HEARING TO BE CONDUCTED UNDER THE TERMS OF THE LICENSING ACT 2003



Committee Agenda

City of Westminster

Licensing Sub-Committee (1)

Meeting Date:

Thursday 24th September, 2015

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

Time:

Title:

10.00 am

Venue:

Members:

Councillors:

Tim Mitchell (Chairman) Susie Burbridge Jan Prendergast

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 9.00am. 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: <u>www.westminster.gov.uk</u> **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. CUMBERLAND FOOD & WINE, 11 GREAT CUMBERLAND PLACE, W1

Арр	Ward/	Site Name	Application	Licensing
No	Stress	and		Reference
	Area	Address		Number
1.	Bryanston	Cumberlan	Variation	14/09194/LIPV
	and Dorset	d Food &		
	Square	Wine, 11		
	Ward /	Great		
	not in	Cumberlan		
	stress area	d Place,		
		W1		

2. UNIT 2.10 AND 2.11 KINGLY COURT, W1

Арр	Ward/	Site Name	Application	Licensing
No	Stress	and		Reference
	Area	Address		Number
2.	West End Ward / West End Stress Area	Unit 2.10 and 2.11 Kingly Court, W1	New	15/06161/LIPN

(Pages 1 - 30)

(Pages 31 -68) Charlie Parker Chief Executive 18 September 2015 In considering applications for premises licences under the Licensing Act 2003, the subcommittee 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.

Agenda Item 1



City of Westminster

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

Licensing Sub-Committee Report

24th September 2015

14/09194/LIPV

Cumberland Food & Wine, 11 Great Cumberland Place, London W1H 7AL

Director of Public Protection and Licensing

Bryanston and Dorset

City of Westminster Statement of Licensing Policy

None

Sumeet Anand-Patel

Tel: 020 7641 2737 E-mail: sanandpatel@westminster.gov.uk

1. Application

Application Type:	Variation of a Premises L	icence, Licensing	g Act 2003		
Application received date:	24 th October 0214				
Applicant:	Chelsea Food And Wine	Company Limited	b		
Premises:	Cumberland Food & Wine	9			
Premises address:	11 Great CumberlandWard:Bryanston andPlaceDorset				
	London W1H 7AL	Stress Area:	None		
Premises description:	The premises currently operates as a convenience store with Off sales.				
Variation description	To permit the sale of alcohol for consumption on the premises, provided the alcohol is supplied by waiter or waitress service and the consumption is ancillary to a table meal. Please also note that the application hours for on-sales do not match the hours for off-sales as the commencement hours are less (following an amendment agreed with the police).				
Premises licence history:	These premises currently hold a Premises Licence 12/00801/LIPVM. For a full history, please refer to Appendix 4 .				
Applicant submissions:	The applicant has provided evidence to show that the outside area is privately owned and therefore there is no need for a tables and chairs licence. Please refer to Appendix 3 .				

1-B Current and proposed licensable activities, areas and hours

Sale by Retail of Alcohol On or off sales **Current : Off Sales Proposed: On and Off Sales Licensable Area** Current Proposed Hours (On Hours (Off sales) sales) Start: **Current: Proposed:** Start: End: End: Ground Floor only Additional outside area Monday 08:00 23:00 10:00 23:00 Ground Floor only Additional outside area Tuesday 08:00 23:00 10:00 23:00 Ground Floor only Additional outside area Wednesday 08:00 23:00 10:00 23:00 Ground Floor only Additional outside area Thursday 08:00 23:00 10:00 23:00 23:00 Ground Floor only Additional outside area Friday 08:00 23:00 10:00 23:00 Ground Floor only Additional outside area Saturday 08:00 23:00 10:00 Ground Floor only Additional outside area Sunday 10:00 22:30 12:00 22:30

Hours prem	nises are o	pen to t	he publi	С		
		rent urs		oosed ours	Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00			Ground Floor only	Additional outside area

Tuesday	08:00	23:00		Ground Floor only	Additional outside area
Wednesday	08:00	23:00	No variation	Ground Floor only	Additional outside area
Thursday	08:00	23:00	applied for	Ground Floor only	Additional outside area
Friday	08:00	23:00		Ground Floor only	Additional outside area
Saturday	08:00	23:00		Ground Floor only	Additional outside area
Sunday	10:00	22:30		Ground Floor only	Additional outside area

1-C Conditions being varied, added or removed					
Condition		Proposed vari	ation		
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.		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.			
A staff member from the premis conversant with the operation of system shall be on the premises when the premises is open to th staff member must be able to sh authorised council officer recent footage with the absolute minim when requested.	the CCTV at all times e public. This now a Police or data or um of delay	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.			
Adult entertainment:	Current position	on: Proposed position: N/A			

2. Representations

2-A Responsible Authorities						
Responsible Authority:	Metropolitan Police					
Representative:	PC Sandy Russell					
Received:	29 th October 2014					
Thanks Thomas,						
Police withdraw our	representation.					
Best Wishes,						
Sandy						
From: Thomas O'Maoileoin [mailto:TOMaoileoin@tandtp.com] Sent: 29 October 2014 13:32						
To: Amy Catlin; Rus	sell, Sandy; idoxlicensing					

Subject: RE: 14/09194/LIPV Cumberland Food and Wine, 11 Gt Cumberland Street.

Dear Sandy

We confirm that we agree to amend our application to include the police conditions.

With kind regards

Thomas

From: Russell, Sandy [mailto:srussell@westminster.gov.uk]
Sent: 29 October 2014 13:05
To: Amy Catlin
Cc: idoxlicensing; sandy.russell@met.police.uk
Subject: 14/09194/LIPV Cumberland Food and Wine, 11 Gt Cumberland Street.

Dear Ms Catlin,

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

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

Police would be in a position to withdraw our representation if the following conditions could be agreed by yourself and added to any future operating schedule. Please note that the two CCTV conditions are the updated versions:

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

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

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

4. The supply of alcohol shall be by waiter or waitress service only.

5. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

6. The supply of alcohol for consumption on the premises shall not commence until 10.00hrs Monday to Saturday and midday on Sundays.

We agree to the removal of condition 6 from the current licence.

I look forward to hearing from you.

Best Wishes,

PC Sandy Russell 4167CW

Responsible Authority:	Environmental Health Service
Representative:	Ian Watson
Received:	18 th November 2015

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

The applicant has submitted plans of the ground and basement dated Sept 2014

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday 08.00 and 23.00 hours and Sunday between 10.00 to 22.30 hours.

I wish to make the following representation

1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has provided additional information with the application but this does not fully address the concerns of Environmental Health.

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

2-B Other Persons					
Name:		Mr Patrick Steel			
Address and/or Re	sidents Association:	Cumberland Court Great Cumberland Place London W1H 7DP			
Status:	Pending	In support or opposed:	Opposed		
Received:	20 th November 2014				
I am writing to you about the planning application 14/09194/LIPV. I have been a resident at 48 Great Cumberland Place, London, W1H 7DP and object to the s and consumption of alcohol at this premises, as already there is a nuisance due to the sale o alcohol and I am worried that this will lead to underage people being served at this address aswell. This will also cause a big noise problem, which is already an ongoing issue at this premises.					
Name:		Sakina Mehmood			
Address and/or Re	sidents Association:	Not supplied	,		
Status:	Pending	In support or opposed:	Opposed		

Received:	21 st November 2014	

I have noticed a display in the window of Cumberland Food & News at 12, Great Cumberland place, W1H.

I am very concerned to note that they are asking for permission to serve alcohol on the premises at the same time when they are trading as a convenience store.

This will have a very bad effect for the children's shopping at these premises. It will make a lot of noise and influence rowdy behaviour of the people drinking on the premises and walking on the road.

It is not common for a convenience store to have a drinking license on the premises while trading and this could create a bad precedent for similar businesses.

Name:		Ash Sahni	
Address and/or Residents Association		1A Great Cumberland Place London W1H 7AL	
Status:	Pending	In support of opposed:	Opposed
Received:	20 th November 2014		

I am writing from 1A Great Cumberland Place, London, W1H 7AL

I am very concerned to find out that Cumberland Food and Wine are applying for a License to consume alcohol on the premises. I believe this to be a catastrophic situation as we are already suffering with nuisance of noise of people just buying alcohol from this premises as they stand outside waiting for their friends shouting etc..I feel that the noise levels are going to increase dramatically. The other issue is that on concert days this is going to cause more of a issue.

I would also like to put on record that the grant of this licence may cause for under age drinking to carry out in this premises and will also cause an issue when children come into the shop to buy sweets but will be surrounded by people drinking alcohol which will encourage them to do the same.

I would also like to put on record that previously Mr Shah has made representations stating the same issues that I have mentioned which you can check on the council records therefore this has made me more worried as he feels the same way I do. Therefore this licence should not be granted.

I have never heard of a supermarket selling alcohol and consuming alcohol on the same premises and judging by the other applications he has put in I am worried that he is trying to change his use of the premises through the back door.

Name:		Mr Omar Labban				
Address and/or Residents Association		Cumberland Court Great Cumberland Place London W1H 7DP				
Status:	Pending	In support or opposed:	Opposed			
Received:	20 th November 2014					
I am writing this representation is in regards to the planning application 14/09194/LIPV.						
I have been a reside	nt at 48 Great Cumberla	nd Place, London, W1H 7DP a	nd object to the sale			

and consumption of alcohol at this premises, as already there is a nuisance due to the sale of alcohol and I am worried that this will lead to underage people being served at this address as well.

This will also cause a big noise problem, which is already an on going issue at this premises.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:			
Policy STR1(i)It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises of facilities for music and dancing; other than applications to vary hours 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.		
Policy HRS1	 (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. 		
Policy RNT2	Applications will be granted subject to other policies 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.		

4. Appendices

Appendix 1	Existing premises plans	
Appendix 2	Proposed premises plans	
Appendix 3	Applicant supporting documents	
Appendix 4	Premises history	
Appendix 5	Proposed conditions	
Appendix 6	Residential map and list of premises in the vicinity	
Appendix 7	Photos of the premises	

Report author:	Sumeet Anand-Patel
Contact:	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

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

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

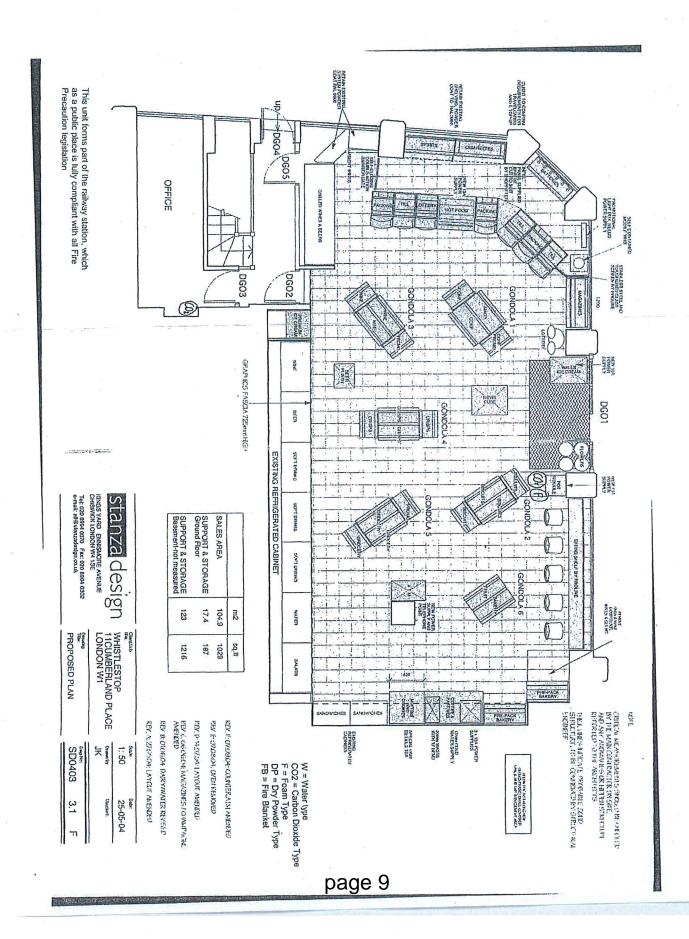
1 Licensing Act 2003

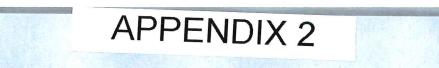
N/A

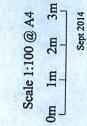
2	City of Westminster Statement of Licensing Policy	7 th January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Existing Licence	28 th June 2012
5	Application Form	27 th October 2014

APPENDIX 1

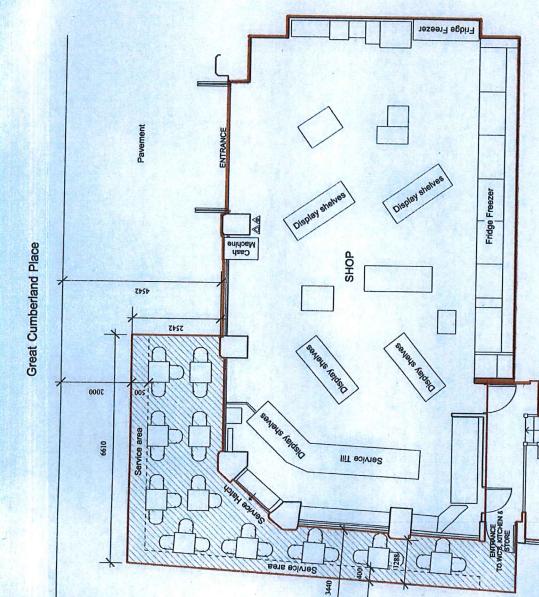
Annex 4 – Plans







3



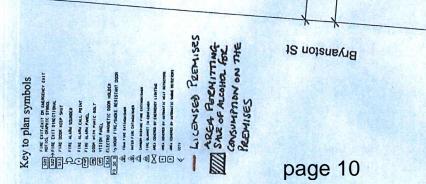
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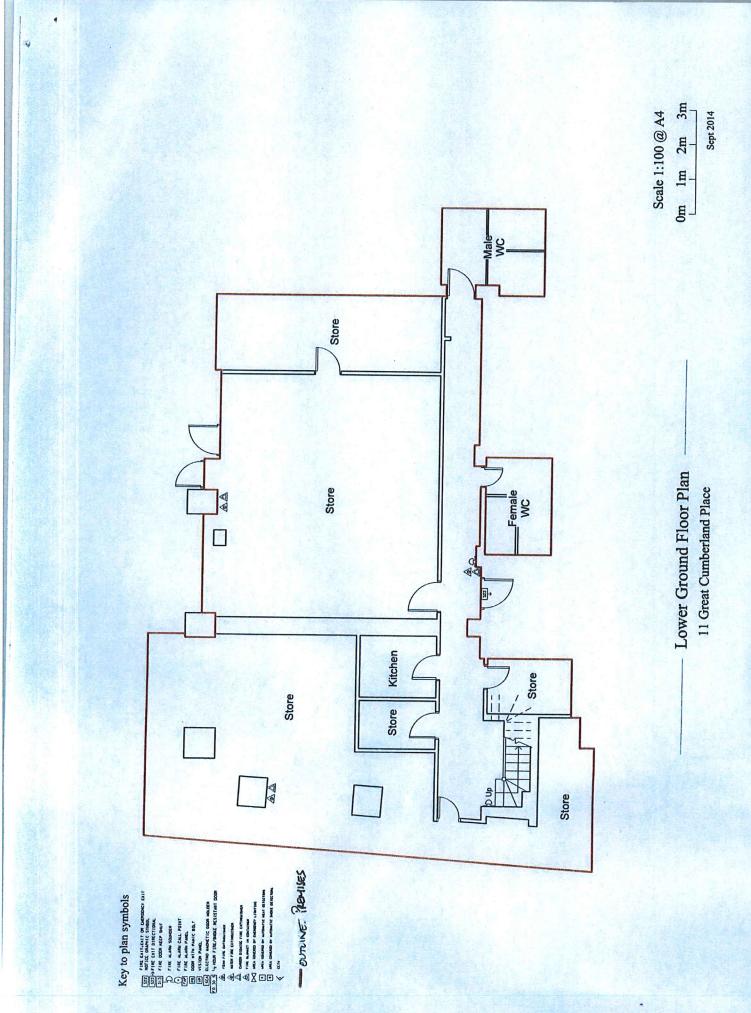
OFFICE

Pavement

Ground Floor Plan 11 Great Cumberland Place



2000



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APPENDIX 3

T: 01273 32 72 72 F: 01273 32 88 57 8-9 Ship Street Brighton BN1 1AZ www.qualitysolicitors.com/howlettclarke DX: 36656 Brighton2

European Retail Limited 14 Poland Street London

•	Direct Line:		01273 718562
	Our Ref:		KS.NEEL002.1
	Your Ref:		
	Date:	۰.	28 January 2013

Children Law

Dear Sirs

W1F 8QD

Our client: Mr Pararasa Singham Neelendra

QualitySolicitors Howlett Clarke

Established 1773

In the Northampton County Court Claim No: 2YL09849

Address :	Our client's address will be confirmed to your insurer
DOB:	22/06/1961
NI Number :	Our client's National Insurance number will be confirmed to your
	insurer
Accident Date :	10/08/2009
Location of Accident :	11 Great Cumberland Street at the junction with Bryanston Street,
-	Marble Arch, London

We are instructed by Mr Neelandra in connection with a claim for personal injuries suffered in an accident on 10 August 2009 outside 11 Great Cumberland Place.

We have exchanged correspondence with claims handlers for Westminster City Council and following the issue and service of proceedings as against that Defendant, a Defence has been filed stating that the land where our client's accident occurred is a private forecourt and not part of the highway for the purposes of the Highways Act 1980. The first indication we have had from Westminster City Council of the same was when the Defence was filed and it is regrettable that this was not raised much earlier.

We understand that you are the registered proprietor of 11 Great Cumberland Place and accordingly, we enclose copies of the correspondence exchanged with claims handlers and solicitors for Westminster City Council, together with a copy of a complete set of the Court proceedings to date.

In view of Court proceedings having been issued on our client's behalf, we put you on notice of our intention to make an immediate application to add European Retail Limited as defendant to the action.

We have written on 4, 8 and 22 January 2013 to Cumberland Food and Wine and we have not received any reply. Copies of those letters are enclosed for your information.

We are also writing to 30 Whitechurch Lane, Edgware, Middlesex HA9 6BE which is the address contained in the proprietorship register of 11 Great Cumberland Street with HM Land Registry. Quality Solicitors Howlett Clarke is the practising name of Howlett Clarke Solicitors LLP

'Is a member of the Limited Liability Partnership. The term 'Partner' refers to a member of the LLP or an employee with equivalent standing and qualifications.

IN PEOPLE

John Brewins and Susan Freeman are Members of the Society of Trust and Estate Practitioners.

Howlett Clarke Solicitors LLP is a Limited Liability Partnership registered in England and Wales number OC343046. The registered office is at 8-9 Ship Street. Brighton, BN1 1AZ.

Authorised and regulated by the Solicitors Regulation Authority under number 547210. INVESTORS S

We will not accept service of proceedings by Email. We are now open on Saturdays from 9am-12.30pm

Partners: Timothy Fenton' Simon Rowe' Colin Edmonds' Jackie Gillespie' Warren Robertson' Tony Newey Alex Jones Louise McKay

Page 2

Please refer the enclosed to the appropriate insurers as soon as possible as, if you do not, this may affect insurance cover and/or the conduct of any subsequent legal proceedings.

We are also in correspondence with the insurers for the freeholder of 11 Great Cumberland Place, Portland Estate Nominees (One) Ltd and Portland Estate Nominees (Two) Ltd.

Court proceedings

We should like to confirm arrangements for service of proceedings.

Our understanding is that the correct identity of the Defendant is European Retail Limited (co registration 03155936). Please let us know if it is not. In the event of any application being required, at a later stage, to amend or substitute the name of the Defendant, we reserve the right to refer to this correspondence to confirm both that you have had the opportunity to clarify the identity of the Defendant and in support of any application for costs occasioned by the amendment.

Please let us know, straight away, if you wish to give an address for service. Unless we hear accordingly we will send the court papers direct to European Retail Limited of 14 Poland Street, London, W1F 8QD, which we understand to be the appropriate address being the current registered office. Please let us know, again straight away, if it is otherwise.

We would ask you, through your insurers or directly, to consider the content of this letter in the light of the assertions made by Westminster City Council.

In all of the circumstances, we would ask to hear from you or the relevant insurers as soon as possible and in any event, **by no later than 4 February 2013** as an imminent application to the Court is necessary as a result of Westminster City Council's assertions in the Defence.

This claim is funded by a conditional fee agreement dated 18 August 2009, which provides for a success fee.

Yours faithfu ORS HOWLETT CLARKE QUAL Email: katherinestockwell@howlettclarke.co.uk

Encs



true assocates

Chattered Surveyors Property managers Estate Agents

15th June 2015

European Retail Limited c/o 11 Great Cumberland Place Marble Arch London W1H 7LU

Dear Sirs

Ref: 11, Great Cumberland Place, Marble Arch, London W1H 7LU

Further to our discussion, I have reviewed the Lease granted to yourselves.

I can confirm that under terms of Lease dated 2nd August 1991 it is our understanding the the external front pavement is part of your Lease demise.

Please do not hesitate to contact me should you require any further information.

Yours faithfully,

Scott Derbyshire Surveyor

Regulated by R1C5



Company Registration No 44Z8716 www.trueassoctates.co.uk

Registered Off Medusa House 1 Kilburn Lane London W10 4AE T: 0208 960 3663

Appendix 4

Application	Details of Application	Date determined	Decision
Conversion variation application	Convert the Justices Off Licence	15.11.2005	Conversion granted,
05/10250/LIPC			
Transfer	To change the licence holder	06.04.2010	Granted under delegated authority
10/01573/LIPT		× •	· · · · · · · · · · · · · · · · · · ·
DPS Variation	To vary the Designated	07.12.2010	Granted under delegated authority
10/08979/LIPDPS	Premises Supervisor		
Minor Variation 13/03692/LIPVM	The applicant is seeking to add 13 conditions to help meet the objectives of the Prevention of Crime and Disorder and Protection of Children from Harm following discussions with the Police.	11.06.2013	Granted under delegated authority
14/08680/LIPT	To change the licence holder	07.09.2015	Granted under delegated authority
Current variation	To permit On sales	Pending	
Variation	To delete condition and replace with	07.09.2015	Granted under delegated authority
15/06561/LIPV	model conditions		

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

<u>Conditions: attached to the existing premises licence (background document)</u> <u>– 13/03692/LIPVM</u>

- 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 hold a personal licence.
- 4. (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.

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

5. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00;
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30;
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (d) On Good Friday, 08:00 to 22:30.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

N.B the above condition has now been deleted following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

6. Alcohol shall not be sold in an open container or be consumed in the licensed premises. (Police have agreed to have this condition removed)

Annex 2 – Conditions consistent with the operating Schedule

- 7. 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. (To be replaced by condition 20 below)
- 8. 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. (To be replaced by condition 21 below)
- 9. All sales of alcohol for consumption off the premises shall be in sealed containers, only, and shall not be consumed on the premises.
- 10. 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.
- 11. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
- 12. There shall be no self service of spirits on the premises.

Note: the above condition has now been deleted and replaced with condition 38 following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

13. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

Note: the above condition has now been deleted and replaced with condition 39 following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

- 14. All cashiers shall receive refresher training on the relevant alcohol laws and the licence holder's policy on challenging for ID. Such training shall take place at least twice a year. Records shall be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or relevant officer of a responsible authority.
- 15. The licence holder shall ensure that all cashiers are trained to ask any customers attempting to purchase alcohol, who appears under the age of 25 years (or older if the licence so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example thumb print or pupil recognition) is introduced. All cashiers shall be instructed, through training, that a sale shall not be made unless this evidence is produced.
- 16. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.

Note: the above condition has now been deleted and replaced with condition 40 following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

17. 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 reused 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.

Note: the above condition has now been deleted and replaced with condition 41 following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.

Note: the above condition has now been deleted and replaced with condition 42 following the grant (under delegated authority) of application 15/06561/LIPV on 7th September 2015

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

Conditions agreed between Police and Applicant:

- 20. 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.
- 21. 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.
- 23. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
- 24. The supply of alcohol shall be by waiter or waitress service only.
- 25. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
- 26. The supply of alcohol for consumption on the premises shall not commence until 10.00hrs Monday to Saturday and midday on Sundays

Conditions proposed by Environmental Health Team:

- 27. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- 28. The maximum capacity (excluding staff) shall not exceed xxx persons.
- 29. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 30. The entrance door shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
- 31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 32. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- 33. All tables and chairs shall be removed from outside the premises by 23.00 hours.
- 34. 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.
- 35. All waste shall be properly presented and placed out for collection no earlier than 30

minutes before the scheduled collection times.

- 36. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
- 37. The Licence 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.

Conditions attached to the licence following application 15/06561/LIPV was granted under delegated authority on 7th September 2015:

- 38. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
- 39. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 40. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
- 41. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record 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.
- 42. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

If Committee is minded to grant this application, the conditions below will be added to the licence:

- A. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - 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
 - drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- B. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- D. The responsible person must ensure that—

C.

- (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;

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

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

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

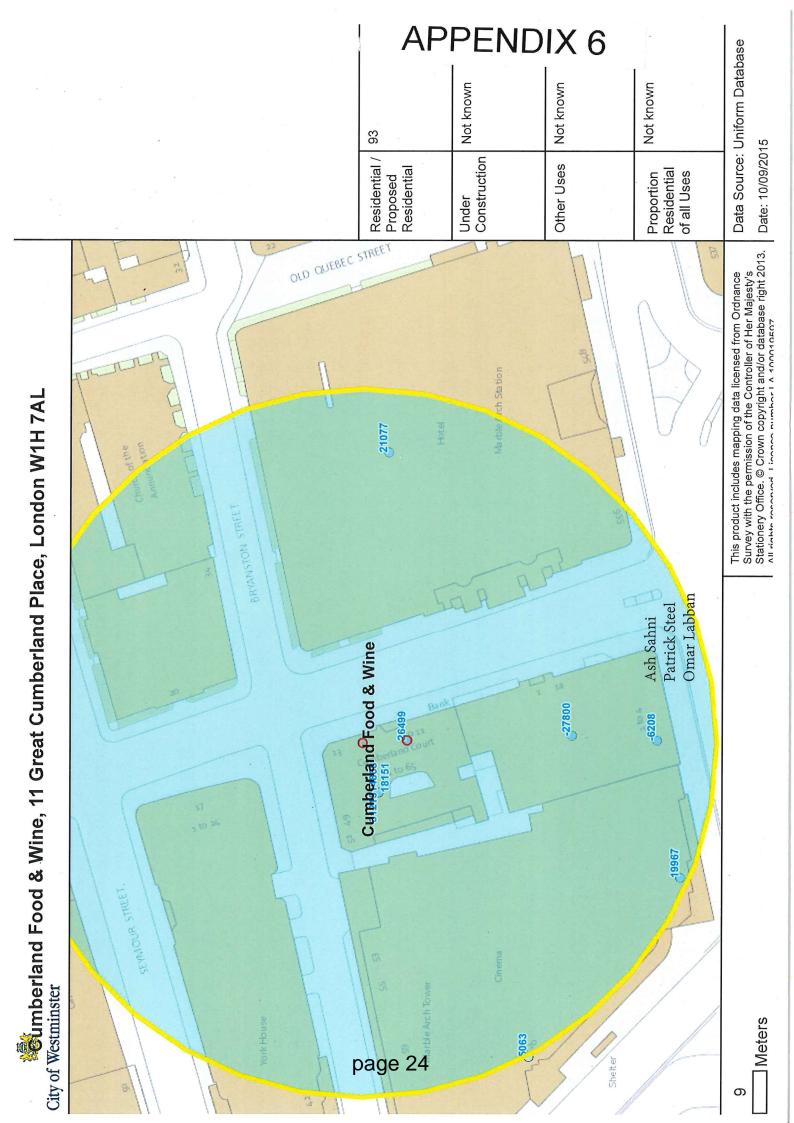
P = D + (DxV)

Where -

- (i) P is the permitted price,
- 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
- 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.
- D(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph

shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- D(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



	с					
Premises within 75 metres of: Cumberland Food & Wine, 11 Great Cumberland Place, London W1H 7AL						
p / n	Name of Premises	Premises Address	Opening Hours			
21077	Cumberland Hotel	Cumberland Hotel Great Cumberland Place London W1H 7DL	Monday to Sunday 00:00 - 00:00			
18151	Prezzo	7-9 Great Cumberland Place London W1H 7BE	Monday to Sunday 12:00 - 00:00			
19967	Sainsbury's	7 Marble Arch London W1H 7EL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22			
26499	Cumberland Food & Wine	11 Great Cumberland Place London W1H 7AL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22			
31215	Spaghetti House	47-51 Bryanston Street London W1H 7DN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23			
-27800	Arch Food & Wine	1A Great Cumberland Place London W1H 7AL	Monday to Sunday 07:00 - 01:00			
-6208	McDonald's Restaurants	2 - 4 Marble Arch London W1H 7EJ	Sunday to Wednesday 05:00 - 01:00 Thursday to Saturday 05:00 - 02:00			
14868	Prezzo	7-9 Great Cumberland Place London W1H 7BE	Monday to Sunday 12:00 - 00:00			
1	4 E E	<i>A</i> .				

APPENDIX 7











Agenda Item 2



Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report: Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

24th September 2015

15/06161/LIPN

Unit 2.10 and 2.11 Kingly Court, London, W1B 5PW

Director of Public Protection and Licensing

West End

City of Westminster Statement of Licensing Policy

None

Steve Rowe

Tel: 020 7641 7825 E-mail: srowe@westminster.gov.uk

1. Application

1-A Applicant and premises				
Application Type:	New Premises Licence,	Licensing Act	2003	
Application received date:	27 th July 2015			
Applicant:	Shaftesbury Carnaby Lto	b		
Premises:	Unit 2.10 And 2.11			
Premises address:	Kingly Court London	Ward:	West End	
	W1B 5PW	Stress Area:	West End	
Premises description:	Kingly Court is a purpose built shopping and catering court arranged across three floors located between Carnaby and Kingly Street, operated by Shaftesbury PLC. The application is for restaurant use. There is a communal toilet opposite the premises.			
Premises licence history:	N/A			
Applicant submissions:	The applicant has agreed a works condition with the EH Service and have amended the plan to address their concerns. A copy of the plan is attached at Appendix 1.			

1-B Proposed licensable activities and hours							
Late Nigh	t Refreshm	nent:		Indoors, d	outdoors o	r both	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
•							
Start:	23:00	23:00) 23:00	23:00	23:00	23:00	
End:	23:30	23:30) 23:30	23:30	00:00	00:00	
Seasonal variations: N/A							
Non-standard timings: From the				l of permitte	d hours on	New Year'	's Eve to
the start of permitted hours				urs on New	Year's Day	y	

Sale by retail of alcohol				On or off sales or both: On			On	
Day:	Mon	Tues	;	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00)	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30)	23:30	23:30	00:00	00:00	22:30
Seasonal variations: N/A								
Non-standard timings:			From the end of permitted hours on New Year's Eve to					
the start of pe			ermitted hou	rs on New `	Year's Day			

Hours pre	Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00	
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00	

Seasonal variations:	N/A
Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
Adult Entertainment:	N/A

2. Representations

2-B Other Pe	2-B Other Persons					
Name:		Mr Anthony Jacobs				
Address and/or Residents Association:		Flat 1, 6 Upper John Street, London W1F 9HB				
Status:	Valid	In support or opposed:	Opposed			
Received:	12 th August 2015					
and public nuisanc choice. The premise	e. This is yet another ses are inadequate for	cumulative impact, leading bar in an area already overv r the purpose as there are no existing overused public lava	whelmed with o basic amenities			
Name:		Mrs Liz Callingham				
Address and/or Residents Association:		Flat 2, 6 Upper John Street, London W1F 9HB				
Status:	Valid	In support or opposed:	Opposed			
Received:	12th August 2015					
Kingly Court is full. There are 21 restaurants already there. Crowds attract crime. We have seen the results of cumulative impact about 8 years ago when there were 2 murders, one in Upper John Street, one in Golden Square. We do not wish to return to those days again. This is designated a 'restaurant'. It has a tiny kitchen and clients are asked to use the Public Toilets. This may well concern Environmental Health as so many of the Kingly Court restaurants are using the Public Toilets. Please can Westminster define what is NOT a substantial meal? Residents can envisage every premises with a microwave and toaster qualifying as a genuine 'restaurant' when actually it is a bar. Please refuse this licence.						
Name:		Mr Steve Parish				
Address and/or Residents Association		Penthouse, 6 Upper John Street, London W1F 9HB				
Status:	Valid	In support of opposed:	Opposed			
Received:	13th August 2015					

Kingly Court is full. There are 21 restaurants already there. Crowds attract crime. We have seen the results of cumulative impact about 8 years ago when there were 2 murders, one in Upper John Street, one in Golden Square. We do not wish to return to those days again. This is designated a 'restaurant'. It has a tiny kitchen and clients are asked to use the Public Toilets. This may well concern Environmental Health as so many of the Kingly Court restaurants are using the Public Toilets. Please can Westminster define what is NOT a substantial meal? Residents can envisage every premises with a microwave and toaster qualifying as a genuine 'restaurant' when actually it is a bar. Please refuse this licence.

3. Policy & Guidance

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

Policy HRS1	 (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy STR1	 (i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.
Policy RNT2	Applications will be granted subject to other policies 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.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Steve Rowe
Contact:	Telephone: 020 7641 7825 Email: srowe@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author. Background Documents – Local Government (Access to Information) Act 1972						
1	Licensing Act 2003	N/A				
2	City of Westminster Statement of Licensing Policy	7 th January 2011				
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015				



The Kebab Renaissance Project

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Contents

- Introduction
- The concept
- Interior
- Market overview



Overview & team

INTRODUCTION





"The new burger/hot dog/pulled pork"

Evening Standard

"The unsung hero of dirty food is about to be redeemed"

theguardian

"They work across the spectrum, from the down-and-dirty, to the increasingly high end"

2015: Year of the Kebab

"If I was to predict what the next big thing should be...it would be a kebab...a proper kebab...that would be a brilliant thing. I wonder who'll do it first?"

Heston Blumenthal



5

Our Consumer Proposition

A unique, gastronomic kebab Our haute kebab is elevated by amazing seasonal ingredients and advanced culinary techniques

An informal destination

Le 'Bab will be a relaxed environment for cosmopolitan diners to enjoy great food, drinks and atmosphere in a contemporary setting An affordable experience None of this comes with a big price tag: we anticipate an average spend of c. £22 per head including drinks and VAT



The Team



Stephen Tozer: Co-Founder

Stephen is a food and drink enthusiast. He was inspired to enter the hospitality sector through his experience running a 1500-person Oxford University ball for two years. After graduating from Oxford with a first class degree in PPE, Stephen worked on in-portfolio strategy for Hanover Investors for 2 years. In May 2014 he left to set up Le 'Bab.

Alex Hunter: Advisor & Equity Partner

Alex is the Managing Director & Co-Founder of restaurant group Bonnie Gull. Alex began working with Le 'Bab in December and is providing strategic and operational counsel.



Iqbal Wahhab: Advisor

As the founding CEO of Roast and the Cinnamon restaurant group, Iqbal is one of London's foremost restaurateurs. He is an official advisor to Le 'Bab, giving ongoing support.



Anna Spooner: PR & Marketing

Anna is an account manager with Cirkle. She has been working in consumer branding & PR for over 3 years. She specialises in F&B, having worked with brands such as ASK and Freixenet.







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Ed Brunet: Co-Founder

Since graduating from Oxford University with a masters degree in Engineering, Ed made the unusual move of pursuing his dream of becoming a chef. Ed has worked in some of the UK's leading restaurants, amassing 11 Michelin stars of experience. Ed worked most recently at the renowned, 2 Michelin starred Le Gavroche in Mayfair.

Food, restaurant & commercial

THE CONCEPT

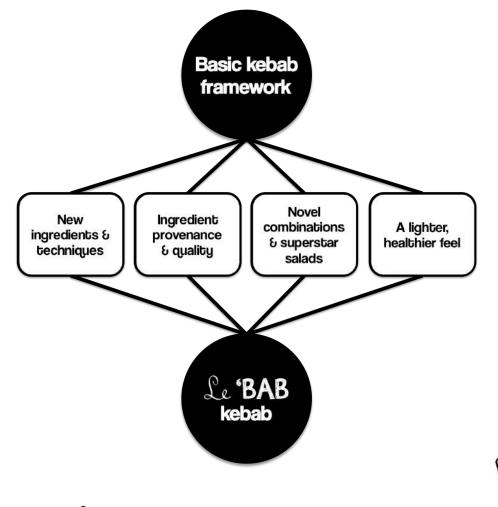


Advanced, Reimagined, not Just Improved

London's best kebabs are authentic but imperfect

Constrained by tradition, they lack gastronomic import and quality ingredients

Our project is to reimagine and advance kebab tradition We're combining ethnic and mational kebab influences with Michelin-star style gastronomic thinking



Le BAB Food Profile

Genre

Concept restaurant: kebab renaissance. Various national & ethnic influences + advanced, inventive gastronomy.

Food Experience

Surprising, exotic and luxurious. Achieved by combining the best traditional influences with modern techniques, skilled chefs, and great produce.

Kebab Price £10-15

Ingredients

Outstanding provenance: high quality, local, ethical, fully seasonal. Entirely fresh.

Nutrition

Built from scratch, unprocessed; macronutritional balance; always a lighter option.





Manuel Canales Garcés: Head Chef

As a biology graduate, Manu utilises scientific knowledge in his technical approach to cookery. Manu rose from first commis chef to sous chef at Le Gavroche, after a short spell in Ireland.



Angus Bell: Sous Chef

Angus is senior chef de partie at Le Gavroche, where he has worked since 2013. Angus joined Le Gavroche from Michelin starred "The Star" at Harome.



Ed Brunet: Development Chef

Ed has worked in some of the UK's leading restaurants, amassing 11 Michelin stars of experience. Ed worked most recently at Le Gavroche before leaving to found Le 'Bab with Stephen.

The Chefs

A team from 2 Michelin starred Le Gavroche

Sample Winter Menu

BITES

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EGYPTIAN WINGS...........£6 Crunchy dukkah-coated wings, tahini dressing

SCOTCH KÖFTES......£6 Raki-soaked dried apricot, encased in spiced lamb

HALLOUMI SALAD.....£5 Chicory, pomegranate and char-grilled halloumi, carob-syrup dressing

<u>SIDES</u>

Organic Lancashire Golden Beetroot and Lincolnshire Celeriac, yoghurt dressing

"CHEESY CHIPS"......£5

Triple cooked chips, molten beer cheese: an homage to the humble kebab van



BOAR SHIN £50

Bowland wild boar shin, salt baked cauliflower, heritage carrot pickle

WHOLE ROAST CHICKEN £35

Goosnargh chicken with its heart & livers, harissa roasted potatoes, pomegranate molasses

LES 'BABS

FREE RANGE PORK SHAWARMA...........£12 Winter salad, quince puree, crackling, lemon & fennel aioli, zhoug

CORN FED CHICKEN SHISH.....£12 Squash hummus, season's pickles, chicken crackling, Le 'Bab toum, biber

Braised and charred beef brisket, stewed prunes, sour turnip, fried leeks, anise béarnaise, horseradish

"FALAFEL"......£10

Jerusalem artichoke and cauliflower falafel, piquant apple and celery chutney, celeriac, tahini yoghurt and parsnip crisps

DESSERT

CRÈME BRÛLÉE.....£5 Spiced with cardamom, cinnamon, cloves

House-preserved green walnuts with milk ice-cream



Sample Spring Menu

LES BABS

FREE RANGE PORK SHAWARMA.....£12 Roasted purple broccoli puree, pickled celery, crackling, Le 'Bab toum

CORN FED CHICKEN SHISH......£12 Preserved-lemon hummus, watercress and rocket salad, chicken crackling, saffronaise

Pea puree, courgette, pickled radish, date chutney, yoghurt

BBQ paneer, beetroot puree, crispy onion, Romano pepper, curry mayo

DESSERT

BAKLAVA MILKSHAKE......£5 Pistachio & hazelnut milkshake, cinnamon, rose

RHUBARB SUNDAE.....£5 Poached rhubarb, nuts and amaretto ice cream



PIG'S HEAD £40

Pig's head & crackling, fennel & carrot slaw, molasses

SPATCHCOCK DUCK £45

Goosnargh duck, bbq apricots, pak choi, pickled radish

BITES

TUNISIAN-FRIED-CHICKEN......£6 Corn-fed wings with a harissa coating and chermoula

DEVILLED EGGS......£6 Roasted aubergine, tomato, walnut, pig's head croquette

BARREL AGED FETA SALAD...........£5 Asparagus, blood-orange, citrus dressing

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CHAR-GRILLED PURPLE BROCCOLI

Organic Lincolnshire purple sprouting broccoli, onion yoghurt

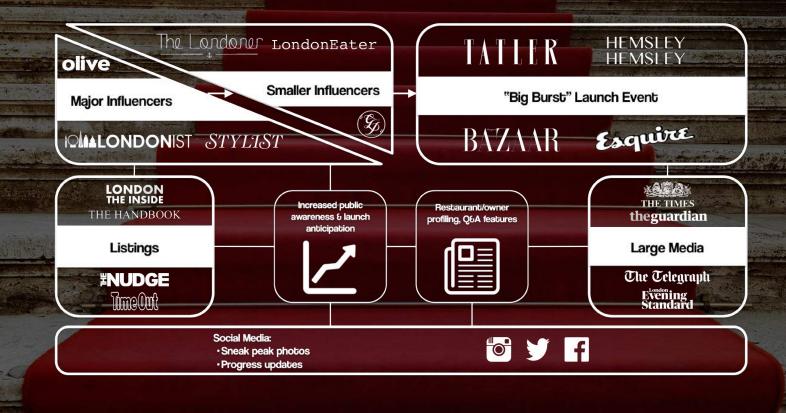
"CHEESY CHIPS"......£5

Triple cooked chips, molten beer cheese: an homage to the humble kebab van

How We'll Launch to a Large Audience

Qe

-CA



BAB

Our vision for design



Upon entering the space, structures containing live planting will create drama and evoke a sense of the negural integrity of our food.

> At the rear, in view of eager eyes, an exposed fire pit and the hustle of working chefs in the open kitchen.

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666

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The main floor will hold diners amongst understated details, exuding comforting simplicity.

Interior



A subtle nod to Middle Eastern and Eastern Mediterranean Heritage

Finishes

A juxtaposition of finishes; stained concrete floors, simple brickwork

Understanding trends & diners

MARKET OVERVIEW



London is Primed for Le 'Bab

Experimental consumers Open minded diners mean London leads our national "gourmet junk food" trend

More meals, lower price Eating out is increasingly part of the London lifestyle: more casual meals at a lower cost

Demanding & discerning Food quality and value are diners' primary concerns. Service and speed are also highly important





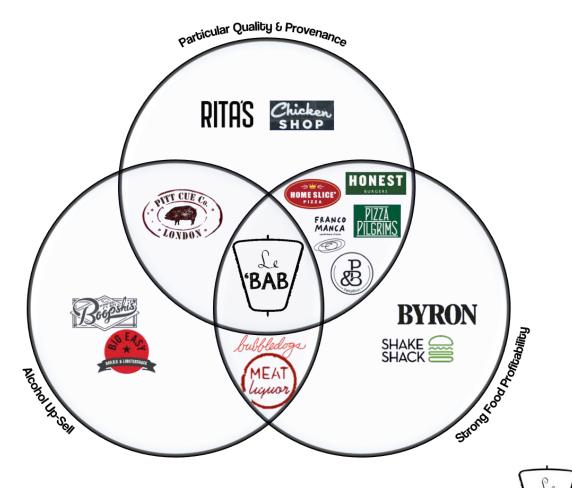
How We Compare to Competition

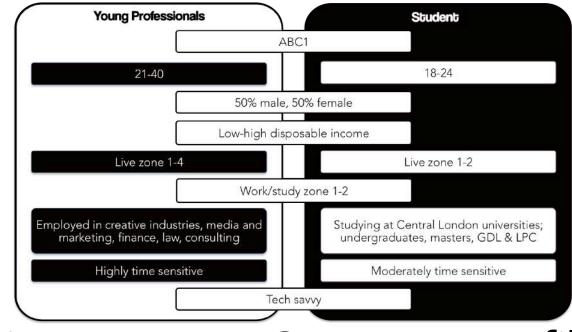
တိုhe only kebab concept restaurant

We would be the first kebab concept restaurant in a burgercentric London market

Excelling on all fronts

Our concept has the potential to combine 3 key success factors: quality, highly profitable food and alcohol upsell





Primary Target Customer Profile

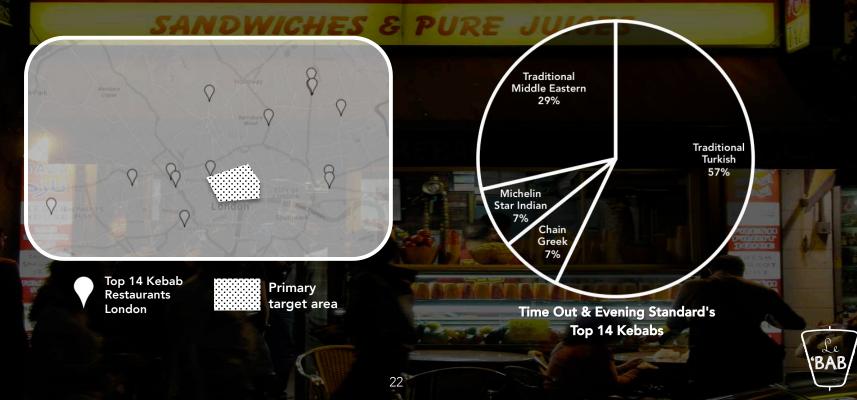
We are targeting young professionals and students, working, living or socialising in prime central London



Our Competitors aren't Kebab Houses

كملات للناسدة وعص

In geography and genre, our restaurant will occupy a very different space to London's kebab houses



NO LICENSING 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 necessary for the promotion of the licensing objectives.

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

Mandatory Conditions

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

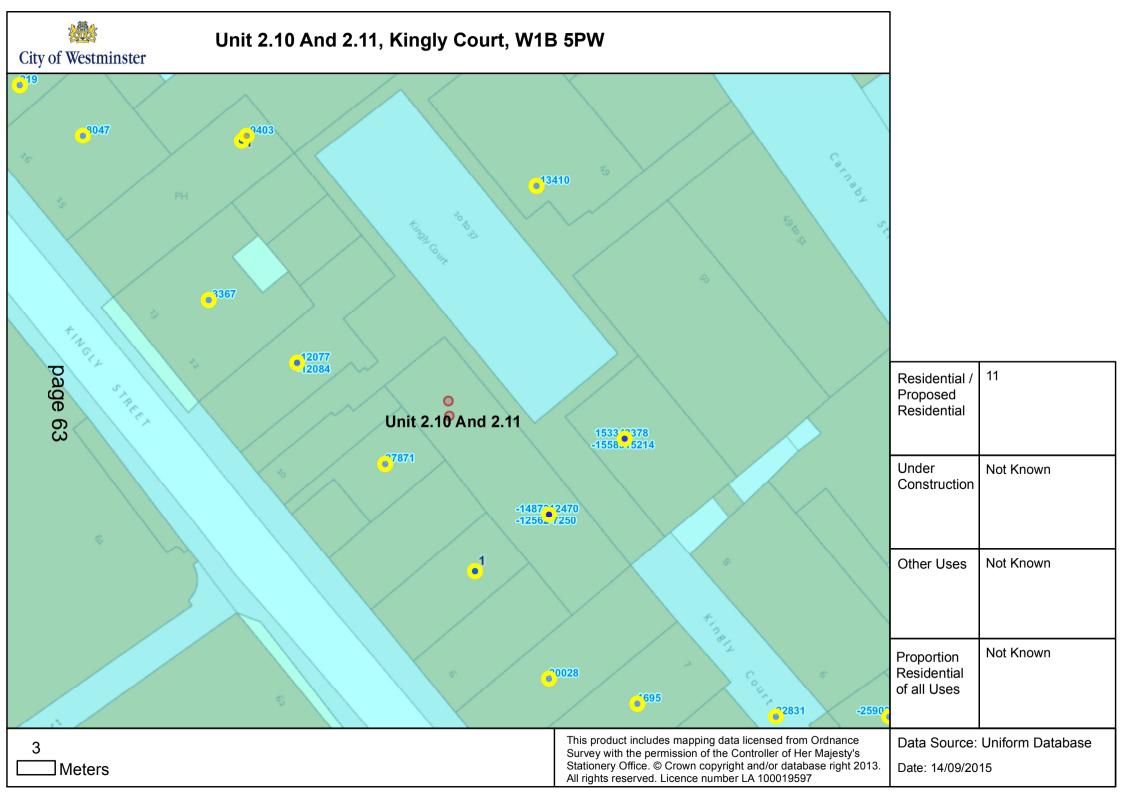
P = D+(DxV)

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

Consistent with the operating schedule and proposed by EH

9. The Licence 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.



Premises within 75 metres of: Unit 2.10 and 2.11 Kingly Court, W1B 5PW					
p/n	Name of Premises	Premises Address	Licensed Hours		
14259	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 -		
22831	Open Space	Kingly Court London	Monday to Sunday 00:00 - 00:00		
-25903	Bittersweet	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Sunday 09:00 - 01:00 Sundays before Bank Holida 09:00 - 01:30 Monday to Saturday 09:00 - 03:30		
-25800	The Rum Kitchen Carnaby	First Floor Units 12 And 13 Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00		
-24375	Units 1.14 - 1.16	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00		
-22677	Sacred Cafe	13 Ganton Street London W1F 9BL	Friday to Saturday 10:00 - 00:00 Monday to Thurse 10:00 - 23:30 Sunday 12:00 - 22:30		
-22421	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Thursday to Saturday 00:00 - 00:00 Monday 00:00 00:00 Wednesday 00:00 - 00:00		
-21453	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Wednesday to Saturday 00:00 - 00:00 Monday 00 00:00		
-14873	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00		
-13410	Cahoots	Unit G 13 Kingly Court London W1B 5PW	Sunday 09:00 - 00:00 Monday to Wednesday 09:0 03:00 Thursday to Saturday 09:00 - 03:30		
-12562	Units 2.12 And 2.13	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00		
-9403	Red Lion Public House	14 Kingly Street London W1B 5PR	Monday to Saturday 10:00 - 23:30 Sunday 12:00 -		
-8047	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PS	Monday to Saturday 10:00 - 01:30 Sunday 12:00 -		
-7250	Senor Ceviche	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00 Friday to Saturday 10:00 - 00:00 Monday to Thurs		
-1150	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	10:00 - 23:30 Sunday before Bank Holidays 12:00 00:00 Sunday 12:00 - 23:00		
1695	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 -		
5190	Ain't Nothin' But	20 Kingly Street London W1B 5PZ	Sunday 09:00 - 00:00 Monday to Thursday 09:00 - 01:30 Sundays before Bank Holidays 09:00 - 01:30 Friday to Saturday 09:00 - 03:30		
6738	Flat Iron	17 Beak Street London W1F 9RW	Monday to Thursday 10:00 - 00:00 Friday to Satur 10:00 - 00:30 Sunday 12:00 - 23:00		
20028	Cinnamon	5 Kingly Street London W1B 5PF	Sunday 09:00 - 01:00 Monday to Saturday 09:00 -		
26924	Cha Cha Moon	15-21 Ganton Street London W1F 9BN	Monday to Sunday 08:00 - 00:30		
27871	Bag O' Nails	9 Kingly Street London W1B 5PH	Monday to Friday 09:00 - 03:30 Saturday 09:00 - 2 Sunday 12:00 - 23:00		
28740	Blue Posts Public House	18 Kingly Street London W1B 5PX	Friday to Saturday 08:00 - 00:00 Sunday 08:00 - 2 Monday to Thursday 08:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00		
31662	Mother Mash	26 Ganton Street London W1F 7QY	Monday to Friday 08:00 - 23:00 Saturday to Sunda 10:00 - 23:00		
000 1 1	The Diner	18-20 Ganton Street London W1F 7QY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 -		

-15583	Units G2, 1.4, 1.5 & 1.6	Ground Floor Unit G2 Kingly Court London W1B 5PW	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
-13314	Soho Grind	Basement And Ground Floor 19 Beak Street London W1F 9RP	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-13083	Urban Tearooms	19 Kingly Street London W1B 5QD	Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 10:00 - 22:30
-12084	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 Saturday 10:00 - 23:00
-12077	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Monday to Sunday 08:00 - 00:30
-3367	Wright Brothers Soho	12 - 13 Kingly Street London W1B 5PB	Monday to Saturday 08:00 - 00:00 Sunday 08:00 - 23:00
219	Dehesa	17 Kingly Street London W1B 5PU	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
387	Benefit Cosmetics	10 Carnaby Street London W1F 9PF	Monday to Saturday 08:00 - 20:00 Sunday 12:00 - 18:00
2378	Life Goddess	Unit 1.9 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
12470	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
15214	Units G2, 1.4, 1.5 & 1.6	Ground Floor Unit G2 Kingly Court London W1B 5PW	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
15334	Shoryu	Unit G3 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
16399	Rosa's	23A Ganton Street London W1F 9BW	Productor Saturday 10:00 - 00:00 Christmas Ever 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Christmas Eve 12:00 - 00:00 Sunday 12:00 - 23:00
	Zebrano	14-22 Ganton Street London W1F 7QU	Nichday to Webniesday 09:00 - 00:00 mursday to Saturday 09:00 - 01:00 Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:00





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