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 4.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

10. Off Sales of Alcohol are to be in sealed containers only and for consumption off the premises.
11. Off Sales of Alcohol can only be supplied with the delivery of a meal of a minimum order of £20 direct to a business or place of residence.
12. The provision of regulated entertainment shall be restricted to karaoke and shall be to private pre-booked functions only.
13. The provision of regulated entertainment on the first floor shall only be to persons who have partaken or are partaking in a table meal.
14. The provision of regulated entertainment is restricted to the basement, first and 2nd floors only.
15. The number of persons permitted in the following rooms when regulated entertainment is being provided (excluding staff) shall not exceed :
 - Basement: 60 persons
 - First Floor: 74 persons
 - Second Floor: 40 personswith a maximum of 150 persons at any one time.
16. There shall be no new admittance to the premises after midnight.
17. There shall be a minimum of 1 SIA licensed door supervisors on duty at the premises after 23.00 hours.
18. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
19. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of the local residents and use the area quietly.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
21. All windows and external doors shall be kept closed after 23:00 hours or at any time regulated entertainment takes place, except for the immediate access and egress of persons.
22. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
25. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
26. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule

3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

27. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
28. The means of escape provided for the premises shall at all times be maintained unobstructed, free of trip hazards, be immediately available and clearly identifiable in accordance with the plans provided.
29. All exit doors shall be available at all times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
31. The edges of the threads of steps and stairways shall be marked and maintained so as to be conspicuous at all times.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. All fabrics, curtains, drapes and similar features shall be either non-combustible or be durably or inherently flame retarded fabric.
34. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard 4293: 1993.
35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
36. 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 to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
37. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
38. 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
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

39. No patrons shall be readmitted into the premises after 00:00 unless they leave to smoke outside.
40. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 6 persons at any one time.

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

41. Maximum occupancy shall be as specified by the Fire Officer from time to time.
42. Children under 16 will be allowed in the restaurant, in the basement until 19:00 and not at all on the ground floor.
43. No take away food to be served after 22:00.
44. The premises may remain open for the sale of alcohol from 10:00 on 31 December to 10:00 on 01 January, for late night refreshment from 23:00 on 31 December to 05:00 on 01 January and for recorded music from 10:00 on 31 December to 11:00 on 01 January.
45. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
46. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours when intoxicating liquor is sold or supplied.
47. There shall be no supply of alcohol on the premises (in the restaurant) area otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.
48.
 - (i) Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex encounter establishment in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided.
 - (ii) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.
49. In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be served by waiters and to persons seated.



Schedule 12
Part B

WARD: St James's
UPRN: 100023472912

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

13/05754/LIPDPS

Part 1 – Premises details

Postal address of premises:

189 Piccadilly
189 Piccadilly
London
W1J 9ES

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Performance of Live Music

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Playing of Recorded Music

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Non-standard Timings: Please see Annex 3 (44)

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 01:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 01:30
Late Night Refreshment	
Monday to Saturday:	23:00 to 01:30
Sunday:	23:00 to 01:30
Non-standard Timings: Please see Annex 3 (43 and 44)	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 01:00
Non-standard Timings: Please see Annex 3 (44)	

The opening hours of the premises:	
Monday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 01:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.


Name and (registered) address of holder of premises licence:
189 Piccadilly Limited 189 Piccadilly London W1J 9ES

Registered number of holder, for example company number, charity number (where applicable)
08320089

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

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

Date: 22nd August 2013

Signed: pp 
Operational Director - Premises Management

2

Westminster City Council

Licensing Service
4th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

020 7641 8549
westminster.gov.uk



City of Westminster

PREMISES MANAGEMENT
LICENSING SERVICE

30 MAY 2014

CITY OF WESTMINSTER

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We 189 Piccadilly Limited
(Insert name(s) of applicant)

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

Premises licence number
13/01139 / LIPDPS

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

189 Piccadilly

Post town	London	Postcode	W1J 9ES
-----------	--------	----------	---------

Telephone number at premises (if any)	020 7634
Non-domestic rateable value of premises	£ 146000 00

Part 2 – Applicant details

Daytime contact telephone number	020 7242 7883		
E-mail address (optional)	lopit@msn.com		
Current postal address if different from premises address	Lovell Son Pitfield 9 Grays Inn Square Grays Inn		
Post town	London	Postcode	WC1R 5JT

[Type text]

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD	MM	YYYY

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

- 1, There shall be a minimum of 1 SIA licenced door supervisor on duty at the premises after 23 00 hours Fridays and Saturdays rather than all week in the current condition 17
- 2, As this is not a sex establishment current condition 26 should be deleted
- 3, Condition 42 should be varied so that children under 16 will be allowed in the restaurant in the basement and ground floor until 19 00 as opposed to the basement only
- 4, Condition 47 shall be varied so that alcohol can be supplied to persons in the restaurant not just to persons taking table meals or ancillary to a meal
- 5, Condition 49 shall be varied so that in the ground floor and basement the restriction on alcohol being served by waiters only shall be removed.

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

N/A

[Type text]

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

[Type text]

A

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

[Type text]

B

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

[Type text]

C

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

[Type text]

D

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

[Type text]

E

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

[Type text]

F

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

[Type text]

G

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

[Type text]

H

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

[Type text]

I

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

[Type text]

J

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

K

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

[Type text]

Please tick as appropriate

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

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

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

N/A

[Type text]

M

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

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

The variation of the licence proposed is essentially a tidying up and improvement of the existing licence terms and therefore essentially neutral.

b) The prevention of crime and disorder

as above

c) Public safety

as above

d) The prevention of public nuisance

as above

e) The protection of children from harm

as above

[Type text]

Checklist:

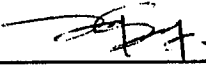
Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	23/05/14
Capacity	Premises Licence Holder

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

Signature	N/A
Date	
Capacity	

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

Christopher Noyce
Lovell Son. Pitfield
9 Grays Inn Square

Post town	London	Post code	WC1R 5JT
Telephone number (if any)	020 7242 7883		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer**REFERENCE** 14/04363/LIPV

FROM EH Consultation Team**REFERENCE****BEING DEALT WITH BY** Ian Watson (iwatson@westminster.gov.uk)**TELEPHONE** 020 7641 3183**DATE** 27th June 2014

The Licensing Act 2003**189 Piccadilly, W1**

I refer to the application for variation of the Premises Licence.

This representation is based on the operating schedule submitted and reference to Premises Licence 13/01139/LIPDPS

The applicant is seeking the following,

1. To vary condition 17 so that it only relates to Friday and Saturdays.
2. To delete condition 26 which states
 - No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
3. To vary condition 42 to permit children under 16 years of age on the ground floor as well as the basement until 19.00 hours.
4. To vary condition 47 relating to the supply of alcohol within the restaurant. The condition currently reads.
 - There shall be no supply of alcohol on the premises (in the restaurant) area otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.
5. To vary condition 49 relating to persons seated and waiters. The condition currently reads.
 - In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be served by waiters and to persons seated.

I wish to make the following representation

1. No objection.
2. No objection.

3. No objection.
4. The variation proposed to condition 47 will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.
5. The variation proposed to condition 49 will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.

A visit will to the premises will be arranged to discuss Environmental Health's concerns.

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

Ian Watson
Senior Practitioner Environmental Health (Licensing)

Patel, Bina

From: Watson, Ian
Sent: 30 July 2014 08:51
To: Patel, Bina
Subject: FW: 189 Piccadilly, W1

Categories: Blue Category

Bina

This is the list of EH conditions I sent to the Police for their perusal and comment. These have been sent to the applicants solicitor and if he agrees them I will be withdrawing my representation.

- **There shall be a minimum of 1 SIA licensed door supervisors on duty at the premises after 23.00 hours on Fridays and Saturdays only.**
- **Children under 16 will only be allowed in the Basement and Ground Floor of the premises till 19:00 hours daily.**
- **There shall be no supply of alcohol on the first floor of the premises otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.**
- **The supply of alcohol on the ground floor shall be by waiter or waitress service to seated persons only.**
- **A waiter or waitress service shall be available throughout the premises.**
- **The number of persons permitted within the premises (excluding staff) shall not exceed,**
 - **Basement: 60 persons**
 - **Ground Floor 30 persons**
 - **First Floor: 74 persons**
 - **Second Floor: 40 persons**

with a maximum of 150 persons at any one time to the basement, first and second floors when regulated entertainment is provided..

A number of works were identified during my visit and therefore I would propose the following condition to cover these

- **The variation (14/04363/LIPV) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.**

- The provision of a 30 minute fire resistant door to the 2nd floor kitchen entrance.
- Ensure that all fire doors leading onto the rear fire escape are self closing and close fitting, especially the one to the first floor.
- Ensure that escape signage is provided at all levels, including half landings, so that it is readily viewable immediately upon entering the rear fire escape.

If the applicant agrees these conditions I will withdraw my representation.

Regards

Ian

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation and Licensing

Premises Management

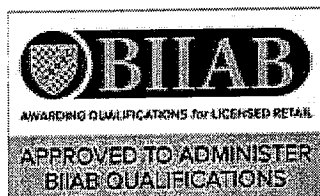
Westminster City Council
City Hall, 4th Floor West
64 Victoria Street
London, SW1E 6QP

Tel: 020 7641 3183

Fax: 020 7641 3436

Email: iwatson@westminster.gov.uk

Westminster Council's Team of the Year 2012



Patel, Bina

From: Marriott, Chris
Sent: 17 June 2014 12:27
To: lupit@msn.com
Cc: idoxlicensing
Subject: 189 Piccadilly, W1. 14/04363/LIPV

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mr Noyce,

I am currently dealing with 189 Piccadilly, W1.

Police have considered your application with regard to the variation of the above licence.

We are agreed with your first altered condition of:

***There shall be a minimum of 1 SIA licensed door supervisor on duty at the premises after 2300 hours Fridays and Saturdays.**

Police also agree to the variation of condition 42 which should now read:

***Children under 16 years of age will be allowed in both the basement and ground floor of the restaurant until 1900 hours.**

Police fully object to the removal of condition 26, and request this to remain.

Condition 47 can be altered however only until 2230 hours, police seek the following:

***After 2230 hours Mon-Sun the premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.**

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

Condition 49 can be altered to the following:

***The supply of alcohol shall be by waiter or waitress service only, to persons who are seated in the premises.**

Kind regards

PC Chris Marriott 3540CW

Westminster Police Licensing Team

**4th floor, 64 Victoria Street,
London, SW1 EQP
Tel: 02076411709**

Licence & Appeal History

Application	Details of Application	Date determined	Decision
New 05/08749/LIPN	Application for a new premises licence	16.11.2005	Granted by Licensing Sub Committee
Variation 09/02103/LIPV	Application to vary the premises licence	07.05.2009	Granted under delegated authority
DPS 06/04985/LIPDPS	Application to vary the designated premises supervisor	11.06.2009	Granted under delegated authority
Minor 10/10244/LIPVM	Application to vary the licence	04.01.2011	Granted under delegated authority
DPS 11/00593/LIPDPS	Application to vary the designated premises supervisor	11.02.2011	Granted under delegated authority
DPS 11/04661/LIPDPS	Application to vary the designated premises supervisor	31.05.2011	Granted under delegated authority
Variation 11/04941/LIPV	Application to vary the premises licence	07.07.2011	Granted under delegated authority
Minor 10/10244/LIPVM	Application to vary the licence	28.09.2012	Refused by Licensing Authority
Minor 12/09648/LIPVM	Application to vary the licence	20.11.2012	Granted under delegated authority
Transfer 13/01134/LIPT	Application to transfer the premises licence	12.03.2013	Granted under delegated authority
DPS 13/01139/LIPDPS	Application to vary the designated premises supervisor	12.03.2013	Granted under delegated authority
Transfer 13/05753/LIPT	Application to transfer the premises licence	22.08.2013	Granted under delegated authority
DPS 13/05754/LIPDPS	Application to vary the designated premises supervisor	22.08.2013	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: attached to the existing premises licence at Appendix A1 – 13/05754/LIPDPS

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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children'
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to'
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on'
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that'
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures'
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

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

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

Annex 2 – Conditions consistent with the operating schedule

10. Off Sales of Alcohol are to be in sealed containers only and for consumption off the premises.
11. Off Sales of Alcohol can only be supplied with the delivery of a meal of a minimum order of £20 direct to a business or place of residence.
12. The provision of regulated entertainment shall be restricted to karaoke and shall be to private pre-booked functions only.
13. The provision of regulated entertainment on the first floor shall only be to persons who have partaken or are partaking in a table meal.
14. The provision of regulated entertainment is restricted to the basement, first and 2nd floors only.
15. The number of persons permitted in the following rooms when regulated entertainment is being provided (excluding staff) shall not exceed:
 - o Basement: 60 persons
 - o First Floor: 74 persons
 - o Second Floor: 40 personswith a maximum of 150 persons at any one time.
16. There shall be no new admittance to the premises after midnight.
17. *There shall be a minimum of 1 SIA licensed door supervisors on duty at the premises after 23.00 hours.*

Application seeks to amend condition 17 as follows

17. *There shall be a minimum of 1 SIA licensed door supervisor on duty at the premises after 23.00 hours on Friday and Saturday.*

Alternative to condition 17 proposed by EHS & consulted with Police

17. *There shall be a minimum of 1 SIA licensed door supervisors on duty at the premises after 23.00 hours on Fridays and Saturdays only.*
18. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
19. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of the local residents and use the area quietly.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
21. All windows and external doors shall be kept closed after 23:00 hours or at any time regulated entertainment takes place, except for the immediate access and egress of persons.
22. Loudspeakers shall not be located in the entrance lobby or outside the premises building.

23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
25. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
26. *No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.*

Application seeks to delete condition 26

27. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
28. The means of escape provided for the premises shall at all times be maintained unobstructed, free of trip hazards, be immediately available and clearly identifiable in accordance with the plans provided.
29. All exit doors shall be available at all times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
31. The edges of the threads of steps and stairways shall be marked and maintained so as to be conspicuous at all times.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. All fabrics, curtains, drapes and similar features shall be either non-combustible or be durably or inherently flame retarded fabric.
34. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard 4293: 1993.
35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
36. 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 to the public. This staff

member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

37. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
38. 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
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
39. No patrons shall be readmitted into the premises after 00:00 unless they leave to smoke outside.
40. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 6 persons at any one time.

Annex 3 - Conditions attached after a hearing by a Licensing Sub Committee

41. Maximum occupancy shall be as specified by the Fire Officer from time to time.
42. *Children under 16 will be allowed in the restaurant, in the basement until 19:00 and not at all on the ground floor.*

Application seeks to amend condition 42 as follows

- 42. Children under 16 will be allowed in the restaurant in the basement and ground floor until 19:00*

Alternative to condition 42 proposed by EHS and consulted with Police

- 42. Children under 16 will only be allowed in the Basement and Ground Floor of the premises till 19:00 hours daily.*
43. No take away food to be served after 22:00.
44. The premises may remain open for the sale of alcohol from 10:00 on 31 December to 10:00 on 01 January, for late night refreshment from 23:00 on 31 December to 05:00 on 01 January and for recorded music from 10:00 on 31 December to 11:00 on 01 January.
45. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

46. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours when intoxicating liquor is sold or supplied.
47. *There shall be no supply of alcohol on the premises (in the restaurant) area otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.*

Applications seeks to amend condition 47 as follows:

47. *Alcohol on the premises (in the restaurant) area may be provided to all persons whether or not they are taking a table meal there*

Alternative to condition 47 proposed by Police

47. *After 2230 hours Mon–Sun the premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.*

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

Alternative to condition 47 proposed by EHS

- 47(i). *There shall be no supply of alcohol on the first floor of the premises otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.*
- 47(ii). *The supply of alcohol on the ground floor shall be by waiter or waitress service to seated persons only.*
48. (i) Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex encounter establishment in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided.
- (ii) This condition does not apply to any entertainment which is an integral part of a licensed performance of a play.

49. In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be served by waiters and to persons seated.

Application seeks to amend condition 49 as follows:

49. In the ground floor and basement areas, (apart from customers around the bar on the ground floor), alcohol will only be provided to persons seated.

Alternative to condition 49 proposed by EHS and consulted with Police

49. A waiter or waitress service shall be available throughout the premises

Additional conditions proposed by EHS

50. The number of persons permitted within the premises (excluding staff) shall not exceed,

- Basement: 60 persons
- Ground Floor 30 persons
- First Floor: 74 persons
- Second Floor: 40 persons

with a maximum of 150 persons at any one time to the basement, first and second floors when regulated entertainment is provided..

51. The variation (14/04363/LIPV) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

The following new mandatory condition which came into effect on 28 May 2014 will be added to the licence following the determination of this application

- A (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.

- B (ii) For the purposes of the condition set out in paragraph 9(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 -

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

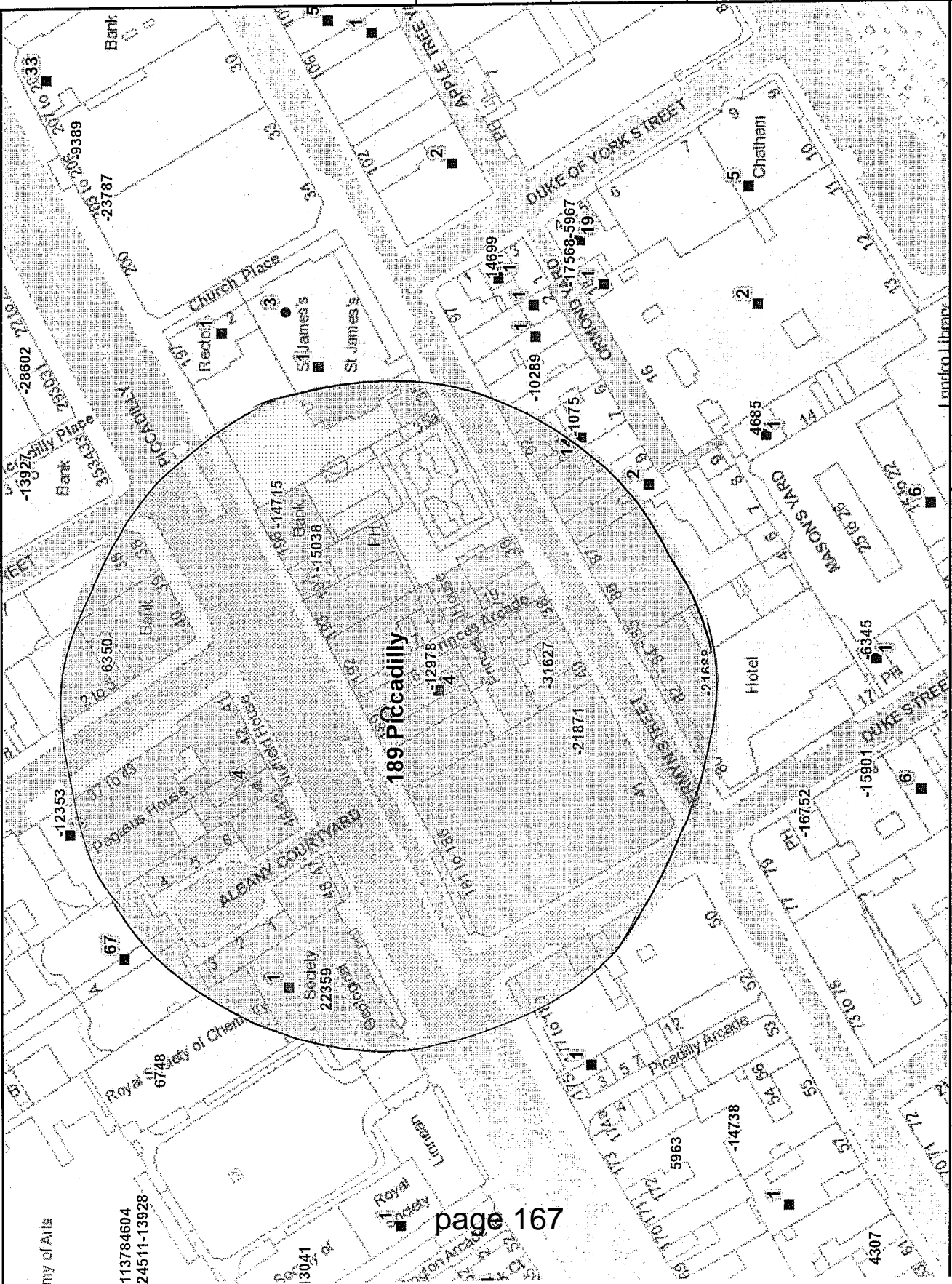
Where -

- (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.

C (iii). Where the permitted price given by Paragraph 9(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.

- D (iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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.



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Data Source: Uniform Database

Date: 14/07/2014

Residential / Proposed Residential	5
Under Construction	4
Other Uses	79
Proportion Residential of all Uses	10%

APPENDIX E

Premises within 75 metres of: 189 Piccadilly, London W1J 9ES

p / n	Name of Premises	Premises Address	Opening Hours
6350	Sackville News	1 Sackville Street London W1S 3DA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-31627	Tramp	40 Jermyn Street London SW1Y 6DN	Monday to Sunday 09:00 - 05:00
22359	Geological Society Of London	First Floor Front Burlington House Piccadilly London W	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-21671	Fortnum & Mason	181-184 Piccadilly London W1J 9ES	Monday to Saturday 10:00 - 01:30 Monday to Saturday 10:00 - 23:00 Sunday 12:00 - 01:00 Sunday 12:00 - 22:30 Sunday 12:00 - 23:00
-12978	189 Piccadilly	189 Piccadilly London W1J 9ES	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:30
-15038	B A F T A (British Academy Of Film And Televisio	195 Piccadilly London W1J 9LN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-14715	Gala Casino Piccadilly	196 Piccadilly London W1J 9EY	Monday to Sunday 00:00 - 00:00



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