



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 1st September, 2016**

Time: **10.00 am**

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

Members: **Councillors:**

Jean Paul Floru (Chairman)
Peter Freeman
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 Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

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

Licensing Applications for Determination

1. TOMBO, 28 D'ARBLAY STREET, W1

(Pages 1 - 28)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End / West End Cumulative Impact Area	Tombo, 28 D'Arblay Street, W1	New	16/06942/LIPN

2. ICHI BUNS, 22A-24 WARDOUR STREET, W1

(Pages 29 - 56)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's / West End Cumulative Impact Area	Ichi Buns, 22A-24 Wardour Street, W1	New	16/06865/LIPN

3. OLE & STEEN, 56 HAYMARKET, NO. 2 ST JAMES'S MARKET, SW1

(Pages 57 - 74)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	St James's / West End Cumulative Impact Area	Ole & Steen, 56 Haymarket , No. 2 St James's Market, SW1	New	16/06722/LIPN

**Charlie Parker
Chief Executive
26 August 2016**

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.

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:	1 September 2016
Licensing Ref No:	16/06942/LIPN - New Premises Licence
Title of Report:	Tombo 28 D'Arblay Street London W1F 8EW
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:	Mr Yiannis Chrysanthou Senior Licensing Officer
Contact details	Telephone: 7641 1876 Email: ychrysanthou@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	4 July 2016		
Applicant:	Bento Chaya Limited		
Premises:	Tombo		
Premises address:	28 D'Arblay Street London W1F 8EW	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	A Japanese poke and matcha cafe specialising in sushi, teas and cake for takeaway and offering a small amount of seating on the ground and basement floors. Only 'on' sales of alcohol limited opening hours have been requested.		
Premises licence history:	There is no history in regard to the Licensing Act 2003.		
Amendment to the application:	The hours originally sought were Monday to Sunday 11:30 to 21:30. Following the licensing authority representation, the applicant agreed to amend the commencement hour for the sale of alcohol to midday on Sunday in line with the core hours policy.		
Applicant submissions:	Menus and photos attached in Appendix 2.		

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	11:30	12:00
End:	21:30	21:30	21:30	21:30	21:30	21:30	21:30

Seasonal variations/ Non-standard timings:	None.
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Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	11:30	11:30
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations/ Non-standard timings:	None.						
Adult Entertainment:	None.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	PC Toby Janes 1275CW
Received:	7 July 2016
<p>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.</p> <p>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.</p> <p>The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.</p>	

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Ayesha Bolton
Received:	26 July 2016
<p>I wish to make the following representation.</p> <p>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.</p> <p>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 and additional conditions may be proposed.</p>	

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority – Representation Withdrawn
Representative:	Steve Rowe –Senior Licensing Officer
Received:	1 August 2016
<p>The application currently contains insufficient information to enable the Licensing Authority to make a suitable assessment. However, as it stands the application does contravene Westminster’s Statement of Licensing Policies CIP1, RNT2 and HRS1. The application is requesting the sale of alcohol on the premises between 11:30 to 21:30 Monday to Sunday. The premises is located inside the Cumulative Impact Area.</p> <p>Policy CIP1 states (i) It is the Licensing Authority’s policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. However part (ii) states: Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p> <p>Policy HRS1 states at paragraph 2.3.2: “It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the</p>	

‘core hours’ as set out in Policy HRS1. This is not a policy to refuse applications for longer hours than the core hours and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out in paragraph (ii) (of Policy HRS1)”.

The current application proposes the commencement hour for the sale of alcohol 30 minutes beyond core hours on a Sunday.

Policy RNT2 which relates to restaurants within the CIA states ‘Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

Please therefore accept this as a formal representation.

However should you agree to the following conditions and amend the commencement hour on Sunday to 12pm (midday) I will review my position.

Conditions

- 1) Replace the proposed condition relating to the supply of alcohol ancillary to a table meal in the operating schedule to MC38 which states ‘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’.
- 2) Add MC39 which states ‘The supply of alcohol shall be by waiter or waitress service only.

The applicant responded to this representation saying that their client would happily push back the commencement hour for the sale of alcohol on Sundays to midday and also agree model condition 38. Model condition 39 was also agreed at a later date resulting in the withdrawal of this representation.

2-B Other Persons	
Name:	Paul Gisbourne
Email address:	Gisbourne@btinternet.com
Received:	29 July 2016
I live above the establishment applying for a licence to sell alcohol. This is a fairly narrow street which people also live on and which until a few years ago was very peaceful.	

I have had regular problems with the "restaurant" opposite which seems to be more of a pub with a lot of people drinking outside. This part of the street is fairly quiet with traffic in the evening and hence a lot of people tend to drink in the street.

If the restaurant / café beneath me (which is small) begin to sell alcohol there will be large numbers of people spilling onto this narrow street and the street will simply become full of people from one side to the other. Also, the noise which is already a problem will get even worse.

Living here, which is already becoming a very unpleasant experience indeed, will become a total nightmare. I am utterly convinced of this. I absolutely beg you to please refuse this licence.

3. Policy & Guidance

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

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

4. Appendices

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









Report author:	Mr Yiannis Chrysanthou Senior Licensing Officer
Contact:	Telephone: 7641 1876 Email: ychrysanthou@westminster.gov.uk

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

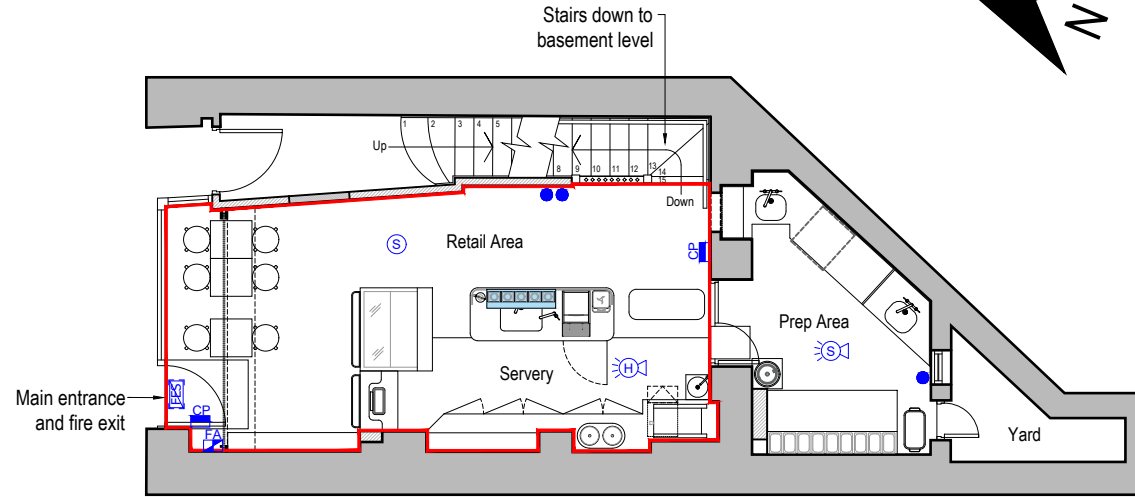
Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	4 July 2016
5	Police representation	7 July 2016
6	EH representation	26 July 2016
7	Paul Gisbourne representation	28 July 2016
8	Licensing authority representation	1 August 2016
9	Email from applicant amending application	2 August 2016
10	Email from licensing authority withdrawing representation	25 August 2016

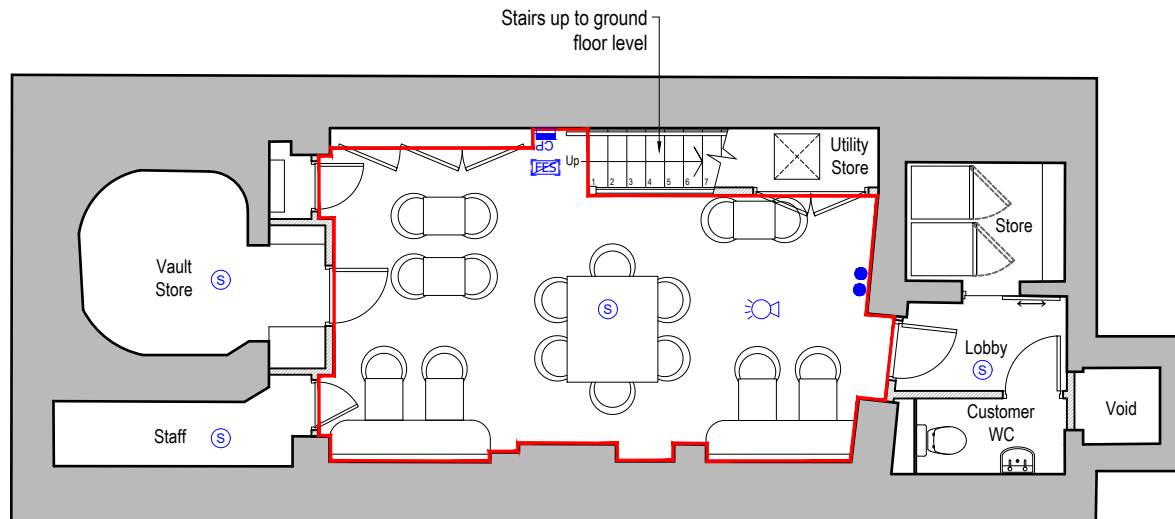
Legend

-  Fire alarm control panel
-  Fire alarm call point (to wall)
-  Fire extinguisher
-  Fire exit signage
-  Optical smoke detector
-  Optical heat detector
-  Combined sounder beacon
-  Boundary

D'ARBLY STREET



Ground Floor



Basement

REVISIONS	
REV	REVISION NOTES

DRAWING STATUS
FOR APPROVAL

DRAWING SIGN OFF

DATE: _____
SIGNATURE: _____
NAME: _____

JOB NUMBER E615 **DRAWN BY** JPC

CLIENT TOMBO

PROJECT TITLE
NEW SHOP
28 D'ARBLY STREET, LONDON

DRAWING TITLE
LICENSE PLAN

DATE 29-02-16 **SCALE** @ A4

DRAWING NUMBER E615-LP-101 **REVISION** -

GS Contracts
Specialist Interior Contractors
Design > Manufacturing > Installation

GS House - Moorside - Colchester
Essex - England - CO1 2TJ

Tel: +44 (0)1206 793053
Fax: +44 (0)1206 793052
E-mail: sales@gscontracts.com
Web: www.gscontracts.com



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TOMBO FAVOURITES

Choose your base of
sushi rice, b&w rice & courgette.

.....
All bowls come with salad leaves.



Classic Salmon Poké

Reg £6.95 / Snack £4.95

Salmon, Classic Sauce, Edamame, Sesame, White Onion, Seeds, Nori

Classic Tuna Avo Poké

Reg £7.95 / Snack £5.95

Tuna, Classic Sauce, Avocado, White Onion, Sesame Seeds, Nori



Salmon Avo Lux

Reg £7.95 / Snack £5.95

Salmon, Wasabi Soy, Avocado, Edamame, Salmon Roe

Spicy Mayo Prawn

Reg £6.50 / Snack £4.50

Prawns, Serracha Mayo, Edamame, Crispy Shallots, Shichimi Chilli



Teriyaki Chicken Poké

Reg £6.50 / Snack £4.50

Teriyaki Chicken, Teriyaki Sauce, Spring Onion, Sesame Seeds



Veggie Poké (gf)

Reg £6.50 / Snack £4.50

Fried Tofu, Matcha Miso Sauce, Avocado, Tomatoes, Chia Seeds, Nori



BYOB BUILD YOUR OWN BOWL

REG £7.95 / SNACK £5.95

All Poké come with salad leaves.

BASE	
Sushi Rice	Courgette Noodles
MAIN	
<u>DOUBLE UP FOR £2 EXTRA</u>	
Salmon	Tuna
Chicken Teriyaki	Prawn
Tofu	
SAUCE	
Classic Sauce - Sesame Soy (gf available)	Sriracha mayo (spicy)
Wasabi Soy (spicy)	Matcha Miso (gf)
Ponzu - yuzu citrus soy	Creamy Sesame (no mayo)
Sansho Pepper Soy (spicy)	Teriyaki Sauce
MIX INS	
<u>CHOOSE 2</u>	
Edamame	Avocado
White Onion	Cucumber
TOPPINGS	
<u>CHOOSE 2</u>	
Crispy Shallots	Chia Seeds
Tempura Crumbs	Tobiko Caviar
Sesame Seeds	Spring Onion
	Wasabi
	Sushi Ginger
	Shichimi (Chilli powder)
<u>PREMIUM TOPPING 80P EACH</u>	
Salmon Caviar	Hijiki (black seaweed)
Avocado	Goma Wakame (green seaweed)
	Kimchee
	Nori

SIDES

Hijiki Salad

Courgette Wakame Salad

Japanese Pickles

Sushi Ginger

Miso Soup

MATCHA FAVOURITES

Ceremonial Matcha Tea
(hot or iced) £3.30



Matcha Latte
(hot or iced) £3.40

Cinnamon Matcha Latte
(hot or iced) £3.50

Vanilla Matcha Latte
(hot or iced) £3.50

Matchiato £3.30

Matcha Frappé £4.50

Matcha Brownie £3.00



Matcha Soft Serve £3.60

Matcha Sundae £5.40

Matcha Monaka £3.90

Matcha Affogato £6.00



TOMBO JAPANESE TEAS

Zen

Bonsai

Sakura

Haiku

3yr Bancha



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Tombo

tombo | Pokē & Matcha Bar



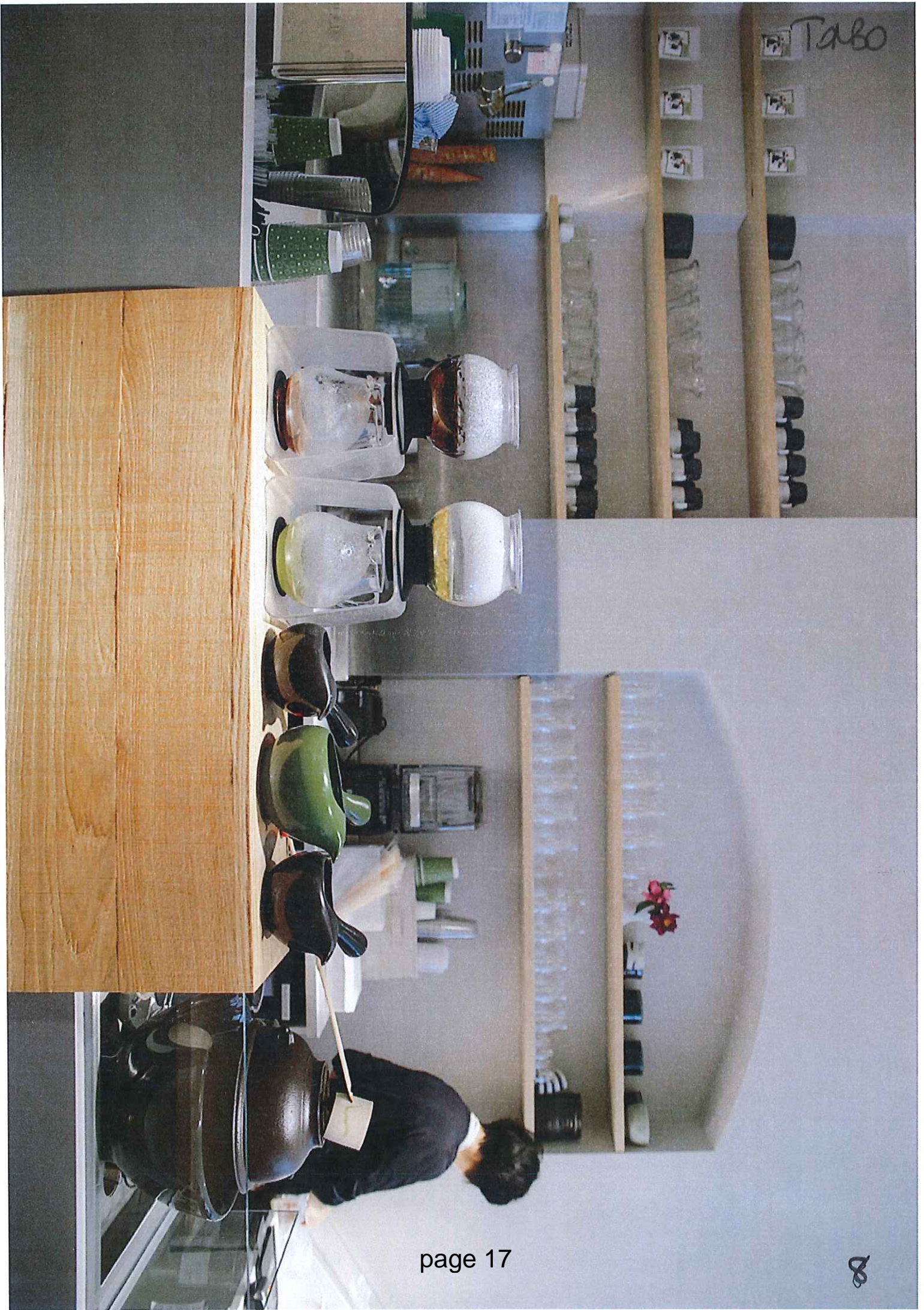
TOMBO



TOMBO









Tombo

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. 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.
- 10. No spirits or draught beers shall be sold at the premises.
- 11. Staff shall be fully trained in their responsibilities under the Licensing Act 2003 with particular reference to under age sales.
- 12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 13. 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.
- 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. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder

- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

15. 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.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. A 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.

Conditions proposed by the Licensing Authority and Environmental Health and agreed with applicant

18. 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.
19. The supply of alcohol shall be by waiter or waitress service only.

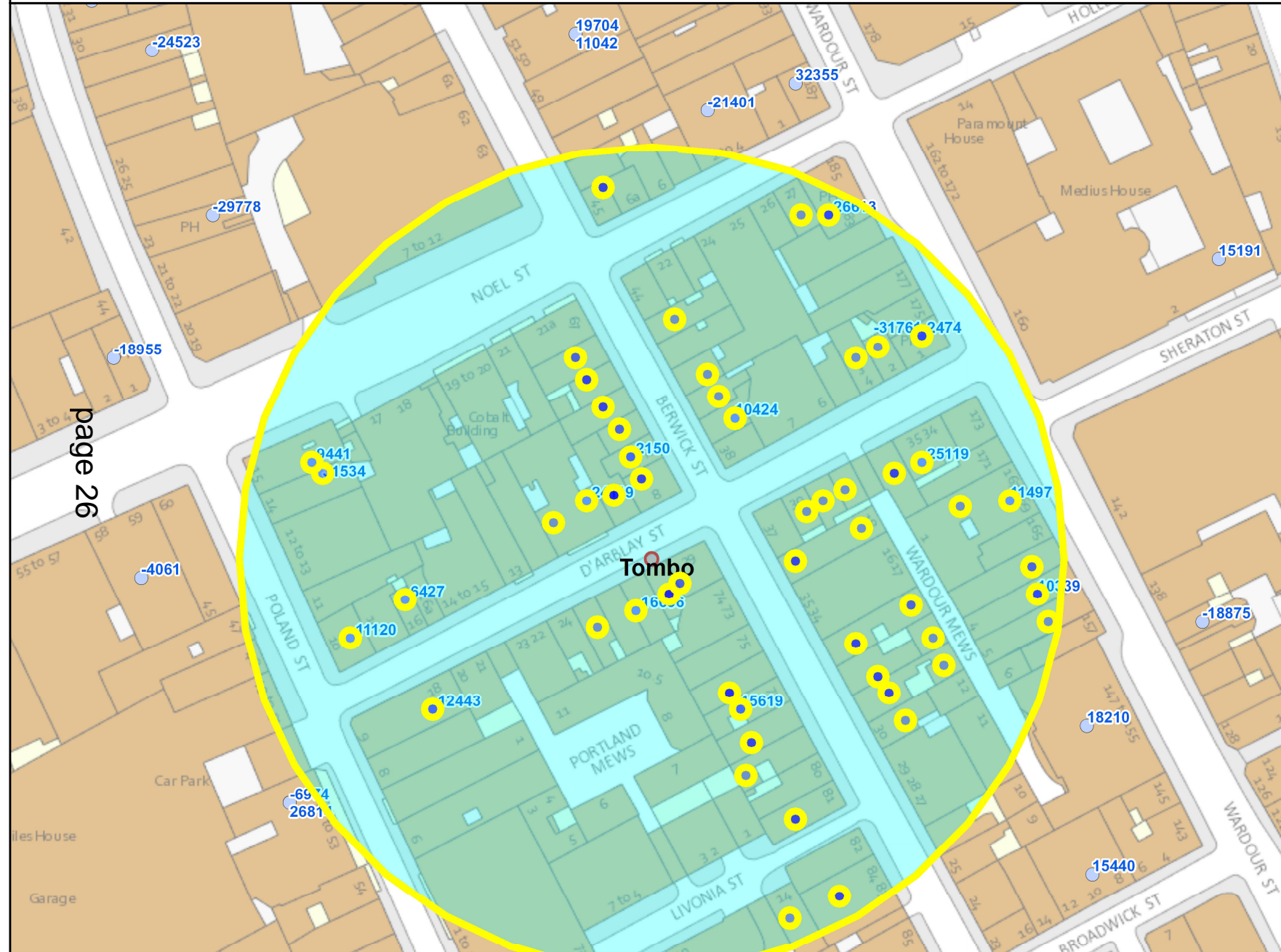
Conditions proposed by Environmental Health and agreed with applicant

20. The number of persons permitted to seat in the premises at any one time (excluding staff) shall not exceed 14 persons.
21. The supply of alcohol shall be limited to wine (including Sake) and bottled beers.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take alcoholic drinks or glass containers with them.
23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
25. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
26. No deliveries shall be made to the premises between 23:00 and 08:00 hours.

27. 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.



16/06942/LIPN, Tombo



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Residential / Proposed Residential	85
Under Construction	Unknown
Other Uses	Unknown
Proportion Residential of all Uses	Unknown

10
 Meters

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 Date: 17/08/2016

Premises within 75 metres of Tombo, 28 D'Arblay Street, W1F 8EW:			
p / n	Name of Premises	Premises Address	Licensed Hours
10424	Berwick News	39 Berwick Street London W1F 8RU	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-12443	(Delicatessen)	Basement And Ground Floor Munro House 9 Poland Street London W1F 8PY	Monday to Saturday 07:00 - 00:00 Sunday 07:00 - 23:00
-6427	Dalla Terra Vetro	16 D'Arblay Street London W1F 8EA	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sundays before Bank Holidays 10:00 - 00:30 Sunday 12:00 - 23:00
-2474	The George Public House	1 D'Arblay Street London W1F 8DG	Monday to Sunday 00:00 - 00:00
10339	St Moritz	161 Wardour Street London W1F 8WL	Monday to Sunday 09:00 - 03:30
11497	Imli Ltd	167-169 Wardour Street London W1F 8WL	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 01:00
15619	Maharani Restaurant	77 Berwick Street London W1F 8TH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
31534	Soho Food & Wine	14 Poland Street London W1F 8QD	Monday to Sunday 00:00 - 00:00
-31761	The George Public House	1 D'Arblay Street London W1F 8DG	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-26613	Chipotle Mexican Grill	183-185 Wardour Street London W1F 8ZA	Monday to Saturday 10:00 - 23:30 Sunday 11:30 - 23:00
-25119	Korkers (Basement) And Mustafa's Thai Cottage (Ground Floor)	Ground Floor 34 D'Arblay Street London W1F 8EX	Monday to Saturday 09:00 - 03:30 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 Sunday 12:00 - 00:00
-24821	Blanchette	Basement And Ground Floor 9 D'Arblay Street London W1F 8DR	Monday to Saturday 10:00 - 00:30 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
-24119	Bukowski	Ground Floor 10-11 D'Arblay Street London W1F 8DT	Monday to Sunday 12:00 - 23:30
-16636	Copita	27 D'Arblay Street London W1F 8EN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-11120	Bodean's BBQ	10 Poland Street London W1F 8PZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-9441	Vasco & Piero's	15 Poland Street London W1F 8QE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:30
-2150	Raj Tandoori Restaurant	72 Berwick Street London W1F 8TD	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

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Item No:	
Date:	1 September 2016
Licensing Ref No:	16/06865/LIPN - New Premises Licence
Title of Report:	Ichi Buns 22A-24 Wardour Street London W1D 6QH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	1 July 2016		
Applicant:	Lord Simon Restaurants UK (Wardour Street) Ltd		
Premises:	Ichi Buns		
Premises address:	22A-24 Wardour Street London W1D 6QH	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises operate as a Japanese restaurant.		
Premises licence history:	<p>The premises has an existing licence (16/03459/LIPT) which authorises licensable activities in the basement and ground floors. It is proposed by way of this new application that this existing permission remains and the licensed area be extended to include the first floor.</p> <p>The applicant has stated that “no licensable activities shall take place at the premises until premises licence 16/03459/LIPT (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.”</p>		
Applicant submissions:	The applicant has provided an Application Summary and Proposed Conditions (Appendix 2)		

1-B Proposed licensable activities and hours:							
BASEMENT & GROUND FLOOR (Existing Licence)							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	04:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun

Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					

Regulated Entertainment				Indoors, outdoors or both			Indoors
Recorded Music							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted
End:	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	04:00	04:00	04:00	04:00	04:00	04:00	04:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					
Adult Entertainment:		N/A					

1-B Proposed licensable activities and hours:							
FIRST FLOOR							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					
		Sundays before Bank Holidays until 00:00					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30

Seasonal variations/ Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Sundays before Bank Holidays until 00:00
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Regulated Entertainment				Indoors, outdoors or both			Indoors
Recorded Music							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Sundays before Bank Holidays until 00:30						
Adult Entertainment:	N/A						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Dave Nevitt
Received:	29 th July 2016
The Environmental Health has made a representation to this application stating that the proposals are likely to increase Public Nuisance and may impact upon Public Safety	
Responsible Authority:	Metropolitan Police
Representative:	Michael Day

Received:	26 th July 2016
<p>The Metropolitan Police, as a Responsible Authority, has made representation to the application as it is their belief that if granted the application may undermine the Licensing Objectives</p>	

3. Policy & Guidance

<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p>	
<p>Policy CIP1 applies:</p>	<p>Policy CIP1 applies:</p> <p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<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.</p>
<p>Policy RNT2 applies:</p>	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents

Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	1 st July 2016
5	Plan	1 st July 2016
6	Proposed Conditions	1 st July 2016
7	Environmental Health Service Rep	29 th July 2016
8	Metropolitan Police Rep	26 th July 2016

Thomas & Thomas
Partners LLP

Your ref: 16/06865/LIPN
Our ref: AT/LOR.9.1

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

FAO Yolanda Wade
Licensing Service

By email: ywade@tandtp.com
CC: Mike Day, Dave Nevitt

22 August 2016

Dear Sirs

Ichi Buns, 22a-24 Wardour Street, W1
Ref: 16/06865/LIPN

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

1. Letter of support from the landlord, Shaftesbury.
2. Revised plans.
3. Revised conditions.
4. Concept pack.

As will have been noted from the application, in respect of the ground floor and basement is on a like-for-like basis as to the existing licence, which is held by the landlord.

The upper floor, following the grant of planning permission, is a core hours' application, consistent with policy RNT2. The application also follows pre-application advice and the only representations are from environmental health and police, with whom we have met and agreed the revised conditions, above.

Alun Thomas and Paul Sarlas, director of the applicant company will be in attendance at hearing.

Yours faithfully



Thomas & Thomas Partners LLP
tel: 020 7042 0412
email: athomas@tandtp.com

Shaftesbury

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

19 August 2016

Dear Sirs


Itchi Buns, 22 Wardour Street, W1
Premises Licence Application ref: 16/06865/LIPN

Shaftesbury are a real estate investment trust and own over 300 licensed premises in the West End. One of these is the above mentioned premises and we have agreed with the proposed tenant, that subject to licensing, that they take a long lease of the ground, basement and first floor.

The ground and basement are of course already licensed and we have taken a surrender of that lease from the previous tenant. The first floor was recently granted planning permission as a restaurant and we believe the new unit will be a positive enhancement of this lower part of Wardour Street.

We have chosen the tenant from other prospective lessees and having approved their licensing application and been apprised of the pre-application discussions, we support their application on the terms that they have applied for.

Yours faithfully


Thomas J C Welton
Director

APPLICATION SUMMARY

Ichi Buns, 22A-24 Wardour Street, London, W1D 6QH

Proposed Hours

Ground Floor & Basement (as per existing licence);

Sale of Alcohol	Monday – Saturday: 10:00 – 00:00 Sunday: 12:00 – 23:30
Late Night Refreshment:	Monday – Sunday: 23:00 – 04:00
Regulated Entertainment: -Recorded Music:	Unrestricted

First floor;

Sale of Alcohol	Monday – Thursday: 10:00 – 23:30 Friday – Saturday: 10:00 – 00:00 Sunday: 12:00 – 22:30
Late Night Refreshment:	Monday – Thursday: 23:00 – 23:30 Friday – Saturday: 23:00 – 00:00
Regulated Entertainment: -Recorded Music:	Monday – Thursday: 10:00 – 23:30 Friday – Saturday: 10:00 – 00:00 Sunday: 12:00 – 22:30

Non-standard timings;

From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.

First Floor: Sundays before Bank Holidays until 00:00

Proposed Conditions

1. The supply of alcohol at ground & basement floors shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. The first floor 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 or sake supplied ancillary to their meal.

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 number of persons permitted in the premises at any one time (excluding staff) shall not exceed: -
 - Ground Floor 40
 - Basement 60
 - First Floor 60
5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
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. 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.
7. 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.
8. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
9. All windows and external doors shall be kept closed after (23:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for those be consumed by patrons seated at tables.
11. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
12. All tables and chairs shall be removed from the outside area by (23.00) each day.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
15. 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.
16. 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.
17. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

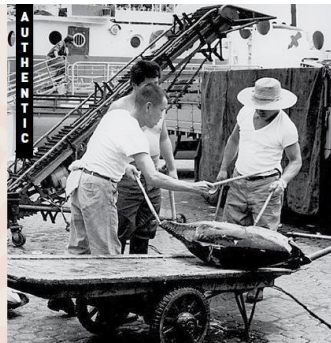
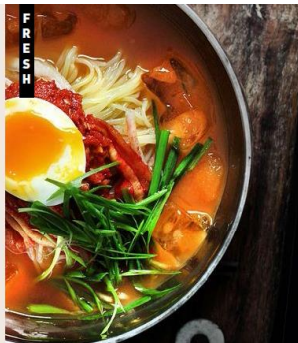
18. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
19. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
19. 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.
20. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.
21. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
22. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
23. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
24. No licensable activities shall take place at the premises until premises licence 16/03459/LIPT (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Additional conditions following meeting with EH & Police on 9th August: -

25. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
26. There shall be no self-service of alcohol on the premises.
27. There shall be no draught beer on the premises.
28. The sale of alcohol for consumption off the premises shall cease at 23:00 Monday to Saturday and 22:30 Sunday.

ICHI BUNS

イチバンズ



MAKING A DIFFERENCE ONE BITE AT A TIME

"To create the healthiest burger, with a Japanese twist"

Our vision is to deliver more than just a burger restaurant; we focus on prime cuts of Wagyu beef and a variety of traditional Japanese dishes. ICHI BUNS delivers an authentic experience in a modern contemporary Japanese environment. Our menu is designed using high quality fresh, organic and flavoursome ingredients while sticking to our 4 key principles:

ORGANIC // HEALTHY // HOKKAIDO // PRIME INGREDIENTS





Appendix 3

Application	Details of Application	Date Determined	Decision
05/09090/LIPC	Application for an existing licence to be converted to a premises licence and to vary the premises licence	Granted under Delegated Authority	30.09.2005
16/03459/LIPT	Transfer of premises Chung Way Man and Chung Fai Man to Lord Simon Restaurants UK (Wardour Street) Limited	Granted under Delegated Authority	06.06.2016

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. The supply of alcohol at ground & basement floors 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. The first floor 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 or sake supplied ancillary to their meal.

11. 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.
12. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (**X**) persons:-
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
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. 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. 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.
16. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
17. All windows and external doors shall be kept closed after (**23:00**) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

18. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for those be consumed by patrons seated at tables.
19. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
20. All tables and chairs shall be removed from the outside area by **(23.00)** each day.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. 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.
24. 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.
25. 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.
26. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
27. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
28. 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.
29. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.
30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
32. 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.
33. No licensable activities shall take place at the premises until premises licence 16/03459/LIPT (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Ichi Buns 22A-24 Wardour Street



APPENDIX 5			
Residential / Proposed Residential	101		
Under Construction			
Other Uses			
Proportion Residential of all Uses			

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Data Source: Uniform Database
 Date: 18/08/2016

9  Meters

Premises within 75 metres of: 22A- 24 Wardour Street			
p / n	Name of Premises	Premises Address	Licensed Hours
27179	La Scala	45 Wardour Street London W1D 6PZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
18387	Little Penang	Ground Floor 18 Gerrard Street London W1D 6JF	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-30843	Mr Wu Restaurant	28 Wardour Street London W1D 6QJ	Monday to Sunday 11:00 - 00:00
11188	PizzaExpress	29 Wardour Street London W1D 6PS	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30
18735	HK Diner	22A Wardour Street London W1D 6QH	Monday to Saturday 10:00 - 04:00 Sunday 12:00 - 04:00
-28497	Dumplings' Legend	Basement To First Floor 15 - 16 Gerrard Street London W1D 6JB	Monday to Saturday 10:00 - 03:00 Sunday 12:00 - 00:00
-22728	C & R Cafe Restaurant	3-4 Rupert Court London W1D 6DY	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
30284	Golden Dragon Restaurant	28 - 29 Gerrard Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-17517	Sports Bar And Grill	36 - 40 Rupert Street London W1D 6DN	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 01:00
6807	London Chinatown Restaurant	27 Gerrard Street London W1D 6JN	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
26365	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
31412	Morada Brindisa	18 Rupert Street London W1D 6DE	Monday to Wednesday 10:00 - 00:30 Thursday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
-5714	London Jade Garden	15 Wardour Street London W1D 6PH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
18773	BST And PT	Ground Floor 26 Wardour Street London W1D 6QL	Monday to Saturday 12:00 - 23:00 Sunday 12:00 - 23:00
30348	Slug And Lettuce	Ground 5 Lisie Street London WC2H 7BG	Thursday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00 Monday to Wednesday 07:00 - 23:20
19877	New Mayflower Chinese Restaurant	68-70 Shaftesbury Avenue London W1D 8LY	Monday to Saturday 10:00 - 04:00 Sunday 11:00 - 04:00
-5551	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
-7783	Misato Restaurant	11 Wardour Street London W1D 6PG	Monday to Sunday 11:00 - 00:00
25454	Vietnamese Restaurant	38 Wardour Street London W1D 6QT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
21883	Old Town 97	19 Wardour Street London W1D 6PL	Monday to Saturday 10:00 - 04:00 Sunday 12:00 - 04:00
20981	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
28715	Four Seasons	23 Wardour Street London W1D 6PW	Monday to Saturday 10:00 - 05:00 Sunday 12:00 - 05:00
-7140	Plum Valley	20 Gerrard Street London W1D 6JQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-16410	Morden & Lea	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

32639	Cafe T.P.T.	21 Wardour Street London W1D 6PN	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 01:00
27950	Gerrard's Corner	25 Gerrard Street London W1D 6JL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-1049	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
-6958	Leicester Street Hotel	1-2 Leicester Street London WC2H 7BL	Monday to Sunday 00:01 - 00:00
-28244	Jinli Chinese Restaurant	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
22123	Sunrise Cafe And News	Ground Floor 31 Wardour Street London W1D 6PT	Monday to Saturday 08:00 - 05:00 Sunday 10:00 - 05:00
-1579	Royal Dragon Chinese Restaurant	30 Gerrard Street London W1D 6JS	Monday to Sunday 09:00 - 03:00 Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-8928	Young Cheng Restaurant	39 Wardour Street London W1D 6PX	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
28068	Little Wu	64 Shaftesbury Avenue London W1D 6LU	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
27126	Opium Dim Sum Parlour	Ground Floor Entrance And Second Floor To Fourth Floor 15 - 16 Gerrard Street London W1D 6JB	Sunday 12:00 - 00:00 Monday to Saturday 12:00 - 03:00
19958	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 12:00 - 00:00 Sunday 12:00 - 23:00
15543	Kowloon Restaurant	Basement And Ground Floor Gerrard Mansions 21 - 22 Gerrard Street London W1D 6JH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
24829	London Jade Garden	15 Wardour Street London W1D 6PH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
17395	The Imperial	5 Leicester Street London WC2H 7BL	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
9835	Loon Tao Chinese Restaurant	31 Gerrard Street London W1D 6JT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
232	W Hotel	W London Leicester Square 10 Wardour Street London W1D 6QF	Monday to Sunday 00:00 - 00:00
-32232	Bao	30 Rupert Street London W1D 6DL	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
29412	Joy King Lau Restaurant	3 Leicester Street London WC2H 7BL	Monday to Sunday 12:00 - 00:00
27625	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
20015	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
13179	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
1793	The Palomar	34 Rupert Street London W1D 6DN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
32732	Little Korea Ltd	2 - 3 Lisle Street London WC2H 7BG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
28818	Kentucky Fried Chicken	1 - 2 Coventry Street London W1D 6BH	Sunday 23:00 - 02:30 Monday to Saturday 23:00 - 03:00
30256	MW Buffet	Astoria House 58-60 Shaftesbury Avenue London W1D 6LS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
12110	China Exchange	Gerrard Building 32-35 Gerrard Street London W1D 6JA	Monday to Sunday 10:00 - 22:00
9163	Cafe De Paris	Basement And Lower Ground Floor 3-4 Coventry Street London W1D 6BL	Monday to Sunday 09:00 - 06:00

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Item No:	
Date:	1 September 2016
Licensing Ref No:	16/06722/LIPN - New Premises Licence
Title of Report:	Ole & Steen 56 Haymarket No. 2 St James's Market London SW1Y 4RJ
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 David Sycamore Senior Licensing Officer
Contact details	Telephone: 020 7641 8556 Email: dsycamore@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	29 June 2016		
Applicant:	Danish Bake UK Limited		
Premises:	Ole & Steen 56 Haymarket No. 2 St James's Market London SW1Y 4RJ		
Premises address:	Ground Floor Finland House 56 Haymarket London	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	Café/bakery operating in the basement, ground and mezzanine floors.		
Premises licence history:	None.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	n/a
End:	23:30	23:30	23:30	23:30	00:00	00:00	n/a
Seasonal variations/ Non-standard timings:		23:00 – Midnight Sunday before bank holiday.					

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

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:30	06:30	06:30	06:30	06:30	06:30	06:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		12:00 - midnight Sundays before Bank Holidays					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Nicola Curtis
Received:	7 th July 2016
<p>The provision of Late Night Refreshment both 'indoors' and 'outdoors' will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area. 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 Cumulative Impact Area and may impact upon Public Safety. The non-standard timing requested for the provision of Late Night Refreshment and the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance in the West End Cumulative Impact Area. 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.</p> <p>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 Cumulative Impact area and may impact on Public Safety.</p> <p>Further comments added -</p> <p>WCC do not accept unisex sanitary facilities, particularly in the cumulative impact areas. Please amend this on the scheme. As a new build I would expect compliance with BS6465.</p> <p>There are no staff sanitary or changing facilities shown on the plans – where are these to be located and how many will be provided? As above, as a new build I would expect compliance with BS6465 and H&S regulations.</p> <p>The licensed area includes an outside area – please clarify whether this is public highway (which cannot be included as licensed area) or private forecourt? We can update my proposed conditions as necessary.</p> <p>The above is the concerns which are now resulting in Environmental Health maintaining their representations.</p>	

Responsible Authority:	Metropolitan Police (withdrawn)
Representative:	Sandy Russell
Received:	6 th July 2016
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is located within the Cumulative Impact Area. There are concerns that this application will cause further policing problems in an already demanding area. It is for these reasons that we are objecting to the application at this stage in the application process.</p> <p>The police have withdrawn their representation as proposed conditions have been agreed by the Applicant.</p>	

3. Policy & Guidance

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

4. Appendices

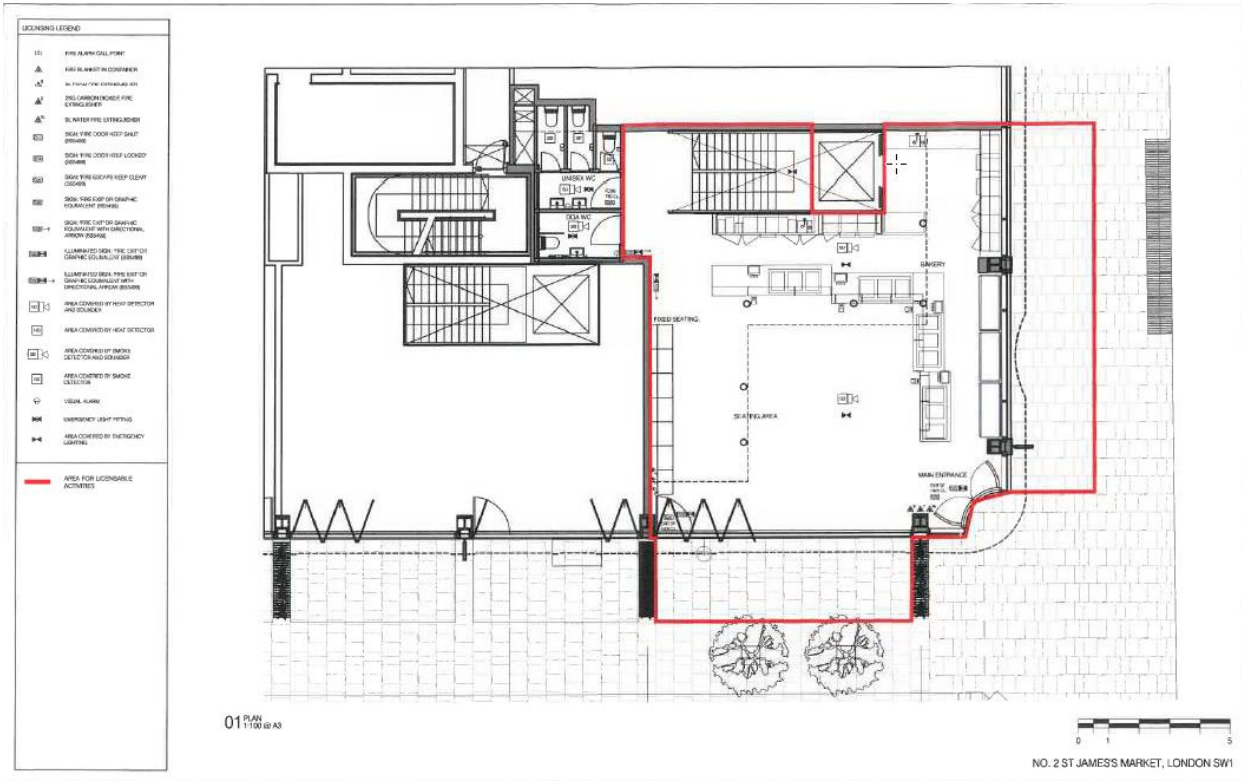
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents – None
Appendix 3	Premises history - None
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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

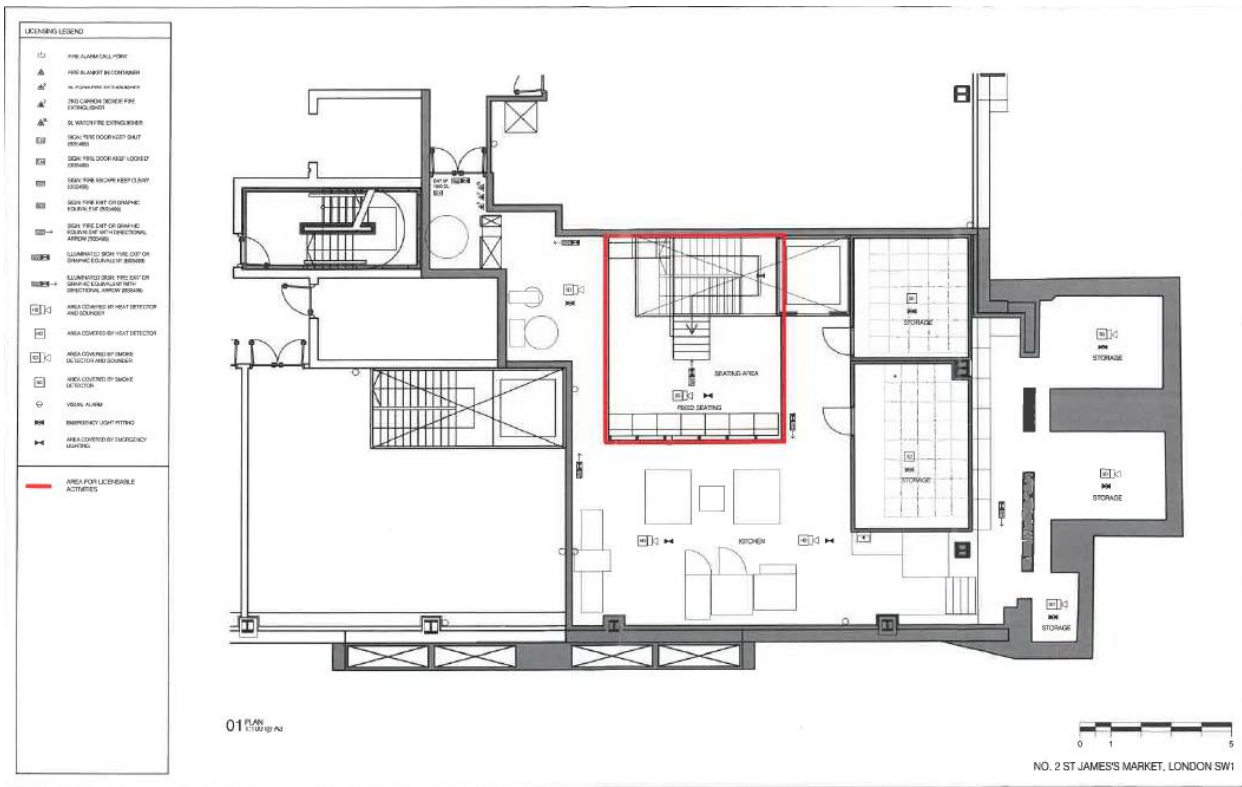
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Police Representation	6 th July 2016
	EH Representation	7 th July 2016
4	Proposed Conditions from Police.	August 2016
5	Proposed conditions from EH	August 2016
6	Solicitor confirms meeting with EH re Toilets	August 2016



NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16
PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE
CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO	
A3		A3		A3		A3		A3	



NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018	NO. 018
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16	21.06.16
PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE	PRELIMINARY ISSUE
CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO		CENTRAL DESIGN STUDIO	
A3		A3		A3		A3		A3	

Applicants Submission taken from the Operating Schedule

This is an application by Danish Bake Limited for a new Premises Licence for premises on the ground floor and basement in the development at St James's Market, 56 Haymarket.

The premises will trade as Ole & Steen which is a shortened form of the names of the two founders. Both are bakers from Denmark with considerable experience and of some repute and have a number of successful bakery/café businesses there. The premises will open early for breakfast and then trade all day and into the evening. At the heart will be an open bakery; the products will range from snacks to substantial food and will all be baked and cooked to the highest quality.

The atmosphere will be informal and relaxed with a mixture of self-service "grab and go" and waiter/waitress service to seated customers. The applicant is aware that the premises are in the west end stress area but this application is for core hours (other than opening), is food led without entertainment and contains a restaurant condition limiting the supply of alcohol to persons who are seated taking a table meal. Elements of the more substantial model restaurant condition (use of crockery, takeaways forbidden and customers shown to tables) whilst appropriate for more formal dining, are not consistent with this more casual bakery/café concept. The applicant is happy to discuss the application with the Responsible Authorities and agree other conditions if necessary, appropriate and reasonable during the consultation period.

Application	Details of Application	Date Determined	Decision
05/09564/LIPN	Application for a premises licence	Granted by Licensing Sub Committee	16.11.2005
05/13270/LIPDPS	Application to Vary a Premises Licence to specify an individual as Designated Premises Supervisor	Granted under Delegated Authority	23.01.2006
06/00351/LIPDPS	Application to Vary a Premises Licence to specify an individual as Designated Premises Supervisor	Granted under Delegated Authority	20.01.2006
06/11985/LIPV	Application for Variation of the premises licence	Refused by Licensing Sub Committee	16.01.2007
10/02716/LIPDPS	Application to Vary a Premises Licence to specify an individual as Designated Premises Supervisor	Granted under Delegated Authority	21.05.2010

There is no appeal history for the premises

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

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

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

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

Mandatory Conditions

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
11. There will be no sale of alcohol for consumption off the premises after 10pm.
12. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder;
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any refusal of sale of alcohol;
 - g) any visit by a relevant authority or emergency service.
13. 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.
14. 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.
15. A challenge 21 or challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards such as a driving licence, passport or proof of age card with the PASS hologram or such other form of identification that complies with any mandatory condition that may apply to this licence.
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 of an authorised officer of the City Council at all times when the premises are open.

Conditions proposed by the Police and agreed

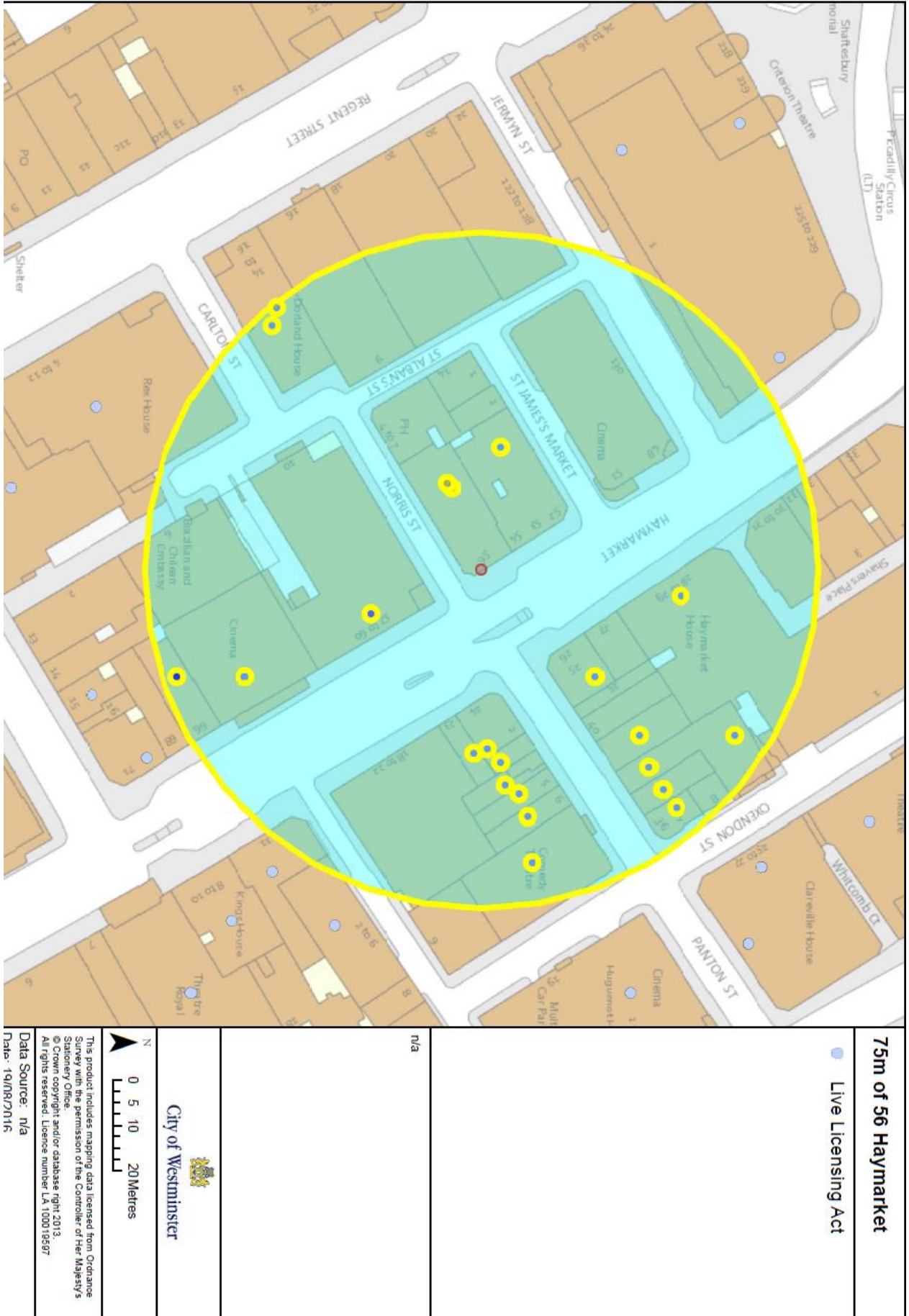
17. All outside tables and chairs shall be rendered unusable by 23.00hrs each day.
18. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00

19. 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.
20. There shall be no self service of alcohol.

Proposed by Environmental Health – duplicates removed.

21. 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.
22. There shall be no sales of alcohol for consumption off the premises after 22:00 hours except to persons seated taking a table meal within any outside seating area.
23. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
24. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except to persons seated taking a table meal within any outside seating area.
25. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
26. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 120 persons.
27. The supply of alcohol at the premises shall only be to a person seated taking a table meal there for consumption by such a person as ancillary to their meal, and shall be by way of waiter/waitress or bar counter staff service.
28. 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.
29. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
30. The external concertina doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons.
31. All outside tables and chairs shall be rendered unusable by 23.00 each day
32. 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.

33. 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.
34. 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.
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.
36. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required

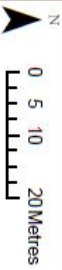


75m of 56 Haymarket

● Live Licensing Act

n/a

City of Westminster



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Date: 19/08/2016

Premises within 75 metres of: 56 Haymarket			
p / n	Name of Premises	Premises Address	Licensed Hours
27954	Tiger Tiger	Haymarket House 28-29 Haymarket London SW1Y 4SP	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
11727	Aquavit	1 Carlton Street London SW1Y 4QQ	Monday to Saturday 07:30 - 01:00 Sunday 07:30 - 22:30
-13806	Spaghetti House	Basement South And Ground Floor South Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-12420	Nonna's Kitchen	Ground Floor 38 Panton Street London SW1Y 4EA	Monday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 00:30 Sunday 09:00 - 23:00
-7214	Jindalle Restaurant	Basement And Ground Floor 6 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
25464	Comedy	The Comedy 7 Oxendon Street London SW1Y 4EE	Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 00:30 Monday to Saturday 08:00 - 02:30 Sunday 08:00 - 22:30 Monday to Thursday 08:00 - 23:30
28010	Wagamama	8 Norris Street London SW1Y 4RJ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-9036	VietCafe	Ground Floor And Basement 23 Haymarket London SW1Y 4DG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-29896	Anzu	1 - 3 Norris Street London SW1Y 4RJ	Monday to Thursday 11:00 - 00:00 Friday to Saturday 11:00 - 00:30 Sunday 11:00 - 23:00
1585	The Harold Pinter Theatre	Harold Pinter Theatre Panton Street London SW1Y 4DN	Monday to Saturday 09:00 - 00:00 Sunday 12:00 - 00:00
-25012	Woodlands Restaurant	Basement And Ground Floor 37 Panton Street London SW1Y 4EA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13774	Japan Centre	Basement To Ground Floor Dorland House 14 - 16 Regent Street London SW1Y 4PH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
31259	Strada	39 Panton Street London SW1Y 4EA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
18519	Salt Yard	1 - 3 Norris Street London SW1Y 4RJ	Sundays before Bank Holidays 07:00 - 00:00 Monday to Saturday 07:00 - 01:00 Sunday 07:00 - 23:30
18712	Cineworld Cinemas	62 - 65 Haymarket London SW1Y 4QX	Monday to Sunday 09:00 - 03:00
-22778	Chop Shop	Basement Nth And Ground Floor North Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:30
9871	Miso Noodle Bar	Ground Floor East Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:30

32444	Yo! Sushi	Ground Floor Left St Albans House 57 - 60 Haymarket London SW1Y 4QX	Sunday 12:00 - 23:00 Monday to Saturday 12:00 - 23:30
-16900	Pizza Express	Ground Floor Panton House 25 Haymarket London SW1Y 4EN	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
13806	Angus Steak House	Basement To First Floor 24 Haymarket London SW1Y 4DG	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 10:00 - 01:00
15130	Planet Hollywood (UK) Ltd	Ground Floor Right St Albans House 57-60 Haymarket London SW1Y 4QX	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:30
-2266	Andalucia Tapas Restaurant	Basement And Ground Floor Front 4 Panton Street London SW1Y 4DL	Monday to Sunday 11:00 - 00:00
4352	Bloom	5 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
15089	Unit 2 St Jame's Market	52 Haymarket London SW1Y 4RP	Monday to Saturday 07:00 - 01:00 Sunday 07:00 - 23:30
11194	Kanada-Ya	3 Panton Street London SW1Y 4DL	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
11676	Tom Cribb Public House	36 Panton Street London SW1Y 4EA	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
21087	Spaghetti House	Basement South And Ground Floor South Greener House 66-68 Haymarket London SW1Y 4RF	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00