



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (2)** held on **Thursday 9th February, 2017**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Tim Mitchell (Chairman), Louise Hyams and Rita Begum.

Also Present: Councillors Julia Alexander and Karen Scarborough.

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

1 PIQUET RESTAURANT, 92 NEWMAN STREET, W1

LICENSING SUB-COMMITTEE No. 2

Thursday 9th February 2017

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rita Begum.

Legal Adviser: Barry Panto

Policy Adviser: Chris Wroe

Committee Officer: Toby Howes

Presenting Officer: Sumeet Anand-Patel

Relevant Representations: Licensing Service, Environmental Health, Metropolitan Police, Mr Linus Rees (Fitzrovia Neighbourhood Association), Ms Gabrielle Dolan (Local Resident), Mr Sacha Brooks (Local Resident) and Ms Alison Matthews (Local Resident).

Present: Mr Alex Cohen Goldstein (Applicant Company), Ms Michelle Reghini (Applicant Company), Mr Steven Rowe (Licensing Authority), Mr Maxwell Koduah (Environmental Health), PC Bryan Lewis (Metropolitan Police) and Mr Richard Brown (Solicitor, Citizens Advice Bureau Licensing Project, representing local residents Mr Linus Rees, Mr Sacha Brooks and Ms Alison Matthews).

Councillor Julia Alexander and Councillor Karen Scarborough were also in attendance to observe.

Piquet Restaurant, 92 Newman Street W1 16/13999/LIPV					
1.	Conditions being varied or added				
	<table border="0"> <thead> <tr> <th style="text-align: left;"><u>Existing Condition</u></th> <th style="text-align: left;"><u>Proposed Condition</u></th> </tr> </thead> <tbody> <tr> <td> <p>Condition 28 on existing licence:</p> <p>No deliveries to the premises shall take place between 23.00 and 08.00 hours.</p> <p>Condition 9 on existing licence:</p> <p>The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,</p> <p>(iv) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(v) which do not provide any take away service of food or drink after 23.00, and</p> <p>(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide</p> </td> <td> <p>Condition 28:</p> <p>No deliveries to the premises shall take place between 23.00 and 04.00 hours.</p> <p>Condition 9 – to apply to ground floor only:</p> <p>The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(iv) which do not provide any take away service of food or drink after 23.00, and</p> <p>(v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> </td> </tr> </tbody> </table>	<u>Existing Condition</u>	<u>Proposed Condition</u>	<p>Condition 28 on existing licence:</p> <p>No deliveries to the premises shall take place between 23.00 and 08.00 hours.</p> <p>Condition 9 on existing licence:</p> <p>The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,</p> <p>(iv) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(v) which do not provide any take away service of food or drink after 23.00, and</p> <p>(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide</p>	<p>Condition 28:</p> <p>No deliveries to the premises shall take place between 23.00 and 04.00 hours.</p> <p>Condition 9 – to apply to ground floor only:</p> <p>The premises shall only operate as a restaurant:</p> <p>(i) in which customers are shown to their table,</p> <p>(ii) where the supply of alcohol is by waiter or waitress service only,</p> <p>(iii) which do not provide any take away service of food or drink for immediate consumption,</p> <p>(iv) which do not provide any take away service of food or drink after 23.00, and</p> <p>(v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p>
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	<p>taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</p> <p>Notwithstanding this condition, 6 customers only are permitted to order and consume alcohol in the Ground Floor holding bar area hatched black on the plan only if they are waiting for their table to have their meal or already had a meal.</p> <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p> <p>Condition 10 on existing licence:</p> <p>10. The number of seated persons permitted on the premises at any one time (excluding staff) shall not exceed:</p> <p>Ground Floor - 38 persons Basement Floor - 60 persons</p>	<p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p> <p>The original condition 9 shall still apply to the basement.</p> <p>Condition 10:</p> <p>10. The number of seated persons permitted on the premises at any one time (excluding staff) shall not exceed:</p> <p>Ground Floor - 38 persons Basement Floor - 70 persons</p>
<p>Amendments to application advised at hearing:</p> <p>None.</p>		
<p>Decision (including reasons if different from those set out in report):</p> <p>Mr Alex Cohen Goldstein (Applicant Company) began by emphasising that the purpose of the proposals was not to change the premises to a vertical drinking establishment. Changes to the restaurant model condition were proposed for the ground floor only, so that customers may consume alcohol with a meal rather as opposed to a substantial meal as currently specified on the existing premises licence. Mr Goldstein explained that when the Applicant Company had taken over the premises, a number of seats in the basement were removed. The application sought to increase capacity to 70 people in the basement, however Mr Goldstein acknowledged that the current licence stated that there be no more than 60 people in the basement at any one time. In respect of deliveries, he stated that some companies the premises used, such as a fruit delivery company, delivered at early hours in the morning and so it was proposed to vary the delivery condition accordingly. Mr Goldstein stated that all deliveries would take place in Newman Street and not at Berners Place where</p>		

residents had expressed concerns about such activity.

Members sought further details as to why the Applicant Company had proposed delivery times from 04:00. In respect of the ground floor proposals, clarification was sought that customers consuming alcohol would be seated and Members asked what kind of dishes would be offered. In relation to residents' concerns that the premises may become a drink led establishment, Members asked what steps would be taken to ensure that the ground floor did not effectively become a bar and would customers have to pay for all food on offer.

In reply to the issues raised, Mr Goldstein advised that a fruit company the premises used often delivered between 06:30 to 07:30, so allowing deliveries to begin from 06:30 would be acceptable. He stated that noise reported by residents at earlier times was likely to be attributable to building work for offices and flats taking place nearby. Mr Goldstein confirmed that all customers consuming alcohol on the premises, including the ground floor, would be seated and the alcohol would be supplied by waiter or waitress service. The Sub-Committee heard that the food offer was mainly mezze style dishes, although main courses would also be available. A door host would also be present to ensure that all customers consuming alcohol were seated and also having food. All food was to be paid for and customers were required to order at least one dish.

Mr Rowe (Licensing Authority) began by seeking further details on the food offer and was advised by Mr Goldstein that the mezzes available would include different types of meats and dips and other 'tapas style' dishes. Mr Rowe then continued his representation that he had spoken to the Applicant Company further about their proposals and that there was a possibility of amending the restaurant model condition for the ground floor so that it addressed the Applicant Company's intentions, however the premises was in the West End Cumulative Impact Area and the hours the premises operated to were beyond core hours. Mr Rowe advised that if the ground floor did change to operate like a bar, this would be contrary to policy and he emphasised that any alcohol consumption on the premises should be ancillary to food as the premises was operating principally as a restaurant.

Mr Koduah (Environmental Health) began by seeking clarification from the Applicant Company about the current use of the basement and its capacity. Mr Goldstein replied that there were currently 65 seats in the basement but he wanted capacity to increase to 70 people to provide some flexibility. Mr Koduah then continued his representation and stated that the increase of 60 to 70 people represented a not inconsiderable increase of around 15%. The 65 seats in the basement was more than permitted on the licence which had specified a 60 person limit for safety reasons. In addition, no supporting risk assessment had been provided by the Applicant Company to demonstrate that increasing capacity would not put customers at risk. Mr Koduah advised that the District Surveyor would require a works condition if an increase in capacity was agreed. In respect of deliveries, he stated that 23:00 to 07:00 had been identified as the period most likely when people would be disturbed by noise as most people would be sleeping and background noise would be at its lowest. He felt that the application had not set out any mitigating measures to address this and would

be contrary to Policy PN1 in respect of prevention of public nuisance and he therefore upheld his representation.

PC Lewis (Metropolitan Police) stated that he was objecting to the application on the grounds that it would add to cumulative impact in a Cumulative Impact Area. He stated that there were no concerns about the premises in respect of crime and disorder and he had not proposed any conditions.

Mr Brown (Solicitor, Citizens Advice Bureau Licensing Project, representing local residents Mr Linus Rees, Mr Sacha Brooks and Ms Alison Matthews) then addressed the Sub-Committee. Starting with the proposed increase in capacity in the basement, he stated that any safety concerns would need to be addressed. With regard to the ground floor proposals, Mr Brown contended that it would be difficult to word a condition to allow these that would be in line with policy and that the restaurant model condition was in place to prevent late night noise disturbances that were more likely to be attributable to drink led establishments. He commented that increasing the proportion of drinking at the premises beyond core hours in cumulative impact areas could only be granted as an exception to policy where the applicant had demonstrated that it would not add to cumulative impact or undermine the licensing objectives. Mr Brown expressed concern about the late terminal hour for consumption of alcohol at the premises and the possibility that customers may not be eating much food whilst consuming alcohol if the proposals were agreed. There was also a risk that the character of the premises would change and the capacity of the ground floor proportionally in relation to the rest of premises was quite high. In addition, Members should be mindful that 142 new residential flats were in the process of being built and these residents could also be affected by the proposals.

In respect of allowing deliveries from 04:00, Mr Brown felt that this was undesirable and could set a precedent for other such applications to follow and so he felt the current permitted delivery times were the longest that would be acceptable to residents. Mr Brown referred to Mr Brooks' (Local Resident) representation, a resident who lived in Berners Place. Mr Brooks had raised concerns about public nuisance in Berners Place caused by deliveries and servicing for licensed premises and he had requested a condition that no servicing of any kind take place in Berners Place. In acknowledging that the Applicant Company had stated all deliveries would take place in Newman Street, Mr Brown suggested it would be beneficial to condition this as suggested by Mr Brooks.

During discussions, the Chairman noted that the Applicant Company would be prepared to accept delivery times being amended so that they could commence at 06:30, bearing in mind that the earliest deliveries usually took place between 06:30 and 07:30. He referred to the fact that the premises was located in a Cumulative Impact Area and there was a presumption in policy not to permit drinks led applications beyond core hours unless the applicant could demonstrate that they would not add to cumulative impact and an exception to policy could be made.

Mr Wroe (Policy Adviser) stated that in looking at the application as outlined in the report, the condition proposed to relate to the ground floor only appeared to

be requesting the removal of (iii) from the restaurant model condition where all food served and consumed at the table must be by using non disposable crockery, and that the requirement to have a substantial table meal whilst consuming alcohol remained.

Mr Panto (Legal Adviser) then referred to the application as it was submitted and sought confirmation from the Applicant Company that their intention was that alcohol consumption was to be ancillary to food on the ground floor and that they sought to retain the condition permitting up to 6 customers to consume alcohol in the ground floor holding bar area hatched black in the plan only if they are waiting for their table to have their meal, or have already consumed their meal. Mr Goldstein confirmed that this was a correct understanding of the application. In response to a question from the Chairman, Mr Goldstein stated that it was intended that any customer who wished to consume alcohol on the ground floor must also consume food.

Mr Panto then advised that although it was not the intention of the application to make the ground floor area drinks led, the Applicant Company must still demonstrate that their proposals would not add to cumulative impact.

Members commented that other premises similar to Piquet Restaurant often set a minimum order of 2 dishes per person on their menu and asked if the Applicant Company would be happy to agree to this. The Sub-Committee also asked if the Applicant Company would be satisfied in agreeing to a condition that no deliveries take place in Berners Place.

In reply, Mr Goldstein confirmed that he would be happy to set a minimum of 2 dishes per person, however he felt a minimum that was any greater than 2 dishes would mean that the meals would be substantial. He confirmed that he would be happy to accept a condition prohibiting deliveries in Berners Place.

Mr Wroe advised that the premises licence had been granted by delegated authority just over a year ago and that the application had been agreed on the basis that although the hours applied for slightly exceeded core hours for most days, as the premises was operating as a restaurant, it was considered acceptable. In view of the changes proposed for the ground floor, he asked whether, if it came to it, the Applicant Company would prefer to retain their existing hours but retain the restaurant model condition for the entire premises, or agree to core hours, but without the restaurant model condition applying to the ground floor.

In reply, Mr Goldstein confirmed that he would prefer the restaurant model condition not to apply to the ground floor and that he would be satisfied with hours being reduced to core hours.

The Sub-Committee granted the application, subject to late night refreshment being to core hours (23:00 to 23:30 Monday to Thursday, 23:00 to 00:00 Friday and Saturday) and sale of alcohol to be to core hours Monday to Sunday (10:00 to 23:30 Monday to Thursday, 10:00 to 00:00 Friday and Saturday and 12:00 to 22:30 Sunday), with the terminal hour for opening hours being 30 minutes past these times (07:00 to 00:00 Monday to Thursday, 07:00 to 00:30 Friday and

Saturday and 07:00 to 23:00 Sunday). For the avoidance of doubt, the existing hours for licensable activities and opening on Sundays before bank holidays would remain the same, apart from the hours for provision of late night refreshment which would now terminate at midnight.

The Sub-Committee agreed that the restaurant model condition only apply to the basement and that model conditions 38 and 39 apply in respect of the ground floor and the licensed outside area so that the supply of alcohol only be to a seated person taking a table meal, to be ancillary to a meal and be by waiter or waitress service only. In granting these hours and conditions, the Sub-Committee noted that the Applicant Company had stated that they would be satisfied in operating to core hours, providing the restaurant model condition was removed from the ground floor and replaced with other appropriate conditions. As the Applicant Company had agreed to reduce their existing hours, the Sub-Committee concurred that it was reasonable to allow opening times to extend 30 minutes beyond the ceasing of licensable activities, especially as all consumption of alcohol would remain ancillary to a meal.

In respect of capacity of the basement, the capacity condition was amended so that it may increase up to 70 people, subject to no increase in capacity above 60 people taking effect until the actual capacity has been determined by Environmental Health, in order to address the concerns raised by Environmental Health in respect of public safety. The Sub-Committee added a condition prohibiting any servicing of any kind, including deliveries, at Berners Place, as considered to be acceptable by the Applicant at the hearing and as requested by a local resident, Mr Brooks. The Sub-Committee also agreed that the condition specifying hours for deliveries be amended so that no deliveries shall take place between 23:00 and 07:00 Monday to Friday and 23:00 to 08:00 Saturday and Sunday, to allow the Applicant Company some flexibility in respect of earlier deliveries, whilst also taking into account concerns raised by residents about the potential for greater noise disturbance for earlier deliveries.

In determining the application, the Sub-Committee noted that the premises was in a Cumulative Impact Area and so amending the hours to core hours and making changes and additions to conditions would ensure that the granting of the application would no add to cumulative impact and would address the concerns raised by Environmental Health, the Police and residents and assist the Applicant Company in upholding the licensing objectives (prevention of crime and disorder, prevention of public nuisance, public safety, and protection of children from harm).

The Chairman noted for the record that Mr Goldstein had confirmed that he would be happy to set a minimum of 2 dishes per person on the ground floor so as to ensure that the consumption of alcohol on that floor was genuinely ancillary to a table meal and would not add to cumulative impact. It was decided not to impose that condition on the licence on the basis that this informative could be relied upon in any enforcement proceedings should it be asserted that the table meal condition was not being complied with. The Sub-Committee's expectation would be that customers on the ground floor would order at least 2 mezzes or tapas dishes and residents could potentially request a review of the premises licence if they still had concerns. He also added that it would be

beneficial if the Applicant Company discussed the conditions added to the premises licence with Environmental Health to ensure that they had a full understanding of them.

Conditions attached to the Licence

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.

Additional Conditions

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

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

12. The number of seated persons permitted on the premises at any one time (excluding staff) shall not exceed:

Ground Floor - 38 persons
Basement Floor - 60 persons

The capacity of the basement may be increased to 70 persons, however no increase in capacity above 60 persons shall take effect until the capacity of the basement has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. The 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 request of Police or authorised officer throughout the preceding 31 day period.

15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any seizures of drugs or offensive weapons
 - (f) faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
19. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
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. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
22. All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons.
23. 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.

24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
26. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00.
29. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
30. No deliveries to the premises shall take place between 23:00 hours Monday to Friday and 07:00 the following day or between 23:00 hours Saturday and Sunday and 08:00 the following day.
31. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
32. The hours the premises are open to the public and the hours for Late Night Refreshment and sale of alcohol are permitted may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
33. No servicing of any kind will take place on Berners Place at any time.
34. Staff and customers will not be permitted to smoke in Berners Place at any time.

2 CHICKEN COTTAGE, 135 PRAED STREET, W2

LICENSING SUB-COMMITTEE No. 2

Thursday 9th February 2017

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rita Begum.

Legal Adviser: Barry Panto

Policy Adviser: Chris Wroe

Committee Officer: Toby Howes
Presenting Officer: Sumeet Anand-Patel

Relevant Representations: Environmental Health, Metropolitan Police, Mr Mark Strudwick (Local Resident) and Mr John Zamit (Chairman, South East Bayswater Residents' Association),

Present: Mr Meri (Applicant's Representative), Mr Hasan Syed (Applicant), Mr Maxwell Koduah (Environmental Health), PC Sandy Russell (Metropolitan Police), Mr Richard Brown (Solicitor, Citizens Advice Bureau Licensing Project, representing Mr John Zamit, South East Bayswater Residents' Association) and Mr John Zamit (Chairman, South East Bayswater Residents' Association).

Councillor Julia Alexander and Councillor Karen Scarborough were also in attendance to observe.

Chicken Cottage, 135 Praed Street W2 16/11887/LIPN	
1.	Late Night Refreshment
	Monday to Saturday: 23:00 to 02:00 Sunday: 23:00 to 01:00
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): Mr Meri (Applicant's Representative) began by stating that the Applicant, Mr Syed wanted hours for licensable activities to mirror the hours of the premises' planning permission granted at a planning appeal hearing in August 2016. The Applicant had managed the premises for around 5 years and the CCTV requested by the Police was already in place. Mr Meri indicated that the applicant would be content to agree the conditions suggested by Environmental Health. The Applicant had identified demand to provide late night refreshment and other premises in the area, such as Subway, already operated to later hours. Members enquired what the proportion of seated customers to take away customers was. Mr Syed (Applicant) replied that the proportion of seated customers to take away customers was roughly equal.

Mr Koduah (Environmental Health) confirmed that he had checked the history of the premises going back to 2012 and there had been no complaints recorded that were directly attributable to the premises. However, the application to provide late night refreshment from 23:00 to 02:00 was a substantial extension to existing hours and presented a higher risk of causing public nuisance. It was also more likely that customers purchasing fast food at later hours would have been consuming alcohol beforehand and so there was an increased risk of noise and public nuisance. Mr Koduah confirmed that conditions 4, 5 and 14 on page 42 of the report had been agreed with the Applicant. In relation to the basement, he advised that 4 members of staff and the public w/c were located there, however the solitary stairway linking the ground floor to the basement was situated by the ground floor kitchen. This had been identified as a fire risk by the District Surveyor as any fire that started in the kitchen would quickly spread to the stairs and eliminate the only means of escape from the basement. For this reason the works condition 15 on pages 42-43 of the report was requested to be added to the premises licence.

PC Russell (Metropolitan Police) then addressed the Sub-Committee and she confirmed that she supported the conditions requested by Environmental Health. She advised that the Applicant had not formally agreed to the conditions requested by the Police. In respect of the hours applied for, PC Russell expressed concern that a large proportion of customers would be arriving from licensed premises having consumed alcohol. PC Russell referred to the Police's suggested hours for late night refreshment of 23:00 to 00:00 Sunday to Thursday and 23:00 to 01:00 Friday and Saturday, as set out in the report.

Mr Brown (Solicitor, Citizens Advice Bureau Licensing Project, representing Mr John Zamit, South East Bayswater Residents' Association) then addressed the Sub-Committee and informed Members that the South East Bayswater Residents' Association (SEBRA) were concerned about the premises offering take away and delivery services, particularly during later hours. Mr Brown stated that it was likely that a greater proportion of customers would be for take away or home delivery during later hours. He advised that SEBRA had requested a number of conditions in their representation including no take away sales or home deliveries after 23:00, no outside tables and chairs after 23:00, standard conditions regarding CCCV, no refuse and recycling collections between 20:00 and 07:00, seated and waiter/waitress service, notices to customers to leave quietly and closing of windows and doors after 21:00.

Mr Brown advised that Subway was only licensed to provide late night refreshment until 02:00 on Saturdays, whilst it could sell cold food at any time. He felt that it was unfortunate that a single yellow line was located on the road outside the premises as it attracted customers to park there, which could cause public nuisance through slamming of car doors and noise from car stereos, particularly at later hours. Mr Brown stated that customers who had been consuming alcohol were more likely to find hot fast food appealing than cold food and so more likely to visit the premises. He suggested that if the application was granted, it should be to core hours and that there be no take away or home deliveries after 23:00.

Mr Zamit (Chairman, SEBRA) addressed Members and began by stressing that

planning permission was separate from licensing, where the application would be considered on its own merits. He stated that the public houses in the area closed no later than 23:30, so there was no need for the premises to seek later hours. Mr Zamit was particularly concerned that providing take away at later hours would add to public nuisance and so he requested that there be no take away after 23:00. Delivery vehicles were also becoming a real public nuisance from the noise they made, particularly from mopeds and motorbikes and again he felt this should be restricted until 23:00. Mr Zamit then referred to other conditions requested as set out in his written representation and referred to earlier by Mr Brown. He then drew attention to two complaints highlighted in the report that had suggested that the Applicant had been unhelpful in their response to the complainant.

Members sought further details regarding the two complaints included in the report and what arrangements were in place in respect of deliveries. Referring to a photograph displayed at the hearing, Members asked whether a motorcycle parked outside Chicken Cottage belonged to the premises. Members noted that home deliveries was becoming an issue across London, with companies such as Deliveroo and Uber often being the source of public nuisance from the noise generated by their choice of vehicles. It was also recognised that customers driving to the premises may cause public nuisance, particularly during later hours, through slamming of car doors and noise from car stereos.

In reply to issues raised by Members, Mr Koduah advised that in respect of the two complaints recorded in the report, it had not been established that the premises was the source of the noise.

Mr Meri confirmed that the Applicant did not provide a home delivery service, although customers could place an order to collect. He added that other premises in the area, such as Le Gourmet, Kentucky Fried Chicken Express and Burger King all offered late night refreshment. He also contended that some people parking outside the premises were not Chicken Cottage customers and they had parked there because there were double yellow lines on the opposite side of the road. Mr Meri confirmed on behalf of the Applicant his agreement to the works condition requested by Environmental Health.

Mr Brown advised that in respect of Le Gourmet, there were conditions attached in respect of take away and home deliveries, whilst the Kentucky Fried Chicken Express hours had been granted historically prior to the Licensing Act 2003. Mr Wroe confirmed that the Kentucky Fried Chicken Express premises licence had been converted from the original magistrates' licence in 2005. He also advised that Burger King had been granted late night refreshment, including take away, up to 02:00 at a Licensing Sub-Committee hearing in 2008.

Mr Syed advised that the motorcycle parked outside Chicken Cottage did not belong to the premises, but was owned by a member of staff who worked there and was not used for deliveries. He added that some delivery vehicles did advertise the premises.

The Sub-Committee granted the application, subject to conditions that there be no take away of hot food or hot drink after 00:00 Monday to Sunday, no home

	<p>delivery service, notices are to be displayed requesting that customers leave the area quietly and the works condition as requested by Environmental Health and agreed to by the Applicant's Representative on behalf of the Applicant at the hearing. In determining the application, the Sub-Committee noted the concerns expressed by Environmental Health, the Police, Mr Brown, SEBRA and a local resident in respect of late hours for take away and so restricted take away up until 00:00 to address this. Members noted the concerns in representations with regard to home deliveries and the Applicant's confirmation that they did not provide a home delivery service and so accordingly added a condition prohibiting this. The Sub-Committee also noted that the premises was not located in a cumulative impact area and considered that the conditions added would address concerns raised in the representations and help the premises licence holder uphold the licensing objectives (prevention of crime and disorder, prevention of public nuisance, public safety, and protection of children from harm).</p>
2.	Hours Premises are Open to the Public
	<p>Monday to Saturday: 10:00 to 02:00 Sunday: 12:00 to 01:00</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1).</p>

Conditions attached to the Licence
<ol style="list-style-type: none"> 1. Staff will be trained on the importance of the Licensing objectives. 2. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. 3. The external door shall be kept closed after 23:00 hours, except for the immediate access and egress of persons. 4. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.

5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
6. 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.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
9. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
10. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
11. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
12. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
13. No licensable activities shall take place at the premises until the premises have 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.
14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer

copies of recent CCTV images or data with the absolute minimum of delay when requested.

16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
17. There shall be no sales of hot food or hot drink for consumption off the premises after 00:00.
18. There shall be no home delivery service of any kind from the premises.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

3 KHALLOUK & TAYLOR, 36 MORETON STREET, SW1

LICENSING SUB-COMMITTEE No. 2

Thursday 9th February 2017

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rita Begum.

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Toby Howes
Presenting Officer: Sumeet Anand-Patel

Relevant Representations: Mr Gavin Bader (Local Resident)

Present: Ms Anna Mathias (Barrister, representing the Applicant) and Mr Lahcene Khallouk (Applicant).

Councillor Julia Alexander and Councillor Karen Scarborough were also in attendance to observe.

**Khallouk & Taylor, 36 Moreton Street SW1V 2PD
16/14159/LIPV**

1. Sale by Retail of Alcohol: On and Off Sales

	<p><u>From:</u> Monday to Sunday: 11:00 to 20:00</p> <p><u>To:</u> Monday to Sunday: 11:00 to 23:00</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Before the Applicant made their case, the Sub-Committee noted that Environmental Health and the Police had withdrawn their representations after agreeing conditions with the Applicant.</p> <p>Ms Mathias (Barrister, representing the Applicant) began by stating that the premises operated as a high end deli café with a Moroccan theme. The premises had been trading since 2004 and had been licensed in 2011. The Applicant had identified a demand from local customers to have supper with alcohol available and so he was seeking an extension of hours. Ms Mathias confirmed that the Applicant had agreed to conditions requested by Environmental Health. In respect of proposed condition 29, this had been amended by Environmental Health following discussion with the Applicant so that tables and chairs shall be rendered unusable by 23:00 hours each day as there was not sufficient space to store tables and chairs indoors whilst the premises was open to the public.</p> <p>Ms Mathias explained that the premises also contained a shop and offered take away. The premises had A1 planning use permission and so no primary cooking was permitted on the premises. Ms Mathias referred to the menu in the report and stated that the alcohol offer was limited and relatively high priced and no drink promotions were offered. Conditions 13, 14, 15, 18 20 and 21 in the report that were on the existing premises licence were all concerned with regulating supply and consumption of alcohol. Ms Mathias stated that the application had a large degree of support from the local community, with the customer base mainly from residents in the surrounding streets. There had also been a petition containing some 200 signatures in support of the application. Ms Mathias stated that the Chair of the Moreton Triangle Residents' Association had also emailed the Applicant supporting the application and commending him as a highly responsible operator and an asset to the community.</p> <p>With regard to the resident objecting to the application, Ms Mathias stated that it was understood that he was often absent from the area and he had not responded to attempts by the Applicant to contact him. Furthermore, 3 of the 6 residents living in the neighbouring flats to his had signed the petition in support of the application. Members heard that Environmental Health had no recorded complaints concerning the premises in the last 5 years and the Application had successfully operated under temporary event notices on 26-27 February 2016 and 3-4 March 2016 without any problems. Ms Mathias stated that the proposals were well within core hours, apart from Sunday where an additional</p>

	<p>30 minutes past the terminal hour was requested. She concluded by stating that the premises provided a limited alcohol offer and a number of conditions were proposed and so she felt that the application would not undermine the licensing objectives.</p> <p>In answer to the Chairman's question as to why an additional 30 minutes beyond core hours had been applied for, Mr Khallouk (Applicant) stated that a number of customers returned to the area late on Sunday from a weekend away and because they may have no food prepared, would want to come to the premises for supper. He added that he was also a local resident who had lived just around the corner from the premises for the last 15 years.</p> <p>The Sub-Committee granted the application. In determining the application, the Sub-Committee took into account that the application was well within core hours Monday to Saturday, whilst Sunday was only moderately beyond core hours. In addition, the premises was not in a cumulative impact area and the Sub-Committee considered that the conditions added would help the premises licence holder uphold the licensing objectives.</p>				
<p>2.</p>	<p>Late Night Refreshment: Indoors</p>				
	<p>Monday to Sunday: 23:00 to 23:30</p>				
	<p>Amendments to application advised at hearing:</p> <p>None.</p>				
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1).</p>				
<p>3.</p>	<p>Hours Premises are Open to the Public</p>				
	<table border="0"> <tr> <td data-bbox="276 1809 368 1845">From:</td> <td data-bbox="842 1809 900 1845">To:</td> </tr> <tr> <td data-bbox="276 1883 791 1957">Monday to Saturday: 08:00 to 22:30 Sunday: 09:00 to 21:30</td> <td data-bbox="842 1883 1342 1919">Monday to Sunday: 08:00 to 23:30</td> </tr> </table>	From:	To:	Monday to Saturday: 08:00 to 22:30 Sunday: 09:00 to 21:30	Monday to Sunday: 08:00 to 23:30
From:	To:				
Monday to Saturday: 08:00 to 22:30 Sunday: 09:00 to 21:30	Monday to Sunday: 08:00 to 23:30				

	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1).</p>

Conditions attached to the Licence

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.

Additional Conditions

9. 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.
10. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
11. 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.
12. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any refusal of the sale of alcohol; and
 - (g) any visit by a relevant authority or emergency service.
13. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
14. All alcohol consumed inside the premises shall be by persons seated at tables. There shall be no vertical drinking.
15. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
16. No alcohol shall be displayed for sale to the public at the premises except

during the times at which the premises are licensed to make sales of alcohol.

17. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed where alcohol is on public display.
18. The supply of alcohol shall be by waiter or waitress service only.
19. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
20. The number of persons accommodated at any one time (excluding staff) shall not exceed 25.
21. The supply of alcohol shall be limited to bottled beers, ciders and wine only.
22. 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
23. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
24. No refuse, including bottles, shall be moved, removed or transferred to or in outside areas between 19:00 to 08:00.
25. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
27. 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.
28. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours on the following day.
29. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

The Meeting ended at 12.47 pm.

CHAIRMAN: _____

DATE _____