



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (5)**

Meeting Date: **Thursday 12th November, 2015**

Time: **10.00 am**

Venue: **Rooms 5, 6 and 7, 17th Floor, City Hall, 64 Victoria Street, London SW1E 6QP**

Members: **Councillors:**

Angela Harvey (Chairman)  
Susie Burbridge  
Shamim Talukder

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

**Admission to the public gallery is 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](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://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**

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. RESTAURANT, 1 GROSVENOR GARDENS, SW1**

**(Pages 1 - 24)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / not in stress area	Restaurant , 1 Grosvenor Gardens, SW1	New	15/07477/LIPN

**2. RESTAURANT, 17 BEDFORD STREET, WC2**

**(Pages 25 - 72)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End Stress Area	Restaurant , 17 Bedford Street, WC2	New	15/07395/LIPN

**3. DIAGEO PLC - 6TH FLOOR BAR, 12 GOLDEN SQUARE, W1**

**(Pages 73 -**



App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Stress Area	Diageo Plc – 6th Floor Bar, 12 Golden Square, W1	New	15/07959/LIPN

**4. TIMBER YARD, GROUND FLOOR AND BASEMENT, 4 NOEL STREET, W1**

**(Pages 109 - 132)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Stress Area	Timber Yard, Ground Floor and Basement, 4 Noel Street, W1	New	15/06558/LIPN

**5. BOXCAR BUTCHERS, 23 NEW QUEBEC STREET, W1**

**(Pages 133 - 152)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
5.	Bryanston & Dorset Square Ward / not in stress area	Boxcar Butchers, 23 New Quebec Street, W1	New	15/07388/LIPN

**6. CAVIAR HOUSE RESTAURANT, GROUND FLOOR, 161**

**(Pages 153 -**

**PICCADILLY, W1****188)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
6.	St James's Ward / not in stress area	Caviar House Restaurant , Ground Floor, 161 Piccadilly, W1	New	15/07336/LIPV

**7. JUICE AND PUBLIC, 9 WARDOUR STREET, W1****(Pages 189 - 204)**

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
7.	St James's Ward / West End Stress Area	Juice And Public, 9 Wardour Street, W1	New	15/07298/LIPN

**Charlie Parker  
Chief Executive  
5 November 2015**

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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Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07477/LIPN - New Premises Licence
Title of Report:	Restaurant 1 Grosvenor Gardens London SW1W 0BG
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Ola Owojori Senior Licensing Officer
Contact details	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 September 2015		
<b>Applicant:</b>	Grosvenor Gardens Leisure Ltd		
<b>Premises:</b>	Restaurant		
<b>Premises address:</b>	1 Grosvenor Gardens London SW1W 0BG	<b>Ward:</b>	St James's
		<b>Stress Area:</b>	No
<b>Premises description:</b>	The premises are to be operated as a restaurant/bar on the ground and basement floors		
<b>Premises licence history:</b>	The premises have not been previously licensed.		
<b>Applicant submissions:</b>	None		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors</b>			
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	N/A
<b>Seasonal variations:</b>	From the end of permitted hours on New Year's Eve to 05:00 on New Year's Day						
<b>Non-standard timings:</b>	Sunday before Bank Holiday 23:00 – 00:00						

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day						
<b>Non-standard timings:</b>	Sunday before Bank Holiday 10:00 – 00:00						

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	07:00	07:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day						
<b>Non-standard timings:</b>	Sunday before Bank Holiday 07:00 – 00:00						



<b>Adult Entertainment:</b>	N/A
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**2. Representations**

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Ian Watson
<b>Received:</b>	2 October 2015

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday between 10.00 and 23.30 hours, Friday and Saturday 10.00 and 00.00 hours and Sunday between 12.00 to 22.30 hours. Sunday prior to Bank Holiday 10.00 to 00.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 to 00.00 hours. Sunday prior to Bank Holiday 23.00 to 00.00 hours.
3. On New Year's Eve to provide Supply of Alcohol and Late Night Refreshment from the end of authorised hours to commencement of authorised hours on New Year's Day.

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.
2. The provision and hours requested to permit the provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. The hours requested to permit the provision of Supply of Alcohol and Late Night Refreshment from the end of authorised hours on New Year's Eve to commencement of authorised hours on New Years Day 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 and impact on Public Safety within the area.

The applicant has provided conditions in support of the application but these do not fully address the concerns of Environmental Health.

The following conditions are proposed by Environmental Health.

- The number of persons permitted in the premises at any one time (excluding staff) shall not exceed
  - Ground Floor xxx persons.
  - Basement xxx persons.

- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
- No deliveries to the premises shall take place between 21.00 and 08.00 hours on the following day.
- The emergency exit door leading onto Grosvenor Gardens Mews East shall be self-closing and remain closed when the premises are operating under the authority of the licence.
- The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
- The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	Toby Janes
<b>Received:</b>	1 October 2015

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

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

The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to

crime and disorder.

1. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
2. The supply of alcohol for consumption 'On' the premises shall be by waiter/waitress or bar service only.
3. There shall be no supply of alcohol for consumption 'Off' the premises after 22.00 hours.

Subsequently, the representation has been withdrawn following the agreement of the conditions by the applicant.

2-B Other Persons			
<b>Name:</b>	Miss Imogen Badley		
<b>Address and/or Residents Association:</b>	Grosvenor Gardens Mews East Beeston Place London SW1W 0JW		
<b>Received:</b>	1 October 2015		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<p>I am writing to object to this application on the grounds of 'prevention of public nuisance'.</p> <p>I live in Grosvenor Mews East which is at the back of the proposed restaurant site. I believe that the proposal is for all deliveries and waste collection will take place at the rear of the property via the mews. The mews is very small and any noise from these activities will cause a serious nuisance to all of the residents especially if they take place after the premises close at midnight or very early in the morning.</p>			
<b>Name:</b>	Mr Sean Stowell		
<b>Address and/or Residents Association:</b>	Grosvenor Gardens Mews Beeston Place London SW1W 0JN		
<b>Received:</b>	1 October 2015		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<p>I am writing to object to this application on the grounds of 'prevention of public nuisance'.</p> <p>I live in Grosvenor Mews East which is at the back of the proposed restaurant site. I believe that the proposal is for all deliveries and waste collection will take place at the rear of the property via the mews. The mews is very small and any noise from these activities will cause a serious nuisance to all of the residents especially if they take place after the premises close at midnight or very early in the morning.</p>			

In addition, it looks like this will be the staff entrance to the property which will again cause a disturbance as they leave in the early hours of the morning when their shifts end.

<b>Name:</b>	Goring Hotel		
<b>Address and/or Residents Association:</b>	Beeston Place London SW1W 0JW		
<b>Received:</b>	29 September 2015		
<b>Status:</b>	Business	<b>In support or opposed:</b>	Opposed

We have grave concerns regarding the impact of the new proposed restaurant at 1 Grosvenor Gardens. For this reason we feel we have no alternative but to lodge an objection to the application for a liquor license.

May I start by saying that we are very excited that the whole Victoria area is being developed at the moment. There is no doubt this will be one of the great areas within Westminster. As a board member of VBID I am particularly excited by all the recent improvements being made to Victoria.

My concern with this particular application is the impact that it will have on those people living in Grosvenor Gardens Mews East. We have a number of our staff living in the mews accommodation above the garages which we lease from The Grosvenor Estate. We also own flat number 11, which we rent out to a very nice young lady. It is our belief that these people are going to be adversely affected, when the restaurant starts to trade, by the access door to the mews.

It would appear that all the rubbish will come out of here, all the goods will go into here and it will be the staff entrance / exit.

It is my belief that when the restaurant closes at night there will be all sorts of activity within in the confines of the mews such as throwing away empty bottles, disposing of food waste and also general waste. Added to this the staff when leaving early in the morning are bound to cause noise and disruption to those people living in the mews.

The confined nature of the mews which is surrounded on all sides by house and walls leads to an increase in perceived noise levels. All of the above I believe will appear even noisier than they already are and will therefore appear event more disruptive. I am very concerned that our staff and tenants will be unable to open their windows during the summer nights because of the increased late night noise.

We are also deeply concerned about damage to cars in our car park. Whilst most of the delivery vans will no doubt park in Beeston Place, some of them will drive into the mews in order to shorten the distance they need to travel on foot with their goods. We have a number of exceedingly high end cars belonging to guests which are parked in the mews. We fear that these are much more likely to be damaged with such an enormous possible increase in deliveries. At present very few vans and no small lorries go into the mews.

It is on all of the grounds outlined above that I would like to place on record an object to the application.

Finally, Beeston Place is a fairly small yet reasonably busy street. Over the past few years, two new licenses have been granted on the corners of Beeston Place and Grosvenor Gardens. The impact of these new licensed restaurants has been considerable on the area. One of them has tables and chairs all along the pavements. These encroach far beyond the boundaries of the property. During the summer months and any warm spring and autumn days there are so many people sitting and standing drinking on the pavement that you have to walk into the road to go around them.

There has also been an enormous increase in the number of delivery lorries parking on Beeston Place. Some of these are delivering good to businesses in Grosvenor Gardens (a red route), however, delivery to restaurants are much more intrusive. By their very nature, restaurants require a number of deliveries from many different suppliers. There is no doubt that the deliveries to this new restaurant will be made via an already unbelievably congested side street to the detriment to those that live and work here.

<b>Name:</b>	Mr Nicholas Pestana		
<b>Address and/or Residents Association:</b>	Grosvenor Gardens Mews East London SW1W 0JW		
<b>Received:</b>	1 October 2015		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<p>I am writing to object to this application on the grounds of 'prevention of public nuisance'.</p> <p>I live in Grosvenor Mews East which is at the back of the proposed restaurant site. I believe that the proposal is for all deliveries and waste collection will take place at the rear of the property via the mews. The mews is very small and any noise from these activities will cause a serious nuisance to all of the residents especially if they take place after the premises close at midnight or very early in the morning.</p> <p>In addition, it looks like this will be the staff entrance to the property which will again cause a disturbance as they leave in the early hours of the morning when their shifts end.</p>			
<b>Name:</b>	U Claxton		
<b>Address and/or Residents Association:</b>	7 Grosvenor Gardens Mews East London SW1W 0JN		
<b>Received:</b>	29 September 2015		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<p>I am writing to register my representations regarding the above proposed New Premises Licence Application.</p> <p>The application is for a restaurant with ancillary bar which will be open seven days a week from 07.00 to 23.30/00.00. The plans show a restaurant over two floors with 160+</p>			

covers.

The premises are located on an extremely busy road junction and it is therefore proposed that all “Goods In and Refuse out” will be via a Fire Escape door situated at the back of the property in Grosvenor Gardens Mews East.

This creates extremely significant safety, environmental and nuisance issues.

- a) The Mews is a very small and irregularly shaped area. It is already used by a number of business vehicles and also for the parking of Guests’ cars by the Goring Hotel. Its size, usage and physical irregularity make it totally unsuitable to accommodate lorries easily and safely.
- b) The Fire Exit door, which it is proposed to use for “Goods In and Refuse out”, is at the end of a long narrow section of alley.



The map included in the application shows that this narrow cobbled alley is 26.8m (88ft) in length and 6.09m (20ft) wide at its entry point. Half way down it narrows to 4.87m (16ft) and three quarters of the way down it narrows to only 3.04m (10ft).

Along the length, on both sides, of this narrow alley are doors leading directly into residential flats and offices,

Vehicles of any size, such as delivery lorries, would be physically unable to reach the end of the alley and would either have to stop part-way and then unload and transport goods along its length or would have to back in, both options noisy and potentially dangerous to residents and office staff.

- c) A restaurant/bar of the size proposed would require significant numbers of deliveries seven days a week and the amount of refuse generated would also be considerable. The Mews is a residential area and these frequent and numerous movements would create unacceptable and unreasonable levels of noise and

disruption.

- d) The Licence includes conditions regarding movement and storage of waste and recyclable materials between 23.00 and 08.00. However, there is no provision to ensure that waste is not placed outside during the day. Any food waste left in the Fire Exit area will inevitably attract vermin, something which is not a problem in the Mews at present.
- e) The proposed “Goods In and Refuse out” point is a Fire Escape, not just for the restaurant/bar but also for all the residents and office staff in the building above; this is its primary purpose and function and it should not be compromised for commercial purposes.

The location of 1 Grosvenor Gardens on a busy road junction makes it unsuitable for a development of this size and scope. It is totally unreasonable, environmentally unsound and simply unsafe and dangerous for the “Goods in and Refuse out” of such a huge restaurant/bar complex to be solely through a Fire Escape at the end of a long and narrow alley in a tiny residential Mews.

<b>Name:</b>	Ms Sian Davies		
<b>Address and/or Residents Association:</b>	Grosvenor Gardens Mews East London SW1W 0JW		
<b>Received:</b>	1 October 2015		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed

I am writing to object to this application on the grounds of 'prevention of public nuisance'.

I live in Grosvenor Mews East which is at the back of the proposed restaurant site. I believe that the proposal is for all deliveries and waste collection will take place at the rear of the property via the mews. The mews is very small and any noise from these activities will cause a serious nuisance to all of the residents especially if they take place after the premises close at midnight or very early in the morning.

In addition, it looks like this will be the staff entrance to the property which will again cause a disturbance as they leave in the early hours of the morning when their shifts end.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	(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

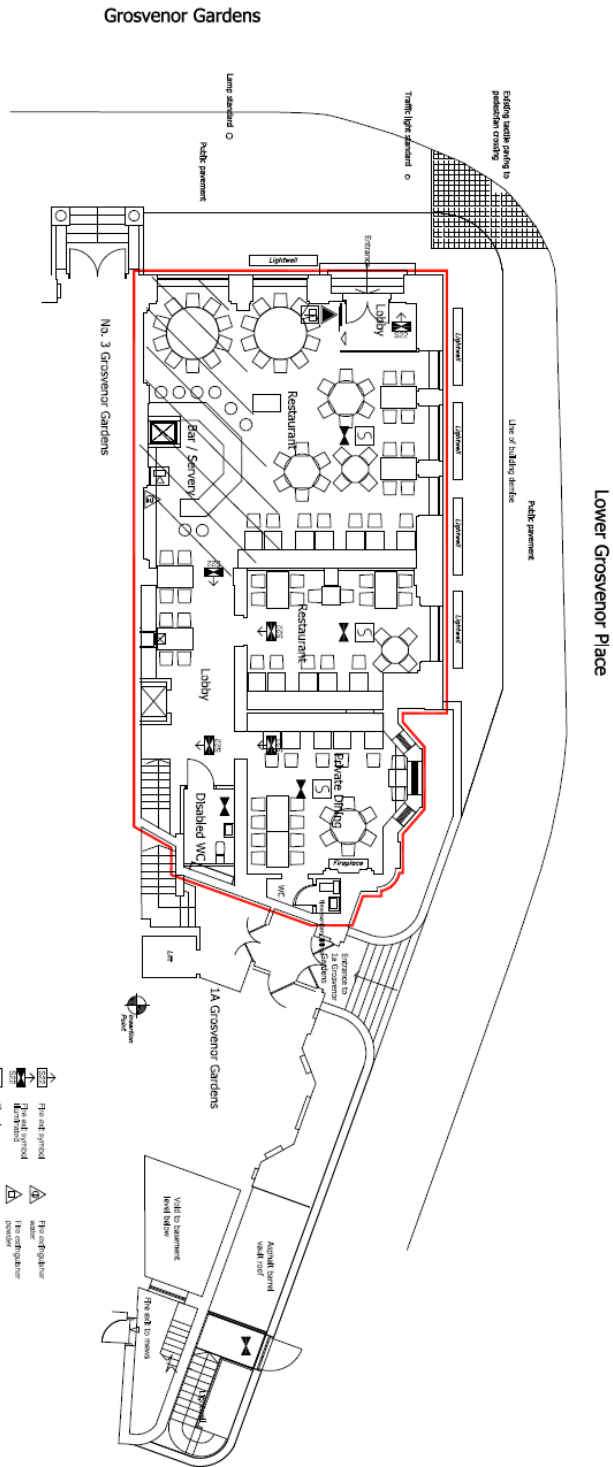
Policy PB1 applies:	in this policy will be considered on their merits, subject to other relevant policies.
Policy RNT1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

#### 4. Appendices

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

<b>Report author:</b>	Mr Ola Owojori Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk





- The red symbol indicates the fire alarm control panel.
- Fire alarm bell.
- Fire alarm bell with 'F'.
- Fire alarm bell with 'S'.
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- Fire alarm bell with 'XX'.
- Fire alarm bell with 'YY'.
- Fire alarm bell with 'ZZ'.

Grosvenor Gardens London 1 Grosvenor Gardens London SW1W 0BN Proposed Development	
Ground Floor Plan Proposed Layout - Licensing	
Date: 15/11/2022	Version: 02

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None

There is no licence or appeal history for the premises

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

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

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

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

### **Mandatory Conditions**

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

## Conditions consistent with the operating schedule

9. Save for the area hatched black on the plan, 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.
10. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a 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 days.
12. A staff member from the Premises who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
13. Challenge 21, a 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 or passport.
14. 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:
  - i) all crimes reported to the venue
  - ii) all ejections of patrons
  - iii) any complaints received
  - iv) any incidents of disorder
  - v) all seizures of drugs or offensive weapons
  - vi) any faults in the CCTV system
  - vii) any refusal of the sale of alcohol
  - viii) any visit by a relevant authority or emergency service.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. **Alternative at condition 28**
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. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day. **Alternative to condition 29**



19. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
20. 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.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
22. The number of persons accommodated at the premises (excluding staff) shall not exceed [            ]. **Alternative at condition 27**
23. 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 Paces of Entertainment and the reasonable requirements of Westminster environmental Health Consultation team, at which time this condition will be removed from the licence.

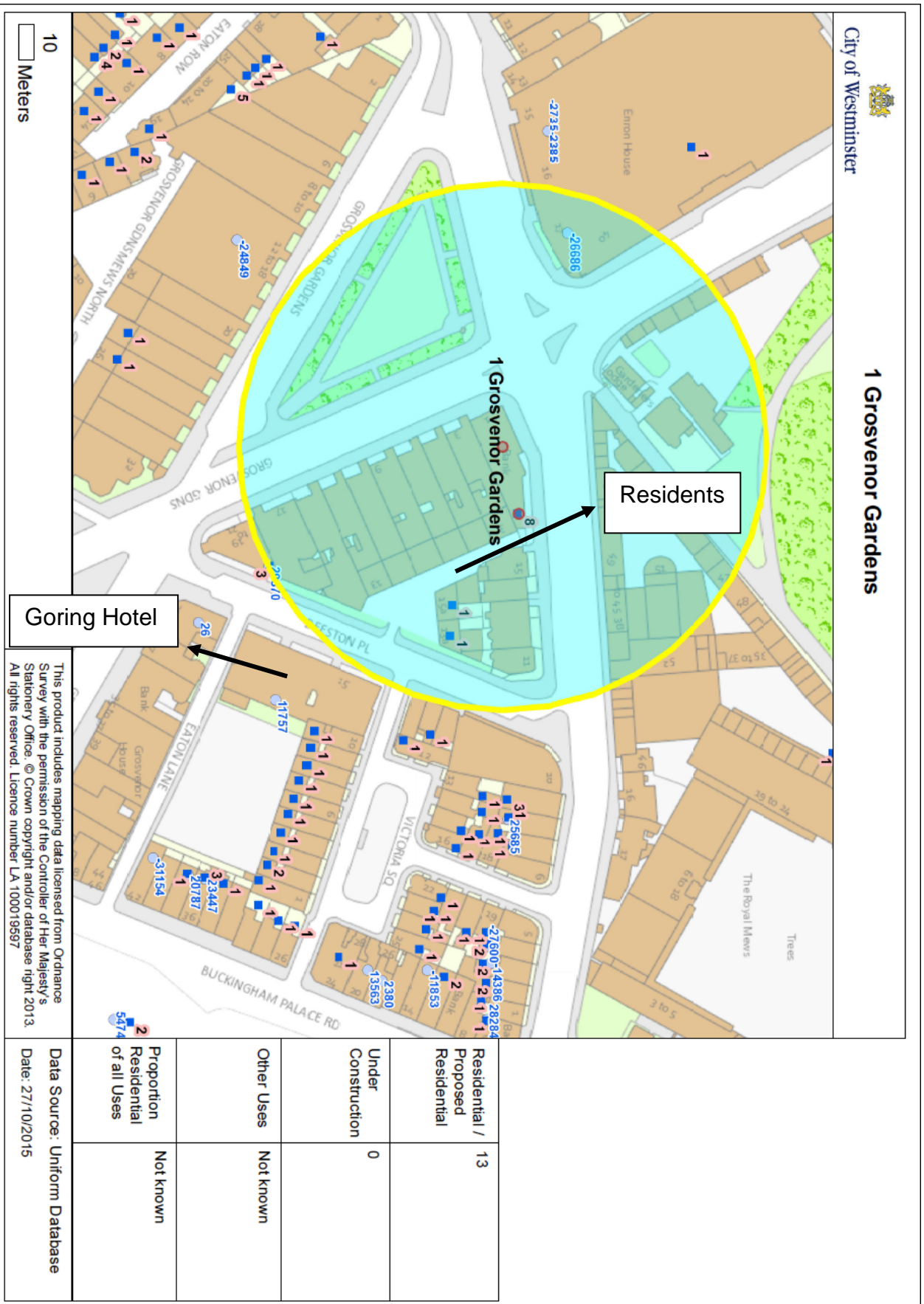
#### **Conditions agreed with the Police**

24. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
25. The supply of alcohol for consumption 'On' the premises shall be by waiter/waitress or bar service only.
26. There shall be no supply of alcohol for consumption 'Off' the premises after 22.00 hours.

#### **Conditions proposed by the Environmental Health**

27. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed
  - i. Ground Floor xxx persons.
  - ii. Basement     xxx persons.
28. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
29. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
30. No deliveries to the premises shall take place between 21.00 and 08.00 hours on the following day.

31. The emergency exit door leading onto Grosvenor Gardens Mews East shall be self-closing and remain closed when the premises are operating under the authority of the licence.
32. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
33. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
34. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
35. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.



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Residential / Proposed Residential	13
Under Construction	0
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database  
Date: 27/10/2015

Premises within 75 metres of 1 Grosvenor Gardens			
p / n	Name of Premises	Premises Address	Opening Hours
29370	Kouzu Japanese Restaurant	19 - 21 Grosvenor Gardens London SW1W 0DH	Monday to Sunday 12:00 - 23:00
-26686	The Mango Tree	46 Grosvenor Place London SW1X 7EQ	Monday to Friday 10:00 - 00:30 Saturday 10:00 - 01:30 Sunday 12:00 - 00:00

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Acknowledgement and service	7 September 2015
<b>5</b>	Application form	7 September 2015
<b>6</b>	Application notice	7 September 2015
<b>7</b>	Copy of blue notice	7 September 2015
<b>8</b>	Mailing list	7 September 2015
<b>9</b>	Resident notification to print room	7 September 2015
<b>10</b>	Plan	7 September 2015
<b>11</b>	Goring Hotel representation	29 September 2015
<b>12</b>	U Claxton representation	30 September 2015
<b>13</b>	Nicholas Pestana representation	1 October 2015
<b>14</b>	Sean Stowell representation	1 October 2015
<b>15</b>	Imogen Badley representation	1 October 2015
<b>16</b>	Sian Davies representation	1 October 2015
<b>17</b>	U Claxton supporting representation	2 October 2015
<b>18</b>	Environmental Health representation	2 October 2015
<b>19</b>	Police representation, conditions and withdrawal	7 October 2015
<b>20</b>	Notification of hearing to applicant	27 October 2015
<b>21</b>	Notification of hearing to objectors	27 October 2015
<b>22</b>	Proposed Environmental Health conditions	4 November 2015
<b>23</b>		
<b>24</b>		

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Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07395/LIPN - New Premises Licence
Title of Report:	Restaurant 17 Bedford Street London WC2E 9HP
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	3 September 2015		
<b>Applicant:</b>	Bedstorm Limited		
<b>Premises:</b>	Restaurant		
<b>Premises address:</b>	Ground Floor and Basement 17 – 19 Bedford Street London WC2E 9HP	<b>Ward:</b>	St James's
		<b>Stress Area:</b>	West End
<b>Premises description:</b>	The premises is a restaurant with ancillary bar on the ground and basement floors.		
<b>Premises licence history:</b>	None.		
<b>Applicant submissions:</b>	<p>Following discussions with the responsible authorities, updated plans have been submitted showing the removal of the basement from the licensed area and the addition of a toilet as requested by Environmental Health. A total capacity of 260 based upon means of escape has been proposed.</p> <p>The applicant has confirmed that the 19 people in the bar area will be standing.</p> <p>A further 3 conditions have been agreed with Environmental Health.</p> <p>CCTV conditions have been agreed with the Police, however the Police request to amend condition 10 (see Appendix 4) has not been agreed.</p> <p>On 4 November 2015, the applicant made further submissions which include:</p> <ul style="list-style-type: none"> <li>• Revised plans clarifying the means of escape dimensions and removing the basement from the area for licensable activities;</li> <li>• A schedule of 24 proposed conditions (see conditions 9 – 32 of Appendix 4);</li> <li>• A schedule of the representations;</li> <li>• Submissions regarding Appendix 11 of the Council's Statement of Licensing Policy 2011 – Guidance on Noise.</li> </ul>		



1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	N/A
<b>Seasonal variations:</b>		None.					
<b>Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			On only
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	23:00
<b>Seasonal variations:</b>		None.					
<b>Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:30
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	23:00
<b>Seasonal variations:</b>		None.					
<b>Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
<b>Adult Entertainment:</b>		N/A					

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Police Licensing Team
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	8 September 2015
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated within the West End Stress Area, 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.</p> <p>Would you consider amending condition 2 to:</p> <ul style="list-style-type: none"> <li>• <i>Notwithstanding condition (1), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (19) persons dining at the premises.</i></li> </ul> <p>Could you also amend the CCTV conditions 4 and 5 to:</p> <ul style="list-style-type: none"> <li>• <i>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the <b>Westminster Police Licensing Team</b>. 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.</i></li> <li>• <i>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.</i></li> </ul>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Sally Thomas – Senior Practitioner
<b>Received:</b>	22 September 2015
<p>I wish to make the following representations in relation to the above application:</p> <ol style="list-style-type: none"> <li>1. The Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.</li> <li>2. The provision of Late Night Refreshment may have the likely effect of causing an increase in Public Nuisance in the area stress area.</li> </ol>	

3. The extension of hours on New Year's Eve may impact on Public Nuisance in the stress area.

The plans indicate 3 female WCs, 2 male WCs, 3 urinals, 1 accessible WC and 2 staff WCs. The applicant will need to ensure the capacity is compliant with the British Standard 6465-1:2009 Table 10. The capacity is proposed as 209 excluding staff, 1 further female WC is required.

The applicant has provided additional information and conditions with the operating schedule which are being considered, but does not fully address the concerns of Environmental Health. The premises are required to be inspected by the Council's Environmental Health Service to confirm that they are satisfied that the premises are suitable, in relation to addressing the licensing objectives of Public Safety and Prevention of Public Nuisance. The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

**The granting of this application as presented would have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.**

Following a site visit, Miss Thomas provided further comments on 6 October 2015:

1. The basement will not be used for licensable activities, please ensure the plan reflects this.
2. The premises will need a total of 5 female WCs, 2 male WC and 3 urinals, staff WCs, and an accessible WC.
3. We await details of the emergency escape doors, as discussed in the meeting.
4. Please confirm whether the 19 people in the bar area will be seated or standing.
5. I attach my proposed conditions, please let me know your thoughts:

1. 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. *(To replace proposed condition 6)*

2. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. *(To replace proposed condition 8)*

3. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.

<b>2-B Other Persons</b>	
<b>Name:</b>	Mr David Kaner on behalf of the Covent Garden Community Association
<b>Address and/or Residents Association:</b>	42-44 Earlham Street Covent Garden London WC2H 9LA
<b>Received:</b>	1 October 2015
<p>This representation is being made by the Covent Garden Community Association (CGCA). CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 16th March 2015.</p> <p>This Representation is being made regarding the grant of a premises licence for 17-19 Bedford Street to allow its use as a Restaurant beyond the Core Hours within WCC's Statement of Licensing Policy.</p> <p>This large site is on Bedford Street to the West of the Piazza. Bedford Street contains a number of other retail and licenced premises at ground floor and basement levels and has residential properties in many buildings at first floor and above, including the one in which these premises are located.</p> <p>The service area and entrance at the rear of the restaurant backs on to Bedford Court and the side elevation of the building is onto a section of Bedford Court which runs at ground floor level to join it to Bedford Street. Bedford Court, and Bedfordbury behind it, is a predominately residential area away from the main areas of commercial activity.</p> <p>The arguments against having a restaurant operation at this location have been extensively discussed when the Planning Application was considered. When originally developed this site had A1 use and the grant of Planning Permission for A3 use was resisted by a large number of residents and the CGCA. The permission was granted with a large number of restrictions, many of which have been replicated in the Operating Schedule, for which we are grateful. We have also met with the applicant and Mr. Thomas during the consultation period.</p> <p>We would like to make clear that we believe that it is important that, in order to support the Licensing Objectives, that all of the Planning Conditions that are relevant to the Licensing Objectives are reflected in the Licence. This is because the NPPF has weakened the Planning Authority's discretion to refuse applications to vary the conditions. This means that we cannot rely on a Planning Condition that is in force at the time the licence to be sufficient, on its own, to support the Licensing Objectives.</p> <p>This application is for a large (190 cover) restaurant with a 19 capacity bar area. The restaurant is on the ground floor with toilets, kitchen, prep and storage areas in the</p>	

basement. The large remaining part of the basement is currently unoccupied and does not have A3 use. The premises have offered MC66 and are therefore a genuine restaurant with the bar only intended for customers who will/have eaten at the restaurant. The hours requested are for the sale of alcohol 10:00-00:00 Mon.-Sat. and 12:00-23:00 on Sunday. On Monday to Thursday these hours are later than Core Hours.

The CGCA's view is that this is a large premises and allowing it to operate later than Core Hours will increase the number of people in the area and so add to the public nuisance already being caused. For a smaller restaurant premises with MC66 (eg a capacity of 50) we would be less concerned but the large size of the premises and the possibility of it still trading at full capacity after the end of Core Hours is of concern to us.

We are also concerned about the impact of a bar area, even though of low capacity, especially towards the end of the trading period. We believe that a limited bar service for people waiting to dine is reasonable. However allowing people who have finished their meal at 23:00 to move to the bar may well increase the amount of alcohol they consume and the likelihood of them causing a nuisance when they leave. We would like to see a condition where the admittance to the bar area ceases 60 minutes before the premises close. We also believe that the sale of alcohol in the bar area should be by waiter/waitress service to seated customers only. The plans suggest that this is possible as there are 19 seats in this area.

In the same context we believe that it is appropriate for the premises to have a last entry condition for customers. As a full service restaurant we believe that last entry should take place 60 minutes before close. The applicant has suggested that this would not be desirable because it would prevent someone coming to the restaurant to collect a colleague but our view is that this person would not be a customer as they would not be purchasing anything themselves and would not be consuming alcohol (as this would not be permitted anyway). Therefore a last entry condition for customers would not preclude this. This condition, together with a restriction on the use of the bar area, would encourage a gradual dispersal of customers.

Our other concerns relate to the impact of the operation of the premises in the surrounding area.

The Planning Permission restricts the restaurant entrance to Bedford Street, with other doors used in emergencies only. We would like to see this replicated on the Licence as the use of doors onto Bedford Court would cause a Public Nuisance. As noted above the fact that this is a Planning Condition is not sufficient for us to rely on it to support the Licensing Objective.

There is no smoking area or limit on customers proposed. The appropriate area is on Bedford Street, and not under cover on Bedford Court. It should also be in an area away from residential windows. We believe that the number of people should be restricted and would suggest a limit of 6 people.

There should also be a condition that staff do not smoke in the area to the rear of the premises in Bedford Court, as this will cause a nuisance to residents in that area.

There should be no queuing outside the premises.

Restrictions on deliveries are included in the Planning Conditions and are repeated in the Operating Schedule. However there are no restrictions on waste collections. The Operating Schedule restricts waste collections to 07:00-23:00 every day.

These premises will have a bottle crusher (by Planning Condition). We would like to see a Licensing Condition which **requires** the premises to use this crusher for all glass. This is because the moving and collection of uncrushed glass causes significant noise. This could be as follows:

No uncrushed glass will leave the premises at any time.

We also believe that the window allowed for waste collections is too wide. Collections will take place from the service area of Bedford Court which is surrounded by residential properties. The Servicing Condition restricts deliveries to be within the service entrance between 08:00 and 12:00 each day. We believe that the hours for collection of waste should also restrict the time. Vehicles coming to collect waste are noisy in themselves, during the collection process and, as they will be reversing into or out of the area, will use reversing alarms which cause significant noise nuisance. In order to reduce the nuisance caused we would like the window for collection of waste to be 08:00-20:00 Mon-Sat and 10:00-20:00 on Sunday. The later start of Sunday is to allow residents to recover from the usually noisy Saturday night activity in the area.

In summary we are concerned about hours outside Core Hours for such a large premises.

We would like conditions included on the Licence as follows:

1. Last entry to bar area 60 minutes before premises close.
2. Last entry of customers to the premises 60 minutes before premises close.
3. Sale of alcohol in the bar area by waiter/waitress service to seated customers only.
4. Entry/Exit of customers restricted to Bedford Street at all times other than in an emergency.
5. Specified smoking area with a limited number of customers.
6. No smoking by staff in Bedford Court.
7. No queuing outside the premises.
8. No uncrushed glass will leave the premises at any time.
9. Collection from the premises (including waste) to take place within the following hours - 08:00-20:00 Mon-Sat and 10:00-20:00 on Sunday.
10. No waste to be placed outside or moved more than 30 minutes prior to this time.

This inclusion of these conditions will not, in our view, make the operation outside Core Hours an exception but will serve to reduce the impact on the Licensing Objectives. They are necessary conditions even if the hours are restricted to Core Hours.

<b>Name:</b>	Ms Maureen Chadwick
<b>Address and/or Residents Association:</b>	22 Spencer Road London SW18 2SW
<b>Received:</b>	21 September 2015
<p>I am the joint owner with Katherine Gotts of Flat 10, 19 Bedford Street and we registered our strong objections, together with local residents and the CGCA, to the original planning application for this restaurant development which contravened Westminster's TACE 10 policy. Planning permission was only granted on the basis of Cllr R Davis using his casting vote and guaranteeing strong conditions to limit the nature and extent of the development, which this licensing application openly disregards. At every stage these developers have blatantly manipulated the planning procedures to their own advantage against the interests of local residents and this licensing application should be refused on the basis that it flouts the additional conditions guaranteed by the planning committee in granting permission for the restaurant development.</p> <p>Our objections to this licensing application are based on the Prevention of Public Nuisance &amp; the Prevention of Crime and Disorder. We are concerned that there are insufficient safeguards to prevent potential problems with late-night drinking and suggest changes be made to the application to ensure that:</p> <p>a) use is restricted to 'framework hours', particularly mid-week;  b) the bar area is closed at least 30 minutes before the restaurant closes;  c) the requirement to use the Bedford Street entrance is clearly specified.</p>	
<b>Name:</b>	Mr Philip McIntyre
<b>Address and/or Residents Association:</b>	19 Bedford Street Covent Garden London WC2E 9HP
<b>Received:</b>	30 September 2015
<p>The hours open should be framework hours 23:30pm Monday to Thursday, 00:00 Friday and Saturday, 23:00 on Sundays.</p> <p>Leaving and arriving by Bedford Street entrance only.</p> <p>Last entry condition - 30 minutes before close nobody entering for drink only.</p> <p>Smoking in designated area only and limited to 10 people at any one time.</p> <p>Bar closes 30 minutes before restaurant closes so people are not just drinking.</p> <p>All vehicle deliveries only unloaded within the loading bay.</p> <p>Waste collection limited to 08:00 to 20:00 Monday to Saturday, 10:00 to 20:00 on Sundays.</p>	

<b>Name:</b>	Mrs Caroline McIntyre
<b>Address and/or Residents Association:</b>	19 Bedford street Covent Garden WC2E 9HP
<b>Received:</b>	20 September 2015
<p>Due to the delicate and contentious nature of this application for a restaurant of this size on the ground floor of 17 Bedford Street which gained the application due to Cllr Robert Davis passing it despite being against Westminster policies TACE 10, huge opposition from local residents, the opposition from the CGCA, 3 St James Ward Councillors minded to oppose and the local community. Cllr Robert Davis assured us that by passing the application with strong conditions it would avoid an objection which would lead to a costly appeal for council.</p> <p>Permissions were passed for the restaurant on the ground floor only with services and an office space in the basement. However I notice that on the notices posted front of the building the drinking licence application has slipped in the basement as well.</p> <p>This needs to be rejected!</p> <p>We were very fearful that the original application for a high class restaurant was the first step to a stealthy progress towards a late night drinking establishment with food and a nightclub in the basement. The licence application seem to back this up.</p> <p>This is a quiet enclave of families, children, working professionals and vulnerable people. It is an area of stress and protected by policies and any extended drinking could lead to disorder, crime, public safety and noise. We need to protect from crime and disorder, prevent against nuisance and protect children from harm.</p> <p>Therefore, we need to ensure that conditions put in place by Cllr Robert Davis when passing the application against strong opposition must be upheld.</p> <p>In addition we would like to see alcohol restricted to dining only with the last orders at 10pm with dinner to prevent late night drinkers after dinner.</p>	
<b>Name:</b>	Mr Anthony Irwin
<b>Address and/or Residents Association:</b>	40 Davey's Court 33 Bedfordbury London WC2N 4BW
<b>Received:</b>	1 October 2015
<p>As a resident of Davey's Court "Sheltered Housing" scheme for the elderly and disabled, I object on behalf of myself and 16 of the other residents whose bedroom windows face on to Bedford Court adjacent to this restaurant and immediately beside its loading bay.</p> <p>Though we were told at the planning meeting, the entrance on Bedford Street was the only one to be used by clients, we find it impossible to believe that clients leaving late in the evening can be stopped from wandering noisily down the narrow alley and street, towards St Martins Lane and the public Car Park, or using this alley for smoking outside the restaurant. Smoking should be restricted to Bedford Street only, and not the covered part of the alley in Bedford Court.</p>	



The noise that echoes up from the tall blocks on every side of Bedford Court is amplified to the extent that one can easily hear both sides of a conversation on a mobile phone.

We would therefore ask for the hours to be restricted to normal framework hours until 23:30 Monday to Thursday, 00:00 Friday to Saturday and 23:00 hours on Sunday. Even these times gives little chance of a peaceful night before the early hours.

As for deliveries, to the Bedford Court delivery bay, it is vital that diesel powered vans are not allowed to queue outside the bay for entrance as the fumes rise straight up into our windows which hinge upwards. Similarly that waste collections is limited to 08.00-18.00. The noise of these vans is deafening in this enclosed area.

Though we strongly objected to the original planning use, we would object very strongly if needless noise disturbs us in the early hours.

Please limit the hours of use to Framework Hours.

### 3. Policy & Guidance

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

<b>Policy HRS1 applies:</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy STR1 applies:</b>	<p>(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.</p> <p>(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.</p>
<b>Policy RNT2 applies:</b>	<p>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.</p>

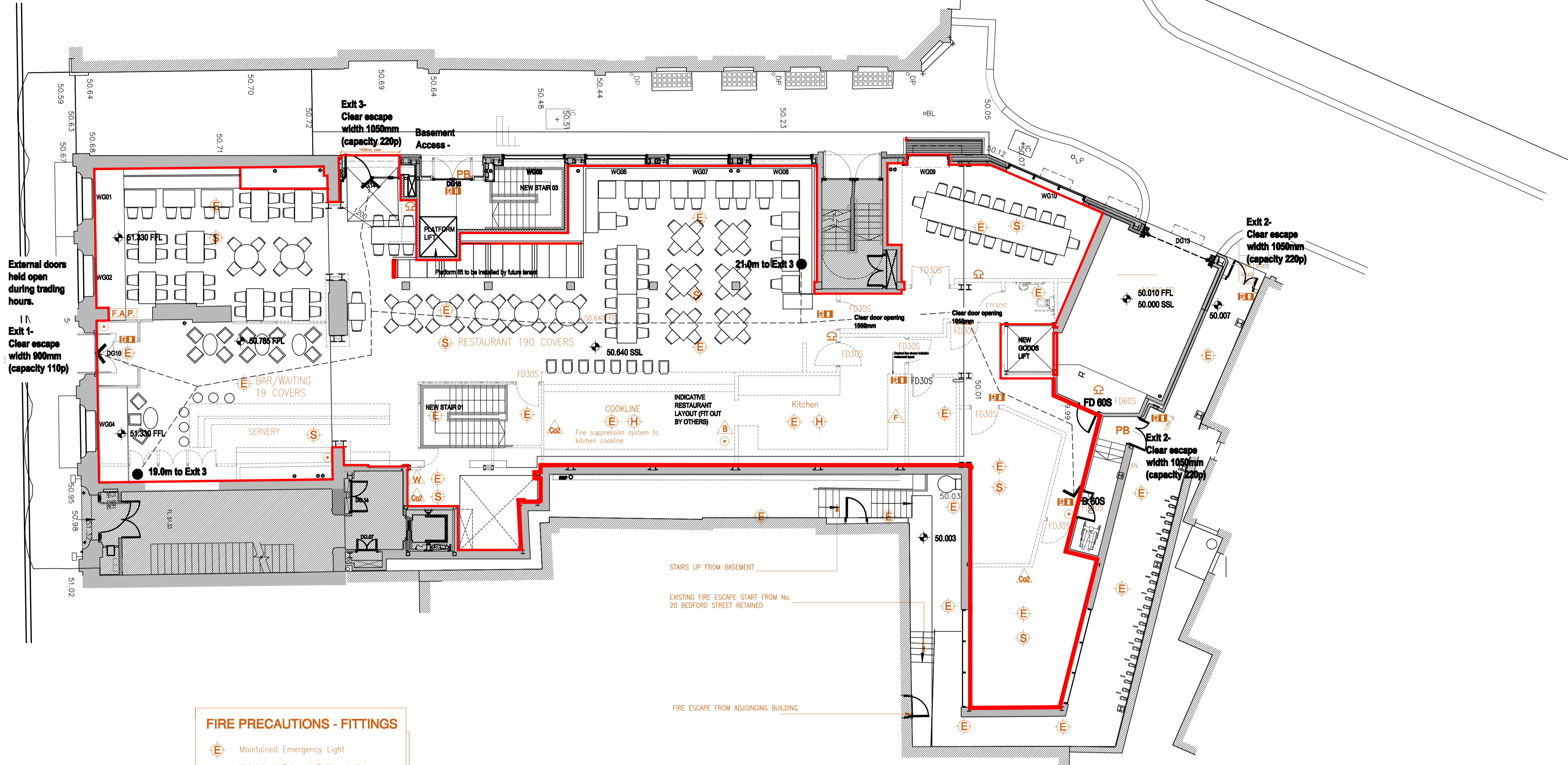
#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history – None.
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mr Nick Nelson Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

# Appendix 2 - Proposed Plans

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### FIRE PRECAUTIONS - FITTINGS

- Maintained Emergency Light
- Maintained External Bulkhead Light
- Smoke Detector
- Heat Detector
- Fire Exit Sign - Illuminated
- Fire Extinguisher - 9 Litre Water
- Fire Extinguisher - 6 Litre Water
- Fire Extinguisher - CO2
- Fire Blanket
- Alarm Call Point
- Fire Extinguisher - Foam
- Alarm Sounder
- Half Hour Fire Door. See note.
- Panic Bolt & 'Push Bar to Open' sign.
- 'Fire Door - Keep Shut' sign.
- Mandatory 'Fire Door Keep Clear' notice
- Fire Alarm Panel

**LICENSING KEY**  
 Denotes of premises including Sale & supply of alcohol, and late night refreshment.

**NOTES:**  
 Items shown on this plan which are not part of the statutory requirements are shown for indicative purposes only. This would include loose or fixed furniture in certain circumstances, the position of toilet cubicles, CCTV cameras and fire safety equipment not specified in the Regulations. These are shown upon the plans for illustrative purposes only and may be moved at the discretion of the license holder.

The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.

### REVISIONS

REV	DATE	BY	DESCRIPTION
A	11.08.15	CN	TRAVEL DISTANCES ADDED
B	17.08.15	CN	FURNITURE ADDED
C	19.8.15	CN	COVERS NUMBERS ADDED
D	3.9.15	EAL	Loading bay layout amended. Ref to regulated entertainment and confirmation of numbers removed.
E	20.10.15	CN	Door clear escape widths amended.

THE OLD MILL, CASTLE STREET  
 ONGAR, ESSEX CM5 9JY  
 TELEPHONE (01277) 368001  
 EMAIL FIRSTNAME@DESIGNCOALITION.CO.UK



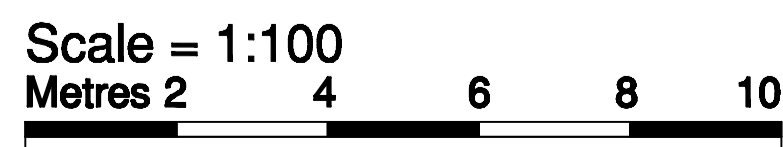
PROJECT  
**BEDFORD STREET,  
 COVENT GARDEN**

CLIENT  
**PAUL CORRETT**

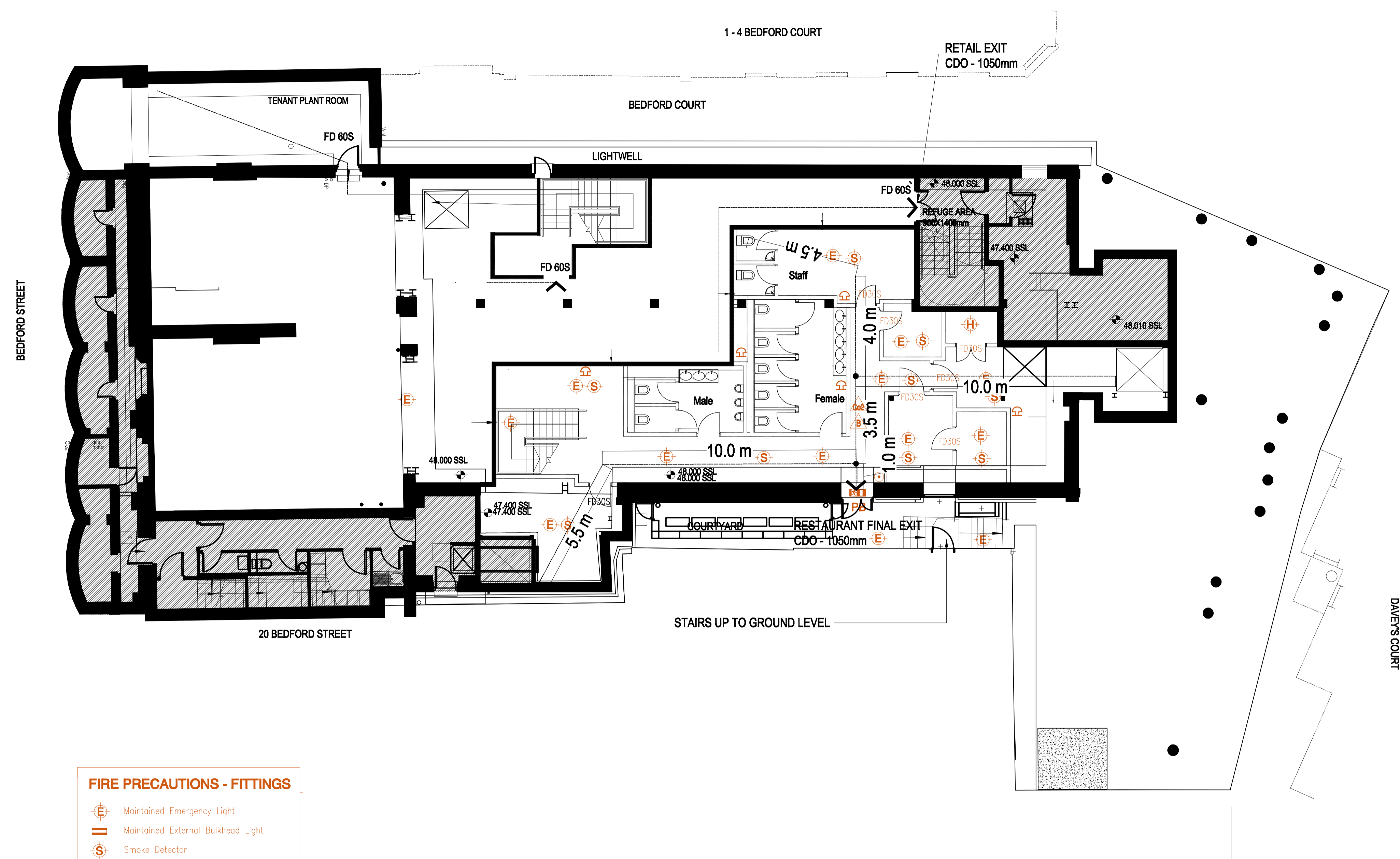
TITLE  
**GROUND FLOOR  
 LICENSING**

DATE	DRAWN	SCALE (At Size)
AUG 15	CN	1:100















DRAWING NUMBER	REVISION
3934/202	E







**FIRE PRECAUTIONS - FITTINGS**

-  Maintained Emergency Light
-  Maintained External Bulkhead Light
-  Smoke Detector
-  Heat Detector
-  Fire Exit Sign - Illuminated
-  Fire Extinguisher - 9 Litre Water
-  Fire Extinguisher - 6 Litre Water
-  Fire Extinguisher - CO2
-  Fire Blanket
-  Alarm Call Point
-  Fire Extinguisher - Foam
-  Alarm Sounder
- FD30S Half Hour Fire Door. See note.
-  Panic Bolt & 'Push Bar to Open' sign.
-  'Fire Door - Keep Shut' sign.
-  Mandatory 'Fire Door Keep Clear' notice
-  Fire Alarm Panel

**REVISIONS**

REV	DATE	BY	DESCRIPTION
A	15.08.11	CN	Travel distances added, female toilets added
B	3.9.15	EAL	Ref to regulated entertainment removed.
C	20.10.15	CN	Toilet layouts amended. Licensing line removed.

THE OLD MILL, CASTLE STREET  
 ONGAR, ESSEX CM5 9JY  
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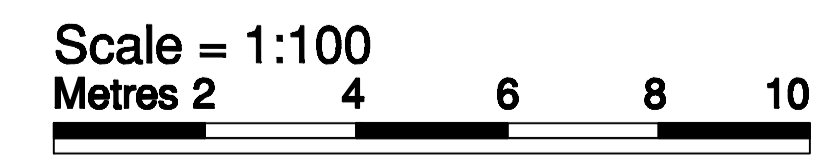
PROJECT  
**BEDFORD STREET,  
 COVENT GARDEN**

CLIENT  
**PAUL CORRETT**

TITLE  
**BASEMENT FLOOR  
 LICENSING**

DATE	DRAWN	SCALE (A1 Size)
Aug 15	CN	1:100

DRAWING NUMBER	REVISION
3934/201	C



Ground and Basement Floors, 17-19 Bedford Street WC2E 9HE

APPLICATION SUMMARY

PROPOSED HOURS

Late Night Refreshment (indoors)	23:00 – 00:00 Monday – Saturday
Sale of Alcohol (for consumption on the premises only)	10:00 – 00:00 Monday – Saturday 12:00 – 23:00 Sunday
Non-standard hours (all licensable activities)	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
Opening hours	09:00 – 00:00 Monday – Saturday 09:30 – 23:00 Sunday

DESCRIPTION OF PREMISES

Restaurant with ancillary bar on ground and basement floors following the grant of planning permission 14/06731/FULL

PROPOSED CONDITIONS

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

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

2. Notwithstanding condition [1], alcohol may be supplied and consumed in the bar area hatched black on the plan, by up to a maximum at any one time, of [ 19 ] persons dining at the premises.

3. 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.
4. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
5. 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 shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
6. Challenge 21, a 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 or passport.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - i) all crimes reported to the venue
  - ii) all ejections of patrons
  - iii) any complaints received
  - iv) any incidents of disorder
  - v) all seizures of drugs or offensive weapons
  - vi) any faults in the CCTV system
  - vii) any refusal of the sale of alcohol
  - viii) any visit by a relevant authority or emergency service.
8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
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 23:00 and 08:00 hours on the following day.

12. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
13. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
14. 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.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
16. The number of persons accommodated at the premises (excluding staff) shall not exceed [190] in the restaurant, plus [ 19 ] in the bar area shown hatched black on the plan.
17. The licence will have no effect until the Licensing authority are satisfied that the works, as shown in Plan No.'s 1310-1140A and 1310-111A, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence.

*Thomas & Thomas Partners LLP*  
*28<sup>th</sup> August 2015*

**From:** [Alun Thomas](#)  
**To:** [Lynagh, Alan](#)  
**Cc:** [Nelson, Nicholas](#); [Deweltz, Adam](#); [Thomas, Sally](#)  
**Subject:** Re: 15/07395/LIPN - 17 Bedford Street  
**Date:** 20 October 2015 16:49:24  
**Attachments:** [C6EA78CD-AF67-4C90-B6A0-D980640CC950f91.png](#)  
[image001.jpg](#)  
[image002.jpg](#)  
[3934-201C Basement Floor Licensing-A1 1-100f11.pdf](#)  
[3934-202E Ground Floor Licensing-A1 1-100f11.pdf](#)

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## **Alan**

Good to speak earlier.

Tony will check and confirm the following:

1. Exit 1, opening inwards will be £900 mm
2. Exit 2 will be 1050 mm
3. Exit 3 will be 1050 mm

All as shown on the plans.

On the basis of the two exits at 1050, that would give a customer capacity of 200 persons plus 60 at exit 1, being therefore a total capacity of 260 based upon means of escape. Please confirm. That is of course subject to toilets and planning (190 and 19 respectively).

I have attached the updated layouts showing the removal of the basement from the licensed area and the addition of a toilet as requested by EH.

## **Sally**

Your conditions are agreed. Re the holding bar, standing but I anticipate your and the police thoughts in that respect.

## **Adam**

I'm afraid we are not agreed on the holding bar condition which will need to be determined by committee.

Yours sincerely

**Alun Thomas**  
**Partner**

Thomas & Thomas Partners LLP  
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**From:** Sally Thomas  
**Date:** Tuesday, 6 October 2015 12:25  
**To:** Alun Thomas  
**Cc:** Nicholas Nelson, Alan Lynagh, "Deweltz, Adam"  
**Subject:** 15/07395/LIPN - 17 Bedford Street

Hi Alun,

Following our meeting last week regarding the above premises, I have the following comments to make.

1. The basement will not be used for licensable activities, please ensure the plan reflects this.
2. The premises will need a total of 5 female WCs, 2 male WC and 3 urinals, staff WCs, and an accessible WC.
3. We await details of the emergency escape doors, as discussed in the meeting.
4. Please confirm whether the 19 people in the bar area will be seated or standing.
5. I attach my proposed conditions, please let me know your thoughts.

Kind regards

**Sally Thomas**

Senior Practitioner  
Environmental Health Consultation Team  
**Public Protection and Licensing**  
Westminster City Hall - 4th Floor  
64 Victoria Street

London SW1E 6QP

---

Tel: 020 7641 2788

[sthomas4@westminster.gov.uk](mailto:sthomas4@westminster.gov.uk)

[www.westminster.gov.uk](http://www.westminster.gov.uk)



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Our ref: AT/BED.2.1

38a Monmouth Street  
London WC2H 9EP  
tel: 020 7042 0410  
fax: 020 7379 6618

Licensing Service  
City of Westminster  
64 Victoria Street  
London  
SW1E 6QP

By post and email

04 November 2015

Dear Sirs

**Licensing Act 2003**  
**17-19 Bedford Street, WC2**

We act for the applicants in the above matter and enclose:

1. Amended plans, reflecting very slight adjustments in the dimensions of the means of escape and the removal of the basement from the licensed area;
2. Schedule of proposed conditions;
3. Schedule of representations;
4. Appendix 11 submissions.

The premises is situate in the West End stress area but within the busy mix of Covent Garden. The premises were recently granted planning permission for the hours and use as set out in the application.

The applicant has consulted with local residents and met with both the Environmental Health Consultation Team and Mr Kaner, representing the Covent Garden Community Association. As a result of those discussions, conditions have been amended as set out in the attached schedule.

The remaining issues in dispute can be summarised as follows:

- (a) That licensable activities should be for Core Hours only;
- (b) Bars should close either 30 or 60 minutes prior to the restaurant;
- (c) That there be a last admission condition either 30 or 60 minutes prior to the restaurant closing;
- (d) That the number of smokers be restricted;

(e) That the sale of alcohol is only with or prior to a meal with no alcohol being sold after dinner.

In response:

The proposed opening hours and the hours for the sale of alcohol are only 30 minutes later than Core Hours on Sunday to Thursday; the hours being consistent with HRS1 Policy on Friday and Saturday. The application is for a fully conditioned restaurant use, in accordance with both the City Council's policy and model condition 66 and also in line with the planning permission.

In relation to the use of the holding bar, this can only be used by persons who either are waiting to eat, are eating or have eaten at the premises. The Police have requested a condition that the bar is only used by diners prior to their meal and some of the residents require that the bar closes at least an hour earlier or that there is no admission to that area an hour before the restaurant closes.

The applicant does not believe that early evening post-dining in the bar would cause any nuisance and the proposed Police condition would prevent any post dining use even at say 7pm. It is therefore proposed that the CGCA's proposed condition that there is no new entry to the holding bar after 11pm is adopted.

In relation to smoking, staff will not be allowed to use Bedford Court for smoking and signage will be displayed in relation to customer smoking. It is anticipated smokers, such as there are any or many, would smoke in Bedford Street, where there is a high level of footfall and relatively wide pavements.

In terms of Policy, no regulated entertainment is being applied for and the premises will only be open when public transport is running and this is further detailed in the Appendix 11 statement. The opening hours are also in line with the planning permission and the recently consulted proposed changes to the statement of licensing policy.

Otherwise, the proposals are consistent with and should be considered under policy RNT2. No stand-alone bar use is proposed and the sale of alcohol in all cases will be to persons to dine, who are dining or who have had a full table meal at the premises.

It is therefore respectively submitted that the proposed use and hours and particularly the conditions both promote the licensing objectives are consistent with Policy. All EHCT conditions have been agreed.

Mr Paul Corrett of Bedstorm Ltd and Mr Alun Thomas of this office will be attending the hearing and will be able to answer any further questions that members have.

Yours faithfully

**Thomas & Thomas Partners LLP**

tel: 020 7042 0412

email: athomas@tandtp.com

**SCHEDULE OF PROPOSED CONDITIONS**  
**19--21 BEDFORD STREET, WC2**

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

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

2. Notwithstanding condition 1, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.
3. There shall be no new entry to the designated bar area after 11pm.
4. 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.
5. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
6. 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 shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
7. 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. .
8. 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
  - g) any refusal of the sale of alcohol
  - h) any visit by a relevant authority or emergency service.

9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8).
10. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.
13. Signage will be displayed reminding customers not to smoke in Bedford Court.
14. Staff will not be permitted to smoke in Bedford Court.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.
17. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
18. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.
19. Bottles shall only disposed of via a bottle crusher.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. 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.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
23. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.
24. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence

Objector	Representations (conditions not agreed in bold)	Applicant's proposed conditions
Police (Adam Deweltz)	<p>Amend cond. 2 : <i>Notwithstanding condition (1) alcohol may be supplied and consumed <b>prior to their meal</b> in the designated bar area, by up to a maximum at any one time of (19) persons dining at the premises.</i></p> <p>Update CCTV condition</p>	<p>1. The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(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,</p> <p>(iv) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(v) which do not provide any take away service of food or drink after 23.00, and</p> <p>(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.</p> <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p>
EHO (Sally Thomas)	<ul style="list-style-type: none"> <li>- 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. (To replace proposed condition 6)</li> <li>- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8)</li> <li>- All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.</li> </ul>	
Philip McIntyre 19 Bedford Street	<ul style="list-style-type: none"> <li>- <b>Core hours</b></li> <li>- Bedford Street entrance only</li> <li>- <b>Last entry condition 30 mins before closing</b></li> <li>- <b>Bar closes 30 mins before restaurant does</b></li> <li>- <b>Smoking limited to 10 people in designated area</b></li> <li>- <b>Deliveries unloaded in loading bay only</b></li> </ul>	

	- Waste collection 08:00 – 20:00 Mon to Sat, 10:00 – 20:00 Sun	
Caroline McIntyre 19 Bedford Street	- <b>last orders 10pm</b> - <b>Dining only, no after dinner drinking</b>	2. Notwithstanding condition 1, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.
CGCA	Core hours 1. <i>Last entry to bar area 60 minutes before premises close</i> 2. <b><i>Last entry of customers to the premises 60 minutes before premises close.</i></b> 3. <b><i>Sale of alcohol in the bar area by waiter/waitress service to seated customers only.</i></b> 4. <i>Entry/Exit of customers restricted to Bedford Street at all times other than in an emergency.</i> 5. <b><i>Specified smoking area with a limited number of customers [in Bedford Street, not Bedford Court].</i></b> 6. <i>No smoking by staff in Bedford Court</i> 7. <b><i>No queuing outside premises.</i></b> 8. <i>No uncrushed glass will leave the premises at any time.</i> 9. <i>Collection from the premises (including waste) to take place within the following hours – 08:00 – 20:00 Mon-Sat and 10:00-20:00 on Sunday.</i> 10. <i>No waste to be placed outside or moved more than 30 minutes prior to this time.</i>	3. There shall be no new entry to the designated bar area after 11pm. 4. 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. 5. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.
Maureen Chadwick 22 Spencer Road	- <b>Core hours</b> - Last entry to bar area 30 minutes before premises close - Use Bedford Street entrance only	6. 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 shall be able to show Police recent data or footage with the absolute minimum of
Anthony Irwin 40 Daveys Court, 33 Bedfordbury	- <b>Core hours</b> - Bedford Street entry only - <b>No smoking in Bedford Court</b>	



	<p>- <b>Limit waste collection to 08:00 – 18:00</b></p>	<p>delay when requested.</p> <p>7. 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. .</p> <p>8. 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:</p> <ul style="list-style-type: none"> <li>a) all crimes reported to the venue</li> <li>b) all ejections of patrons</li> <li>c) any complaints received</li> <li>d) any incidents of disorder</li> <li>e) all seizures of drugs or offensive weapons</li> <li>f) any faults in the CCTV system</li> <li>g) any refusal of the sale of alcohol</li> <li>h) any visit by a relevant authority or emergency service.</li> </ul> <p>9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. (To replace proposed condition 8).</p> <p>10. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access</p>
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		<p>and egress.</p> <ol style="list-style-type: none"><li>11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</li><li>12. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.</li><li>13. Signage will be displayed reminding customers not to smoke in Bedford Court.</li><li>14. Staff will not be permitted to smoke in Bedford Court.</li><li>15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.</li><li>16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.</li><li>17. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.</li><li>18. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00</li></ol>
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		<p>Monday to Saturday, and 10:00 and 20:00 Sunday.</p> <p>19. Bottles shall only disposed of via a bottle crusher.</p> <p>20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> <p>21. 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.</p> <p>22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.</p> <p>23. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.</p> <p>24. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of</p>
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		Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence
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# **17-19 Bedford Street**

Application for a Premises Licence

City of Westminster

## **APPENDIX 11 SUBMISSION**

## 1 Introduction

1.1 This document is submitted in support of application reference 15/07395/LIPN (the “Application”) in respect of 17-19 Bedford Street London WC2E 9HP (the “Premises”).

1.2 The Application seeks a Premises Licence authorising the following licensable activities:

	<b>Sale of Alcohol</b>	<b>Late Night Refreshment</b>	<b>Opening Hours</b>
<b>Monday to Saturday</b>	10am – Midnight	11pm – Midnight	9am – Midnight
<b>Sunday</b>	12pm – 11pm	N/A	9.30am – 11pm

1.3 The applicant is an extremely experienced operator with a proven track record. The applicant has managed some of London’s finest establishments, including the award winning Clos Maggiore Restaurant situated on nearby King Street.

1.4 This document addresses Appendix 11 of the City of Westminster’s Statement of Licensing Policy. In doing so the applicant can demonstrate the Premises will:

1.4.1 Promote the licensing objective of the prevention of public nuisance;

1.4.2 Be professionally and responsibly managed alongside nearby local residents.

## **2 Noise Report**

- 2.1 A noise report was submitted and approved as part of the planning application. An Operational Management Plan has also been submitted and approved.
- 2.2 No regulated entertainment is applied for. Music will either be exempt under the Live Music Act or incidental as defined in Schedule 1 of the Licensing Act 2003.

### **3 Planned Management Measures for Control of Noise**

- 3.1 The entrance is located on Bedford Street. Customers will be welcomed by a member of staff immediately upon entry of the Premises. During busy periods, additional staff will supervise the entry of customers to prevent any queuing.
- 3.2 The departure of customers will be managed in accordance with the dispersal policy at section 5 of this document.
- 3.3 The dispersal policy includes arrangements for taxis.
- 3.4 The applicant will implement comprehensive servicing and delivery procedures. The relevant procedures are set out in section 6 of this document.



## 4 Noise Criteria

4.1 The criteria set out in policy PN1 are addressed as follows:

### **Noise and Vibration**

4.2 The Application does not propose any Regulated Entertainment.

4.3 All windows and doors will be closed after 11pm.

4.4 Management controls are included in the dispersal policy at section 5 and the servicing and delivery procedures at section 6 of this document. The objective of these procedures is to ensure residents are not disturbed by noise from the Premises in accordance with Policy PN1. In addition, the following model condition is proposed with the application:

*“No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance”.*

### **Eating, Drinking and Smoking Outside Premises**

4.5 The Application does not propose authorisation for any external drinking or eating.

4.6 The following model condition is proposed with the application:

*“Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them”.*

4.7 The applicant does not anticipate a significant number of smokers. Signage will be displayed about no smoking in Bedford Court.

### **Other Environmental Impacts**

4.8 Model condition proposed with the application as follows:

*“During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and/or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business”.*

## 5 People Arriving, Departing & in the Vicinity

### Dispersal Policy

- 5.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 5.2 The Policy mitigates nuisance caused to local residents from the following risks:
- 5.2.1 Noisy or anti-social behaviour by customers leaving the Premises.
  - 5.2.2 Large numbers of people leaving the Premises at the same time.

### Entrances and Exits

- 6.4 The entrance/exit of the Premises is on Bedford Street. This entrance will be managed at the front door and by reception staff inside the Premises at all times.

### Transport

- 6.5 Customers will arrive and depart by various modes of transport, including by foot and private car. Customers are welcomed straight into the Premises by members of staff.
- 6.6 The Premises will be well serviced by public transport links, as set out below. All staff will be familiar with the transport links so they can advise customers when required

### Tube

- 6.6.1 The following tube stations are located within walking distance of the Premises:
- a. Covent Garden Underground Station.
  - b. Leicester Square Underground Station.
  - c. Charing Cross Underground Station.
  - d. Embankment Underground Station.
  - e. Piccadilly Circus Underground Station.
  - f. Temple Underground Station.
- 6.6.2 Where necessary customers will be given directions to the relevant station and reminded to reach the station as quietly and as quickly as possible when they leave.

6.7 Rail

6.7.1 The Premises is within walking distance of Charing Cross and Waterloo rail stations.

6.7.2 Other rail stations, for example Victoria, Paddington, Liverpool Street, Euston and Kings Cross St Pancras are easily reached by tube or taxi.

6.8 Buses

6.8.1 The Premises is well serviced by public buses. TFL bus services, including night buses, are accessible by bus stops on Bedford Street or the Strand, which go to a variety of destinations throughout London.

6.8.2 Bus routes include: 6, 9, 11, 13, 15, 23, 87, 91, 139, 176, N9, N11, N13, N15, N21, N26, N44, N47, N87, N89, N91, N155, N343 and N551.

6.8.3 Staff will be familiar with the local bus services and will advise customers accordingly.

6.9 Taxi

6.9.1 Black cabs are readily available right through the day and night in the area.

6.9.2 Staff will assist customers calling a taxi if required.

**Private Car Service**

6.16 The Premises will have an agreement with a private car booking service.

## 6 Deliveries, Collections & Servicing

6.1 Deliveries and collections will be arranged carefully and sympathetically to the local amenity.

6.2 The following licence conditions are proposed with the Application:

- *All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.*
- *No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.*
- *Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.*
- *Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.*
- *Bottles shall only disposed of via a bottle crusher.*

**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.
- (ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions proposed by the applicant:**

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

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

10. Notwithstanding condition 9, alcohol may be supplied and consumed in the designated bar area, by up to a maximum at any one time, of 19 persons dining at the premises.

*Alternate condition proposed by the Police:*

*Notwithstanding condition (1), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (19) persons dining at the premises.*

11. There shall be no new entry to the designated bar area after 11pm.
12. 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.
13. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31days with date and time stamping. Recordings shall be made available, immediately upon the request of Police or authorised officer throughout the preceding 31days.

*Alternate condition proposed by the Police:*

*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.*

14. 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 shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

*Alternate condition proposed by the Police:*

*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.*

15. 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.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - i) all crimes reported to the venue
  - ii) all ejections of patrons
  - iii) any complaints received
  - iv) any incidents of disorder
  - v) all seizures of drugs or offensive weapons
  - vi) any faults in the CCTV system
  - vii) any refusal of the sale of alcohol
  - viii) any visit by a relevant authority or emergency service.
17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. All doors and windows of the premises shall be kept closed after 23.00 hours except for immediate access and egress.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. Entry/exit of customers shall be restricted to Bedford Street at all times save in an emergency.
21. Signage will be displayed reminding customers not to smoke in Bedford Court.
22. Staff will not be permitted to smoke in Bedford Court.
23. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
24. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 hours on the following day.
25. Deliveries to the premises shall only take place between the hours of 08:00 and 12:00 (midday) Monday to Saturday and between 09:00 and 12:00 Sundays and Bank Holidays.
26. Collections from the premises (including waste) shall only take place between the hours of 08:00 and 20:00 Monday to Saturday, and 10:00 and 20:00 Sunday.
27. Bottles shall only disposed of via a bottle crusher.

28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed and litter and sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. 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.
30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
31. The number of persons accommodated at the premises (excluding staff) shall not exceed 190 in the restaurant, plus 19 in the bar area shown on the plan.
32. The licence will have no effect until the Licensing authority are satisfied that the works, as shown on the drawing numbers 3934/202E and 3934/201C, are completed to the reasonable requirements of Westminster's Environmental Health Consultation Team, at which time this condition will be removed from the licence.

**Conditions proposed by the Covent Garden Community Association:**

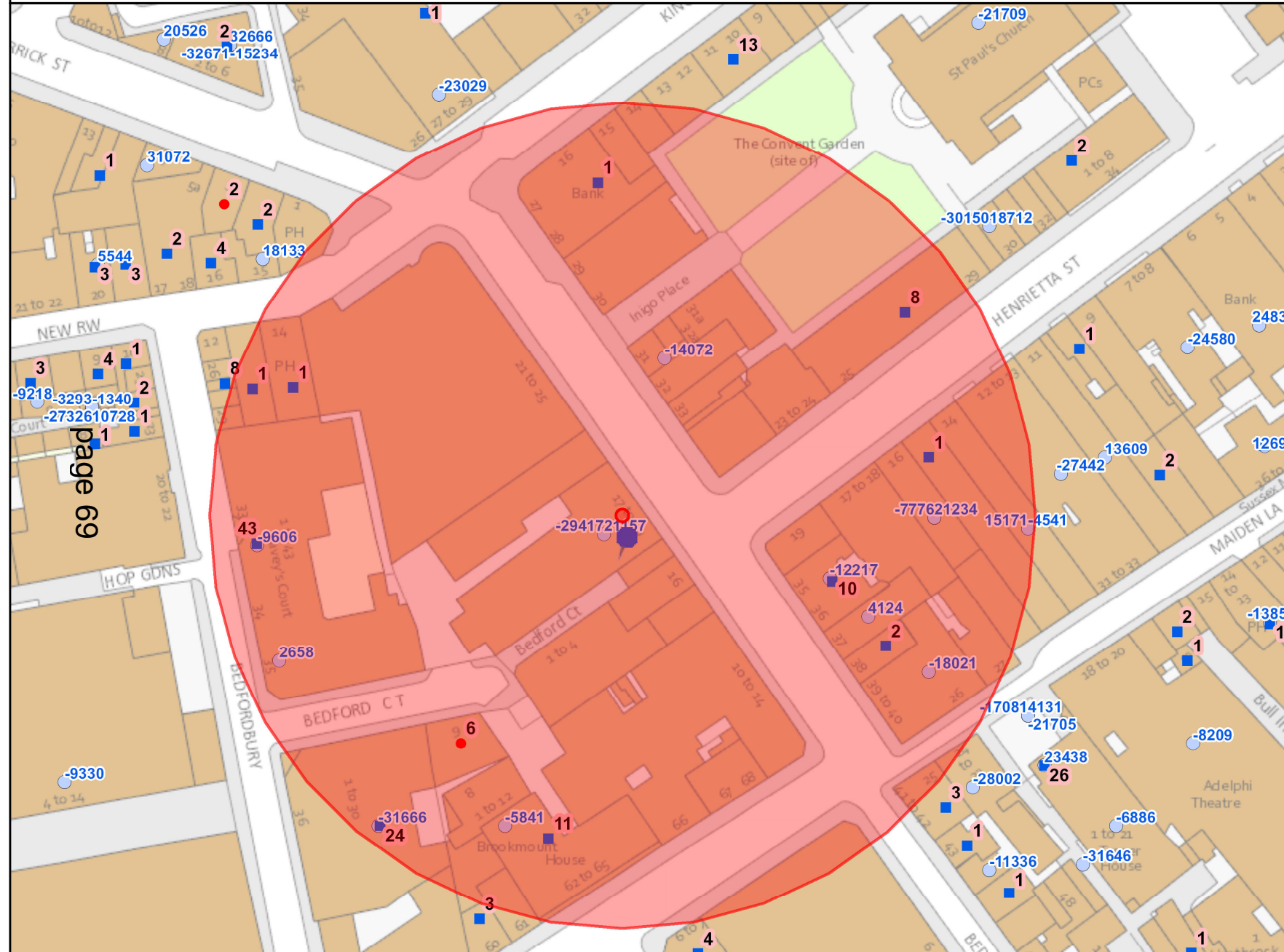
33. Last entry to bar area 60 minutes before premises close.
34. Last entry of customers to the premises 60 minutes before premises close.
35. Sale of alcohol in the bar area by waiter/waitress service to seated customers only.
36. Specified smoking area with a limited number of customers.
37. No queuing outside the premises.
38. No uncrushed glass will leave the premises at any time.

**Conditions proposed by Mr Philip McIntyre:**

39. Last entry shall be 30 minutes before close and nobody shall enter for drink only.
40. Smoking shall be restricted to the designated area only and limited to 10 people at any one time.
41. The bar shall close 30 minutes before restaurant closes.
42. All vehicle deliveries to be unloaded within the loading bay only.



# 17 Bedford Street



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Residential / Proposed Residential	108
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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## Appendix 5 - List of premises in the vicinity

<b>Premises within 75 metres of: 17 Bedford Street</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
06/08749/WCCMAP	La Perla	Third Floor 30 Maiden Lane London WC2E 7JS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/13626/WCCMAC	Concert Artistes Association	First Floor Suite 15 17 - 19 Bedford Street London WC2E 9HP	Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30
14/11459/LIPDPS	Terroirs	Flat 8 Duval Court 36 Bedfordbury London WC2N 4DQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:30
14/02182/LIPDPS	Adventure Bar	Office 2.17 Second Floor Rear 17 - 19 Bedford Street London W	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
06/08066/WCCMAP	Pasta Brown	31 Bedford Street London WC2E 9EH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/03907/LIPV	Fiat Iron	16 Henrietta Street London WC2E 8QH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/03912/LIPN	Frenchies	First Floor And Second Floor Flat 16 Henrietta Street London W	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15/00660/LIPT	Rules Restaurant	26 Maiden Lane London WC2E 7JT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/06917/LIPVM	All Bar One	35 - 36 Bedford Street London WC2E 9EN	Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:50 Monday to Thursday 08:00 - 23:30
15/02493/LIPDPS	Les Deux Salons	Flat 4 Daveys Court 33 Bedfordbury London WC2N 4BW	Monday to Sunday 10:00 - 00:30
06/04687/WCCMAP	The 2 Brydges Club	Suite 305 Third Floor Brookmount House 62 - 65 Chandos Plac	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 23:00
13/02447/LIPVM	La Perla	Third Floor 30 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
15/03310/LIPDPS	The Real Greek	35 Bedfordbury London WC2N 4DU	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
14/02510/LIPDPS	Tesco	Flat 7 37 Bedford Street London WC2E 9EN	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	3 September 2015
<b>5</b>	Police representation	8 September 2015
<b>6</b>	Environmental Health representation	22 September 2015
<b>7</b>	CGCA representation	1 October 2015
<b>8</b>	Ms Maureen Chadwick representation	21 September 2015
<b>9</b>	Mr Philip McIntyre representation	30 September 2015
<b>10</b>	Mrs Caroline McIntyre representation	20 September 2015
<b>11</b>	Mr Anthony Irwin representation	1 October 2015

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City of Westminster

# Agenda Item 3 Licensing Sub-Committee Report

Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07959/LIPN - New Premises Licence
Title of Report:	Diageo Plc - 6th Floor Bar 12 Golden Square London W1F 9JE
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	18 September 2015		
<b>Applicant:</b>	Diageo Plc		
<b>Premises:</b>	Diageo Plc - 6th Floor Bar		
<b>Premises address:</b>	12 Golden Square London W1F 9JE	<b>Ward:</b>	West End
		<b>Stress Area:</b>	West End
<b>Premises description:</b>	The premises are primarily office facilities that will include a bar on the 6 <sup>th</sup> floor which will be used for hospitality and guests. The bar will not be open to the general public.		
<b>Premises licence history:</b>	This is an application for a new Premises Licence and therefore no licence history exists.		
<b>Applicant submissions:</b>			

1-B Proposed licensable activities and hours							
<b>Plays:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>				Sundays immediately prior to Bank Holidays: 09:00 to midnight			

<b>Films:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>				Sundays immediately prior to Bank Holidays: 09:00 to midnight			



<b>Live Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holidays: 09:00 to midnight					

<b>Recorded Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	09:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holidays: 09:00 to midnight					

<b>Anything of a similar description:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holidays: 09:00 to midnight					

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holidays: 09:00 to midnight					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holidays: 09:00 to midnight. Christmas Day, New Years Eve & New Years Day: midday to midnight					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>							
<b>Adult Entertainment:</b>		No activities or entertainment (of an adult nature or otherwise) will be carried out on the premises that would give rise to concern in respect of children.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Mr Chris Marriott
<b>Received:</b>	6 <sup>th</sup> October 2015
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, have representations to this application. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated within the West End stress area 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.</p> <p>Police would be in a position to withdraw our representation if the following conditions could be agreed and added to any future operating schedule:</p> <ol style="list-style-type: none"> <li>1. All entrances and exits shall be monitored by CCTV and images shall be stored for 30 days.</li> <li>2. The licensee shall ensure that visitors leave the premises quietly.</li> <li>3. Intoxicating liquor should not be sold or supplied except: a) to directors and employees of Diageo PLC and their bona fide guests b) to persons having bona fide business with the company within the premises.</li> <li>4. The premises shall not be open to the general public.</li> <li>5. No external advertisement of licensable activities</li> <li>6. All staff involved in the sale of alcohol shall receive appropriate licensing</li> </ol>	

training and a log shall be kept.

7. 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.
8. 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.
9. 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

<b>Responsible Authority:</b>	Environmental Health Consultation Team
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<b>Representative:</b>	Ms Nicola Curtis
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<b>Received:</b>	14 <sup>th</sup> October 2015
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**Licensing Act 2003**

**Diageo PLC, 6<sup>th</sup> Floor Bar, 12 Golden Square, London, W1F 9JE**

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

**The premises are located within the West End Stress Area as defined within the City of Westminster Statement of Licensing Policy.**

The applicant has submitted the following plans for the premises:

- ◆ Sixth Floor – Alcohol Licence Plan: drawing number DIA1182 470(06), Dated 11<sup>th</sup> August 2015

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. The Provision of Regulated Entertainment 'indoors' comprising:

- a. Performance of Plays Monday to Thursday 0900 to 2330 hours, Friday and Saturday 0900 to 0000 hours and Sunday 0900 to 2230 hours
  - b. Exhibition of Films Monday to Thursday 0900 to 2330 hours, Friday and Saturday 0900 to 0000 hours and Sunday 0900 to 2230 hours
  - c. Performance of Live Music Monday to Thursday 0900 to 2330 hours, Friday and Saturday 0900 to 2300 hours and Sunday 0900 to 2230 hours
  - d. Playing of Recorded Music Monday to Thursday 0900 to 2330 hours, Friday and Saturday 0900 to 0000 hours and Sunday 0900 to 2230 hours
  - e. Anything of a Similar Description to Live or Recorded Music Monday to Thursday 1000 to 2330 hours, Friday and Saturday 1000 to 0000 hours and Sunday 1200 to 2230 hours
  - f. For all Regulated Entertainment activities - Sundays immediately prior to Bank Holidays 0900 to 0000 hours
2. The Provision of Late Night Refreshment 'indoors' Monday to Thursday 2300 to 2330 hours and Friday to Saturday 2300 to 0000 hours, and on Sundays immediately prior to Bank Holidays 2300 to 0000 hours
  3. The Supply of Alcohol both 'on' and 'off' the premises Monday to Thursday 1000 to 2330 hours, Friday and Saturday 1000 to 0000 hours and Sunday 1200 to 2230 hours and the following non-standard timings:
    - a. Sundays immediately prior to Bank Holidays 1200 to 0000 hours
    - b. Christmas Day 1200 to 0000 hours
    - c. 1200 on New Year's Eve until 0000 hours on New Year's Day

I wish to make the following representations in relation to the above application:

1. The Provision of Regulated Entertainment activities 'indoors' will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area and may impact upon Public Safety.
2. The provision of Late Night Refreshment 'indoors' will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area.
3. The Supply of Alcohol both 'on' and 'off' the premises will have the likely effect of causing an increase in Public Nuisance in the West End Stress Area and may impact upon Public Safety.

The applicant has provided additional information and conditions with the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the West End Stress Area and may impact on Public Safety.

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

2-B Other Persons	
<b>Name:</b>	Rita Stamatis
<b>Address and/or Residents Association:</b>	Flat D, 36 Great Pulteney Street London W1F 9NS
<b>Received:</b>	16 <sup>th</sup> October 2015

I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

I also object on the basis of cumulative impact.

Introduction:

John Broadwood House on Bridal Lane and 35-40 Great Pulteney Street comprise 28 social housing flats owned by Soho Housing Association. They house 60 residents aged between two and eighty-five years old. These are long-term Soho residents, many having been born in the area and some are second/third generation Soho families.

The distance from the east boundary wall of 12 Golden Square to the front wall of John Broadwood House in Bridal Lane is only 5 metres and the distance to the rear walls of 35-40 Great Pulteney Street is 15 metres (see attached map).

I live at 36 Great Pulteney Street. My flat is on the top floor and my bedroom and bathroom are directly overlooked by the offices at 12 Golden Square. I can attest that noise from 12 Golden Square during the summer months was easily audible in my flat. Firstly from squatters and then from the 24-hour security guards.

The application

The hours proposed are late, and the proposed operation is 7-nights a week, Monday to Sunday inclusive, and the conditions proposed are not strict enough.

There has never been a bar in this location in this office building and I cannot see the need for this new office to have a bar at all. If this new bar is created and the licence granted, it will be the closest licenced premises to our residences. Noise from nearby Mele e Pere, Bill's and the Glasshouse Pub to name but a few, already affects us on a daily basis and I fail to see how this new bar is necessary in an area which is saturated with them already.

My concerns are as follows:

#### Prevention of public nuisance

The proposed bar is an open plan space taking up the entire top 6th floor of this building plus terrace. Sound carries very clearly from that building into our buildings. A proposed bar operating at a capacity of 80 people, with access to a terrace, (which smokers and/or anyone wanting to be outside will use) plus loud music till 11.30 & midnight, 7 nights a week, 52 weeks of the year, with residents sleeping so close by, will absolutely become a public nuisance to me.

I am a senior trauma nurse and I work a rotation of 12-hour shifts and my sleep is vital to my work. In addition, the newly created terrace invades my privacy. Anyone standing on that terrace can look directly into my bedroom, meaning I will have to keep my blinds shut at all times.

#### Cumulative impact

Soho is included in the area designated "West End Stress Area" by Westminster Council. The application as presented is contrary to the Stress Area Policies STR1 and PB2 in the City Council's Statement of Licensing Policy.

I already experience noise nuisance from a range of other nearby licensed premises.

However, the new bar and terrace of this premises would be the closest, and so noise concerns are magnified.

#### Conclusion

For the reasons stated, we are opposed to the application being granted. I look forward to being kept informed of any developments, and would like to attend the hearing in due course.

<b>Name:</b>	Marina Tempia
<b>Address and/or Residents Association:</b>	Flat 4, John Broadwood House 1, Bridle Lane London W1F 9BT
<b>Received:</b>	20 <sup>th</sup> October 2015

I write to make representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. I also object on the basis of cumulative impact.

#### Proximity of residents

John Broadwood House on Bridle Lane and 35-40 Gt Pulteney Street comprise of 28 social housing flats owned by Soho Housing Association. They house c.60 residents aged between 2 and 85 years of age. These are long term Soho residents, many having been born in the area and some second and third generation Soho families.

All residents live in very close proximity to these premises. Bridle Lane is extremely narrow, with the distance from the east boundary wall of 12 Golden Square to the front

wall of John Broadwood House is only 5 metres and the distance to the rear walls of 35-40 Gt Pulteney St is 15 metres.

I live on the top floor of John Broadwood House which is directly underneath the proposed bar and I will be directly affected by it. As stated above, Bridle Lane is narrow and residents already experience a range of anti-social behaviour during the day and night in the form of drug dealing and drug taking, street fouling and noise nuisance from people leaving other licensed premises in the area.

#### The application

I object to this licence being granted, this will be a new bar in the stress area and one which will be the closest licensed premises to my flat. I am concerned the application is for seven days a week, the lateness of the terminal hour and, that it comprises of multiple uses, this being the supply of alcohol, late night refreshment, recorded music, live music, plays, films and events. This is supposed to be a staff bar, however, it has the appearance of a commercial venture.

#### Prevention of public nuisance

I am concerned this bar will cause noise nuisance in the form of disturbance from live/recorded music and noise from people using the terrace. Although it is not clear from the application what use is to be made of the terrace, it is obvious that people will utilise this space for smoking and drinking especially in the summer. The noise from the terrace will without doubt cause a nuisance to residents in Bridle Lane and Gt. Pulteney Street.

Bridle Lane is very narrow and noise including loud and raised voices from people in high spirits is amplified by its narrowness. Residents frequently suffer from noise disturbance especially at night.

#### Prevention of crime and disorder

Bridle Lane is a place which suffers from frequent and significant anti-social behaviour by people vomiting, urinating and defecating in our doorways. Bridle Lane is also a magnet for drug dealers and it is not unusual to witness people shooting up during the day and night. A new bar in such close proximity will only increase rather than diminish the level of crime and disorder outside my front door.

#### Cumulative impact

The application as presented is contrary to the Stress Area Policies STR1 and PB2 in the City Council's Statement of Licensing Policy. I already experience noise nuisance and anti-social behaviour, a new bar with the associated increase in the numbers of people discharged onto the streets will only increase levels of existing disturbance.

#### Conclusion

For the reasons stated above, I am opposed to the application being granted.

<b>Name:</b>	Veronique Jack Residents Association
<b>Address and/or Residents Association:</b>	Great Pulteney Street And Bridle Lane Residents Association 40 Great Pulteney Street London W1F 9NY
<b>Received:</b>	16 <sup>th</sup> October 2015

The Great Pulteney Street and Bridle Lane Tenants' Association object to the application for a new premises licence. We object to all parts of the application, this being the supply of alcohol, late night refreshment, recorded music, live music, plays, films and other events.

Our representation is made on the likely basis that the application will fail to promote the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. We also object on the basis of cumulative impact.

#### The residents

John Broadwood House on Bridle Lane and 35-40 Great Pulteney Street comprise of 28 social housing flats owned by Soho Housing Association. They house c. 60 residents aged between two and eighty-five years of age. These are long term residents, many having been born in the area and some are second and third generation Soho families.

All residents live in very close proximity to these premises. The distance from the east boundary wall of 12, Golden Square to the front wall of John Broadwood House in Bridle Lane is only 5 metres and the distance to the rear walls of 35-40 Great Pulteney Street is 15 metres (see attached photos).

Soho being within the stress area has the highest number of late night establishments in Westminster. The council acknowledges in its Statement of Licensing Policy the impact of the night time economy in stress areas, and the cumulative effect of the concentration of such establishments which has led to serious problems of crime and disorder and public nuisance affecting residents. Residents in Great Pulteney Street and Bridle Lane currently experience noise nuisance by people talking in loud and raised voices, waste disposable collections during the night, and crime and disorder in the form of drug dealing and drug taking and coupled with significant anti-social behaviour of people fouling in our doorways.

#### The application

We object to this licence being granted, this will be a new licence for a bar in the stress area and one which will be the closest licensed premises to residents. We are concerned with all aspects of the application, in particular the lateness of the terminal hour, the seven days a week operation (including bank holidays), live and recorded music, events and the playing of films and plays. In our view this application is not consistent with a staff bar, it appears to be more aligned to a commercial venture. We therefore question its true function and the application should be treated as such.

The application fails to promote the licensing objectives and we object on the following grounds.

#### Prevention of public nuisance

This bar will cause significant noise nuisance to residents. Residents in Great Pulteney Street already experience noise disturbance from this 'vacant' building. They are woken by security guards using the terrace on the 6th floor, either speaking to each other or using their mobile phones. It is not clear from the application what use is to be made of the terrace, however, it is obvious it will be used for smoking and drinking. To demonstrate the close proximity of the flats to the 6th floor when squatters occupied the building during the summer residents were able to hold conversations with them from the terrace. Therefore our concerns of noise disturbance from a bar with live/recorded



music and a large number of people accessing the terrace are not unfounded.

Residents in Bridle Lane also suffer noise nuisance and disturbance especially at night time. Bridle Lane is extremely narrow and noise including loud and raised voices from people in high spirits is amplified by its narrowness this in turn frequently disturbs sleep.

#### Prevention of crime and disorder

It is well known that the consumption of alcohol increases the level of crime and disorder in Soho. Residents frequently experience crime and disorder in the form of drug taking and dealing and significant anti-social behaviour which includes vomiting, urinating and defecating in our doorways.

#### Cumulative impact

The application as presented is contrary to the Stress Area Policies STR1 and PB2 in the City Council's Statement of Licensing Policy. We already experience noise nuisance and anti-social behaviour. This new bar with its terrace and close proximity to 60 residents will only increase disturbance and nuisance.

#### Conclusion

We oppose this application on the basis that if it is granted it would fail to promote the licensing objectives. We therefore ask the Licensing Sub-Committee to reject this application. We look forward to being kept informed of developments and would like to attend the hearing.

<b>Name:</b>	Cllr Paul Church
<b>Address and/or Residents Association:</b>	City Hall
<b>Received:</b>	15 <sup>th</sup> October 2015

Dear Sir/Madam,

As the Ward Councillor for West End Ward, I firmly object to Application 15/07959/LIPN for premises located at 12 Golden Square, Soho.

At the time of the planning application for a new terrace, there was no indication that this would be used to add another bar to a stress area.

I fully support local residents in their objections on the ground of prevention of public nuisance.

Residents report that there is already an amplification effect emanating from the premises, so goodness knows the negative affect on residential amenity adding a bar will have - particularly one for up to 80 patrons. I do not believe there should be any alcohol or noise allowed on this terrace.

Furthermore, the building this terrace immediately overlooks has a lot of children, elderly and infirm residents with health issues, so I am particularly loathe for a licence to be granted at this particular premises.

<b>Name:</b>	Miss Isabel Anderton
<b>Address and/or Residents Association:</b>	
<b>Received:</b>	13 <sup>th</sup> October 2015
<b>Premises address: Diageo Plc, 12 Golden Square, London W1F 9JE</b>	
<b>Application for a new premises licence reference: 15/07959/LIPN (creation of a new bar)</b>	
<p>I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.</p> <p>I also object on the basis of cumulative impact.</p>	
<p><b>Introduction</b></p> <p>John Broadwood House on Bridal Lane and 35-40 Great Pulteney Street comprise 28 social housing flats owned by Soho Housing Association. They house c. 60 residents aged between two and eighty-five years old. These are long-term Soho residents, many having been born in the area and some are second/third generation Soho families. The distance from the east boundary wall of 12 Golden Square to the front wall of John Broadwood House in Bridal Lane is only 5 metres and the distance to the rear walls of 35-40 Great Pulteney Street is 15 metres (see attached map). My family's bedrooms at the back of our top floor flat, look directly onto the 4th-6th Floors of 12 Golden Square (see attached photos). The square mile of Soho has c. 4,000 residents. It is also one of the most densely 'licenced' areas in Europe. There are licenced premises everywhere, hence its designation by Westminster Council as a "stress area". Obviously, the combination of so much alcohol available to so many people creates a huge amount of public nuisance in the form of noise. In addition we have to endure noise from private waste disposal companies entering Soho in the early hours of the morning to collect all the empty bottles left out by these premises, plus other associated issues.</p>	
<p><b>The application</b></p> <p>The hours proposed are late, and the proposed operation is 7-nights a week, Monday to Sunday inclusive, and the conditions proposed are not strict enough. There has never been a bar in this location in this office building before. Prior to the two- year redevelopment of 12 Golden Square, it was occupied by Paramount Pictures for around 15 years. They had a small private screening room in the basement but there was no company bar. I know this as I attended screenings there. Paramount were very good neighbours. I cannot see the need for this new office to have a bar at all. If the office was out of town, then there would be a justification. However, as described above, there are several thousand licenced premises within a few minutes' walk of this location for the office employees to drink and relax in. If this new bar was created and a licence granted then it will become the closest licenced premises to our flat and the 27 flats occupied by our neighbours.</p>	

Our concerns are as follows:

### **Prevention of public nuisance**

Over the Summer, my family and my neighbours have been aware of late night noise coming from the "empty" offices at 12 Golden Square. Firstly from some squatters (whom we reported to the police and to the landlords), and subsequently from the security guards assigned by the landlords to the premises.

During the re-construction of 12 Golden Square an outdoor terrace was added at 6th Floor level. Previously there was no terrace. Late at night and in the early hours of the morning we were frequently woken by the security guards standing on this terrace and chatting to each other or into their mobile phones.

As I have described, this 6th Floor and new outdoor terrace are only a few metres away from residents' bedrooms. At this level, sound carries very clearly from that building into our buildings. If we were woken by only two men talking, then a full capacity bar with access to a terrace (which obviously smokers will use) will be intolerable. 80 people, plus loud music, till 11.30 & midnight, 7 nights a week, 52 weeks of the year, with residents sleeping so close by, will absolutely become a public nuisance to me, my family and our neighbours. Disturbed sleep and lack of sleep will impair our ability to work, our children to perform well at school and our general well-being.

### **Cumulative impact**

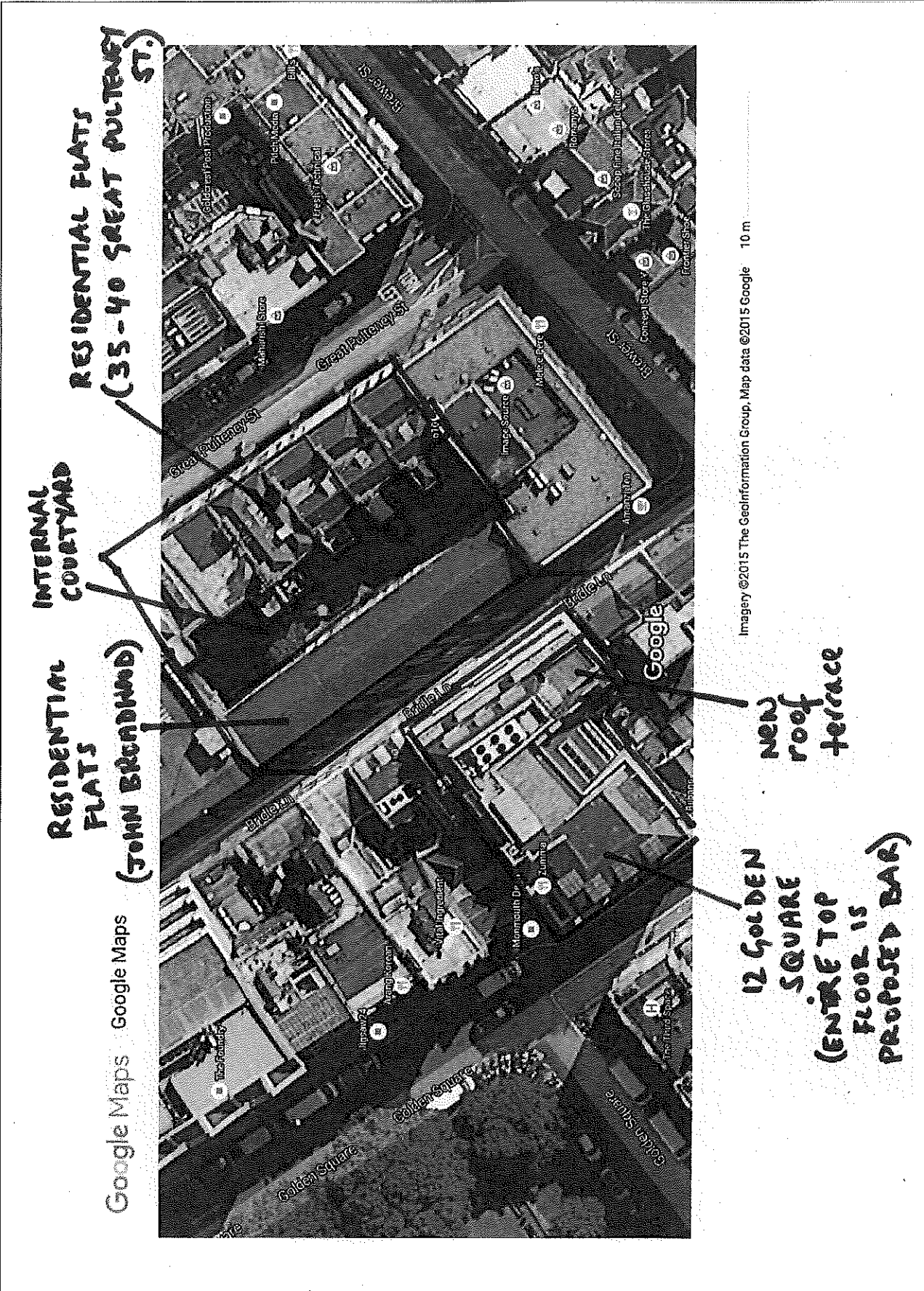
The application as presented is contrary to the Stress Area Policies STR1 and PB2 in the City Council's Statement of Licensing Policy.

We already experience noise nuisance from a range of other nearby licensed premises.

However, the new bar and terrace of this premises would be the closest, and so noise concerns are magnified.

### **Conclusion**

For the reasons stated, we are opposed to the application being granted. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.



Google Maps Google Maps

Imagery ©2015 The GeoInformation Group, Map data ©2015 Google 10 m





<b>Name:</b>	Mr Paul Murray
<b>Address and/or Residents Association:</b>	39 Great Pulteney Street LONDON W1F 9NX
<b>Received:</b>	5 <sup>th</sup> October 2015

I would like to register an objection to this application for a drinks licence (with live music etc as part of the application) on the grounds of public nuisance.

I am a neighbour, the proposed drinks license (to 11.30 pm) covers the open air terrace overlooking our block.

Music and crowd noise will undoubtedly disturb our peace (and that of our children). I have previously attended (subsidised) drinks events at other Diageo bars in Henrietta Place and Park Royal offices - and know firsthand that they can get extremely noisy - and as such are not suitable for open air terraces overlooking residential buildings.

Other offices with drinks/ music licences in the area are enclosed and generally on lower floors, and this application will undoubtedly result in unnecessary nuisance to us. It is not as if there are not hundreds of local bars to choose from as alternatives if employees want to have a drink after work!

<b>Name:</b>	Mr & Mrs Leslie And Wendy Hardcastle
<b>Address and/or Residents Association:</b>	37C Great Pulteney Street London W1F 9NT
<b>Received:</b>	16 <sup>th</sup> October 2015
<p><b>Reference : 15/07959/LIPN - New Premises Licence</b>  <b>Diageo Plc, 6th Floor Bar, 12, Golden Square, London W1F 9JE</b></p> <p>We object to this application for the supply of alcohol, late night refreshment, recorded music, live music, plays, films and other events.</p> <p>We believe that if granted the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder will not be upheld. We also object on the basis of cumulative impact if the licence is granted.</p> <p>We and our neighbours are all tenants of the Soho Housing Association and a number of us are elderly and/or infirm. There are also a number of small children and teenagers. Most of us have lived here for many years.</p> <p>The planned bar would overlook our homes and in particular our bedrooms. The attached photos, taken from a neighbours window, and the arial view show how close to our homes the proposed bar would be. Security personnel etc. on the 6<sup>th</sup> floor and on the terrace are clearly visible to us (in fact we are often the subject of much – probably bored! – scrutiny. Our lives, and in particular our sleep, and the affects of sleep deprivation and attached health issues, would be severely compromised if this licence is awarded.</p> <p>Soho is within a stress area and has the highest number of late night establishments in Westminster.</p> <p>The council acknowledges in its Statement of Licensing Policy the impact of the night time economy in stress areas, and the cumulative effect of the concentration of such establishments which has led to serious problems of crime and disorder and public nuisance affecting residents. We currently experience noise nuisance by people talking in loud and raised voices, waste disposable collections during the night, and crime and disorder in the form of drug dealing and drug taking and coupled with significant anti-social behaviour of people fouling in our doorways.</p> <p><b>The application</b></p> <p>We object to this licence being granted. This would be a new licence for a bar in the stress area and one which will be the closest licensed premises to ourselves and our neighbours. We are concerned with all aspects of the application, in particular the lateness of the terminal hour, the seven days a week operation (including bank holidays), live and recorded music, events and the playing of films and plays.</p> <p>The application fails to promote the licensing objectives and we object on the following grounds.</p> <p><b>Prevention of public nuisance</b></p> <p>This bar will cause significant noise nuisance to ourselves and our neighbours. The Great Pulteney Street tenants live in converted (listed) Georgian buildings. We have</p>	

sash windows which because of their age would permit high levels of sound penetration.

We are only 15 meters from the Bridle Lane elevation of 12 Golden Square. For Bridle Lane residents the distance is only 5 meters.

The sixth floor of the building where the planned bar would be located overlooks the rear of the Great Pulteney Street buildings – people on this floor (security etc.), are clearly visible. We also have experience of communicating across the roof of John Broadwood House and Bridle Lane with an individual climbing the Bridle St. elevation when we were able to hold a conversation with him as if he was a few feet away – for some reason there is sound magnification going on. This sound magnification is also experienced when we hear security guards having conversations with each other or on their mobiles from the terrace. I repeat, Our lives, and in particular our sleep, and the affects of sleep deprivation and attached health issues, would be severely compromised if this licence is awarded.

So it will be appreciated we hope that our worries of noise disturbance from a bar with live/recorded music and a large number of people are very real.

We believe that with the bar being run by one of the biggest purveyors of alcoholic drinks in the country, albeit for staff and clients) this would be a recipe for the creation of a great deal of noise. We know people who have been guests in Diageo bars and they report that they are very noisy and lively.

It is well known that the consumption of alcohol raises noise levels.

There has also been a problem with light penetration from the 6<sup>th</sup> floor since the renovations of the building were completed and which we have previously complained of. If disco lights etc. were used this light penetration could be a serious problem.

**The worst noise would come from the open-air terrace, if used for smoking etc. and we draw your attention to item 11 of the delegated report/decision letter on the planning application, case no. 14/02968/FULL (variation of Condition 1 of planning permission dated 11 February 2014 RN:13/11837) which reads "No music shall be played (whether amplified or not) in association with the terraces hereby approved. Reason: To protect neighbouring residents from noise nuisance .....)** We would argue that neighbouring residents should be protected from any noise nuisance of any kind from the terrace or from a bar. It would not make sense to have no noise nuisance from music, but noise nuisance from raised and magnified voices! (See Westminster's City Plan: Strategic Policies, November 2013 and ENV 6 and ENV7 of the Unitary Development Plan January 2007. ) We believe that if the licence is granted it would be very difficult to prevent noise nuisance in particular from the terrace.

#### **Prevention of crime and disorder**

It is well known that the consumption of alcohol increases the level of crime and disorder in Soho. Residents frequently experience crime and disorder in the form of drug taking and dealing and significant anti-social behaviour which includes vomiting, urinating and defecating in our doorways.

#### **Cumulative impact**

The application as presented is contrary to the Stress Area Policies STR1 and PB2 in



the City Council's Statement of Licensing Policy. We already experience noise nuisance and anti-social behaviour. This new bar with its terrace and close proximity will only increase disturbance and nuisance for us all.

**Conclusion**

We oppose this application on the basis that if it is granted it would fail to promote the licensing objectives. We therefore ask the Licensing Sub-Committee to reject this application. We look forward to being kept informed of developments and would like to attend the hearing.

**3. Policy & Guidance**

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. Policy MD2 applies:</p> <p>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.</p>
Policy PB2 applies:	<p>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.</p>
Policy STR1 applies:	<p>(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.</p> <p>(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.</p>

#### 4. Appendices

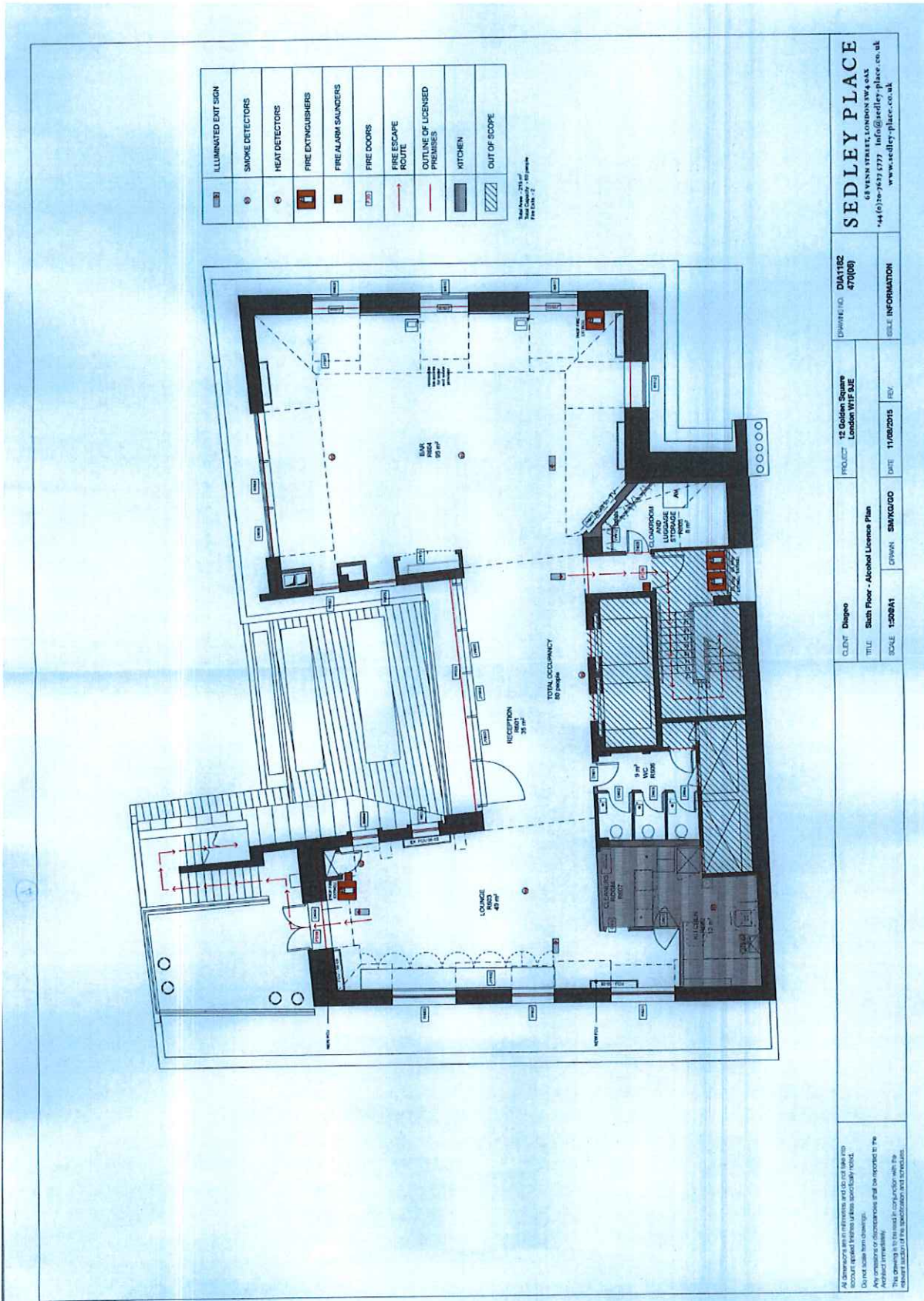
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents – Not applicable
<b>Appendix 3</b>	Premises history – Not applicable
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>		
<b>5</b>		
<b>6</b>		
<b>7</b>		
<b>8</b>		
<b>9</b>		
<b>10</b>		



All dimensions are in millimetres and do not take into account tapered finishes unless specifically noted. Do not scale from drawings. Any omissions or discrepancies shall be reported to the Architect immediately. The Architect shall not be liable for any errors or omissions in the drawings or structures.

CLIENT	Diageo	PROJECT	12 Golden Square London W1F 3JF	DRAWING NO.	DIA1192 470(00)
TITLE	6th Floor - Alcohol License Plan	DATE	11/02/2015	REV	
SCALE	1:200	DRAWN	SM/KG/JO	REV	

**SEDLEY PLACE**  
 68-72 N. STREET, LONDON W1A 0AS  
 +44 (0) 20 4632 1777 info@sedley-place.co.uk  
 www.sedley-place.co.uk

No supporting documents submitted

No supporting documents submitted

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,  
(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and  
(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,  
(ii) the designated premises supervisor (if any) in respect of such a licence, or  
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.



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

**Conditions currently under discussions with Environmental Health and the Applicant (comments in red highlight those agreed by all parties and those in green contain EH amendments):**

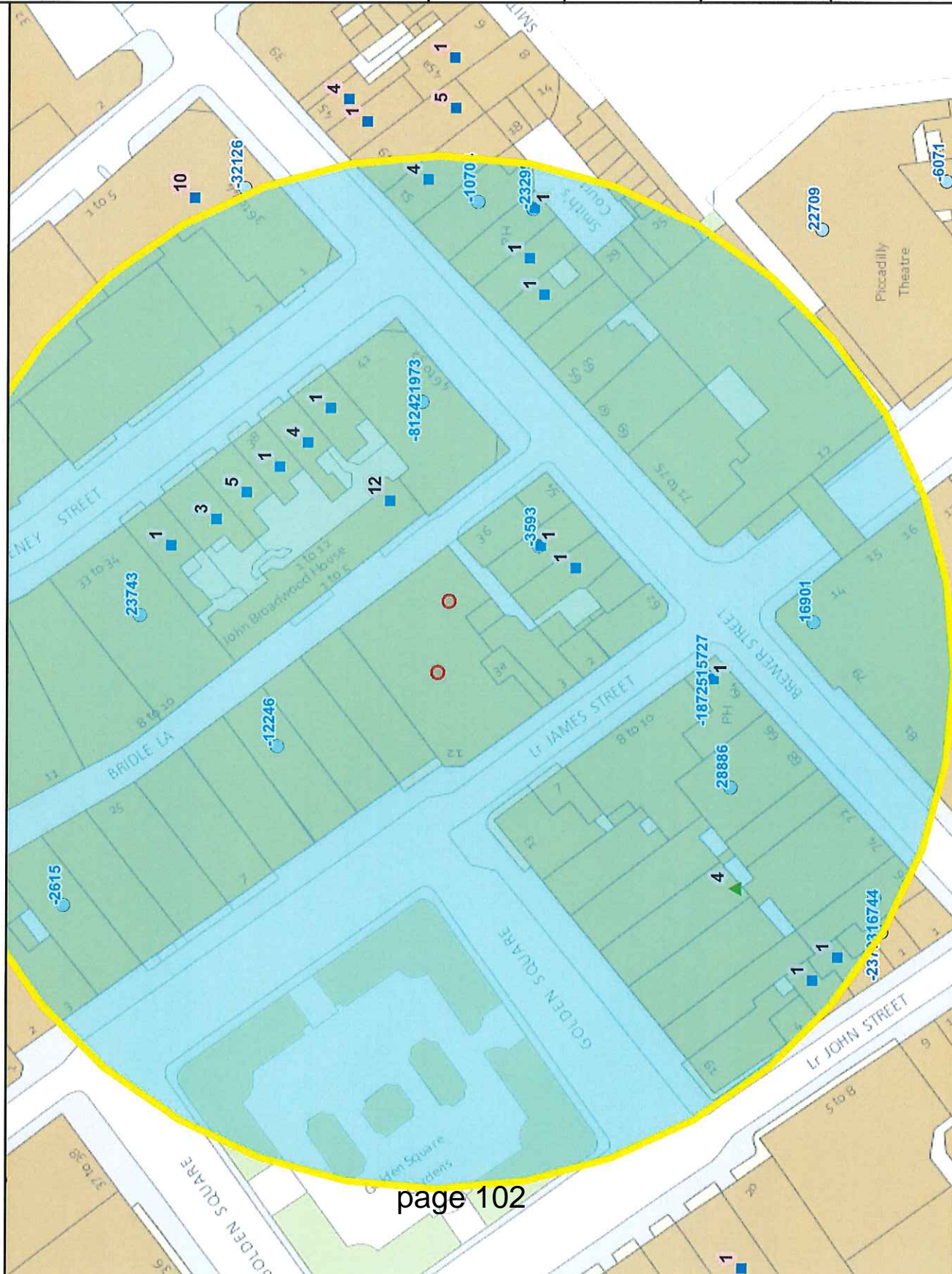
9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises/building as offices. **AGREED**
10. The sale of alcohol for consumption off the premises shall be restricted to sealed containers at product launch events. Such sales shall not be consumed on the premises, including the terrace. **AGREED**
11. Alcohol shall only be supplied to employees and officers of Diageo, bona fide guests and persons attending a private pre-booked function or event to which members of the public are not admitted. **AGREED**
12. A register of any private pre-booked functions or events shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council. **AGREED**
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance. **Amended to include 'public'**
14. Loudspeakers shall not be located outside the premises building including on the terrace. **AGREED**
15. All external doors of the licensed area shall be kept closed during licensed hours except for the immediate access and egress of persons. **Amended to remove 'windows'**
16. The terrace shall not be used in connection with any licensable activity at any time.
17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them, including on to the terrace.
18. The premises licence holder shall ensure that any patrons smoking outside the premises, including on the terrace, do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance caused.
19. 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. **Amended to 21**

20. There shall be no self-service of alcohol on the premises. **AGREED**
21. There shall be no external advertisement of the licensed premises. **AGREED**
22. The number of persons permitted in the licensed premises at any one time (excluding staff) shall not exceed 55 persons. **Capacity included**
23. 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.
24. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **23.00** hours and **08.00** hours on the following day. **AGREED**
25. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime. **AGREED**
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. **AGREED**
27. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided. **AGREED**
28. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means. **AGREED**
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device. **AGREED**
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment **AGREED**
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible. **AGREED**
32. No licensable activities shall take place at the premises 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 shall be removed from the licence by the licensing authority. **AGREED**

**Conditions consistent with the operating Schedule contained within the application which may be considered:**

33. The reception in the ground floor lobby will be manned 24/7.

34. The main building entry and exit points will be controlled and a visitor sign-in system will be operated.
35. The entrances and common areas of the building are covered by CCTV.
36. Access to the 4<sup>th</sup> and 5<sup>th</sup> floors will be by card reader system activated by Diageo ID swipe cards only.
37. A concierge will be present at the 5<sup>th</sup> Floor to provide access to guests.
38. All staff involved in the sale of alcohol will be trained in licensing laws.
39. There will be full compliance with Health & Safety legislation. Staff will be trained in company-wide Health and Safety procedure. Including evacuation procedure.
40. First Aid boxes will be available at the premises.
41. Entrances & Exits will be monitored by CCTV.
42. 24 hour security will ensure that visitors leave quietly.



# APPENDIX 5

Residential/ Proposed Residential	43
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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Data Source: Uniform Database

Date: 27/10/2015

Premises within 75 metres of: Diageo, 12 Golden Square, London, W1F 9JE

p / n	Name of Premises	Premises Address
23743	Urban Golf	33-34 Great Pulteney Street London W1F 9NT
28886	HIX	66-68 Brewer Street London W1F 9TP
-10704	Scoop Fine Italian Gelato	53 Brewer Street London W1F 9UD
-8124	Vabene	46-52 Brewer Street London W1F 9TF
16901	Mash	77 Brewer Street London W1F 9ZN
21973	Arigato	48-50 Brewer Street London W1F 9TG
-23703	One Stop Food & Wine	Ground Floor 1 Lower John Street, W1F 9DT
-23299	Glasshouse Stores Public House	55 Brewer Street London W1F 9UJ
-22827	Kulu Kulu Sushi	76 Brewer Street London W1F 9TX
-18725	Crown Public House	64 Brewer Street London W1F 9TP
-12246	Nine Golden Square Restaurant	Basement And Ground Floor 9 Golden Square, W1F 9HZ
-3593	Ten Ten Tei Restaurant	Ground Floor 56 Brewer Street London W1F 9TJ
-2615	Graphic Bar	Ground Floor 4 Golden Square London W1F 9HT
15727	Crown Public House	64 Brewer Street London W1F 9TP
16744	Lingo Japanese Restaurant	Basement North And Ground Floor North 1 Lower John Street W1F 9DT

Licensed Hours
Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
Monday to Sunday 07:00 - 01:00
Monday to Sunday 10:00 - 02:00 Monday to Sunday 11:00 - 22:00
Monday to Saturday 08:00 - 00:00 Sunday 12:00 - 22:30
Monday to Sunday 11:30 - 01:30
Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 23:00 Monday to Thursday 07:00 - 23:30
Monday to Sunday 08:00 - 23:00



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GOLDEN SQUARE W1  
CITY OF WESTMINSTER

12

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page 105

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24/09/2015 10:44:26

StampThePhoto from ArvanSoft



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**Section 17 Licensing Act 2003**

**Licensing Act 2003: Application for a new Premises Licence**

Notice is hereby given that *DIAGEO PLC* has applied to the City of Westminster on **18 September 2015** for a new premises licence for **6TH FLOOR, 12 GOLDEN SQUARE, LONDON, W1F 9JE**

*The proposed application is to permit the provision of regulated entertainment, late night refreshment and the sale by retail of alcohol.*

Any person who wishes to make a representation in relation to this application must give notice in writing of his/her representation by **15 October 2015** stating the grounds for making said representation to: Licensing Service, 14th Floor, City Hall, 64 Victoria Street, London, SW1

The public register where applications are available to be viewed by members of the public can be accessed online by visiting at [www.westminster.gov.uk/Licensing](http://www.westminster.gov.uk/Licensing) and following the link to the public register.

The Licensing Authority must receive representations by the date given above. The Licensing Authority will have regard to any such representation in considering the application. It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application for premises licence and the maximum fine on being convicted of such an offence is £5000.

24/09/2015 10:42:26

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Item No:	
Date:	12 November 2015
Licensing Ref No:	15/06558/LIPN - New Premises Licence
Title of Report:	Timber Yard Ground Floor and Basement 4 Noel Street London W1F 8GB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	4 August 2015 (validated on 25 <sup>th</sup> September 2015)		
<b>Applicant:</b>	Timberyard Limited		
<b>Premises:</b>	Timber Yard		
<b>Premises address:</b>	Ground Floor and Basement 4 Noel Street London W1F 8GB	<b>Ward:</b>	West End
		<b>Stress Area:</b>	West End
<b>Premises description:</b>	This premises shall operate as a coffee shop with the offering of alcohol and a space to screen films for the public and/or privately booked events.		
<b>Premises licence history:</b>	This premises has not previously benefitted from a licence under the Licensing Act 2003.		
<b>Applicant submissions:</b>	<p><u>The applicant sent an emails to two of the objectors:</u></p> <p>Date: 11<sup>th</sup> October 2015</p> <p>To: David Rushmore and Steve Chambers</p> <p>As new neighbours we would welcome the chance to say hello properly and wondered if perhaps we could meet in person, as we did with Sally Thomas and PC Reaz Guerra. We completely understand your concerns and wish to reassure you on all counts if at all possible. Would you be kind enough to allow us the opportunity to clarify our business model and explain the work that we have been doing with the Licensing Team and the comprehensive conditions that we will be accepting on our licence?</p> <p>As a speciality coffee shop and creative workspace we really believe that Timberyard will be a positive introduction to Noel Street and have minimal impact on crime and disorder in the area as a whole. We are of course eager to explain our strong community intentions and in doing so we hope to remove any doubts and fears that The Soho Society may currently be feeling.</p> <p>Best, Darren Elliott Tea, coffee, work and play. Re-Imagined. Timberyard   Operations Director</p>		



1-B Proposed licensable activities and hours							
Regulated Entertainment - Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations:			N/A				
Non-standard timings:			N/A				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:00
Seasonal variations:			N/A				
Non-standard timings:			N/A				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:30
Seasonal variations:			N/A				
Non-standard timings:			N/A				
Adult Entertainment:			None				

## 2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	29 <sup>th</sup> September 2015

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

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

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

It is for these reasons that we are objecting to the application.  
Should you wish to discuss the matter further please contact PC Reaz Guerra on **0207 641**

1709 or via email, [rguerra@westminster.gov.uk](mailto:rguerra@westminster.gov.uk).

**Note: conditions have been agreed between the applicant and the Police; these are included in Appendix 4.**

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Sally Thomas
<b>Received:</b>	29 <sup>th</sup> September 2015

I refer to the application for a new application for the above premises.

**The premises are situated in the West End Stress Area as stated in City of Westminster's Statement of Licensing Policy.**

The applicant has submitted the following plans for the premises:

- ◆ Basement Floor Layout: drawing number 2015-08/04-101 rev A, dated April 2015.
- ◆ Ground Floor Layout: drawing number 2015-08/04-201 rev A, dated April 2015.

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities in the basement and ground floor:

1. The Supply of Alcohol for consumption 'on' the premises Monday to Saturday 11:00-23:00 hours and Sunday 12:00-22:00 hours.
2. To the provision of regulated entertainment of films 'indoors' Monday to Sunday 08:00-23:00 hours.

I wish to make the following representations in relation to the above application:

1. The Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.
2. The provision of film may have the likely effect of causing an increase in Public Nuisance in the area stress area and may impact on Public Safety.

The plans indicate 4 WCs and 2 accessible WCs. You will need to ensure the capacity is compliant with the British Standard 6465-1:2009 Table 10 or 11, depending on how you plan to operate the premises. Please confirm the proposed capacity on both floors.

The applicant has provided additional information and conditions with the operating schedule which are being considered, but does not fully address the concerns of Environmental Health. The premises are required to be inspected by the Council's Environmental Health Service to confirm that they are satisfied that the premises are suitable, in relation to addressing the licensing objectives of Public Safety and Prevention of Public Nuisance. The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

**The granting of this application as presented would have the likely effect of causing an increase in Public Nuisance in the stress area and may impact on Public Safety.**

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

**Note: conditions have been agreed between the applicant and EH; these are included in Appendix 4.**

2-B Other Persons	
<b>Name:</b>	Ms Katrina Wood
<b>Address and/or Residents Association:</b>	1 Noel Street London W1F 8GA
<b>Received:</b>	22 <sup>nd</sup> October 2015
<p>I have for ten years lived at 1Noel Street, W1F 8GA, I have increasingly had to suffer the noise of building in this area and air conditioning added to the back of the building directly outside my bedroom door onto the small verandah. The earlier building at 2 -4 Noel Street made it impossible to even do a telephone call because of the drilling I endured for months. There will be a significant list of calls and visits from the Noise Dept who help intervene to ensure the law was not flouted. This particular building at 4 Noel Street has also extended their area out at the back of the building. I am very concerned that I will be constantly dealing with noise from an establishment which has an alcohol licence that is right next door to me. This does not even reflect on the added noise of traffic directly below my windows that will be increased by this venue .</p> <p>This is a mixed residential and business area and some lid needs to be put on the ever building disruption this causes for those of us who have lived long term on this street.</p> <p>I look forward to you response, with thanks.</p> <p>Katrina Wood</p>	
<b>Name:</b>	Mr David Rusholme
<b>Address and/or Residents Association:</b>	Flat 3 195 Wardour St London W1F 8ZG
<b>Received:</b>	8 <sup>th</sup> September 2015 (carried forward into the new consultation period)
<p>I object to the serving of alcohol at these premises due to potential for noise from the premises and from customers leaving the premises.</p> <p>I also particularly object to the proposed opening hours from 08.00 to 23.00 and weekend opening.</p> <p>Several residential properties back onto the premises and the potential for noise especially through the light well is significant.</p> <p>Noel St has no other licenced premises. It is a narrow street with narrow pavements.</p> <p>This objection is made in the context that as a Soho resident it is realistic to expect some noise and disruption. These proposals are not propionate to the character of the area and potential for late night and weekend noise.</p>	
<b>Name:</b>	Mr Steve Chambers

**Address and/or Residents Association:** The Soho Society  
 St Annes Tower  
 55 Dean Street  
 London  
 W1D 6AF

**Received:** 16<sup>th</sup> September 2015 (carried forward into the new consultation period)

I write to make a relevant representation to the above application on behalf of The Soho Society. The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.

**About The Soho Society**

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

**Application summary**

Activity	Indoors/Outdoors	Alcohol Consumed	Time Period	From	To
Exhibition of a Film	Indoors		Monday to Sunday	08:00 AM	11:00 PM
Sale by Retail of Alcohol	Indoors	On Premises	Monday to Saturday	11:00 AM	11:00 PM
Sale by Retail of Alcohol	Indoors	On Premises	Sunday	12:00 PM	10:00 PM

**New licensed premises in the West End Stress Area**

The proposal is for a new licensed premises in the West End Stress Area. The new Sale by Retail of Alcohol On Premises licensable activity is of particular concern, with reference to Westminster City Council stress area and cumulative impact policy. Such new licenses (in particular where not ancillary to food) should be prohibited. These venues destroy residential amenity over a wide area through noise nuisance as patrons disperse. It is noted the conditions for this application do not make reference to service with food. It is therefore felt necessary that should this license be permitted, conditions must be applied to prevent problematic vertical drinking:

**MC39** The supply of alcohol shall be by waiter or waitress service only.

**MC41** 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.

**Licensing policy**

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the



concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

Yours faithfully,

David Gleeson

Licensing Chair

### 3. Policy & Guidance

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

**Policy STR1 applies:**

(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 COMB1 applies:**

(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 STR1 and HRS1.

(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies.

It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).

(iii) It will consider any premises which include any pub or bar use

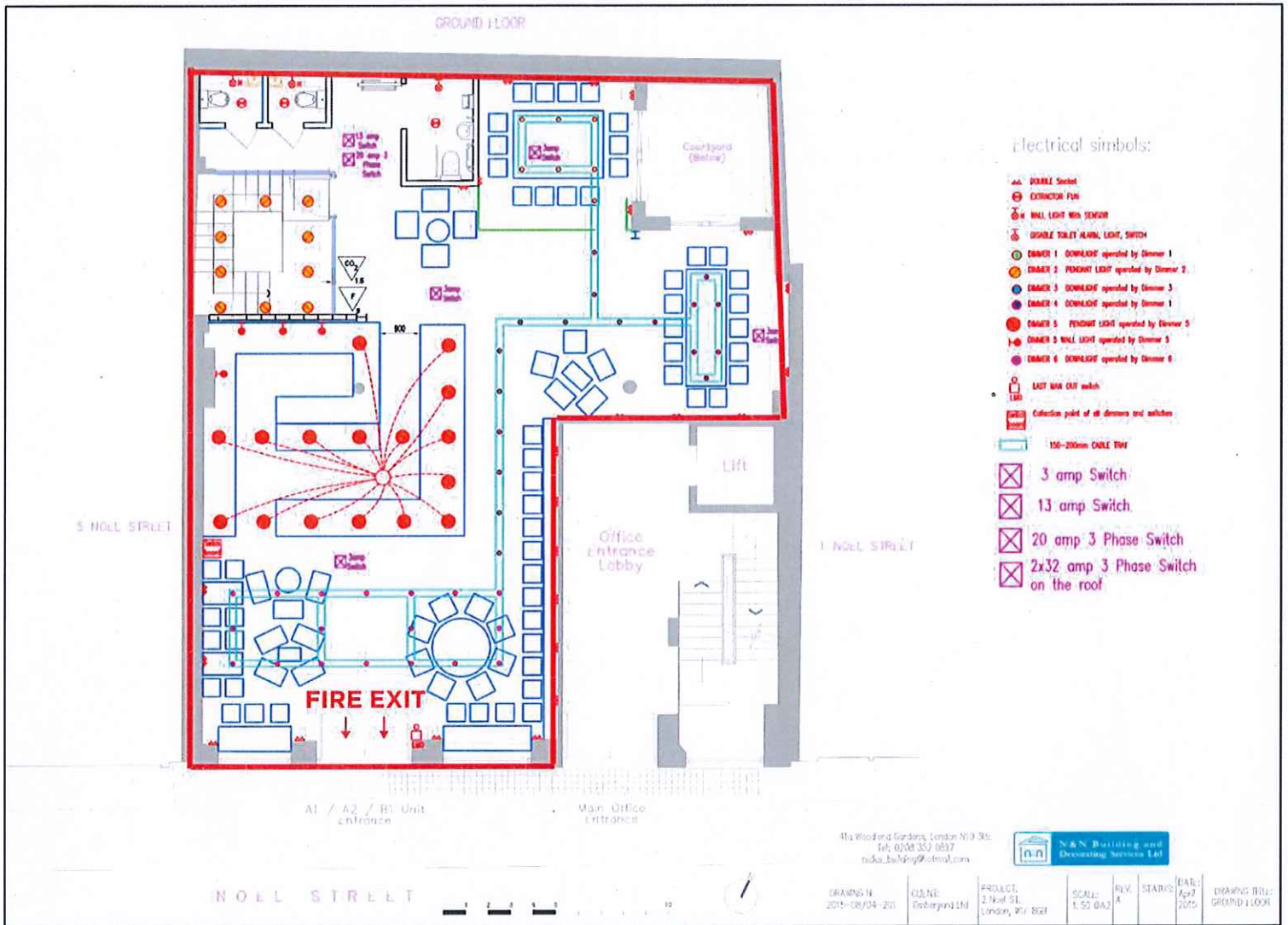
	or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1&PB2, FFP1 & FFP2, MD1 & MD2.
<b>Policy PB2 applies:</b>	It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	None provided
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity
<b>Appendix 6</b>	Photos of the premises

<b>Report author:</b>	Mrs Sumeet Anand-Patel Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: <a href="mailto:sanandpatel@westminster.gov.uk">sanandpatel@westminster.gov.uk</a>

# APPENDIX 1



## Electrical symbols:

- DOUBLE SOCKET
- EXTINGUISHER
- WALL LIGHT WITH SENDER
- DISABLE TOILET ALARM, LIGHT, SWITCH
- DIMMER 1 DOWNLIGHT operated by Dimmer 1
- DIMMER 2 DOWNLIGHT operated by Dimmer 2
- DIMMER 3 DOWNLIGHT operated by Dimmer 3
- DIMMER 4 DOWNLIGHT operated by Dimmer 1
- DIMMER 5 DOWNLIGHT operated by Dimmer 5
- DIMMER 6 WALL LIGHT operated by Dimmer 6
- DIMMER 7 DOWNLIGHT operated by Dimmer 6
- LAST MAN OUT switch
- Collection point of all dimmers and switches
- 150-200mm CABLE RUN
- 3 amp Switch
- 13 amp Switch
- 20 amp 3 Phase Switch
- 2x32 amp 3 Phase Switch on the roof

## Premises Licensing History

Application	Details of Application	Date Determined	Decision
<b>New Application</b> 15/06558/LIPN	Current Application	Pending	
<b>Temporary Event Notice</b> 15/09267/LITENP	Application to permit the sale of alcohol and the provision of regulated entertainment on 2 <sup>nd</sup> November 2015 from 12:00 to 22:00	30.10.2015	Notice Granted
<b>Temporary Event Notice</b> 15/09625/LITENP	Application to permit the sale of alcohol and the provision of regulated entertainment on 9 <sup>th</sup> November 2015 from 12:00 to 22:00	04.11.2015	Notice Granted
<b>Temporary Event Notice</b> 15/09638/LITENP	Application to permit the sale of alcohol and the provision of regulated entertainment on 16 <sup>th</sup> November 2015 from 12:00 to 22:00	04.11.2015	Notice Granted

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 necessary for the promotion of the licensing objectives.

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

**Mandatory Conditions**

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

**Conditions proposed by the Environmental Health (*agreed by applicant unless where stated*)**

9. The supply of alcohol at the premises shall only to be a person seated taking a table meal there and for consumption by such a person as ancillary to their meal, save for private pre-booked functions, which shall be limited to the basement.
10. After 21.00 hours the licence use shall be limited to private pre-booked functions.
11. The supply of alcohol shall be by waiter or waitress service only.
12. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole permitted hours in all parts of the premises where intoxicating liquor is sold or supplied
13. The supply of alcohol shall be limited to beer and wine only.
14. There shall be consumption of alcohol outside the premises.
15. There shall be no self service of alcohol.
16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
20. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
21. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day. (***not agreed by applicant***)
22. No rubbish, including bottles, shall be moved, removed or placed in the outside areas between 08.00 and 23.00 hours.
23. There shall be no cinema style seating provided at the premises. (***not agreed by applicant***)
24. The number of persons permitted in the premises at any one time (including staff). shall not exceed TBC persons overall
  1. Ground floor -TBC
  2. Basement - TBC



25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
32. The certificates listed below shall be submitted to the licensing authority upon written request.
  - a. Any permanent or temporary emergency lighting battery or system
  - b. Any permanent or temporary electrical installation
  - c. Any permanent or temporary emergency warning system
33. Any special effects or mechanical installations shall be arranged, operated and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the licensing authority where consent has not previously been given. • dry ice and cryogenic fog • smoke machines and fog generators • pyrotechnics including fireworks • firearms • lasers • explosives and highly flammable substances. • real flame. • strobe lighting.
34. 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.
35. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

**Conditions proposed by the Police (agreed by applicant)**

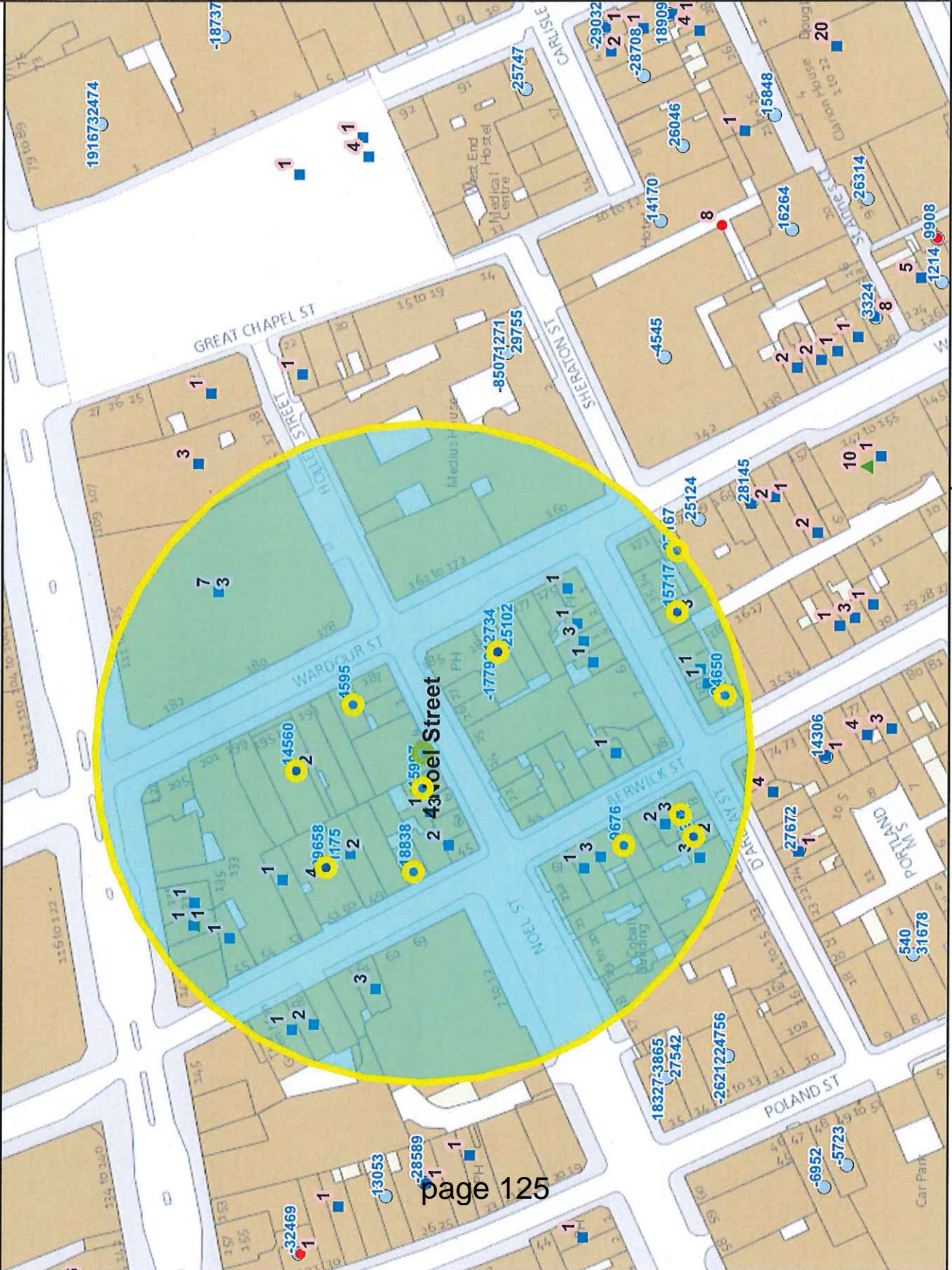
36. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.

37. 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.
38. 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.



# Ground Floor and Basement, 4 Noel Street, London W1F 8GB

City of Westminster



Residential / Proposed Residential	30
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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Data Source: Uniform Database  
Date: 02/11/2015

**Premises within 75 metres of: Basement and Ground Floor, 4 Noel Street, London W1F 8GB**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
24650	Berwick News	First Floor 37 Berwick Street London W1F 8RS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
15997	Oxford Street Youth Hostel	Second Floor 5A Noel Street London W1F 8GE	Monday to Sunday 00:00 - 00:00
12734	BRGR	Third Floor To Fourth Floor 181 Wardour Street London W1F 8WZ	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
27167	Imli Ltd	171 Wardour Street London W1F 8WL	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 01:00
-4595	Peter Stringfellows' Angels Soho	Rooms 21 And 22 Second Floor 189 Wardour Street London W1F 8ZD	Sunday 10:00 - 00:30 Monday to Saturday 10:00 - 06:00
-13350	Blanchette	Basement And Ground Floor 8 D'Arblay Street London W1F 8DP	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
-17793	Chipotle Mexican Grill	181 Wardour Street London W1F 8WZ	Monday to Saturday 10:00 - 23:30 Sunday 11:30 - 23:00
29658	Franco Manca	Basement 50 - 51 Berwick Street London W1F 8SJ	Monday to Saturday 11:00 - 00:00 Sunday 11:00 - 23:00
-18838	The Real Greek	Ground Floor 47 Berwick Street London W1F 8SJ	Monday to Saturday 11:00 - 00:00 Sunday 11:00 - 23:00
-25102	Old Tom & English	Fourth Floor 181 Wardour Street London W1F 8WZ	Monday to Thursday 11:00 - 00:00 Friday to Saturday 11:00 - 00:30 Sunday 12:00 - 23:00
-14560	Inamo	Basement To First Floor Prince Wardour House 195 - 197 Wardour Street London W1F 8ZQ	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
-216	Bukowski	Flat 3 9 D'Arblay Street London W1F 8DR	Monday to Sunday 12:00 - 23:30
-9676	Raj Tandoori Restaurant	70 Berwick Street London W1F 8TA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-15717	Korkers (Basement) And Mustafa's Thai Cottage (Ground Floor)	Flat 2 33 D'Arblay Street London W1F 8EU	Monday to Saturday 09:00 - 03:30 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 Sunday 12:00 - 00:00
-1175	Cookhouse Joe	Flat 1 50 Berwick Street London W1F 8SJ	Monday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 00:30 Sunday 10:00 - 23:00



APPENDIX 6



02/11/2015 15:52:05







timber  
yard

timber  
yard

02/11/2015 15:50:41







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 <sup>th</sup> January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	2 <sup>nd</sup> September 2015
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Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07388/LIPN - New Premises Licence
Title of Report:	Boxcar Butchers 23 New Quebec Street London W1H 7SD
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	3 September 2015		
<b>Applicant:</b>	Boxcar Butchers		
<b>Premises:</b>	Boxcar Butchers		
<b>Premises address:</b>	23 New Quebec Street London W1H 7SD	<b>Ward:</b>	Bryanston & Dorset Square
		<b>Stress Area:</b>	No
<b>Premises description:</b>	The premises propose to operate as a Butcher's and Deli together with a restaurant.		
<b>Premises licence history:</b>	This is a new premises licence application.		
<b>Applicant submissions:</b>			

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>				Sundays immediately prior to Bank Holidays 23:00 to 00:00			

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:20	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>				Sundays immediately prior to Bank Holidays 12:00 to 00:00.  From the end of permitted hours in New Years Eve until the start of permitted hours on New Years Day.			



Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	07:30	07:30	07:30	07:30	07:30	07:30	07:30
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations:</b>							
<b>Non-standard timings:</b>		Sundays immediately prior to Bank Holiday 07:30 to 00:00  From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					
<b>Adult Entertainment:</b>		Not applicable.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr David Nevitt
<b>Received:</b>	30 <sup>th</sup> September 2015
<b><u>The Licensing Act 2003</u></b>	
<b><u>Boxcar Butchers, 23 New Quebec Street, W1</u></b>	
<p>I refer to the application for a New Premises Licence.</p> <p>The applicant has submitted plans of the ground and basement floors dates 17/8/15.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> <li>1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday between 10.00 and 23.30 hours, Friday and Saturday 10.00 to 00.00 hours and Sunday 12.00 to 22.30 hours. Sunday before a Bank Holiday 12.00 to 00.00 hours and New Year's Eve to New Years Day.</li> <li>2. To provide Late Night Refreshment 'Indoors' Monday to Thursday between 23.00 and 23.30 hours, Friday and Saturday 23.00 to 00.00 hours. Sunday before a Bank Holiday 23.00 to 00.00 hours and New Year's Eve to New Year's Day.</li> </ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"> <li>1. The provision and hours requested for the Supply of Alcohol will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.</li> <li>2. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.</li> </ol>	

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

**2-B Other Persons**

**Name:** Harald Floeter

**Address and/or Residents Association:** Flat 1  
22A New Quebec Street  
London  
W1H 7SB

**Received:** 28<sup>th</sup> September 2015

Dear Sir or Madam,

I really like living in my neighbour hood and enjoy the local area and restaurants. I have received the application letter regarding Boxcar Butchers and in general are not opposed to having a butcher below my flat. I live right above the new butcher/ eatery.

The only thing I am concerned about are the long opening hours (very early opening from 7:30 in the morning until as late as 23:30 and 00:00 on Fridays the evening) which includes late night sale of alcohol.

I am worried about noise impact and reduced quality of living in this residential neighborhood.

**3. Policy & Guidance**

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

Policy HRS1 applies:	(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.
RNT1 applies:	(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.
PB1 applies:	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.

	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
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#### 4. Appendices

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

<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@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**

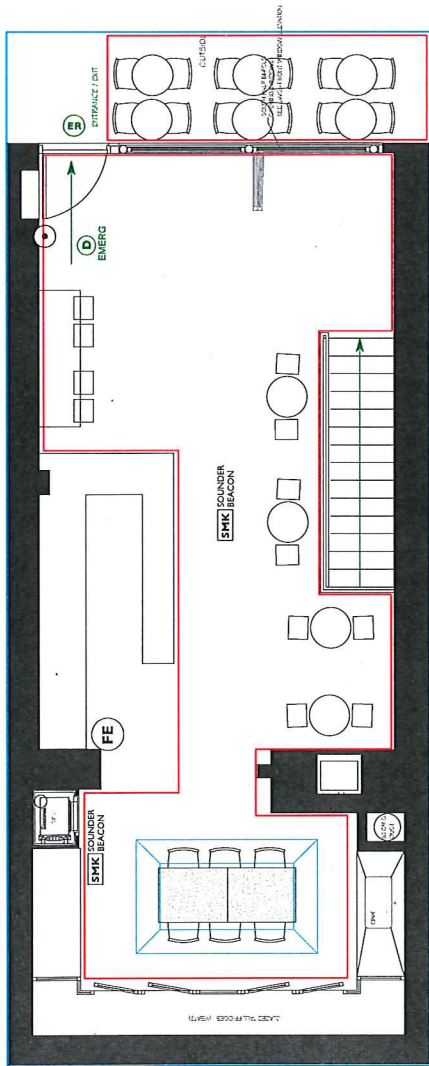
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>		
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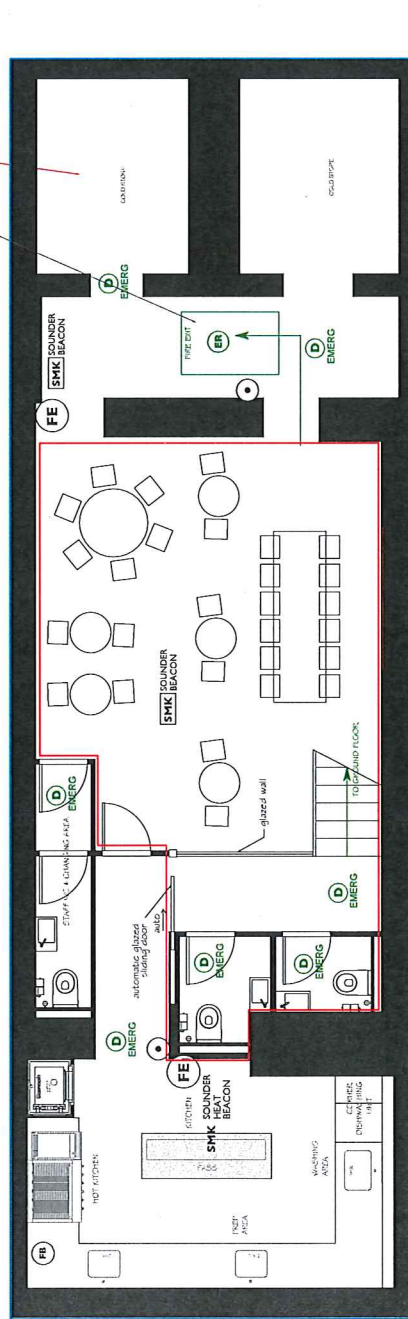
LEGEND:	
EXTENT OF BOUNDARY	
ESCAPE ROUTE	
LICENSEABLE ACTIVITIES	
SMOKE DETECTOR	
SOUNDER ALARM DETECTOR WITH BEACON	
SOUNDER ALARM DETECTOR WITH HEAT BEACON	
EMERGENCY DOWNLIGHT	
FIRE EXTINGUISHERS CO2 & FOAM	
MANUAL CALL POINT	
FIRE BLANKET	

**NOTE:**

1. The location of the fire and safety equipment as date hereof but may be moved in consultation with Fire Officer.
2. Location of movable furniture for indicative purposes only.
3. Demolitions subject to Eng. specs.



GROUND - PROPOSED



BASEMENT - PROPOSED





No supporting documentation submitted

No supporting documentation submitted

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

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

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

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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



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

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

**Conditions consistent with the operating Schedule:**

9. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of the local resident and use of the area quietly.
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
11. A proof of age scheme, such as challenge 21, shall be operated at the premises when only acceptable forms of identification are recognised photographic identification cards, such as a driving licence.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
13. No rubbish, including bottles, shall be moved, removed or place in outside areas between 23:00hours and 08:00hours.
14. All waste shall be properly present and placed out for collection no earlier than 30 minutes before the schedule collection time.
15. 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 exits 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. Recording shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
16. A staff member from the premises who is conversant with the operating of the CCTV system shall be on the premises at all time when the premises are open to the public. The staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
17. A 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.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the 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 wish by a relevant authority or emergency service.

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

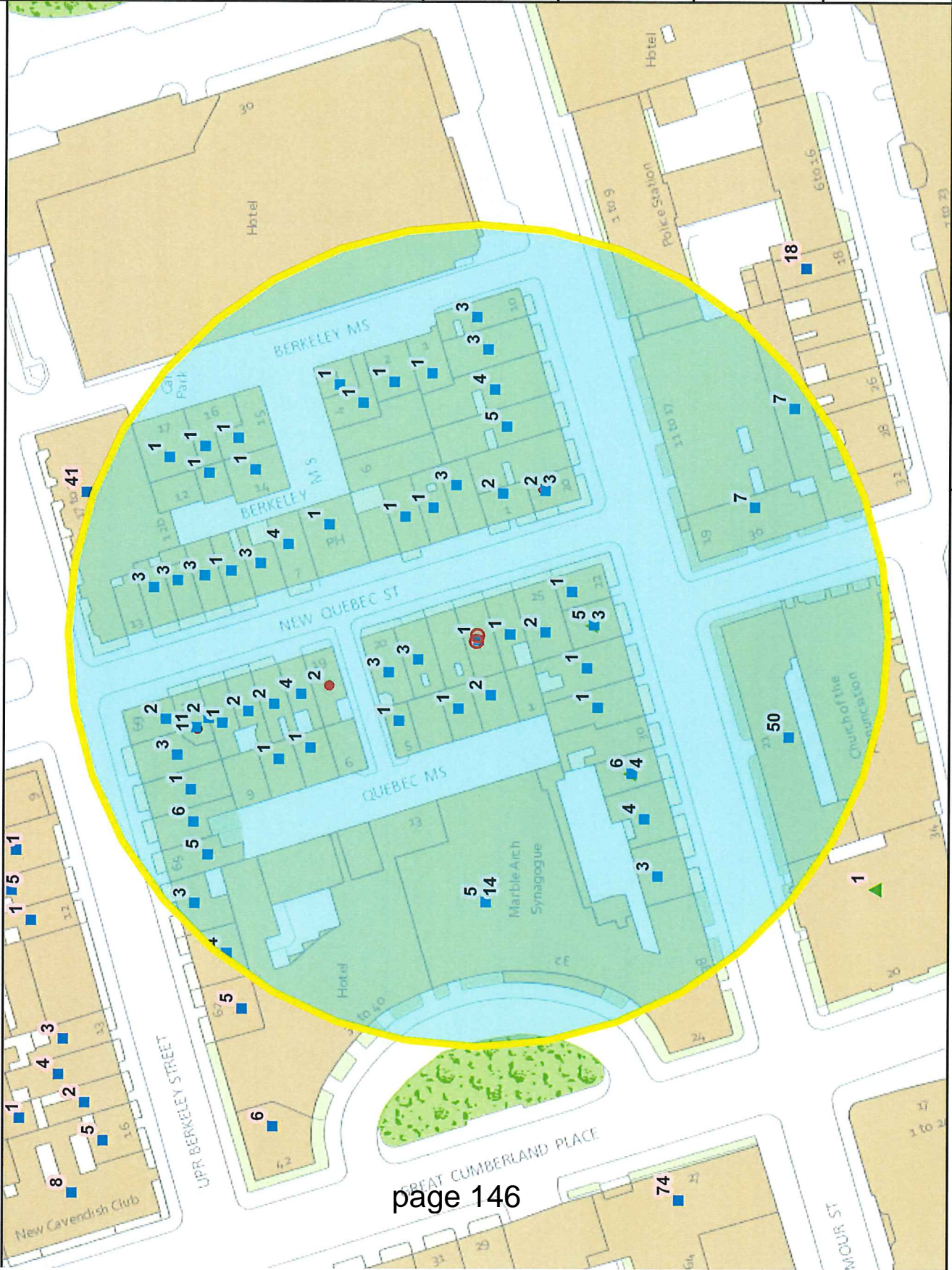
- 19. Save for off-sales in sealed containers for consumption away from the immediate proximity of the premises, alcohol consumed shall only be by patrons in seated at tables.
- 20. No more than 15% of the sales area shall be used at any one time for the sale, exposure of sale, or display of alcohol.
- 21. The supply of alcohol shall only be by waiter or waitress service only.





# Boxcar Butchers, 23 New Quebec Street, London W1H 7SD

City of Westminster



10

Meters

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# APPENDIX 5

Residential / Proposed Residential	65
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

Data Source: Uniform Database

Date: 27/10/2015

Premises within 75 metres of:			
p / n	Name of Premises	Premises Address	Licensed Hours
5244	La Petite Poissonnerie	Basement And Ground Floor 19 New Quebec Street London W1H 7R	Tuesday to Saturday 09:30 - 19:30
26525	Little Orient	Ground Floor 2A New Quebec Street London W1H 7RD	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-24929	Philglas & Swigot	First Floor To Third Floor 22 New Quebec Street London W1H 7SF	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-18388	Zayna Restaurant	25 New Quebec Street London W1H 7SF	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-16355	The Leonard Hotel	11-17 Seymour Street London W1H 7JW	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-12208	The Grazing Goat	6 New Quebec Street London W1H 7RQ	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-11607	Montcalm Hotel And Grand Ballroom	Entire Building 34 - 40 Great Cumberland Place London W1H 7TW	Monday to Sunday 00:00 - 00:00
585	The Zetter Townhouse	Ground Floor To Fourth Floor 28 - 30 Seymour Street London W1H 7J	Monday to Sunday 00:00 - 00:00
16539	Daisy Green	Basement And Ground Floor 20 Seymour Street London W1H 7HX	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-30994	La Porte Des Indes	32 Bryanston Street London W1H 7EG	Monday to Saturday 10:00 - 23:00 Sunday 12:00 - 23:00





















15/09/2015 13:24:58

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City of Westminster

# Agenda Item 6 Licensing Sub-Committee Report

Item No:	
Date:	12 November 2015
Licensing Ref No:	15/07336/LIPV - Premises Licence Variation
Title of Report:	Caviar House Restaurant Ground Floor 161 Piccadilly London
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	28 August 2015		
<b>Applicant:</b>	Caviar House Ltd		
<b>Premises:</b>	Caviar House Restaurant		
<b>Premises address:</b>	Ground Floor 161 Piccadilly London W1J 9EA	<b>Ward:</b>	St James's
		<b>Stress Area:</b>	None
<b>Premises description:</b>	This premises operates as a restaurant with a bar area and a separate retail area.		
<b>Variation description:</b>	To vary the area authorised to include the external area on Piccadilly as indicated on the attached plan to permit the sale and consumption of alcohol on the public highway. Planning permission granted ref: 15/03612/FULL to use an area measuring 8.3m x 1.2m for the placing of 4 tables and 8 chairs. Application for a tables and chairs licence submitted on 17th August and is pending determination. There No changes to hours or licensable activities proposed.		
<b>Premises licence history:</b>	This premises is licensed under 12/09555/LIPDPS. Please refer to Appendix 3 for full licence history.		
<b>Applicant submissions:</b>	None		

1-B Current and proposed licensable activities, areas and hours						
<b>Regulated Entertainment</b>						
<b>Recorded Music and Private Entertainment</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	Unrestricted		Unrestricted		Internal Areas Only	Additional External Area
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>						
<b>Sunday</b>						
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No variation applied for	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No variation applied for		Internal Areas Only	Additional External Area
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	23:30				
Saturday	23:00	23:30				
Sunday	N/A	N/A				
Seasonal variations:		Current:			Proposed:	
		N/A			N/A	
Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			One and Off		No variation applied for	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	No variation applied for		Internal Areas Only	Additional External Area
Tuesday	10:00	23:00				
Wednesday	10:00	23:00				
Thursday	10:00	23:00				
Friday	10:00	23:00				
Saturday	10:00	23:00				
Sunday	12:00	22:30				
Seasonal variations:		Current:			Proposed:	
		N/A			N/A	
Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No variation applied for		Internal Areas Only	Additional External Area
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	23:30				
Saturday	10:00	23:30				
Sunday	12:00	23:00				
Seasonal variations:		Current:			Proposed:	
		N/A			N/A	
Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

<b>1-C</b>	<b>Layout alteration</b>
N/A	

<b>1-D</b>	<b>Conditions being varied, added or removed</b>	
<b>Condition</b>	<b>Proposed variation</b>	
N/A		
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>

## 2. Representations

<b>2-A</b>	<b>Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health	
<b>Representative:</b>	Ian Watson	
<b>Received:</b>	22 <sup>nd</sup> September 2015	

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

This representation is based on the plan of the premises dated 23.7.2015 and operating schedule submitted.

The applicant is seeking the following

1. To vary the area authorised for the sale of alcohol to include an external area for the supply and consumption of alcohol.

I wish to make the following representation

1. The use of the external area for the supply and consumption of alcohol will have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has not provided any conditions within the operating schedule in support of the application or addressed how this variation will not impact on the prevention of public nuisance objective within the area.

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

***Please note: following a discussion with the applicant, Environmental Health did not propose any further conditions and have withdrawn their representation.***

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	3 <sup>rd</sup> September 2015

Dear David,

Caviar House Restaurant, Ground Floor, 161 Piccadilly, W1 - 15/07336/LIPV

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

It is our belief that if granted the application would undermine the Licensing Objectives in relation to the prevention of Crime and Disorder, as there are insufficient conditions contained within the operating schedule.

The following conditions listed below are those that Police would like you to attach to your premises licence, as I believe they will address Police concerns in relation to Crime and Disorder:

- 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) 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.
- 4) Alcohol which is consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

I look forward to your prompt response.

Many thanks,

PC Adam Deweltz

***Please note: further to a discussion with the applicant and the applicant's agreement to a set of amended conditions (attached at Appendix 4), the Police have withdrawn their representation.***

2-B Other Persons			
<b>Name:</b>	Mr Andrew Love		
<b>Address and/or Residents Association:</b>	Deputy Chairman The Ritz London 150 Piccadilly London W1J 9BR		
<b>Status:</b>	Outstanding	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	21 <sup>st</sup> September 2015		

I am objecting to the above license application on behalf of The: Ritz London.

The hotel has been increasingly concerned at the increase in refreshment and entertainment uses associated with levels of street activity and intensity and antisocial consequences, across St. James's.

This site, with proximity to the dormant but still licensed site of the notorious Aura nightclub in the basement of the top end of St. James's Street, should not have been granted planning consent, in any case (based on City Council's own criteria for space/capacity and pedestrian movement priorities on Piccadilly, now and in the future), on this cramped and busy footway as part of Piccadilly's public highway frontage.

It seems inevitable, that the seating, away from the only staff service access, shared with the retail public doorway, on the corner will present staff management problems. This will result in an operation that will be inefficient and therefore inadequate, in all aspects of tidy management, table clearing, control on numbers and smoking etc. activities.

The hours of external consumption of alcohol at this site will establish a new risk of West End and Mayfair clubbing visitors, identifying this as a new place for early evening drinking, as part of their regular patterns of circuiting of late night establishments.

License holder record- (The hotel have no formal evidence of the operator/s to assess their license track record in the management of outdoor tables and chairs areas).

The operational proposed hours for licensed "...sale and consumption of alcohol on the public highway ..." - (no change proposed to existing operation licensed hours) - are presumably consistent only with the planning consented use: "10 am-22.00 hours, Sundays and Bank holidays (only noon to 1800 h hrs)". If more extended hours now or in the future, this too is a major concern and would prompt further hotel objections.

If consented, which the The Ritz London continues to oppose the management of the space by operators, needs very firm conditions on e.g. table/chair management/rearrangement etc, smoking and cleaning etc.

The Ritz Hotel reminds the City Council that the area is a designated "Special Policy Area", a "Conservation Area" and has one the highest density of heritage assets and Listed Buildings in the country, which have added to its restoration, via a policy supported, expanding residential community, together with the international reputation and dignity of: "The Court of St. James's", at the Grade I St. James's Palace.

For all these reasons, increases in licensed outdoor tables and chairs areas, where no strategy of containment or appropriate sitting has been responsibly agreed, should be resisted.

Yours sincerely,

Andrew M Love  
Deputy Chairman

<b>Name:</b>	Mr Peter Heath		
<b>Address and/or Residents Association:</b>	Atkins Ltd. Euston Tower 30th Floor 286 Euston Road London NW1 3AT		
<b>Status:</b>	Outstanding	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	17 <sup>th</sup> September 2015		



I am objecting to the above license application in my capacity as architect/town planner advisor and administrator, on behalf of the St. James's Conservation Trust.

The Trust has been increasingly concerned since its establishment in 1999 at the increase in refreshment and entertainment uses growth with negative associated levels of street activity and intensity and antisocial consequences, across St. James's.

This site, with proximity to the dormant but still licensed site of the notorious Aura nightclub in the basement of the top end of St. James's Street, should not have been granted planning consent, in any case (based on City Council's own criteria for space/capacity and pedestrian movement priorities on Piccadilly, now and in the future), on this cramped and busy footway as part of Piccadilly's public highway frontage.

It seems inevitable, that the seating, away from the only staff service access, shared with the retail public doorway, on the corner will present staff management problems. This will result in operation that will be inefficient and therefore inadequate, in all aspects of tidy management, table clearing, control on numbers and smoking etc. activities.

The hours of external consumption of alcohol at this site, will in the Trust's view, set up a new risk of West End and Mayfair clubbing visitors, identifying this as a new place to for early evening drinking, as part of their regular patterns of circuiting of late night establishments.

- License holder record - (I/the Trust have no formal evidence of the operator/s to assess their license track record in the management of outdoor tables and chairs areas).
- The operational proposed hours for licensed "...sale and consumption of alcohol on the public highway..." - (no change proposed to existing operation licensed hours) - are presumably consistent only with the planning consented use : "10 am - 22.00 hours, Sundays and Bank holidays (only noon to 1800 h hrs)". If more extended hours now or in the future, this too is a major concern and would prompt further Trust objections.
- If consented, which the Trust continues to oppose : the management of the space by operators, needs very firm conditions on eg table/chair management/rearrangement etc/smoking and cleaning etc.

The St. James's Conservation Trust reminds the City Council that the area is a designated "Special Policy Area", a "Conservation Area" and has one the highest density of heritage assets and Listed Buildings in the country, which have added to its restoration, via a policy supported, expanding residential community, together with the international reputation and dignity of : "The Court of St. James's", at the Grade I St. James's Palace.

For all these reasons, increases in licensed outdoor tables and chairs areas, where no strategy of containment or appropriate sitting has been responsibly agreed, should be resisted.

Yours sincerely,

Peter Heath RIBA MRTPI - St. James's Conservation Trust : architect/town planner advisor and administrator  
Design Director, Atkins Public Realm

***Note: since Mr Heath's representation, the applicant has been in contact however no resolution has been obtained. Mr Heath is unable to attend the hearing and sent in an email outlining on 2<sup>nd</sup> November the trusts' concerns:***

I am unable to attend the hearing to speak as originally intended, on behalf of the St. James's Conservation Trust, as I am out of the country.

I have discussed with the Chairman of the Trust – and local, resident Trustees, whether the Trust is able to be represented at the revised hearing date of 12/11/15. It seems that this will not now be possible.

The premises applicants have contacted the Trust by emails, seeking to address the issues raised by the Trust in the objection, originally submitted. Although the Trust recognises some of the matters by the applicants in answer to the points made by the Trust objection, I remain instructed, not to withdraw the Trust's objection.

For the Licensing Committee Hearing Members attention – the paragraphs below do reflect what the Trust would have presented as a statement in support of the original objection :

"...Concerning the previous consents granted to the Caviar House, (planning and licensing for outside tables and chairs, to serve alcohol), the Trust now regrets it did not/could not (object at the time) and felt the applications would be turned down in any case, if the City Council applied, as it has in other local cases, its own criteria for public highway/footway uses, on this part of St. James's (a very busy, congested part of Piccadilly on a route to and from Green Park underground).

That the applications were not refused by the City Council based on officer assessments, and have now proceeded to this, last formal application, has maintained the Trust's continuing alarm, that increases in on-street activity, at licensed premises, are out of control, with more and more precedents, for future applicants to identify and use for other premises.

St. James's is not Leicester Square, Soho, Covent Garden or Mayfair in character where tables and chairs outside sandwich shops, cafes, pubs, wine bars and increasingly, licensed premises for sale of beers or other alcoholic refreshments are now almost everywhere.

For these reasons, the Trust sustains its original objection, and wishes that the Licensing Committee at the hearing, note again the points of the written objection : it is past time to recognise that daytime and early evening drinking on the public highway, develops into a part of the expanding night-time and late night patterns of West End uses, with over-intensification, associated noise and disturbance, which in the historic, dignified, St. James's Special Policy Area and Conservation Area, are all matters that undermine residential amenity."

Yours sincerely,

Peter Heath RIBA MRTPI  
Design Director, Atkins Public Realm

### 3. Policy & Guidance

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

<b>Policy HRS1 applies:</b>	(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.
<b>Policy PB1 applies:</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	None
<b>Appendix 3</b>	Premises history and existing licence
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity
<b>Appendix 6</b>	Photos of the premises

<b>Report author:</b>	Mrs Sumeet Anand-Patel Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

Eltham  
16.10.15.

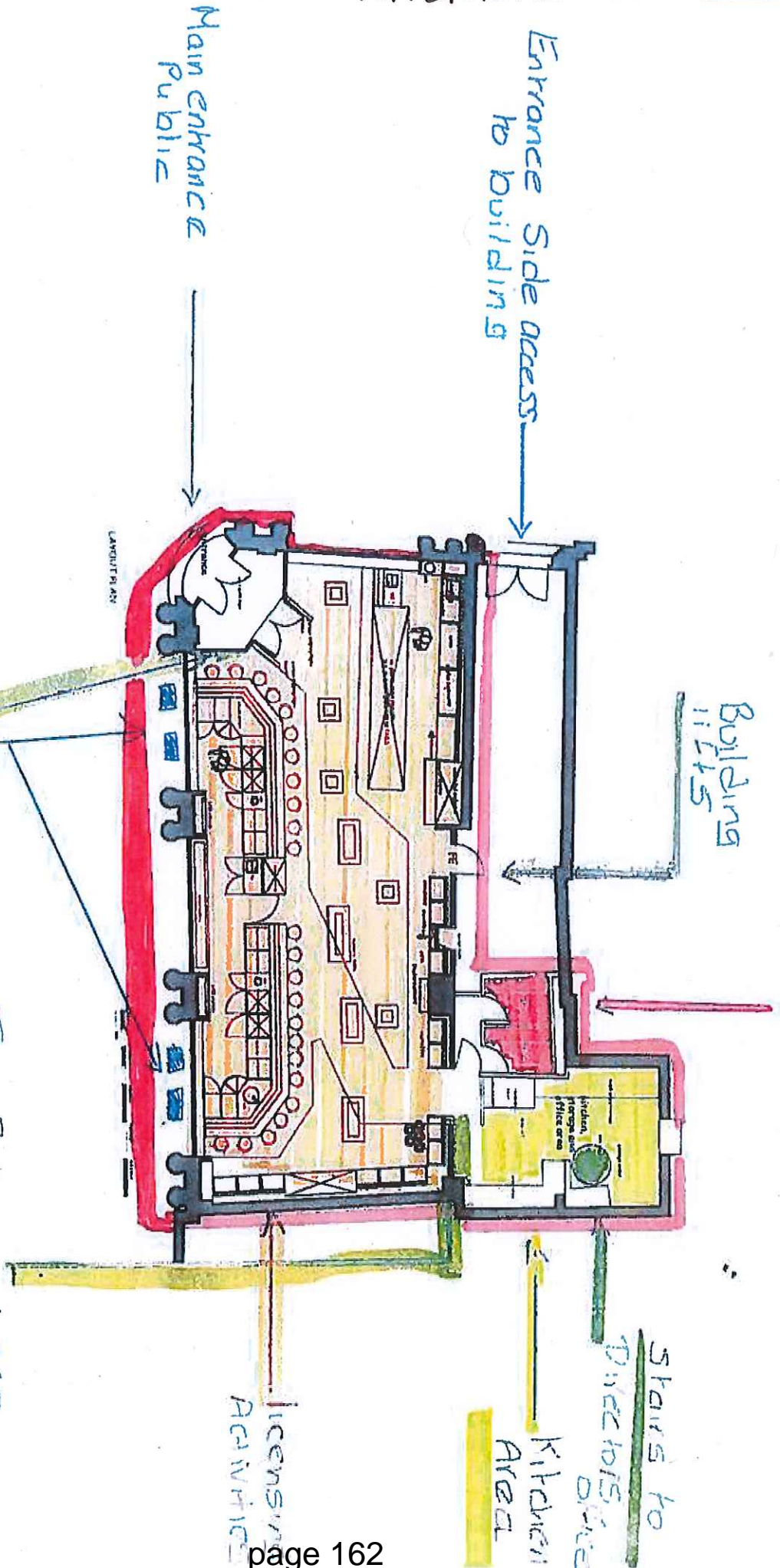
# APPENDIX 1

License plan  
Caviar House and Prunier  
161 Piccadilly London

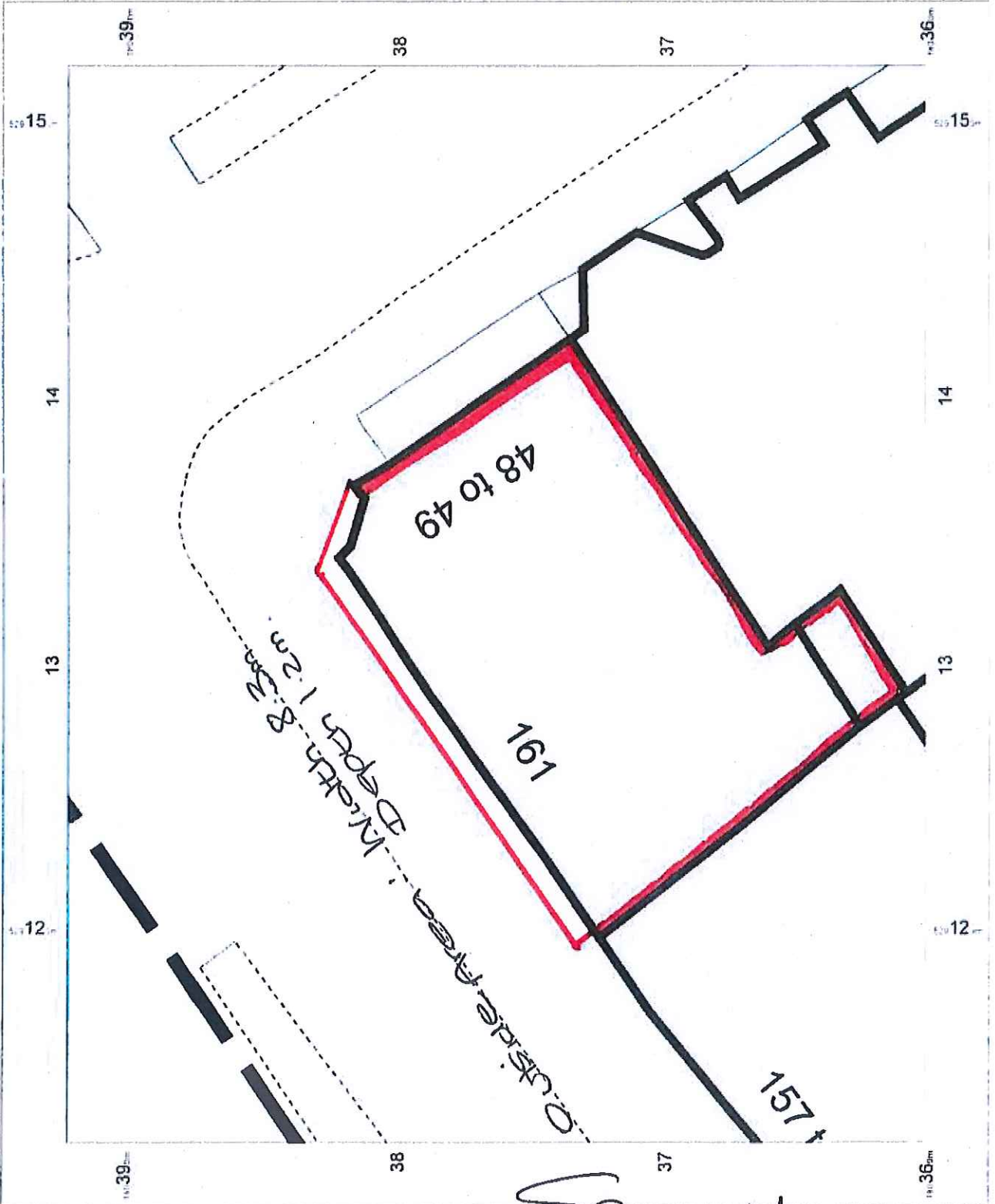
Proposed  
8 tables  
plus  
8 chairs

See with 227.225.

Fire Extinguishers  
CO<sub>2</sub> x 1  
Water in double stores  
in both stores



161 Piccadilly



OS MasterMap 1250/2500/10000  
 scale  
 05 March 2015 ID  
 BLJ1-00407677  
 E www.planningapplications.co.uk

1:200  
 scale  
 print  
 at  
 A4  
 Centre  
 529132 E  
 180376 N

© Crown  
 Copyright  
 Ordnance  
 Survey  
 Licence  
 no  
 100051661



## Licence &amp; Appeal History

Application	Details of Application	Date Determined	Decision
<b>Conversion Variation</b> 05/07371/LIPCV	<b>Application to convert and vary a Justices' On Licence</b>	22.09.2005	Granted under delegated authority
<b>Minor Variation</b> 11/03103/LIPVM	Application for minor changes to internal layout	26.04.2011	Granted under delegated authority
<b>DPS Variation</b> 12/09555/LIPDPS	Application to vary the designated premises supervisor	15.11.2012	Granted under delegated authority
<b>Minor Variation</b> 15/05899/LIPVM	Application to include the outside area within the licensed area	12.08.2015	Granted under delegated authority
<b>Variation</b> 15/07336/LIPV	Current Application	Pending	

There is no appeal history





Schedule 12  
Part A

WARD: St James's  
UPRN: 010033554124

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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

12/09555/LIPDPS

**Original Reference:**

05/07371/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Caviar House Restaurant  
Ground Floor  
161 Piccadilly  
London  
W1J 9EA

**Telephone Number:** 020 7409 0445

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 23:30

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

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

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

**The opening hours of the premises:**

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

**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:**

Caviar House Ltd  
161 Piccadilly  
London  
W1V 9DF  
*Telephone Number : 020 8754 8497*

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

1787390

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

**Name:** Ms Selina Sharma

*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:** SBC 1017  
**Licensing Authority:** Stevenage Borough Council

**Date:** 15 November 2012

**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.

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

**Conditions for Sale of Alcohol**

9. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.
10. There shall be no sale or supply of draught beer.

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

11. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) 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;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

12. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

13. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

**Annex 2 – Conditions consistent with the operating Schedule**

None



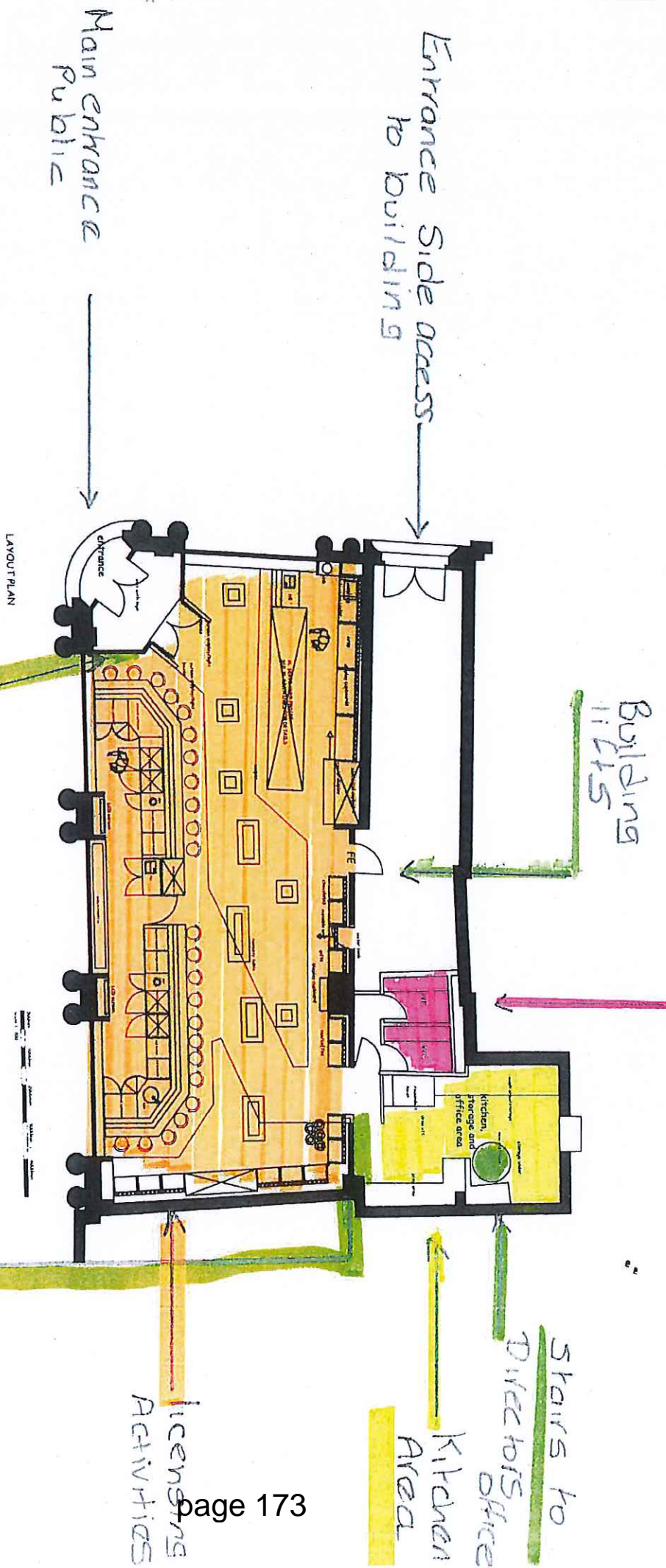
**Annex 3 – Conditions attached after a hearing by the licensing authority**

None

**Annex 4 – Plans**

Attached

License plan  
 Caviar House and Prunier  
 161 Piccadilly London



WC Facilities

Building 11415

Stairs to  
 Directors  
 Office

Kitchen  
 Area

Licensing  
 Activities

Five Extinguishers

CO<sub>2</sub> x 1  
 Water x 1  
 double stand  
 in both places



Schedule 12  
Part B

WARD: St James's  
UPRN: 010033554124

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

Premises licence  
summary

Regulation 33, 34

Premises licence number:

12/09555/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Caviar House Restaurant  
Ground Floor  
161 Piccadilly  
London  
W1J 9EA

**Telephone Number:** 020 7409 0445

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**  
Monday to Saturday: 23:00 to 23:30

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

**Sale by Retail of Alcohol**  
Monday to Saturday: 10:00 to 23:00  
Sunday: 12:00 to 22:30

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

**The opening hours of the premises:**

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

**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:**

Caviar House Ltd  
161 Piccadilly  
London  
W1V 9DF

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

1787390

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

**Name:** Ms Selina Sharma

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

Restricted

**Date:** 15<sup>th</sup> November 2012

**Signed:** pp



**Operational Director - Premises Management**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person 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 for Sale of Alcohol**

9. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.
10. There shall be no sale or supply of draught beer.

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

11. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) 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;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;

- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

12. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

13. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

#### **Annex 2 – Conditions consistent with the operating Schedule**

None

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

None

#### **Conditions proposed by the Police and agreed with the applicant**

14. 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.
15. 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.

16. 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.
17. The outside seating area will close at 10pm each day and after 6pm, the supply and consumption of alcohol in the outside area (consisting of 4 tables and 8 chairs) shall be to a person seated and for consumption by such a person as ancillary to food.

***Note: conditions 1 to 8 shall be replaced by the following new set of mandatory conditions upon determination of this application***

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
7. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

Where -

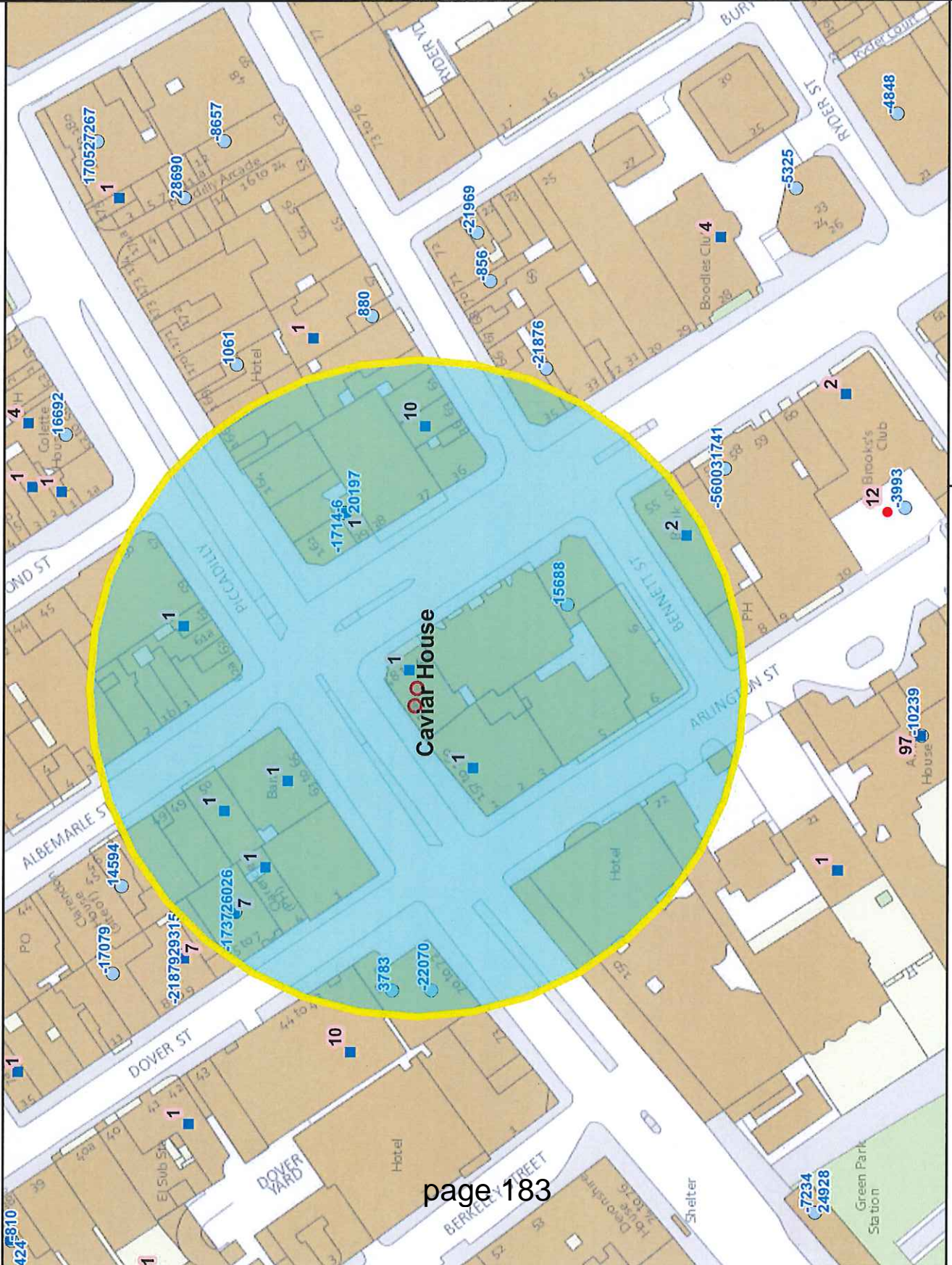
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged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





City of Westminster

# Caviar House, 161 Piccadilly, London W1J 9EA



10



Meters

Residential / Proposed Residential	10
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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Data Source: Uniform Database  
Date: 02/11/2015

**Premises within 75 metres of: Caviar House, 161 Piccadilly, London W1J 9EA**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
-22070	Cafe De Pierre	Ground Floor West 69-71 Piccadilly London W1J 8HP	Monday to Sunday 07:00 - 23:30
15688	Fifty St James	54 St James's Street London SW1A 1JT	Monday to Sunday 00:00 - 00:00
20197	Boodle's	Ground Floor 39-41 St James's Street London SW1A 1HD	Monday to Sunday 07:00 - 01:00
-6	White's Club	Third Floor Front 39 St James's Street London SW1A 1JD	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
26026	Dover Street Wine Bar	Flat 4 5 - 7 Dover Street London W1S 4LD	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
-1714	HSBC	Third Floor And Fourth Floor 39 - 41 St James's Street London SW1A 1HD	Monday to Sunday 00:00 - 00:00
-1737	The Clarence Public House	Flat 7 Fifth Floor 5 - 7 Dover Street London W1S 4LD	Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:30
3783	Novikov	49-50 Dover Street London W1J 8DJ	Monday to Sunday 07:00 - 02:00









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 <sup>th</sup> January 2011
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
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Item No:	
Date:	12 <sup>th</sup> November 2015
Licensing Ref No:	15/07298/LIPN - New Premises Licence
Title of Report:	Juice And Public 9 Wardour Street London W1D 6PB
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	David Sycamore Senior Licensing Officer
Contact details	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk



# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	2 September 2015		
<b>Applicant:</b>	Juice And Public Limited		
<b>Premises:</b>	Juice And Public		
<b>Premises address:</b>	9 Wardour Street	<b>Ward:</b>	West End
	London W1D 6PB	<b>Stress Area:</b>	West End
<b>Premises description:</b>	Coffee shop and juice bar which is seeking to sell alcohol.		
<b>Premises licence history:</b>	None – New Premises		
<b>Applicant submissions:</b>	Recorded music has been withdrawn by the applicant after discussion with the Police. The applicant has agreed to conditions put forward by the Police.		

Sale by retail of alcohol				On or off sales or both:				ON
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	12:00	
<b>End:</b>	23:00	23:00	23:00	23:00	00:00	00:00	22:30	
<b>Seasonal variations:</b>	NONE							
<b>Non-standard timings:</b>	Sundays immediately to bank holidays 12:00 till 00:00							

Late Night Refreshment				On or off sales or both:				ON
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
<b>Start:</b>						23:00	23:00	
<b>End:</b>						00:00	00:00	
<b>Seasonal variations:</b>	NONE							
<b>Non-standard timings:</b>	NONE							

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	07:30	07:30	07:30	07:30	07:30	07:30	07:30
<b>End:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>Seasonal variations:</b>	NONE						
<b>Non-standard timings:</b>	NONE						
<b>Adult Entertainment:</b>	NONE						

## 2 Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Louise Joyce
<b>Received:</b>	In time

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

The applicant is seeking the following:

1. To provide recorded music 'indoors' Sunday to Thursday 1100 hours to 2300 hours and Friday to Saturday 1100 hours to 0000 hours.
2. To provide the Supply of Alcohol 'On' the premises Sunday to Thursday 1100hours to 2300 hours and Friday to Saturday 1100 hours to 0000 hours.
3. To provide Late Night Refreshment 'Indoors' Friday and Saturday 2300 hours to 0000 hours.

I wish to make the following representations:

1. The hours requested to permit the provision of recorded music 'indoors' will have the likely effect of causing an increase in Public Nuisance within the area.
2. The hours requested for the Supply of Alcohol 'On' the premises will have the likely effect of causing an increase in Public Nuisance within the area.
3. The provision for Late Night Refreshment and the requested hours will have the likely effect of causing an increase in Public Nuisance within the area.

Additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.



<b>2-B Other Persons – NONE</b>			
<b>Name:</b>			
<b>Address and/or Residents Association:</b>			
<b>Status:</b>		<b>In support or opposed:</b>	
<b>Received:</b>			

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p><b>Policy HRS1 applies</b></p> <p><b>Policy STR2 applies</b></p>	<p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. Policy STR1 applies:</p> <p>(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.</p> <p>(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 STR2 applies:</p> <p>In deciding what steps, if any, are necessary to promote the licensing objectives in the determination of a review of a premises licence in a Stress Area, that the premises are in an area where special policies of cumulative impact apply and the need to reduce the cumulative impact of licensed premises within the Stress Area, will be taken into account.</p>

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents – None
<b>Appendix 3</b>	Premises history - None
<b>Appendix 4</b>	Proposed conditions – Police agreed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	David Sycamore Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

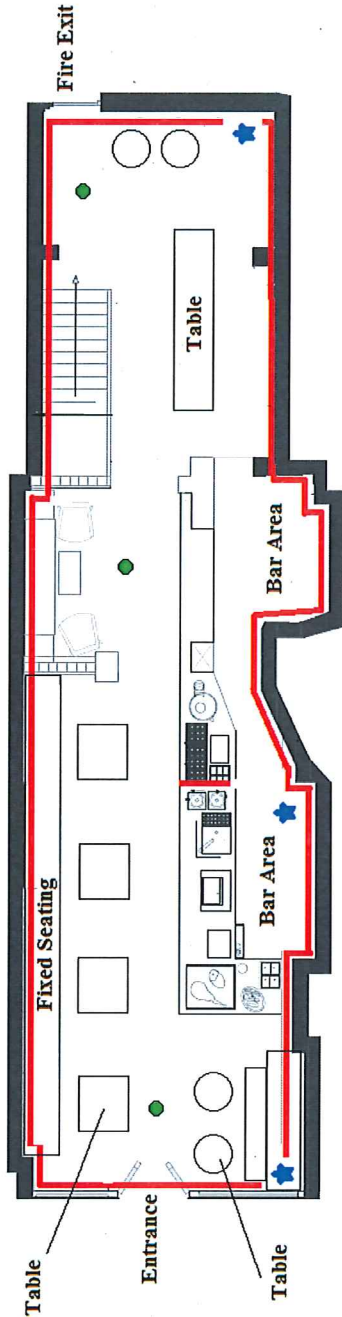
**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

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

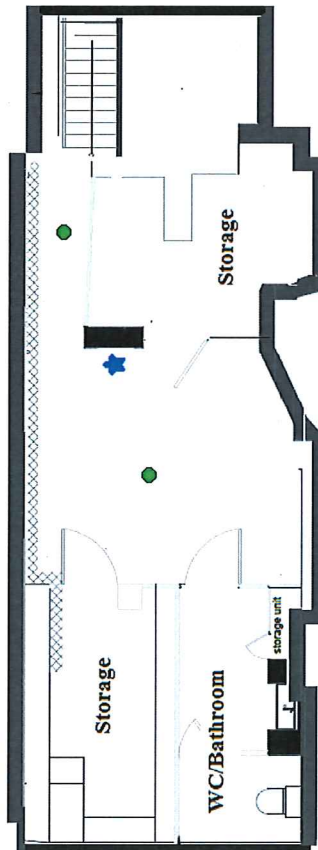
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2011
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Police Emails – Mediation	September 2015
<b>5</b>	EH Emails – Mediation	Sep/Oct 2015
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# APPENDIX 1

Ground Floor Level



Basement Area



Proposed Licensing Plan

Juice And Public  
9 Wardour Street  
London  
W1D 6PF

key scaled 1:100 on A3

cctv camera ●

Licensable area L

Fire Extinguisher ★



## Mandatory Conditions

### All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –

(a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

(b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

3. (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 disability).



4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (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 licences 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.

6. 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) 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.

#### Minimum Drinks Pricing

1. 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.

2. For the purposes of the condition set out in paragraph 1 –

(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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

Police proposed conditions after mediation from the Metropolitan Police – Agreed with applicant

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

4) 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.

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

6) 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.

7) 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.



These conditions take into account the conditions and undertakings proposed by the applicant in the operating schedule. Conditions agreed with environmental Health and the applicant, save for condition 12 (iv) with which the applicant does not accept.

1. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
4. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day.
5. The maximum number of persons permitted in the premises at any one time (including staff) shall not exceed 15 persons, Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer, the capacity may be increased to 30 persons. The actual capacity will only increase when an appropriate condition to that effect has replaced this condition on the licence.
6. 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.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
9. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
10. No Primary cooking is to take place on the premises
11. Licensable activities shall only take place on the ground floor
12. 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.

11. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

## Attached to the operating Schedule

### General

The DPS is fully aware of his responsibilities under the 2003 licensing act with regard to ensuring the Four licensing Objectives are being met. Detailed outlines of how this will be achieved are detailed below. The DPS has attained his level 2 APLH qualification. The DPS will take full responsibility to ensure that all staff is fully trained with a comprehensive knowledge of challenge 25 and licensing issues under the 2003 licensing Act this training will be fully documented and refreshed every six months. The DPS also is aware that he is responsible for ensuring that any licensable activities are carried out lawfully and within all the conditions that may be imposed on the premises licence and that he is also the main point of contact for the police and licensing authorities.

### Prevention of Crime and Disorder

The premises License holder has installed CCTV that follows DCMS guidelines for camera systems in licensed premises which covers all licensed areas of the premises. The system records for 31 days and all recordings will be made available to the police upon request. At least one member of staff has had training on the full workings of the system. Signage is in place to inform members of the public of the CCTV system is in operation. There will always be a Personal Licence holder on the premises throughout the time that licensable activity is taking place to authorise any sales or alcohol.

### Public Safety

The installed digital CCTV system will record for 31 days all public areas of the premises which will monitor all public safety issues. The DPS will be responsible to carry out a fire and health and safety risk assessments for licensed premises all notices in relation to public health and safety will be displayed. The DPS will ensure that the premises operates in line with existing health and safety legislation and is aware that it is also the responsibility of the premises licence holder that this legislation is adhered to.

### The Prevention of Crime and Disorder

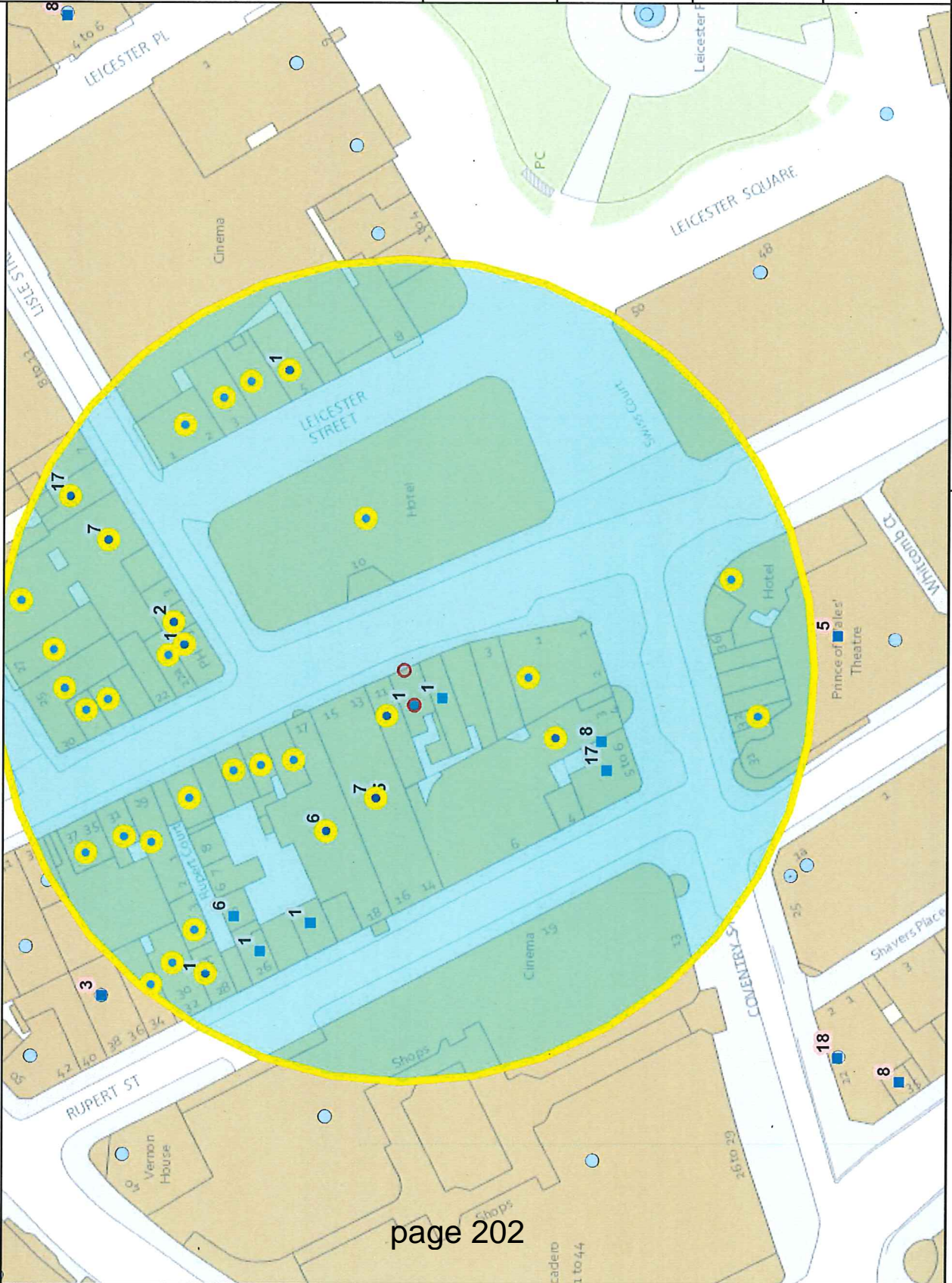
The DPS is responsible for ensuring that the premises do not cause any nuisance to the local residents, other business operators or the general public. He will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour. Deliveries and rubbish collections will only take place during normal business hours and are at the side or the premises Any antisocial behaviour CCTV recordings will be made available to the police and environmental health officers. All necessary signs will be placed asking patrons to leave quietly and to use the bathroom facilities if required before leaving.

### The Prevention of Public Nuisance

The DPS will ensure that all staff receives fully documented training in relation to Challenge 25 and the licensing Objectives. A refusal book will be kept on the premises for inspection by the authorities. All necessary signage will be displayed with regard to challenge 25 and the fact that NO ID NO SALE policy is in place. A personal Licence holder will be on duty throughout the time of licensable activity is taking place to authorise any sale of Alcohol.



## Juice and Public



Residential / Proposed Residential	16
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Under Construction

Other Uses

Proportion Residential of all Uses

Data Source: Uniform Database

Date: 16/10/2015

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10  Meters

Premises within 75 metres of: Juice and Public			
p / n	Name of Premises	Premises Address	Licensed Hours
06/10262/WCCMAP	Cornishe	32 Coventry Street London W1D 6BR	Monday to Sunday 23:00 - 05:00
06/04391/WCCMAP	Joy King Lau Restaurant	3 Leicester Street London WC2H 7BL	Monday to Sunday 12:00 - 00:00
06/13240/WCCMAP	Mr Wu Restaurant	28 Wardour Street London W1D 6QJ	Monday to Sunday 11:00 - 00:00
09/03688/LIPT	China City	Ground 4 Leicester Street London WC2H 7BL	Friday to Saturday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 22:30
11/02843/LIPVM	G. Casino Piccadilly	Upper Ground Floor To Third Floor 3-4 Coventry Street London W1D 6BL	Monday to Saturday 10:00 - 10:00 Sunday 12:00 - 12:00
11/01048/LIPDPS	Little Korea Ltd	2-3 Lisle Street London WC2H 7BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
08/09644/LIPN	BST And PT	Ground Floor 26 Wardour Street London W1D 6QL	Monday to Saturday 12:00 - 23:00 Sunday 12:00 - 23:00
12/08402/LIPDPS	Hung's Chinese Restaurant	Ground Floor To Second Floor 27 Wardour Street London W1D 6PR	Monday to Saturday 10:00 - 04:30 Sunday 12:00 - 04:30
13/05844/LIPN	Er Mei	Basement And Ground Floor 6-7 Lisle Street London WC2H 7BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/01354/LIPVM	The Palomar	34 Rupert Street London W1D 6DN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/01152/LIPVM	Waxy O'Connor's	Basement And Ground Floor 14 - 16 Rupert Street London W1D 6DD	Friday to Saturday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays
13/00148/LIPDPS	Franco's Ristorante Pizzeria	30 Rupert Street London W1D 6DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/07583/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
15/02657/LIPDPS	O'Neills Public House	33 Wardour Street London W1D 6PU	Sunday 08:00 - 02:00 Monday to Tuesday 08:00 - 02:30 Sundays before Bank Holidays 08:00 - 02:30 Wednesday to Saturday 08:00 - 03:30
15/00157/LIPT	Old Town 97	19 Wardour Street London W1D 6PL	Monday to Saturday 10:00 - 04:00 Sunday 12:00 - 04:00
14/05591/LIPDPS	Every Hotel Piccadilly	39 Coventry Street London W1D 6BZ	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
15/01597/LIPT	(Restaurant)	17 Wardour Street London W1D 6PJ	Monday to Wednesday 10:00 - 00:30 Thursday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
06/13327/WCCMAP	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
15/03177/LIPDPS	Gerrard's Comer	25 Gerrard Street London W1D 6JL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
10/00439/LIPRW	Sugar	First Floor And Second Floor 11 Wardour Street London W1F 0UN	Monday to Thursday 09:00 - 03:30 Friday to Saturday 09:00 - 06:00 Sunday 09:00 - 23:00
14/01226/LIPT	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
06/12437/WCCMAP	C & R Cafe Restaurant	3-4 Rupert Court London W1D 6DY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
14/08758/LIPDPS	London Jade Garden	15 Wardour Street London W1D 6PH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13/07198/LIPDPS	Waxy's Little Sister	20 Wardour Street London W1D 6QJ	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:50



			Monday to Sunday 00:01 - 00:00
15/00973/LIPVM	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	
			Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
14/08759/LIPDPS	London Jade Garden	15 Wardour Street London W1D 6PH	
			Monday to Sunday 11:00 - 00:00
06/04892/WCCMAP	Misato Restaurant	11 Wardour Street London W1D 6PG	
			Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
08/10319/LIPDPS	London Chinatown Restaurant	27 Gerrard Street London W1D 6JN	
			Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 01:00
06/12381/WCCMAP	Cafe T.P.T.	21 Wardour Street London W1D 6PN	
			Monday to Sunday 00:00 - 00:00
15/01674/LIPVM	W Hotel	W London Leicester Square 10 Wardour Street London W1D 6QF	
			Sunday 23:00 - 02:30 Monday to Saturday 23:00 - 03:00
12/06846/LIPV	Kentucky Fried Chicken	1 - 2 Coventry Street London W1D 6BH	
			Monday to Saturday 10:00 - 04:00 Sunday 12:00 - 04:00
06/08510/WCCMAP	HK Diner	22A Wardour Street London W1D 6QH	
			Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30
15/01550/LIPDPS	PizzaExpress	29 Wardour Street London W1D 6PS	
			Monday to Sunday 09:00 - 06:00
14/08607/LIPVM	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	
			Friday to Saturday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Sunday 07:00 - 22:50 Monday to Thursday 07:00 - 23:30
12/08569/LIPDPS	The Imperial	5 Leicester Street London WC2H 7BL	
			Monday to Wednesday 10:00 - 00:30 Thursday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
15/02658/LIPDPS	Morada Brindisa	18 Rupert Street London W1D 6DE	
			Monday to Saturday 08:00 - 05:00 Sunday 10:00 - 05:00
07/10675/WCCMAP	Sunrise Cafe And News	Ground Floor 31 Wardour Street London W1D 6PT	
			Thursday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Wednesday 07:00 - 23:20
15/03158/LIPDPS	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BG	