



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 17th November, 2016**

Time: **10.00 am**

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

Members: **Councillors:**

Melvyn Caplan (Chairman)
Jan Prendergast
Murad Gassanly

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. THE WHITE SWAN, 14 NEW ROW, WC2

(Pages 1 - 20)

| App No | Ward/ Cumulative Impact Area | Site Name and Address | Application | Licensing Reference Number |
|--------|--|--|-------------|----------------------------------|
| 1. | St James's Ward / West End Cumulative Impact Area | The White Swan, 14 New Row, WC2 | Variation | 16/10032/LIPV |

2. HUMMUS BROS, 88 WARDOUR STREET, W1

(Pages 21 - 34)

| App No | Ward/ Cumulative Impact Area | Site Name and Address | Application | Licensing Reference Number |
|--------|--|---|-------------|----------------------------------|
| 2. | West End Ward / West End Cumulative Impact Area | Hummus Bros, 88 Wardour Street, W1 | New | 16/10195/LIPN |

3. 34 - 36 DUKE STREET ST JAMES'S, SW1

(Pages 35 - 70)

| App No | Ward/ Cumulative Impact Area | Site Name and Address | Application | Licensing Reference Number |
|--------|--|---|-------------|----------------------------------|
| 3. | St James's Ward / not in cumulative impact area | 34 - 36 Duke Street St James's, SW1 | New | 16/09788/LIPN |

**Charlie Parker
Chief Executive
9 November 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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City of Westminster

Licensing Sub-Committee Report

Agenda Item 1

| | |
|--------------------|---|
| Item No: | |
| Date: | 17 November 2016 |
| Licensing Ref No: | 16/10032/LIPV - Premises Licence Variation |
| Title of Report: | The White Swan 14 New Row London WC2N 4LF |
| Report of: | Director of Public Protection and Licensing |
| Wards involved: | St James' |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | Mr Nick Nelson Senior Licensing Officer |
| Contact details | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|---|--------------------------------|-----------|
| Application Type: | Variation of a Premises Licence, Licensing Act 2003 | | |
| Application received date: | 19 September 2016 | | |
| Applicant: | Mitchells & Butlers Leisure Retail Limited | | |
| Premises: | The White Swan | | |
| Premises address: | 14 New Row London WC2N 4LF | Ward: | St James' |
| | | Cumulative Impact Area: | West End |
| Premises description: | The premises operates over the basement, ground, first and second floors as a bar and restaurant. Licensable activities are restricted to the ground and first floors only by condition 16 on the current licence. | | |
| Variation description: | <p>To remove conditions 17, 18 and 19 from the current premises licence (14/09721/LIPVM) relating to the First Floor and replace them with alternative conditions (see Appendix 4).</p> <p>Currently, the conditions restrict use to restaurant only with provision for 10 persons dining to use the designated bar area. The applicant wishes to operate private and corporate pre-booked functions with a buffet style food offer, which the conditions currently do not permit.</p> | | |
| Premises licence history: | The premises, under the current licence holder, has held a premises licence since at least 2005 and previously operated as O'Neills Public House. This licence was surrendered on 8 May 2012. The current licence was first granted on 18 August 2011. | | |
| Applicant submissions: | The applicant has proposed two conditions in the operating schedule (see Appendix 4). | | |

| 1-B Current and proposed licensable activities, areas and hours | | | | | | |
|---|---------------|-------|----------------|------|----------------------|-----------|
| Late night refreshment | | | | | | |
| | Current Hours | | Proposed Hours | | Licensable Area | |
| | Start: | End: | Start: | End: | Current: | Proposed: |
| Monday | 23:00 | 23:30 | No change | | Ground & first floor | No change |
| Tuesday | 23:00 | 23:30 | No change | | Ground & first floor | No change |
| Wednesday | 23:00 | 23:30 | No change | | Ground & first floor | No change |
| Thursday | 23:00 | 23:30 | No change | | Ground & first floor | No change |

| | | | | | |
|---|--|-------|-----------|----------------------|-----------|
| Friday | 23:00 | 00:00 | No change | Ground & first floor | No change |
| Saturday | 23:00 | 00:00 | No change | Ground & first floor | No change |
| Sunday | N/A | N/A | No change | Ground & first floor | No change |
| Seasonal variations/ Non-standard timings: | Current: | | | Proposed: | |
| | The terminal hour on New Year's Eve is extended until 05:00 hours on New Year's Day. | | | No change | |
| | Sundays before Bank Holidays: 23:00 – 00:00 | | | No change | |

| Sale by Retail of Alcohol | | | | | | |
|---|--|-------------|-----------------------|------------------|------------------------|------------------|
| On or off sales | | | Current : | | Proposed: | |
| | | | On and off sales | | No change | |
| | Current Hours | | Proposed Hours | | Licensable Area | |
| | Start: | End: | Start: | End: | Current: | Proposed: |
| Monday | 10:00 | 23:30 | No change | | Ground & first floor | No change |
| Tuesday | 10:00 | 23:30 | No change | | Ground & first floor | No change |
| Wednesday | 10:00 | 23:30 | No change | | Ground & first floor | No change |
| Thursday | 10:00 | 23:30 | No change | | Ground & first floor | No change |
| Friday | 10:00 | 00:00 | No change | | Ground & first floor | No change |
| Saturday | 10:00 | 00:00 | No change | | Ground & first floor | No change |
| Sunday | 12:00 | 22:30 | No change | | Ground & first floor | No change |
| Seasonal variations/ Non-standard timings: | Current: | | | Proposed: | | |
| | The terminal hour on New Year's Eve is extended until 10:00 hours on New Year's Day. | | | No change | | |
| | Sundays before Bank Holidays: 12:00 – 00:00 | | | No change | | |

| Hours premises are open to the public | | | | | | |
|---|--|-------------|-----------------------|------------------|----------------------|------------------|
| | Current Hours | | Proposed Hours | | Premises Area | |
| | Start: | End: | Start: | End: | Current: | Proposed: |
| Monday | 07:00 | 23:30 | No change | | Ground & first floor | No change |
| Tuesday | 07:00 | 23:30 | No change | | Ground & first floor | No change |
| Wednesday | 07:00 | 23:30 | No change | | Ground & first floor | No change |
| Thursday | 07:00 | 23:30 | No change | | Ground & first floor | No change |
| Friday | 07:00 | 00:00 | No change | | Ground & first floor | No change |
| Saturday | 07:00 | 00:00 | No change | | Ground & first floor | No change |
| Sunday | 07:00 | 22:50 | No change | | Ground & first floor | No change |
| Seasonal variations/ Non-standard timings: | Current: | | | Proposed: | | |
| | The terminal hour for opening hours on New Year's Eve is extended until 10:00 hours on New Year's Day. | | | No change | | |
| | Sundays before Bank Holidays: 07:00 – 00:00 | | | No change | | |

| | | |
|--|---|---------------------------|
| 1-C Conditions being varied, added or removed | | |
| Conditions to be removed: | | |
| 17. On the first floor the supply of alcohol shall be by waiter or waitress service only. | | |
| 18. On the first floor 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. Notwithstanding the condition above, alcohol may be supplied and consumed prior to their meal in the designated bar area marked as servery on the plan, by up to a maximum at any one time, of 10 persons dining at the premises. | | |
| Conditions to be added: | | |
| On the first floor, the sale of alcohol shall be by waiter/waitress service and shall only be to persons seated taking a table meal there for consumption by such person as ancillary to their meal with the exception of the following: | | |
| <ul style="list-style-type: none"> a) Persons waiting to dine or who have dined, (up to a maximum of 10), may be supplied with alcohol in the designated bar area marked as servery upon the plan; and b) Persons attending a pre-booked private or corporate function where alcohol shall be served ancillary to substantial refreshment. | | |
| The DPS or other management staff at the premises shall participate in local Pubwatch meetings, if operating. | | |
| Adult entertainment: | Current position: | Proposed position: |
| | Adult entertainment is restricted by conditions 14 and 15 on the current licence. | No change |

2. Representations

| | |
|---|----------------------|
| 2-A Responsible Authorities | |
| Responsible Authority: | Environmental Health |
| Representative: | Mr Maxwell Koduah |
| Received: | 11 October 2016 |
| I wish to make the following representation: | |
| 1. Replacing conditions 17, 18 & 19 of current premises license and replacing them as above will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact area. | |
| The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact area. | |

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

| | |
|-------------------------------|---------------------|
| Responsible Authority: | Licensing Authority |
|-------------------------------|---------------------|

| | |
|------------------------|---------------|
| Representative: | Mr Steve Rowe |
|------------------------|---------------|

| | |
|------------------|-----------------|
| Received: | 17 October 2016 |
|------------------|-----------------|

I write in relation to the application submitted for a variation of the Premises Licence for the above premises.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, RNT2 and PB2. The application seeks to remove conditions 17, 18 and 19 of Premises Licence 14/09721/LIPVM and replace them with:

'On the first floor, the sale of alcohol shall be by waiter/waitress service and shall only be to persons seated taking meal there for consumption by such person as ancillary to their meal with the exception of the following:

Up to 10 persons waiting to dine or who have dined may be supplied with alcohol in the designated bar area marked as servery on the plan.

Persons attending a pre-booked private or corporate function where alcohol shall be served ancillary to substantial refreshment. The alcohol service shall be by way of waiter/waitress or bar service'.

The premises is located inside the Cumulative Impact Area.

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.

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.

Paragraph 2.5.3 of the Council's Policy relating to restaurants states in part that '.....The

Council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as “vertical drinking” premises where customers consume alcohol standing throughout the evening.’

Policy PB2 which relates to pubs and bars states ‘It is the Licensing Authority’s policy to refuse applications in the CIA other than applications to vary the hours within the core hours under policy HRS1’.

Please therefore accept this as a formal representation, further details will be provided in due course including a discussion relating to conditions.

| 2-B Other Persons | | | |
|--|-----------------|-------------------------------|---------|
| Name: | | Mrs Tanja Howarth | |
| Address and/or Residents Association: | | 19 New Row London | |
| Status: | Valid | In support or opposed: | Opposed |
| Received: | 16 October 2016 | | |
| <p>I have not been able to find out what kind of variation of their licence has been applied for. Please e-mail details. If it is a request for extended opening hours, I want to object strongly. New Row's residents are already subjected to massive noise caused by people standing outside the White Swan and the Roundhouse drinking alcohol, shouting and often singing. This goes on well into midnight and 1 p.m. Now that the street has been pedestrianised, this will have a further impact with crowds walking from Leicester Square and Garrick Street. Has the Covent Garden Community Association been informed of this variation of license?</p> <p>Further details of the application were provided to Mrs Howarth on 19 October 2016. At the time of writing, no further comment has been received.</p> | | | |

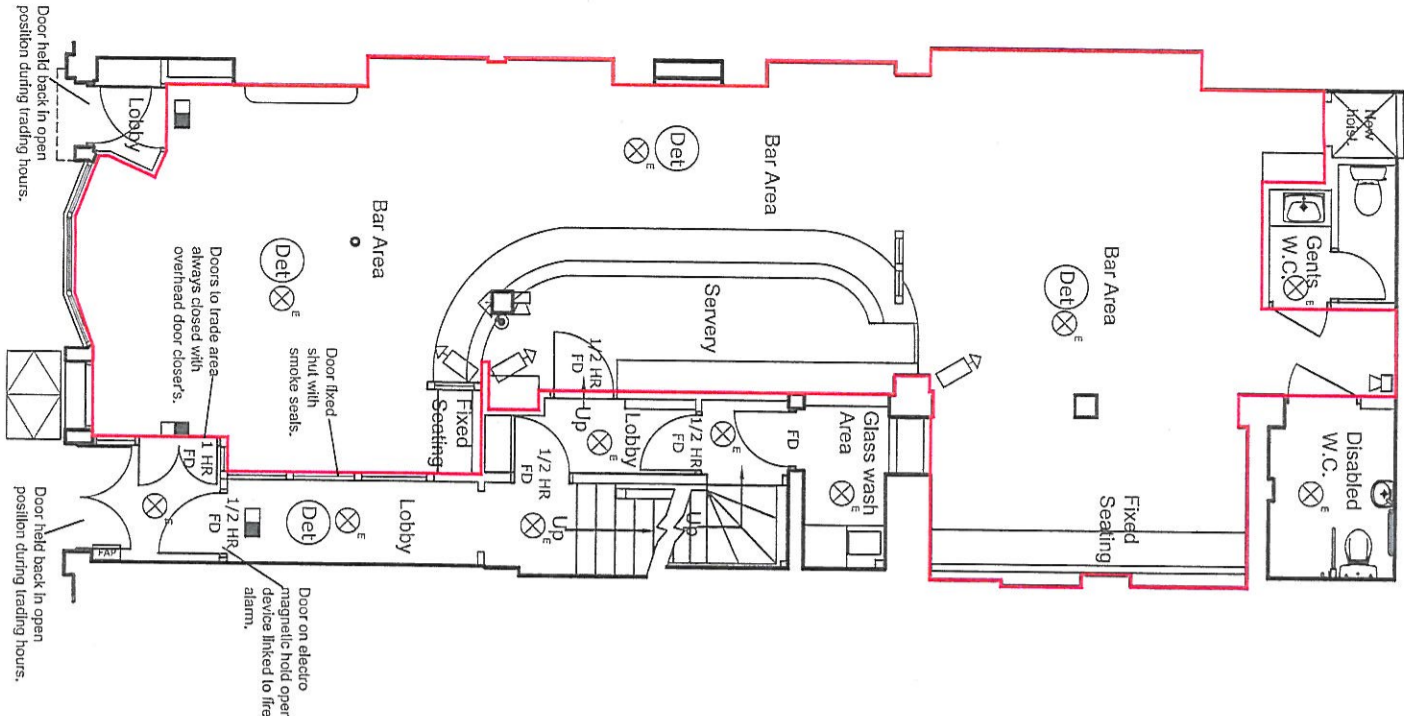
3. Policy & Guidance

| The following policies within the City Of Westminster Statement of Licensing Policy apply: | |
|--|--|
| 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> |
| Policy PB2 applies | It is the Licensing Authority’s policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1. |

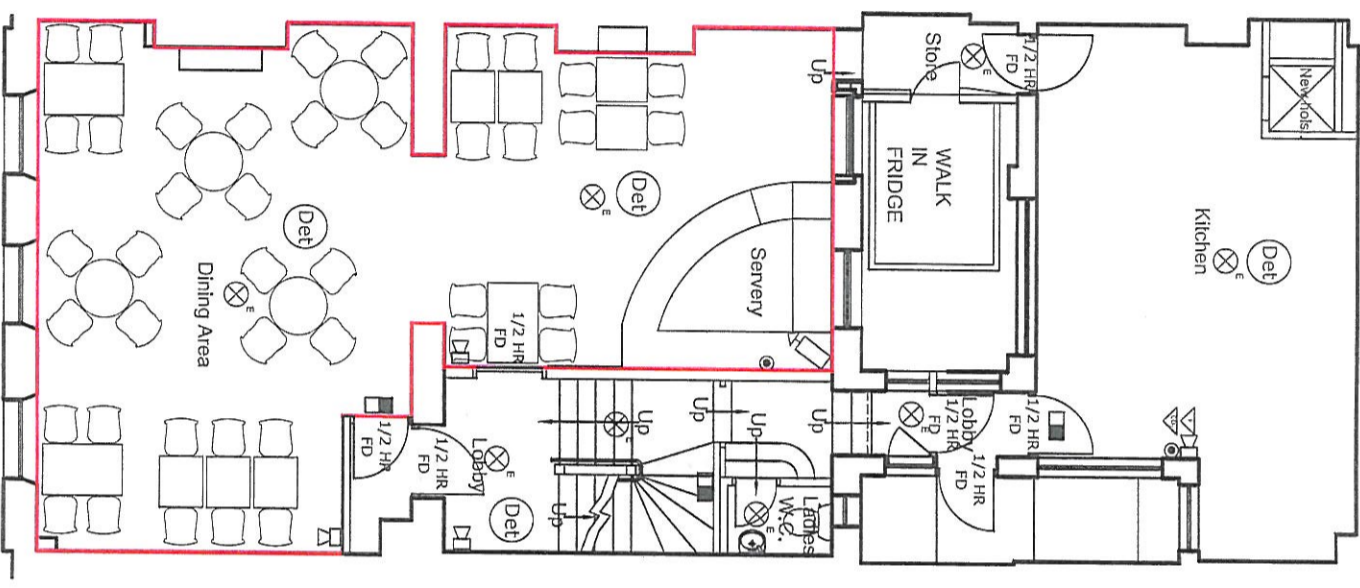
4. Appendices

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

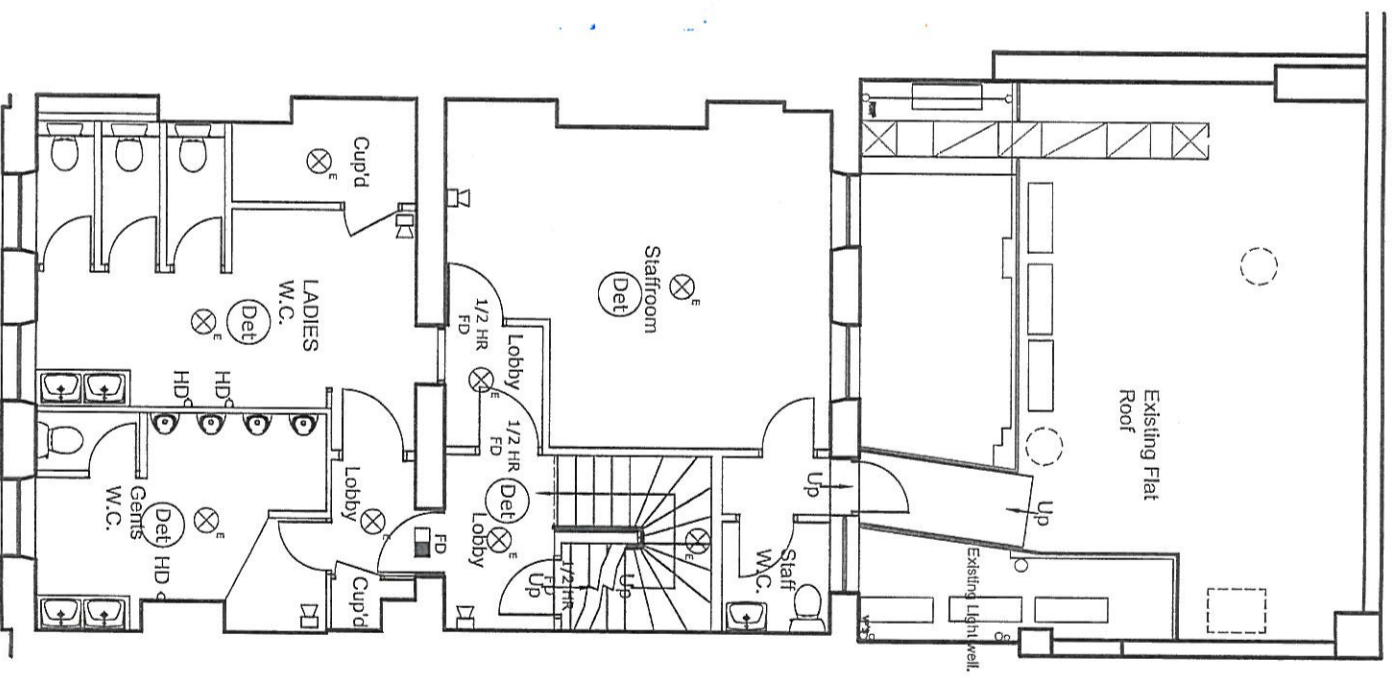
| | |
|-----------------------|---|
| Report author: | Mr Nick Nelson Senior Licensing Officer |
| Contact: | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Second Floor Plan

- LEGEND**
- Licenseable Activities
- FAP Fire Alarm Panel
 - Det Automatic fire detector
 - Manual Call Point
 - Sounder
 - Sounder Beacon
 - Emergency light-fitting (Flourescent Downlight or luminaire)
 - Emergency Exit Light c/w legend (directional)
 - Water fire extinguisher
 - Dry powder fire extinguisher
 - Carbon Dioxide fire extinguisher
 - F Foam fire extinguisher
 - CCTV camera
 - Emergency Stop

Rev E 12.07.12. Screen removed.
 Rev D 01.5.12 Note amended.
 Rev C 30.3.12 Lobby added to first floor plan.
 Rev B 16.8.11 Gents toilets added to ground floor and ladies to first floor.
 Rev A 7.6.11 Furniture added to 1st floor.

ARC DESIGN ASSOCIATES

51 - 55 Fowler Road
 Hainault
 Essex IG6 3XE
 Tel: 020 3559 8656
 Fax: 020 3559 8777

Note :-
 This drawing must not be scaled. All dimensions and levels must be checked on site and any discrepancies are to be reported to ARC DESIGN ASSOCIATES prior to manufacture.

Mitchells & Butlers

27 Fleet Street
 Birmingham B3 1LP
 Tel: 0203 609 3000
 www.mitchells.com

CLIENT: Mitchells & Butlers
 PROJECT: O'Neills
 14 New Road
 London WC2N 4LF

TITLE: Proposed Ground, First & Second Floor Licensing Plans
 ISSUE

Scale: 1:100
 Date: May 11
 Drawn: MA

Drawing No. 1605/L02
 Rev. E

DRAINAGE (above ground)

Soil waste pipe work & fittings to BS 4514:1983
Sanitary pipe work to BS 5254:1976 & BS5572:1978

WASTE PIPE WORK SCHEDULE:

50mm ϕ Urinal: Falls 18-90mm/m run
50mm ϕ W.H.B: Falls 18-45mm/m run
100mm ϕ Soil: Falls 9-90mm/m run

BRANCH CONNECTIONS:

32mm ϕ W.H.B: Max 1700mm run
40mm ϕ W.H.B: Max 3000mm run
40mm ϕ Sink: Max 3000mm run (Falls 18-90mm/m run)
50mm ϕ Sink: Max 4000mm run (Falls 18-90mm/m run)
100mm ϕ Soil: Max 6000mm run (Falls 9mm/m run)

All wastes fitted with min 75mm deep seal traps to BS 3249:1979
Wastes/Appurtenances exceeding max runs to be fitted anti-siphon type bottle traps to Building Inspectors approval.

SOIL STACKS:

Main 100mm ϕ ventilating pipe work terminating min 900mm above any opening into building.

STUB STACKS:

DURGO type or sim. approved air venting device installed at Ht. above flood level of highest sanitary fitting. All stacks to be ventilated (spec as described) and to be adequately cleaned etc.
Fitted at base of stacks/changes in direction

DRAINAGE (Below ground).

All drainage works to comply with C.P. BS 8301:1985.

Drains to be laid in 110mm ϕ OSMA/RAIN by Wavin Building Products Ltd or sim. approved PVC-U underground drainage system with flexible joints to BS 4660:1989. Drains laid in min 1 IN 40 Falls on min 100mm granular bedding & surround to BS 882:1982 Table 4 or BS 8301:1985 Appendix 'D'. Backfilling of min 100mm selected granular material free from stones larger than 40mm ϕ

DRAINS PASSING THRO' WALLS/FDMS:

Lay rocker pipes comprising pipe cast into wall max. 150mm projections each side, connect max 600mm long rocker pipes both sides with flexible joints.

MANHOLE CONSTRUCTION (F.W.):

150mm plain in-situ conc. base slab -150mm thick. All manholes to be constructed in accordance to BS5911:1989 bedded & sealed with mortar on min 100mm lean mix conc. surround.

INSPECTION CHAMBERS (S.W.):

450mm ϕ OSMA type PVC-U universal I.C to BS 7158:1989 with multi-base invert unit on min 100mm granular bedding 150mm granular backfill/surround.

MANHOLE COVER & FRAMES:

Cast iron by Glymed Foundry Products Ltd or sim. approved to BS EN 124:1994 to the following spec.

EXT MANHOLES: 'Chiltern' L.D. Recessed single seal size 690X340 Ref:3582
INT MANHOLES: 'Chavot' L.D Recessed double seal upright size 780X620 Ref:3671

Depth of recessed covers to suit floor finishes.

INSPECTION CHAMBERS: Grade 'C' s.s. screw down type ductile iron to BS EN 124: 1994 with frame set into min 150mm deep conc surround

GULLIES: OSMA type or sim. approved PVC-U bottle type gully to BS 4660:1989 set on conc. base and haunching.

INTERNAL ALTERATIONS.

ALTERATIONS TO BE READ IN CONJUNCTION WITH CONSULTING STRUCTURE'S AND DETAILS.

EXTG OPENINGS:

Window/door frames removed and openings infilled with lightweight blockwork (unless other wise indicated), thickness to suit wall, make good in plaster/render to spec finishes to match existing.

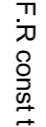
NEW OPENINGS:

Walls to be carefully taken down and cut back to suit opening joints, make good reveals & floor finishes.
Insert new beams, form and bearings as necessary to struct.
Edges details.
Use concrete to provide adequate temporary support structures pending etc. to edge structure are necessary during site operations (refer to H&S risk assessment site specific).

INTERNAL WALLS/PARTITIONS.

NON-LOADBEARING PARTITIONS:
100X50 timber studs @ 400mm c/s lined both sides, with 1 NO. layer 12.5mm gyfroc wallboard with 5mm plaster finish

WASH-UP AREAS/TOILETS:

Partitioning lined with 12.5mm gyfroc moisture resistant wallboard, joints taped and sealed with 5mm plaster finish.
Indicates 1/2 Hour F.R const thus: 

1/2 HOUR F.R CONSTRUCTION:

Partitioning as described, but lined both sides with 1 NO. layer 15mm gyfroc, 'Fleehine' board joints taped & sealed with 5mm plaster finish.

PUBLIC AREAS & TOILETS:

As described but lined both sides with composite 1 NO. layer 12.5mm gyfroc wallboard on 1 NO. layer 9mm W.P.S plywood sheathing.

FIRE DOORS & SIGNAGE.

All fire resisting door & frame assemblies to comply with performance criteria & requirements BS 478: part 22 & 28 and fitted with approved self closing devices, cold seals and fluorescent strips with min 4mm gap between door & frame.

[FB] Door held in the open position during business hours

[FD30s] 30min fire resisting door & frame

[FD60s] 60min fire resisting door & frame

[SC] Approved self closing device: overhead closers in public areas.

[VP] Vision panel: comprising 6.5mm 'Pyran' or sim. approved F.R. clear glazing in 25x25mm H.W timber heading and bedded in fluorescent compound.

[S14] 'Fire door keep locked' sign.

'Fire door keep clear' Sign min 100mm high lettering

[S20] 'Fire exit' or 'emergency' exit notices, min 75mm lettering, with directional arrow where necessary, pointing in direction of escape.

[S22] Emergency release device/flush bar fastening with Push Bar to Open sign min 75mm high lettering

[PB] All Emergency Signage to BS 54499 Part 1 1990

FIRE PROTECTION.

SAVP AND SERVICE DUCTS:

Where passing thro' compartment/fire enclosures to be fire stopped with Sealmaster type TC1 pipe closer of similar approved fluorescent type fire collar to achieve min. 1 Hr. F.R.

PARTITION ADJUTMENT WITH SOFFITS:

Fire stopping to min. 15mm gap comprising Corofil Fire wall Ref C144 or similar approved high density mineral fibre fire stopping spec. 15x100 wide strip (or to suit width of partition).

STRUCTURAL STEEL WORK:

All new beams/columns to be fire protected to achieve min 1 Hr. F.R.
Encasement: 2No. layer 12.5mm gyfroc Fleehine boards, staggered with joints taped and sealed, with 5mm Plaster finish.
Fire linings fixed to min. 50x50mm (finished size) S.W treated timber battens

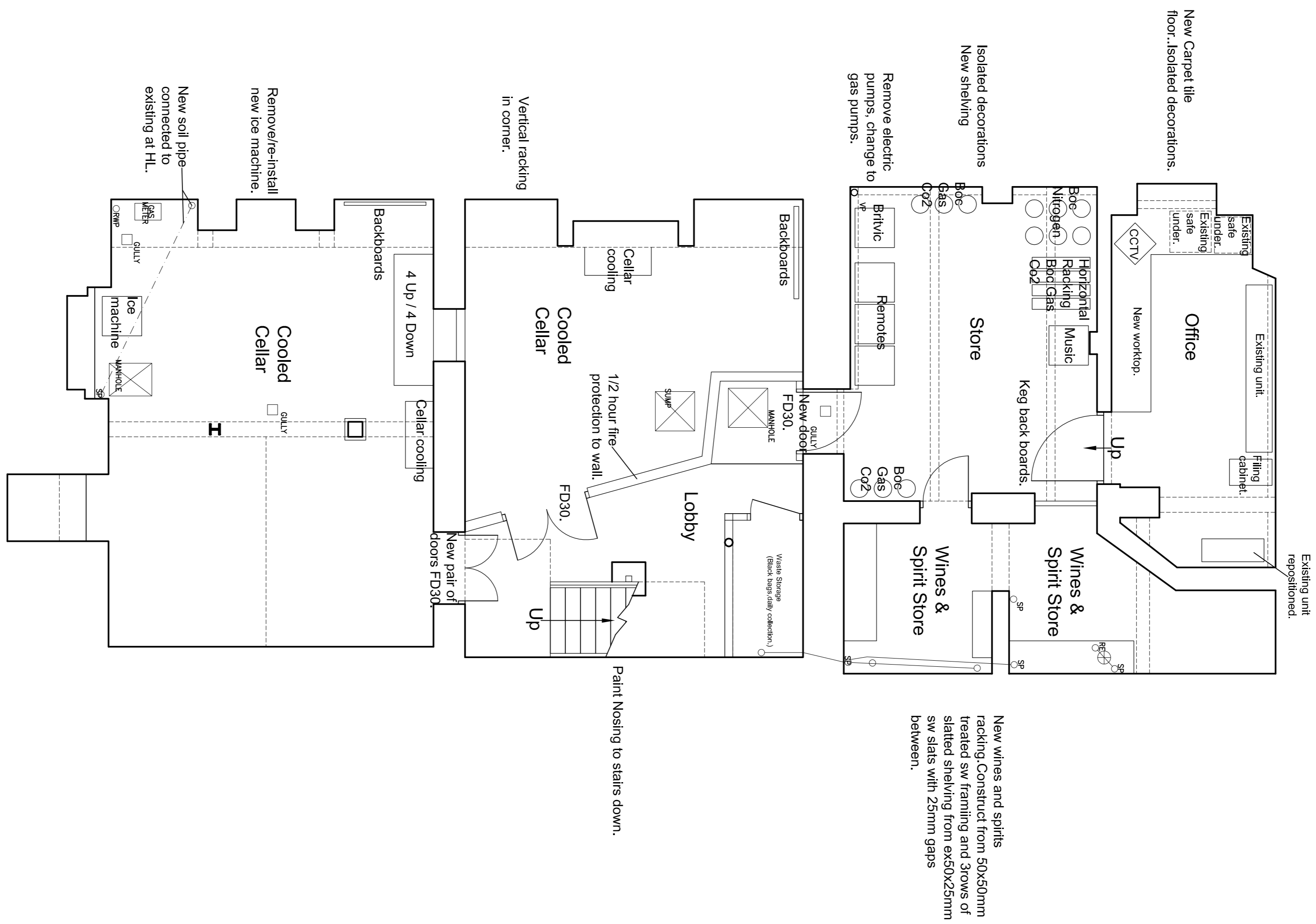
Fire protection to steel work to be calculated by HPA values in accordance with design tables of the ASFRCA Yellow Book Fire Protection for Structural Steel in Buildings (1992 edition)

GLAZINGS.

All new glazing panels to lobby screens, sidelights, doors to be fitted with toughened safety glass to BS 02507:1981

Following conditions :-

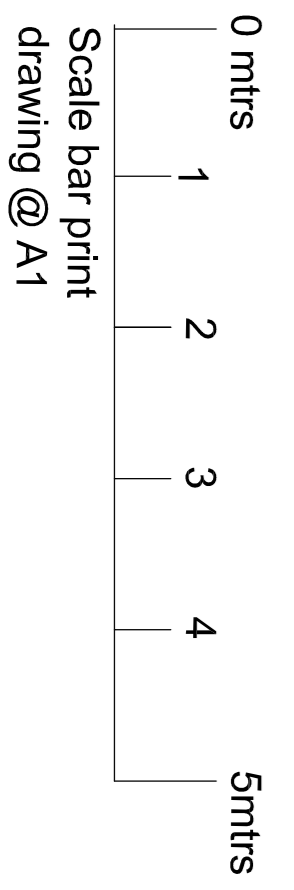
- a) All doors and glazing below 1500mm above FFL
- b) All windows and glazing below 800mm above FFL



New wines and spirits racking Construct from 50x50mm treated sw framing and 3rows of slatted shelving from ex50x25mm sw slats with 25mm gaps between.

Paint Nosing to stairs down.

Proposed Basement Plan



Note :-
This drawing must not be scaled. All dimensions and levels must be checked on site and any discrepancies are to be reported to ARC DESIGN ASSOCIATES prior to manufacture.

ARC DESIGN ASSOCIATES
51 - 55 Fowler Road
Essex CB8 3AE
Hemel Hempstead
Tel: 020 5559 8586
Fax: 020 5559 8777

| Rev | Date |
|-----|------|
|-----|------|

- Rev F 20/04/12 Cellar cooling added.
- Rev E 04/04/12 Office details added.
- Rev D 28/03/12 Minor amendments.
- Rev C 27/09/11 Drainage from second floor revised.
- Rev B 05/09/11 Waste Storage noted.
- Rev A 29/07/11 Proposed drainage positions and runs added.

Mitchells & Butlers
27 Fleet Street
Bromington
B3 1JP
Tel: 0870 609 3000
www.mbc.com

| | | |
|----------------|---|--------|
| CLIENT | Mitchells & Butlers | |
| PROJECT | O'Neills, 14 New Row, London WC2N 4LF | |
| TITLE | Proposed Basement Plan | |
| ISSUE | | |
| Scale: 1:50@A1 | Drawing No. 1605/03 | Rev. F |
| Date: Dec 10 | | |
| Drawn: MA | | |

Licence & Appeal History

| Application | Details of Application | Date Determined | Decision |
|--|--|------------------------|---|
| 05/04272/LIPCV Conversion application | Application to convert the premises licence under the Licensing Act 2003 | 14.07.2005 | Granted by Licensing Sub-Committee |
| 06/01443/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 03.03.2006 | Granted under delegated authority |
| 06/09256/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 27.09.2006 | Granted under delegated authority |
| 07/00416/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 01.02.2007 | Granted under delegated authority |
| 07/02787/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 08.05.2007 | Granted under delegated authority |
| 07/03325/LIPV Variation application | Application to vary the premises layout | 13.05.2007 | Granted under delegated authority |
| 09/03686/LIPV Variation application | Application to vary the premises layout | 17.06.2009 | Granted under delegated authority Licence surrendered 08.05.2012 |
| 11/06445/LIPN New application | Application for a new premises licence | 18.08.2011 | Granted by Licensing Sub-Committee |
| 12/02728/LIPVM Minor variation | Application to vary the layout of the premises | 26.04.2012 | Granted under delegated authority |
| 12/03569/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 20.06.2012 | Granted under delegated authority |
| 12/06279/LIPVM Minor variation | Application to vary the layout of the premises | 07.08.2012 | Granted under delegated authority |

| | | | |
|-----------------------------------|--|------------|-----------------------------------|
| 13/00030/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 27.02.2013 | Granted under delegated authority |
| 13/09840/LIPDPS Vary DPS | Application to vary the designated premises supervisor | 19.12.2013 | Granted under delegated authority |
| 14/09721/LIPVM Minor variation | Application to vary the opening commencement to 07:00 Monday to Sunday (no change to existing licensable activity hours) | 26.11.2014 | Granted under delegated authority |

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. Toughened glass shall be used at the premises.
11. Customers shall be encouraged to leave the premises quietly.
12. Any music played at the premises shall be at such a level so as to be conducive to conversation.
13. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
14. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
15. There shall be no striptease or nudity, and all persons shall be decently attired at all times.

16. Licensable activities shall be restricted to the ground and first floor only.
17. On the first floor the supply of alcohol shall be by waiter or waitress service only.

Proposed to be removed by the applicant

18. On the first floor 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.

Proposed to be removed by the applicant

19. Notwithstanding the condition above, alcohol may be supplied and consumed prior to their meal in the designated bar area marked as servery on the plan, by up to a maximum at any one time, of 10 persons dining at the premises.

Proposed to be removed by the applicant

20. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
21. Subject to condition 22, all sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
22. Drinks may be consumed outside the premises but only until 23:00 hours.
23. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00 hours.
24. No deliveries to the premises shall be arranged between 23:00 hours and 08:00 hours.
25. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours.
26. The pavement immediately outside the premises shall be swept and or washed.
27. All external doors and windows shall be kept closed after 21:00 hours, except for immediate access and egress of persons.
28. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
29. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
30. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as

amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

31. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:

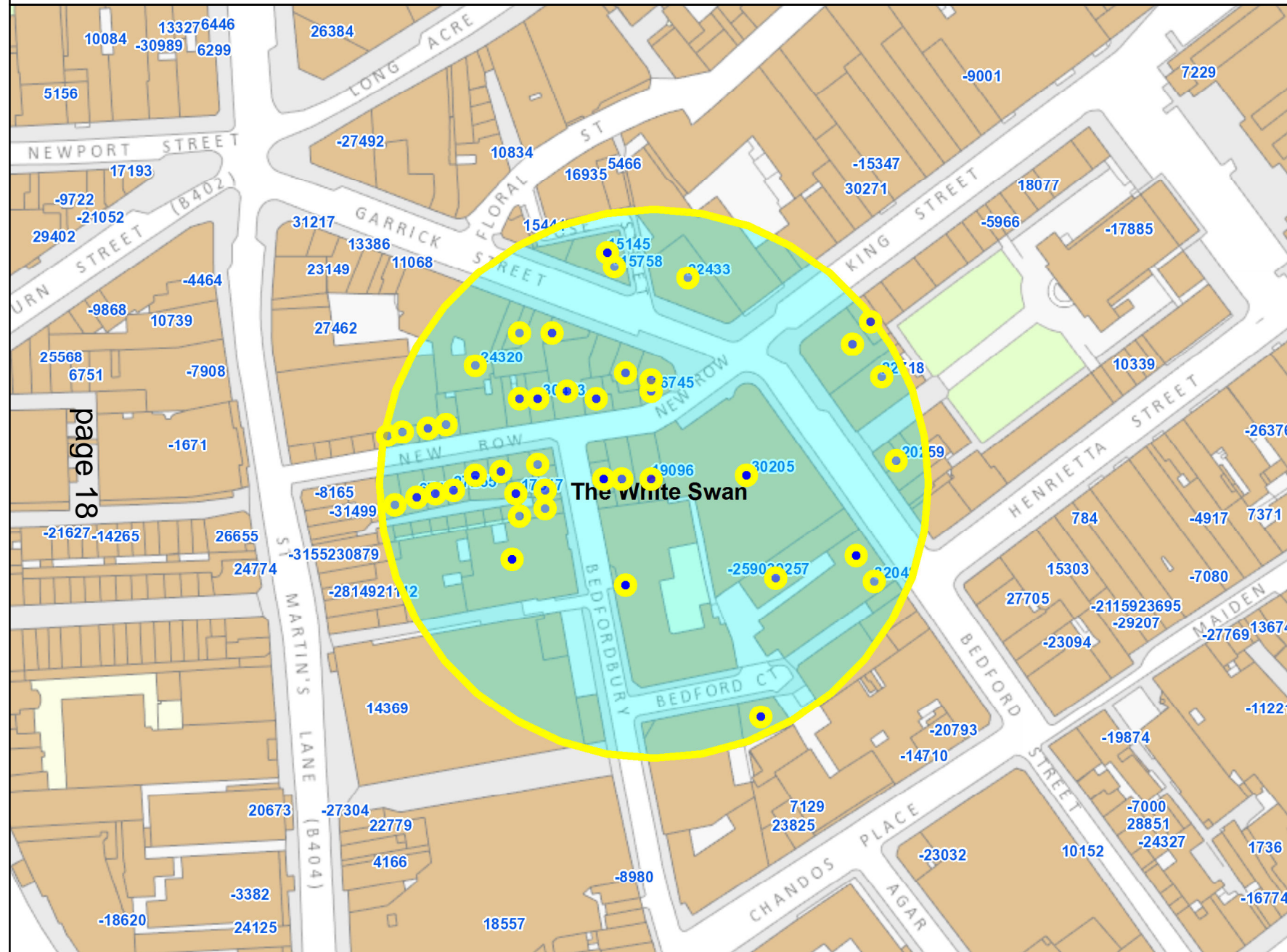
First Floor - 50.
33. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
34. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
35. There shall be no access by patrons to the roof terrace of the premises at any time and no access by staff or residents of the premises between 22:00 hours and 08:00 hours, save for emergency.
36. The terminal hour for licensable activities and opening hours on New Year's Eve are extended until 10:00 hours on New Year's Day.

Conditions proposed by the applicant:

37. On the first floor, the sale of alcohol shall be by waiter/waitress service and shall only be to persons seated taking a table meal there for consumption by such person as ancillary to their meal with the exception of the following:
 - a) Persons waiting to dine or who have dined, (up to a maximum of 10), may be supplied with alcohol in the designated bar area marked as servery upon the plan; and
 - b) Persons attending a pre-booked private or corporate function where alcohol shall be served ancillary to substantial refreshment.
38. The DPS or other management staff at the premises shall participate in local Pubwatch meetings, if operating.




The White Swan, 14 New Row



page 18

| | |
|------------------------------------|------|
| Residential / Proposed Residential | 181 |
| Under Construction | None |
| Other Uses | None |
| Proportion Residential of all Uses | None |

10
 Meters

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Data Source: Uniform Database
 Date: 02/11/2016

| Premises within 75 metres of: The White Swan, 14 New Row | | | |
|---|------------------------------|---|---|
| p / n | Name of Premises | Premises Address | Licensed Hours |
| -30453 | Benito's Hat | Ground 19 New Row London WC2N 4LA | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| -24320 | Garrick Club | 15 Garrick Street London WC2E 9AY | Monday to Sunday 07:00 - 01:30 |
| -20259 | Pasta Brown | 31 Bedford Street London WC2E 9EH | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| -6717 | Cafe Nuvo | 4 New Row London WC2N 4LH | Monday to Sunday 08:00 - 23:00 |
| 19096 | The White Swan | 14 New Row London WC2N 4LF | 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 |
| 22433 | Carluccio's | 2A Garrick Street London WC2E 9BH | Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 10:00 - 22:30 |
| 27255 | Grand Indian 1 Restaurant | 6 New Row London WC2N 4LH | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| -30205 | Tesco | 22-25 Bedford Street London WC2E 9EQ | Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 |
| -25903 | Concert Artistes Association | 20 Bedford Street London WC2E 9HP | Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30 |
| -17517 | Giovanni's Restaurant | 10 Goodwin's Court London WC2N 4LL | Monday to Saturday 10:00 - 15:00 Sunday 12:00 - 15:00 Sunday 18:00 - 00:00 Monday to Saturday 18:00 - 00:30 |
| -15758 | Com Viet | 2 Garrick Street London WC2E 9BH | Monday to Sunday 10:00 - 00:30 |
| 9257 | Adventure Bar | Ground Floor And Basement 20 Bedford Street London WC2E 9HP | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30 |
| 15145 | Steak & Co | 4 - 6 Garrick Street London WC2E 9BH | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| 16745 | Round House | 1 Garrick Street London WC2E 9AR | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 23:00 |
| 22718 | Paul Patisserie | Ground Floor Inigo House 29 Bedford Street London WC2E 9ED | Monday to Saturday 07:30 - 23:30 Sunday 09:00 - 23:00 |
| 32048 | Restaurant | 17 Bedford Street London WC2E 9HP | Monday to Saturday 09:00 - 00:00 Sunday 09:30 - 23:00 |

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

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

| | | |
|----------|---|------------------------------|
| 1 | Licensing Act 2003 | N/A |
| 2 | City of Westminster Statement of Licensing Policy | 7 th January 2016 |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | March 2015 |
| 4 | Application form | 19 September 2016 |
| 5 | Current licence | 5 February 2015 |

| | |
|--------------------|---|
| Item No: | |
| Date: | 17 November 2016 |
| Licensing Ref No: | 16/10195/LIPN - New Premises Licence |
| Title of Report: | Hummus Bros 88 Wardour Street London W1F 0TH |
| 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 Nick Nelson Senior Licensing Officer |
| Contact details | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|--|--------------------------------|----------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 21 September 2016 | | |
| Applicant: | Hummus Bros (Exmouth Market) Limited | | |
| Premises: | Hummus Bros | | |
| Premises address: | 88 Wardour Street London W1F 0TH | Ward: | West End |
| | | Cumulative Impact Area: | West End |
| Premises description: | The premises will operate as a restaurant over the ground floor. | | |
| Premises licence history: | The premises has not previously been licensed. | | |
| Applicant submissions: | The applicant has proposed 19 conditions in the operating schedule (see Appendix 4). | | |

| 1-B Proposed licensable activities and hours | | | | | | | |
|---|------------|-------------|------------|---------------------------------|------------|------------|------------|
| Sale by retail of alcohol | | | | On or off sales or both: | | | On sales |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 12:00 | 12:00 | 12:00 | 12:00 | 12:00 | 12:00 | 12:00 |
| End: | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 |
| Seasonal variations/ Non-standard timings: | | None | | | | | |

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

2. Representations

| | |
|--|-------------------------------------|
| 2-B Other Persons | |
| Name: | The Soho Society |
| Address and/or Residents Association: | 55 Dean Street London W1D 6AF |
| Received: | 20 October 2016 |

I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area.

New licensed premises in the West End Cumulative Impact Area:

The proposal is for a new licensed premises in the West End Cumulative Impact Area. The new Sale by Retail of Alcohol Off Premises licensable activity is of particular concern, with reference to Westminster City Council stress area and cumulative impact policy. Such new licenses should be prohibited. These venues destroy residential amenity over a wide area through noise nuisance as patrons disperse. It is concerning that such a license could be given to an A1 takeaway establishment and this is not in accordance with the licensing objectives.

Licensing policy and cumulative impact:

The Licensing Authority recognises in its Statement of Licensing Policy 2016 that Westminster has a substantial residential population and that the Council has a duty to protect it from nuisance (Policy 2.2.10).

This area has been identified by the City Council (Policy 2.4.1)) as a cumulative impact area because the cumulative effect of the concentration of late night and drink led premises and/or night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Policy states that the extent of crime and disorder and public nuisance...arises from the number of people there late at night; a particular number of them being intoxicated, especially in the West End Cumulative Impact Area (Policy 2.4.1).

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (Policy 2.4.5). The policies are intended to be strict and will only be overridden in 'genuinely exceptional circumstances' (Policy 2.4.2). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from the problems identified in the 'Characteristics of Cumulative Impact Areas' (Policy Appendix 14). These include, but are not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the

change in character of historic areas.

Conclusion:

Para 9.37 of the s182 Guidance requires the licensing authority to determine the application with a view to promoting the licensing objectives in the overall interests of the local community.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Licensing Sub-Committee to reject this application.

3. Policy & Guidance

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

| | |
|----------------------------|---|
| Policy CIP1 applies | (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. (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. |
| Policy HRS1 applies | (i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified. |
| Policy PB2 applies | It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1. □ |

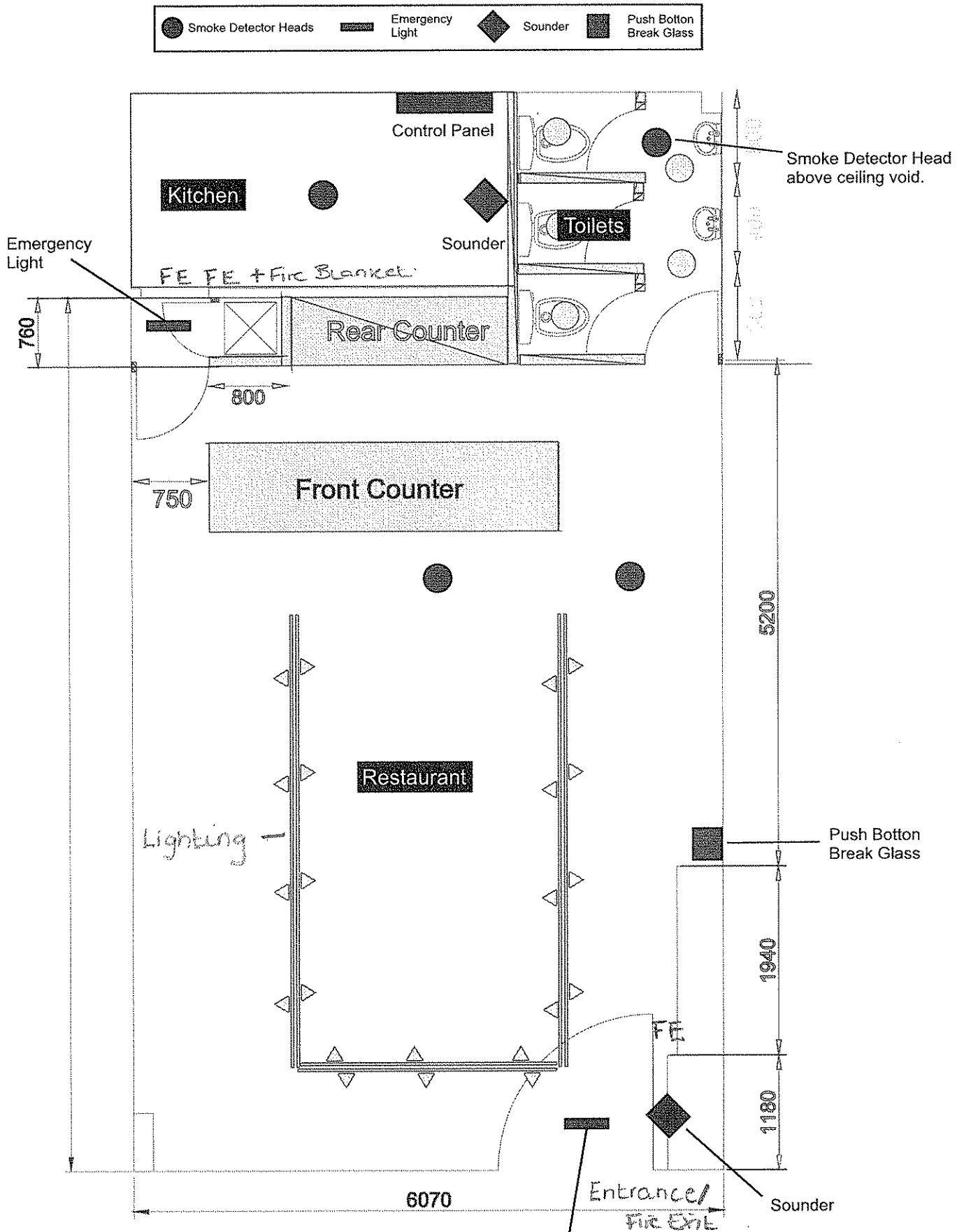
4. Appendices

| | |
|-------------------|--|
| 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 Nick Nelson Senior Licensing Officer |
| Contact: | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |

Hummus - Soho - Fire Alarm System

Existing Smoke Detector Head Positions



ENTIRE STORE TO BE LICENSED
FOR THE SALE OF ALCOHOL

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

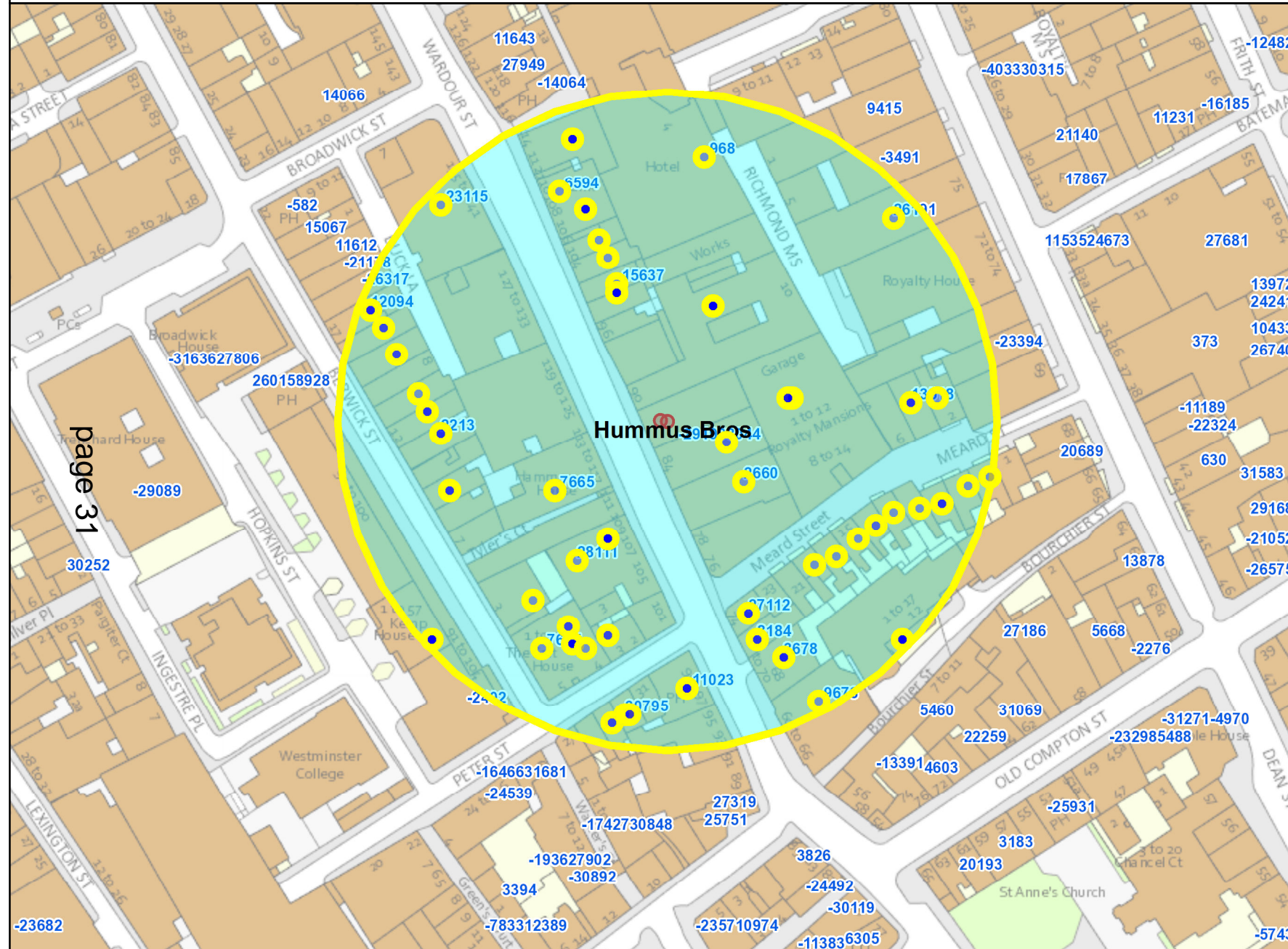
9. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

10. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a hummus restaurant
11. 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.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
13. 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
 - (g) any visit by a relevant authority or emergency service.
14. 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.
15. No super-strength beer, lager or cider of 5.5% ABV or above shall be sold at the premises except for premium beers and ciders supplied in glass bottles.
16. No spirits shall be sold at the premises save for spirit mixtures of less than 6.5% ABV.
17. No draught beer, lager or cider shall be sold at the premises.
18. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 45 persons.
19. 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.
20. 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.
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. 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.
25. The premises shall only operate as a restaurant:
 - (a) which do not provide any take away service of food or drink after 23.00, and
 - (b) 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.
26. There shall be no sales of hot food or hot drink for consumption off the premises after 2300.
27. 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.



Hummus Bros, 88 Wardour Street



page 31

| | |
|------------------------------------|------|
| Residential / Proposed Residential | 249 |
| Under Construction | None |
| Other Uses | None |
| Proportion Residential of all Uses | None |

10
 Meters

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Data Source: Uniform Database
 Date: 02/11/2016

Premises within 75 metres of: Hummus Bros, 88 Wardour Street

| p / n | Name of Premises | Premises Address | Licensed Hours |
|--------------|----------------------------------|--|---|
| 2213 | Polpetto | 11 Berwick Street London W1F 0PL | Friday to Saturday 09:00 - 00:00 Sunday 09:00 - 22:30 Monday to Thursday 09:00 - 23:30 |
| 2660 | Wahaca | Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN | Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:00 |
| 28111 | Banana Tree Restaurants Ltd | 103 - 109 Wardour Street London W1F 0UN | Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00 |
| -7665 | Amathus | Hammer House 113-117 Wardour Street London W1F 0UN | Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 |
| -968 | Soho Hotel | Soho Hotel 4 Richmond Mews London W1D 3BD | Monday to Sunday 00:00 - 00:00 |
| 8044 | Vapiano | 84 - 86 Wardour Street London W1F 0TG | Monday to Thursday 07:00 - 00:30 Sundays before Bank Holidays 07:00 - 00:30 Friday to Saturday 07:00 - 01:30 Sunday 07:00 - 23:30 |
| 8184 | Pickle And Toast | 72 Wardour Street London W1F 0TD | Friday 07:00 - 00:00 Monday to Wednesday 07:00 - 23:00 Thursday 07:00 - 23:30 Saturday 08:00 - 00:00 Sunday 08:00 - 22:30 |
| 27112 | Bunnychow | 74 Wardour Street London W1F 0TE | Sunday 07:30 - 23:00 Monday to Saturday 07:30 - 23:30 |
| 30795 | Bone Daddies | 30 - 31 Peter Street London W1F 0AP | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| -29199 | Lo-Profile | Basement 84 - 86 Wardour Street London W1F 0TG | Monday 09:00 - 01:30 Tuesday to Wednesday 09:00 - 02:30 Thursday 09:00 - 03:30 Friday to Saturday 09:00 - 04:00 Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00 |
| -23115 | Princi | Basement And Ground Floor 135 - 139 Wardour Street London W1F 0UT | Monday to Sunday 00:00 - 00:00 |
| -15637 | Meza | Ground Floor 100 Wardour Street London W1F 0TN | Monday to Wednesday 09:00 - 02:30 Thursday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00 |
| -11023 | Byron | 99 Wardour Street London W1F 0UF | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30 |
| -9678 | Freedom | Basement And Ground Floor National House 60-66 Wardour Street London W1F 0TA | Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30 |
| -7615 | Foxcroft & Ginger | 3 Berwick Street London W1F 0DR | Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 09:00 - 00:00 Sunday 09:00 - 22:30 |
| -6594 | Busaba Eathai | 108-110 Wardour Street London W1F 0JL | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| 3678 | MasQMenos | Basement And Ground Floor 68-70 Wardour Street London W1F 0TB | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:00 |
| 12094 | Flat White Limited | 17 Berwick Street London W1F 0PT | Monday to Friday 08:00 - 22:00 Saturday to Sunday 09:00 - 22:00 Sundays before Bank Holidays 09:00 - 23:00 |
| 13518 | Honest Burgers | Basement And Ground Floor 4 Meard Street London W1F 0EF | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| 26191 | De Lane Lea Sports & Social Club | Ground Floor 75 Dean Street London W1D 3SQ | Monday to Saturday 11:00 - 23:00 |

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

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

| | | |
|----------|---|------------------------------|
| 1 | Licensing Act 2003 | N/A |
| 2 | City of Westminster Statement of Licensing Policy | 7 th January 2016 |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | March 2015 |
| 4 | Application form | 21 September 2016 |

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Agenda Item 3 Licensing Sub-Committee Report

| | |
|--------------------|---|
| Item No: | |
| Date: | 17 November 2016 |
| Licensing Ref No: | 16/09788/LIPN - New Premises Licence |
| Title of Report: | 34 – 36 Duke Street St James's London SW1Y 6DF |
| Report of: | Director of Public Protection and Licensing |
| Wards involved: | St James' |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | Mr Nick Nelson Senior Licensing Officer |
| Contact details | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|----------------------------|--|-------------------------|------------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 14 September 2016 | | |
| Applicant: | The Crown Estate Commissioners | | |
| Premises address: | 34 – 36 Duke Street St James's London SW1Y 6DF | Ward: | St James's |
| | | Cumulative Impact Area: | None |
| Premises description: | A restaurant/bar serving food and drink by waiter/waitress service to customers seated at tables. | | |
| Premises licence history: | | | |
| Applicant submissions: | <p>The site is currently being redeveloped by the applicant and prior to the redevelopment there were two licensed premises on the same site:</p> <ul style="list-style-type: none"> • Walkers of St James, 32A Duke street • Greens Restaurant and Oyster Bar, 36 Duke Street <p>These premises have now been vacated and are in the course of being demolished. The licence for Greens Restaurant and Oyster Bar (15/07837/LIPDPS) was surrendered by the licence holder at the time of his departure (25 April 2016). The applicant has taken a transfer of the licence for Walkers into the name of the Crown (16/09038/LIPT).</p> <p>In place of the two previous licences, the applicant now proposes a single licensed premises with the same terminal hour as the two previous licences on this site.</p> <p>If this application is granted, the applicant would surrender the licence for Walkers of St James (16/09038/LIPT).</p> <p>The applicant has proposed seven conditions in the operating schedule (see Appendix 4).</p> <p>Following consultation with the Police, the applicant has agreed to amend the hours for the supply of alcohol on Sundays to 10:30 – 22:30. On this basis, the Police withdrew their representation.</p> | | |

| 1-B Proposed licensable activities and hours | | | | | | | |
|--|-------|-------|--|---------------------------|-------|-------|---------|
| Late Night Refreshment: | | | | Indoors, outdoors or both | | | Indoors |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | N/A |
| End: | 00:00 | 00:00 | 00:00 | 00:00 | 00:00 | 00:00 | N/A |
| Seasonal variations/ Non-standard timings: | | | New Year's Eve from closing time until start time on New Year's Day. | | | | |

| Sale by retail of alcohol | | | | On or off sales or both: | | | On sales | |
|--|-------|-------|--|--------------------------|-------|-------|-------------|------------|
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun | |
| | | | | | | | Applied for | Amended to |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 10:30 |
| End: | 00:00 | 00:00 | 00:00 | 00:00 | 00:00 | 00:00 | 23:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | New Year's Eve from closing time until start time on New Year's Day. | | | | | |

| Hours premises are open to the public | | | | | | | |
|--|-------|-------|-------|-------|-------|-------|-------|
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 07:30 | 07:30 | 07:30 | 07:30 | 07:30 | 07:30 | 07:30 |
| End: | 00:30 | 00:30 | 00:30 | 00:30 | 00:30 | 00:30 | 23:30 |
| Seasonal variations/ Non-standard timings: | | | None | | | | |
| Adult Entertainment: | | | None | | | | |

2. Representations

| 2-A Responsible Authorities | |
|---|----------------------|
| Responsible Authority: | Environmental Health |
| Representative: | Mr Maxwell Koduah |
| Received: | 29 September 2016 |
| I wish to make the following representation: | |
| <p>1. Provision of late night refreshment and the hours requested will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area;</p> <p>2. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.</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 plans submitted show three female WCs which will permit a maximum capacity of 120 persons at the premises at any one time to be compliant with BS 6465 -1:2006 + A1:2009; Table 10. The male and female toilets can be reconfigured for greater occupancy at the premises.

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

3. Policy & Guidance

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

| | |
|-----------------------------|--|
| Policy HRS1 applies | (i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified. |
| Policy RNT1 applies: | Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1. |

4. Appendices

| | |
|--------------------|--|
| Appendix 1 | Premises plans |
| Appendix 2a | Premises licence for Greens Oyster Bar & Restaurant |
| Appendix 2b | Premises licence for Walkers of St James |
| Appendix 3 | Premises history |
| Appendix 4 | Proposed conditions |
| Appendix 5 | Residential map and list of premises in the vicinity |

| | |
|-----------------------|---|
| Report author: | Mr Nick Nelson Senior Licensing Officer |
| Contact: | Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk |

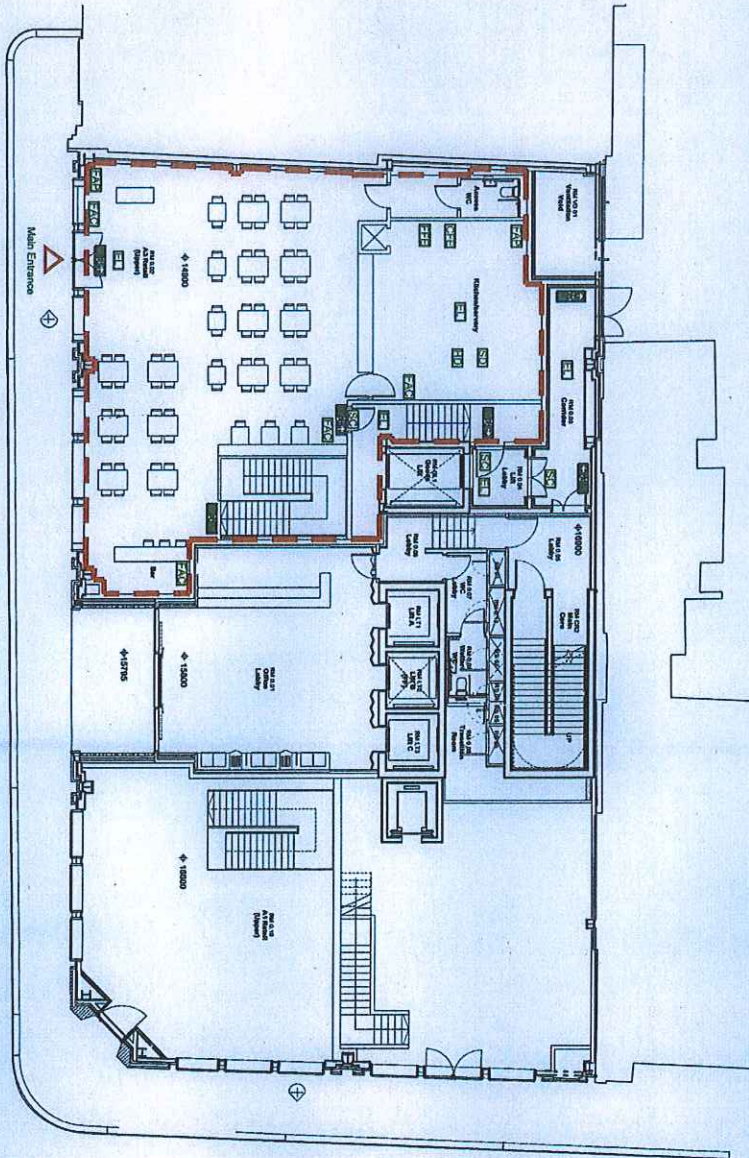
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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 | 14 September 2016 |

Appendix 1

This scale is 10cm in length when printed at the size indicated in the title block



Total no. of chairs / covers at ground floor = 70
Total no. of chairs / covers at Basement floor = 55

DUKE STREET ST. JAMES

JERMYN STREET

- NOTES**
- 1 The Contractor must check and confirm all dimensions
 - 2 All discrepancies must be reported and resolved by the Architect before works commence
 - 3 This drawing is not to be scaled
 - 4 All work and materials to be in accordance with current applicable Statutory Legislation and to comply with all relevant Codes of Practice and British Standards
- Legend:**
- Fire Exit Signage (Directional)
 - Fire Exit Signage
 - Fire Door Self closing
 - Fire alarm Sounder
 - Fire Access Panel
 - Smoke detector
 - Heat Detector
 - Carbon dioxide fire extinguisher
 - Foam fire extinguisher
 - Area covered by emergency lighting
 - Fire alarm call points
 - Proposed Licence area

Scale: 1:200 (A3)
Date: Sep 16
Status: Sketch

Job Number: 5706
Drawing Number: A(SK) 039

Revision: -

Author: G.DONOVAN_SeniorArchitect_CAD/AS/033

Project: Dukes Court

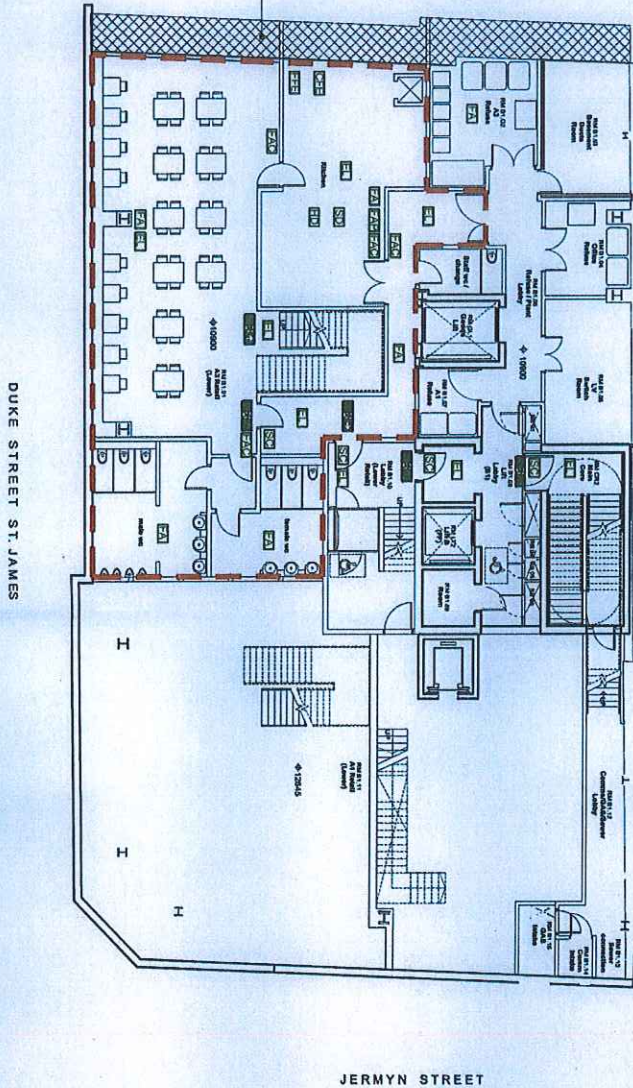
Opening: Proposed A3 Ground Floor Plan
Licence Drawing

Client: Crown Estate

Project: Dukes Court

Architect: **Roffe Judd**
Architecture Planning Interiors
Old Church Court, Claydon Road, The Oval, London SW16 1JZ
T: 020 7393 1500
www.roffe-judd.co.uk

This scale is 10cm in length when printed at the size indicated in the title block



Total no. of chairs / covers at ground floor = 70
Total no. of chairs / covers at basement floor = 48

JERMYN STREET

- Copyright Rofe Judd Ltd
- NOTES
1. The Contractor must check and confirm all dimensions
 2. All discrepancies must be reported and resolved by the Architect before work commences
 3. This drawing is not to be scaled
 4. All work and materials to be in accordance with current applicable Statutory Legislation and to comply with all relevant Codes of Practice and British Standards

- Fire Exit Signage (Directional)
- Fire Exit Signage
- Fire Door Self closing
- Fire alarm Sounder
- Fire Access Panel
- Smoke detector
- Heat Detector
- Carbon dioxide fire extinguisher
- Foam fire extinguisher
- Fire alarm call points
- Area covered by emergency lighting
- Proposed Licence area

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Project
Dukes Court

Client
Crown Estate

Architect
Rofe Judd
Architectural Planning Architects
Old Church Court, Cavendish Road, The Oval, London SW16 3NZ
T 020 7265 1600
www.rofe-judd.co.uk

Drawing
Proposed A3 Basement Plan
Licence Drawing

| Scale | Date | Status |
|------------------------------|----------------|----------|
| 1:200 (A3) | Sep 16 | Sketch |
| Job Number | Drawing Number | Revision |
| 5706 | ASKJ 039_1 | - |
| G:\03706_ASKJ\ASKJ_039_1.dwg | | |

Appendix 2a



Schedule 12
Part A

WARD: St James's
UPRN: 010033567838

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

Premises licence

Regulation 33, 34

Premises licence number:

15/07837/LIPDPS

Original Reference:

05/10631/LIPC

Part 1 – Premises details

Postal address of premises:

Greens Restaurant & Oyster Bar
36 Duke Street
London
SW1Y 6DF

Telephone Number: 020 7930 4566

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

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

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

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

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

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

Part 2

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

Green's (West End) Limited
36 Duke Street
St James's
London
SW1Y 6DF

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

1585477

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

Name: Jean Wilson

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

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

Licence Number: 071450
Licensing Authority: London Borough Of Hackney

Date: 18 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person 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 reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions for Sale of Alcohol

9. Intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals and for consumption by such a person as an ancillary to his meal in No. 35 Duke Street, W1.
10. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

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

For the area hatched pink and green on the deposited plan.

(ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans

Attached



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

Premises licence
summary

WARD: St James's
UPRN: 010033567838

Regulation 33, 34

Premises licence number:

15/07837/LIPDPS

Part 1 – Premises details

Postal address of premises:

Greens Restaurant & Oyster Bar
36 Duke Street
London
SW1Y 6DF

Telephone Number: 020 7930 4566

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

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

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

Sale by Retail of Alcohol

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

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

The opening hours of the premises:

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

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

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

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

Green's (West End) Limited
36 Duke Street
St James's
London
SW1Y 6DF

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

1585477

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

Name: Jean Wilson

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

Restricted

Date: 18 November 2015

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director - Public Protection and Licensing.



Schedule 12
Part A

WARD: St James's
UPRN: 010033555188

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

Premises licence

Regulation 33, 34

Premises licence number:

16/09038/LIPT

Original Reference:

05/05489/LIPCV

Part 1 – Premises details

Postal address of premises:

Walkers Of St James
32A Duke Street
London
SW1Y 6DF

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Exhibition of a Film

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

Indoor Sporting Event

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

Playing of Recorded Music

Unrestricted

Late Night Refreshment

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

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 00:00
Sunday: 10:00 to 23:00
For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:
Monday to Saturday: 10:00 to 00:30
Sunday: 10:00 to 23:30

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
The Crown Estate Commissioners
16 New Burlington Place
London
W15 2HX

Registered number of holder, for example company number, charity number (where applicable)
Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Matthew Knox
Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
Licence Number: 05/04479/LIPERS
Licensing Authority: City Of Westminster Council

Date: 6th September 2016

This licence has been authorised by Miss Heidi Lawrance on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the

policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 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.
 - (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.
9. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

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

In this condition, permitted hours means:

- (a) On Monday to Saturday, 10.00 to 00.00.
 - (b) On Sunday 10:00 to 23:00, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
 - (c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
11. Credit card sale is allowed, subject to the proviso that customers are to be presented with an itemised bill.
12. All persons under the age of 14 shall be accompanied at all times by an adult. No person under 14 shall be allowed to remain in the bar area after 21:00 (21:30 if taking a table meal accompanied by an adult).
13. In the event of a recognised event (not exceeding 12 annually) which falls outside the current permitted hours on the Premises Licence to permit licensable activities commencing 1 hour before the start of the event and ending 1 hour after the event, details of the event to be notified to the licensing authority and the police at least 10 days beforehand with the police giving their prior consent in each case.
14. Licensable activities (exhibition of films, indoor sporting events, provision of late night refreshment and supply of alcohol) to be extended by the following times on the following dates:
- i. 1 January, 1 hour
 - ii. 25 January, 1 hour
 - iii. 14 February, 1 hour
 - iv. Easter Sunday, 1 hour
 - v. Sunday prior to both Bank Holiday Mondays in May, 2 hours
 - vi. Sunday prior to August Bank Holiday, 2 hours
 - vii. Halloween, 1 hour
 - viii. Christmas Eve, 2 hours

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033555188

Premises licence
summary

Regulation 33, 34

Premises licence number:

16/09038/LIPT

Part 1 – Premises details

Postal address of premises:

Walkers Of St James
32A Duke Street
London
SW1Y 6DF

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Exhibition of a Film

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

Indoor Sporting Event

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

Playing of Recorded Music

Unrestricted

Late Night Refreshment

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

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

Sale by Retail of Alcohol

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

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:

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

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

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

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

The Crown Estate Commissioners
16 New Burlington Place
London
W15 2HX

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

Not applicable

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

Name: Matthew Knox

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

Restricted

Date: 6th September 2016

This licence has been authorised by Miss Heidi Lawrance on behalf of the Director - Public Protection and Licensing.

There is no licence or appeal history for the premises. However, the licence history for the two previous premises licences is listed below:

Licence History for Greens Restaurant & Oyster Bar, 36 Duke Street

| Application | Details of Application | Date Determined | Decision |
|---|--|-----------------|--|
| 05/10631/LIPC Conversion application | Application to convert the Justices Licence under the licensing Act 2003 | 04.10.2005 | Granted under delegated authority Licence surrendered 25.04.2016 |

Licence History for Walkers Of St James, 32A Duke Street

| Application | Details of Application | Date Determined | Decision |
|--|--|-----------------|-----------------------------------|
| 05/05489/LIPCV Conversion application | Application to convert the Justices Licence under the licensing Act 2003 | 28.08.2005 | Granted under delegated authority |
| 11/03859/LIPT Transfer application | Application to transfer the licence from Mitchells And Butlers Leisure Retail Ltd to Mr Mat Knox | 30.06.2011 | Granted under delegated authority |
| 16/09038/LIPT Transfer application | Application to transfer the licence from Mr Mat Knox to The Crown Estate Commissioners | 06.09.2016 | Granted under delegated authority |

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

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

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

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

Mandatory Conditions

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

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

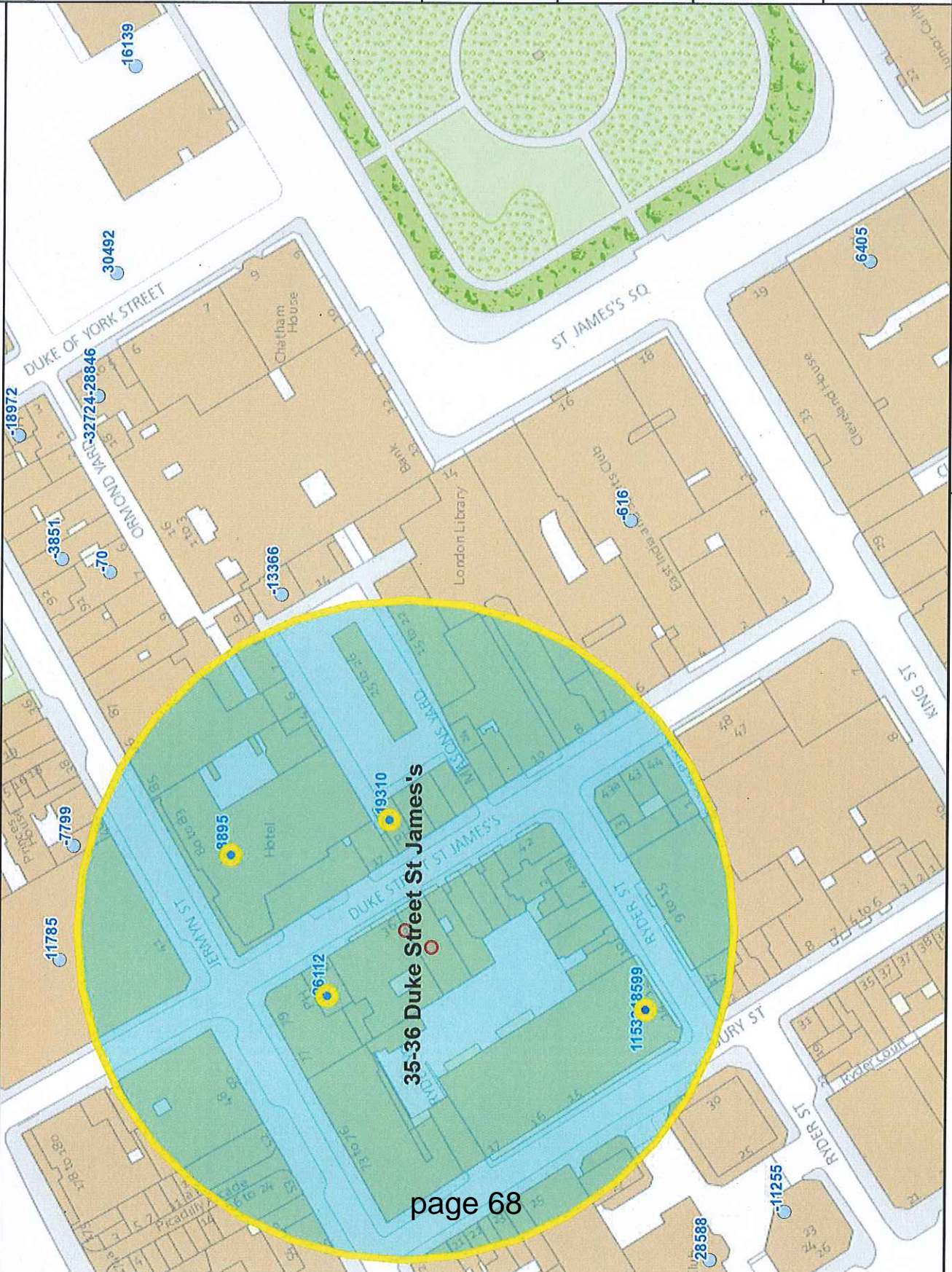
A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with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

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

Conditions consistent with the operating schedule

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

10. The supply of alcohol shall be by waiter or waitress service only and by bar staff to customers seated at the bar.
11. 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.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
13. Health and safety risk assessments will be undertaken and all staff shall be trained therein.
14. 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.
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.



Appendix 5

Residential /
Proposed
Residential

100

Under
Construction

Other Uses

Proportion
Residential
of all Uses

Data Source: Uniform Database

Date: 09/11/2016

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10

Meters

Premises within a 75m radius of: 34-36 Duke Street St James's

| p/n | Name of Premises | Premises Address | Licensed Hours |
|--------|-----------------------------|---|--|
| 11533 | Matsuri St James Restaurant | 15 Bury Street London SW1Y 6AL | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00 |
| 18599 | Quaglino's Restaurant | 16 Bury Street London SW1Y 6AJ | Monday to Thursday 09:00 - 01:30 Friday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00 |
| -19310 | The Chequers Public House | 16 Duke Street St James's London SW1Y 6DB | Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00 |
| -8895 | The Cavendish Hotel | 81-84 Jermyn Street London SW1Y 6JF | Monday to Sunday 00:00 - 00:00 Monday to Saturday 10:00 - 01:00 Sunday 10:00 - 22:30 |
| 26112 | Walkers Of St James | 32A Duke Street St James's London SW1Y 6DF | Monday to Saturday 10:00 - 00:30 Sunday 10:00 - 23:30 |

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