



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Friday 3rd March, 2017**

Time: **10.00 am**

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

Members: **Councillors:**

Tim Mitchell (Chairman)
Julia Alexander
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. 17 KNIGHTSBRIDGE GREEN, SW1

(Pages 1 - 40)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Knightsbridge and Belgravia Ward / not in cumulative impact area	17 Knightsbridge Green, SW1	New	16/14239/LIPN

2. PILGRIM HOTEL, 25 LONDON STREET, W2

(Pages 41 - 70)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
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2.	Hyde Park Ward / not in cumulative impact area	Pilgrim Hotel, 25 London Street, W2	New	17/00142/LIPN
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3. SIDNEY ROSE MINI MARKET, GROUND FLOOR, 34-36 MADDOX STREET, W1

(Pages 71 - 88)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / not in cumulative impact area	Sidney Rose Mini Market, Ground Floor, 34-36 Maddox Street, W1	New	16/13896/LIPV

**Charlie Parker
Chief Executive
23 February 2017**

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.

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.

Item No:	
Date:	3 March 2017
Licensing Ref No:	16/14239/LIPN - New Premises Licence
Title of Report:	17 Knightsbridge Green London SW1X 7QL
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	28 December 2016		
Applicant:	Khalife And Mroue Limited		
Premises:			
Premises address:	17 Knightsbridge Green London SW1X 7QL	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None.
Premises description:	The premises is currently operating as a restaurant.		
Premises licence history:	The premises does currently have a Premises Licence (Ref: 16/05956/LIPN). This was granted on 9 th August 2016.		
Applicant submissions:	None.		

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	23:00
End:	03:00	03:00	03:00	03:00	03:00	03:00	03:00
Seasonal variations/ Non-standard timings:			From the end of New Year's Eve to the start of hours on New Year's Day.				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	23:30
Seasonal variations/ Non-standard timings:			From the end of New Year's Eve to the start of hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	03:30	03:30	03:30	03:30	03:30	03:30	03:30
Seasonal variations/ Non-standard timings:	From the end of New Year's Eve to the start of hours on New Year's Day.						
Adult Entertainment:	Not applicable.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Ms Ayesha Bolton
Received:	2 nd February 2017
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the Ground floor and Mezzanine of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. To permit Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday to Saturday 10.00 to 00.00 hours and Sunday 12.00 to 22.30 hours. From the end of permitted hours on New Years' Eve to start of permitted hours on New Year's Day. 2. To permit Late Night Refreshment 'Indoors' only Monday to Sunday 23.00 to 03.00 hours. From the end of permitted hours on New Years' Eve to start of permitted hours on New Year's Day. <p>I wish to make the following representation.</p> <ol style="list-style-type: none"> 1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety within the area. 2. The provision and hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within 	

the area.

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

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

2-B Other Persons	
Name:	Knightsbridge Residents Management Company Limited
Address and/or Residents Association:	199 Knightsbridge London SW7 1RH
Received:	31 st January 2017
<p>We act for the Knightsbridge Residents Management Company Limited of The Knightsbridge, 199 Knightsbridge, London SW7 1RH. KRMC represents the residents of The Knightsbridge which is occupied by over 200 families, approximately 500 adults and children. The Knightsbridge is located in close proximity to the Premises.</p> <p>KRMC wishes to make representations against the grant of the Application on the following grounds:</p> <p>Designated premises supervisor</p> <p>The application is defective as the applicant has failed to comply with section 17(4) (e) of the Licensing Act 2003. The prescribed information about the designated premises supervisor has not been included. If the written consent of the designated premises supervisor has also not been supplied the applicant has also failed to comply with section 17 (3) (c).</p> <p>Hours</p> <p>The hours sought for the sale of alcohol are beyond Westminster core hours on Sundays.</p> <p>The hours sought for late night refreshment are beyond core hours Monday to Sunday.</p> <p>The grant of a licence for these late hours would be contrary to all four of the licensing objectives.</p>	

Licensing Objectives

The area that surrounds the applicant's premises has become increasingly residential over the last few years.

Residents at The Knightsbridge are concerned that the grant of a premises licence for the provision of a licensable activity to 0300 would result in the following issues:

1. There will be noise and disturbance from patrons of the venue departing late at night. KRMC know this from previous experience of other late night venues.
2. This noise and disturbance is likely to disturb residents rest , relaxation and sleep seven days a week.
3. The applicant has applied for authority to sell alcohol to 2330 Sunday to Friday and midnight on Saturday but with a closing time of 0330 each day. This represents a considerable window for patrons to continue drinking alcohol purchased before 2330 or midnight on Saturday until 0330. No condition has been offered by the applicant restricting the time at which alcohol may be consumed on the premises.
4. KRMC is concerned that a late night refreshment venue will be attractive to persons who have been drinking elsewhere. This will mean that people will be less likely to disperse from the area after leaving other venues. The result will be higher numbers of people on the streets late at night.
5. The use of plant and equipment at the premises to a closing time of 0330 may result in a noise disturbance to residents.
6. The applicant has offered no restriction on the sale of hot food and drink for consumption off the premises. To the contrary, KRMC notes that the applicant intends to sell alcohol to customers purchasing takeaway food.
7. The applicant recognises the potential for nuisance to local residents of patrons smoking outside the premises. They offer to ensure that they only do so in an orderly manner. Patrons smoking outside the venue, particularly late at night is likely to cause a nuisance to residents even if they do so in an orderly manner.

Removal of existing conditions

We note that the applicant will surrender the existing licence 16/05956/LIPN. The existing licence is limited to Westminster core hours. KRMC is concerned to note that the following existing licence conditions have been omitted from the application.

9. The number of seated persons on the ground floor (including staff) shall not exceed 30 people.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
11. The supply of alcohol shall be by waiter or waitress service only.

12. The premises shall only operate as a restaurant.

(iii) which do not provide any take away service of food or drink after 23.00

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. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

22. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.

The loss of the above conditions would be contrary to the licensing objectives.

KRMC asks that the application be refused.

Name:	Knightsbridge Association
Address and/or Residents Association:	6 Montpelier Street London SW7 1EZ
Received:	2 nd February 2017

We write to object to the grant of the above application, on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance and protection of children.

Since 1961 the Knightsbridge Association (“KA”) has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well-defined term but, roughly, it includes the area from Hyde Park Corner on the east to Queen's Gate on the west and from Hyde Park on the north to Brompton Road on the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local interests on all residential and commercial planning applications and monitors licensing applications. It also monitors street cleaning and lighting and liaises with the police on crime prevention.

There are a number of residential blocks in the vicinity of Knightsbridge Green. Many of these residents have communicated their concerns to us and the Knightsbridge Association's representation reflects these concerns. We understand that these residents are likely to make their own representations to the Premises Licensing Committee.

We are concerned about this particular application, on the grounds of prevention of public nuisance and the protection of children. The application envisages the operation of the premises between 6 a.m. and 3 a.m. (21 hours per day) and the sale of alcohol until 11.30 p.m., seven days a week, every week of the year.

The hours proposed are well outside “Core Hours”. We do not want Knightsbridge to become a “Stress Area”. It is not a destination for late night entertainment, rather it is and should remain commercial and residential in character. The Applicant's location is very close to the Bulgari Hotel, residential apartments at 199 Knightsbridge as well as residential apartments in the building where the Applicant is located. The residential apartments in these buildings house families with children. They cannot and should not be subjected to late night disturbance resulting from the dispersal of clientele, who in many cases will be walking past these buildings in an intoxicated state, up to and beyond 3 a.m. Nor is noise and disturbance to hotel guests and families living in neighbouring residences acceptable. KA has as a result received strong objections to this proposal from its membership.

The plans fail to specify whether the operation will be restaurant only, or with takeaway facilities /outside table & chairs / consumption of alcohol outside. There are already licensed premises at the location, but these are being considerably increased in size. Larger premises inevitably mean more people and more potential for night time disturbance. Furthermore, the current licence, granted only last year, has a much early terminal hour – 11.00 p.m. Monday to Saturday, 10.30 p.m. on Sunday. It is unclear why a significantly later finishing time is appropriate now when it was not a year ago.

Increased consumption of alcohol is usually accompanied by the playing of loud music and has the potential to cause nuisance. Given the location of the premises, in a neighbourhood with a mix of commercial and residential usage, increased consumption of alcohol will inevitably lead to greater risk of public nuisance well into the night.

In relation to the protection of children, the measures to prevent the consumption of alcohol by minors lack rigor or sufficient detail. The Government Guidance to Licensing Act 2003 states in Para 8.33 that ‘in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.’ Furthermore Para 8.34 states that ‘Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand: the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate; any risk posed to the local area by the applicants’ proposed licensable activities’.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application.

Name:	Dr Terence Bramall CBE
Address and/or Residents Association:	Apt 908 199 The Knightsbridge LONDON SW7 1RH
Received:	03 Feb 2017
<p>As residents in close proximity to the above premises and with young family, my wife and I object to the above licence.</p> <p>Late night disorder and public nuisance.</p> <p>Increase on noise levels from patrons leaving the venue in early hours</p> <p>Increase in traffic and vehicle noise throughout the night</p> <p>Increased level of intoxicated patrons, making public disturbances</p> <p>Safety of Children and general public</p>	
Name:	Mr Rain Holdings
Address and/or Residents Association:	1001 199 Knightsbridge London SW7 1RH
Received:	03 Feb 2017
<p>There is a significant difference between the current license and the application. This is a built up residential area within a local community and to have a license to 3am is noise pollution to the residents.</p> <p>As well as noise pollution at a time when the majority of people are sleeping, there would be increased public order issues. Stopping this license would prevent potential crime and disorder, protect public safety, and this is a family residential area that does not need increased visiting traffic at this anti social hour.</p> <p>Late night disorder would be likely, and disruptive noise from visitors leaving the venue and noisy diesel taxis collecting clients of this venue. It should not go ahead.</p>	
Name:	Mr Francis Corbesier
Address and/or Residents Association:	199 Knightsbridge London Sw71rh
Received:	28 Jan 2017
<p>I am one of many neighbours who oppose to this new proposed development.</p> <p>Indeed that will increase the noise after normal hours, their customers will of course get out at night, often drunk and then they will create insecurity : shouting at night, shouting at other persons walking on the street, getting out of these premises with glasses or</p>	

bottles that they throw away on the road or other persons, insulting others, Stopping illegally with their car on the street

I oppose to any sale of alcohol so late for these premises and opening hours so late at night eg 3.30am

it will only cause insecurity in the neighbourhood, further crimes and surely disorder
Your function is to prevent public nuisance, this is a little street and any person getting out so late will undoubtedly cause noise, then they park their car on the street illegally,
All causes public unsafety and we should all take care of this. The area becomes full of bars and premises who wants to open and sell alcohol at night it has to stop to avoid Knightsbridge to become a "new Soho".

Name:	Ms Caroline Stoclin
Address and/or Residents Association:	10 Lancelot Place London SW7 1DR
Received:	30 Jan 2017

I am very sorry to hear that a licence to open a restaurant from 6 o'clock until 3:30 has been requested. Knightsbridge is a residential area with families and schools. Should 17 Knightsbridge Green become a restaurant, it should open at 8 o'clock and should not be allowed to serve alcohol after 10 o'clock. Staying open until 3:30 is extremely late.

I had not objected to Zuma opening later and since they were granted a licence to open later, there is more noise, more litter on my street. I also see that it has become more a bar than before. I regret not objecting to the extension of their licence.

Although there are many tourists in Knightsbridge, it is a residential area. We also want to enhance London's heritage with Harrods, the beautiful conservation area and Imperial College and Hyde Park. Allowing restaurants to open so early in the morning and close so late would be a disaster for the area, in terms of noise, safety and litter. I would prefer this place to be rented to a nice shop or an art gallery. I don't think another restaurant should be opened in the area.

I therefore strongly object to this licence being granted.

Name:	Robert Hays – Lancelot Place Knightsbridge
Address and/or Residents Association:	General Manager 10 Lancelot Place Knightsbridge London SW7 1DR
Received:	3 rd February 2017

1. I write to make a representation ("objection") on behalf of the residents at 10 Lancelot Place ("10LP") – address seen above.
2. The objection is made in relation to the application made by Khafife and Mroue Limited for a new premises license for 17 Knightsbridge Green, London, SW1X 7PL

("the restaurant").

3. 10LP represents residents living in 10 Lancelot Place, which comprises of 53 residential flats.

REASONS FOR THE OBJECTION

4. Further, granting the new license is not appropriate for the promotion of the licensing objectives, which are addressed below. The existing licence should stay the same, we are happy for new restaurants to open in the area. The only issue is the late night licence which is unacceptable in this residential and quite area.

Prevention of public nuisance

5. The noise emanating from the proposed Restaurant would create an unacceptable level late at night (up to 03.00hrs). The level of noise after midnight is not acceptable, particularly in a residential area.
6. The patrons of the Restaurant, during the proposed trading period, will use the surrounding area for littering, urinating and hanging around a secluded area (Raphael Street). This is also a regular occurrence in other parts of the area (particularly the Wellington club) that hold a late licence, particularly on Friday and Saturday nights.
7. Further, the patrons of the restaurant would leave the premises well after the proposed trading hours (post 3am). This will result in a crowd of drunken people aggregating around the restaurant and its proposed late night refreshments, which would be extremely intimidating and a nuisance. The main nuisance would be caused by yelling, swearing, fighting and obstructions around Raphael Street and the surrounding area. There are many routes for the crowds to disperse by using Trevor Square and the alley ways surrounding 10 Lancelot Place and Bulgari Hotel moving into Brompton Road area and causing much disruption late night.
8. Granting the new license will create this public nuisance.

Prevention of Crime and Disorder

9. The patrons of the Restaurant could cause crime and disorder by:
 - a. Being drunk and disorderly near the Restaurant and surrounding residential areas.
 - b. By urinating in a public place.
 - c. By yelling, swearing and possible fighting as they leave the Restaurant and hanging around the late night refreshment bar.
 - d. By congregating in large groups when they leave the Restaurant and making their way through Raphael Street into Brompton Road using various alley ways and routes near 10 Lancelot.
10. Granting the new license will create such a problem.

Public Safety

11. 10LP has the up most concern for the safety of its residents and the public.

12. The constant disturbance from the proposed late licence not only reduces all local residents' quality of life, but also leaves them with concerns for their safety, especially late at night. This is unacceptable in any area.
13. Having crowds of drunken users of the restaurant lingering outside late night in the vicinity of residential area and a quiet back street is not just a nuisance it's also unsafe.
14. Granting the new license will create such a problem.

CONCLUSION

15. The issues described above stem mainly from very late night alcohol consumption and people leaving the Restaurant in the early hours of the morning. With drunk people hanging around the late night refreshment bar.
16. The new license seeks to increase these activities with insufficient measures to prevent noise, disturbance and safety issues.
17. The new license will not promote the licensing objectives, but will increase the issues described and reduce further the quality of lives of the surrounding residents near the Restaurant.
18. Therefore, 10LP objects to the new licence and requests it be rejected. But there are no objections to the current licence.

Name:	Marianna Chaykina
Address and/or Residents Association:	Apartment 6.5 10 Lancelot Place London, SW7 1DR England
Received:	2 nd February 2017

I am writing in connection with the application 16/14239/LIPN for 17 Knightsbridge Green London.

Having examined the application I would like to express my strong objection to it.

The late working hours proposed within the application raise numerous concerns in the local residents such as myself.

One of the major considerations is the amount of noise that will be generated by late visitors to the venue and their vehicles as they arrive and depart. Although it is suggested that all patrons will leave the premises in an orderly manner, it is highly doubtful considering that the license foresees extended sale of alcohol.

Such visitors may wander around the neighbourhood smoking, leaving behind litter, causing disorder and disruption in the small hours.

Overall, I feel like the proposed license is not in the best interest of the neighbourhood residents, and I strongly urge you to reject it.

Name:	Mr Stephan Bianchi
Address and/or Residents Association:	199 knightsbridge London Sw71rh
Received:	30 th January 2017
<p>This area made of Raphael street and Knightsbridge green is already unsafe, very loud (with the Pub and Zuma) and very dirty (people urinate everywhere at night next to the post office). Until midnight it is already very difficult to sleep as people are outside shouting in the street.</p> <p>Then having another premise like this opened until 3.30 AM will give us no rest and add some more trouble at what already exists. Please do not give permission for such a late opening.</p>	
Name:	Dr Christopher Gibson-Smith
Address and/or Residents Association:	The Knightsbridge 199 Knightsbridge London SW7 1RH
Received:	31 Jan 2017
<p>Extension of the licensing hours will further erode the residential quality of the immediate neighbourhood. The requested change would increase all of the following: late night vehicle traffic, pedestrians, street smoking, noise, street alcohol consumption and general safety. The correct balance of use is crucial to maintaining the attraction of Knightsbridge as a residential area, and this balance is already at a limit of acceptability for local residents.</p>	
Name:	Mrs Tasoulla Christou
Address and/or Residents Association:	Apartment 4.14 199 Knightsbridge London Sw7 1RH
Received:	03 Feb 2017
<p>I object to the Application for Late Opening License by 17 Knightsbridge Green for the following reasons:</p> <ul style="list-style-type: none"> · The likelihood of late night disorder and nuisance · Noise from patrons leaving the venue late at night · Vehicle noise · Consumption of alcohol purchased before 3.30am · Patrons smoking outside the premises 	

Name:	Mrs Therese Cattan
Address and/or Residents Association:	10 Lancelot Place London SW7 1DR
Received:	01 Feb 2017

I object to the grant of a licence for a restaurant to be open between 6 o'clock until 3:30 most days of the week. I think 6 o'clock is too early as we are in a residential area. Staying open until 3:30 and serving alcohol until 11:30 is also too late.

I am very afraid of the litter that will increase but also the noise and crime such an extended licence can create. Knightsbridge with its park and families living in the area should not have places that open such long hours.

I sincerely hope the councillors will not grant such application. I also hope shops open rather than restaurants.

Name:	WELLINGTON COURT RTM COMPANY LTD
Address and/or Residents Association:	Wellington Court, 116 Knightsbridge, London, SW1X 7PL, United Kingdom
Received:	1 st February 2017

Re: Representation to application reference: 16/14239/LIPN

1. We write to make a representation ("objection") on behalf of the Wellington Court RTM Company Limited ("RTM").
2. The objection is made in relation to the application made by Khlife and Mroue Limited for a new premises licence for 17 Knightsbridge Green, London, SW1X 7QL (the "premises").
3. The RTM represents approximately 100 residents living in Wellington Court, 116 Knightsbridge, which is located less than 100m from the premises and will be affected by its activities.

LICENCE SOUGHT

4. The application suggests the premises will only operate as a restaurant, the premises is however seeking a late night licence. The premises' capacity is identified as 70.
5. The proposed licence will allow for up to 70 people to exit the premises at closing time (generally 03:30am). The activity (and the scale of it) that this would cause is a concern to the RTM.

REASONS FOR THE OBJECTION

6. The objection is made due to the unacceptable impact granting the licence will have

on the residents of the neighbourhood. Granting the proposed licence will negatively affect the residents' quality of life.

7. The premises licence seeks opening hours that exceed the Council's 'Core Hours'. It is considered that, if this licence is granted, given the nature of the proposed use and for the reasons outlined above, the hours of operation should be restricted to the Core Hours and on-going monitoring of harm undertaken by the Council.

8. Further, granting the new licence is not appropriate for the promotion of the licensing objectives, which are addressed below.

Prevention of public nuisance

9. The level of noise (including loud music) after midnight is not acceptable, particularly in a residential area.

10. The exiting of 70 people in the early hours of the morning on to the streets of what is a residential area will undoubtedly cause noise and commotion that will have a detrimental effect on the residents' quality of life.

11. Granting the new licence will exacerbate this public nuisance.

Public Safety

12. The RTM has the up most concern for the safety of its residents and the public.

13. The constant disturbance from the premises would not only reduce all local residents' quality of life, but also leave them with concerns for their safety, especially late at night. This is unacceptable in any area.

14. Having crowds of drunk users of the premises lingering outside in the vicinity of residential area is not just a nuisance it's also unsafe.

15. Granting the new licence will exacerbate this problem.

CONCLUSION

16. The new licence seeks to increase these activities with insufficient measures to prevent noise, disturbance and safety issues.

17. The new licence will not promote the licensing objectives, but will increase the issues described and reduce further the quality of lives of the surrounding residents near the club.

18. Therefore, the RTM objects to the new licence and requests it be rejected.

19. Thank you for taking the time to consider our objection, which we stress is not made lightly or to cause inconvenience. The issues described are causing serious anguish to the RTM and its residents.

Name:	Mr Nasser Aljaidah
Address and/or Residents Association:	10 Lancelot Place London SW7 1DR
Received:	31 Jan 2017
<p>Prevention of crime and disorder:</p> <ul style="list-style-type: none"> · Prevention of public nuisance · Public safety · Protection of children from harm furthermore · The likelihood of late night disorder and nuisance · Noise from patrons leaving the venue late at night · Vehicle noise late at night · Consumption of alcohol purchased before 3.00am · Patrons smoking outside the premises and hanging around Raphael Street late night · Late night refreshment being sold to drunk and disorderly people · Extra litter left around the area, especially late at night 	
Name:	Mr David Davis
Address and/or Residents Association:	apt 123 the Knightsbridge 199 Knightsbridge London sw71rh
Received:	01 Feb 2017
<p>I object on the grounds of the excessive number of licences that have already been granted in the local area and further on grounds of noise with late night drinking.</p>	
Name:	Mr Najy Nasser
Address and/or Residents Association:	199 Knightsbridge London SW7 1RH
Received:	03 Feb 2017
<p>I oppose this application. I live in Knightsbridge with my wife and children and am concerned about a number of issues:</p> <p>Firstly, the noise nuisance from patrons leaving the proposed establishment late at night will disrupt residents' right to quiet enjoyment, in the past instances with similar late night venues we have already have had our children woken up frightened by the noise of people shouting, fighting, or just speaking very loudly, quite often drunk.</p> <p>Secondly, it has also been our experience that patrons of establishments open late, disturb our children and our rest by driving in the area, looking for parking, often accelerating or when returning to their cars: shouting, slamming car doors, revving up their cars and sometimes honking.</p> <p>Thirdly, the ability to consume alcohol until 3am even if purchased earlier will encourage</p>	

drunken behaviour and increase public nuisance, crime and disorder.

Fourth, patrons are likely to congregate outside the premises to smoke and chat which will impact local resident's ability to sleep and rest at night.

Fifth, you only need to look at Brompton road to see that the later a place stays open and the more footprint it has, the worse is the resulting garbage abandoned on pavements and streets ranging from food wrapping, cups, bags and cigarette butts.

There is a direct correlation between how late a venue is licensed and the resulting crime, disorder and public nuisance. Knightsbridge is a residential area and the rights of residents and their children to have a normal night's sleep ought to be protected.

Name:	Cllr Devenish and Cllr Robathan
Address and/or Residents Association:	Ward Councillors for Knightsbridge and Belgravia
Received:	31 st January 2017

We would like to register our objection in relation to this application in particular we would like to draw your attention to the request for the premises to stay open till 03:30. This is not appropriate for this predominantly residential area where there will be noise and disturbance from patrons departing late at night, 7 days a week.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
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 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Premises Licence Reference: 16/05956/LIPN

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

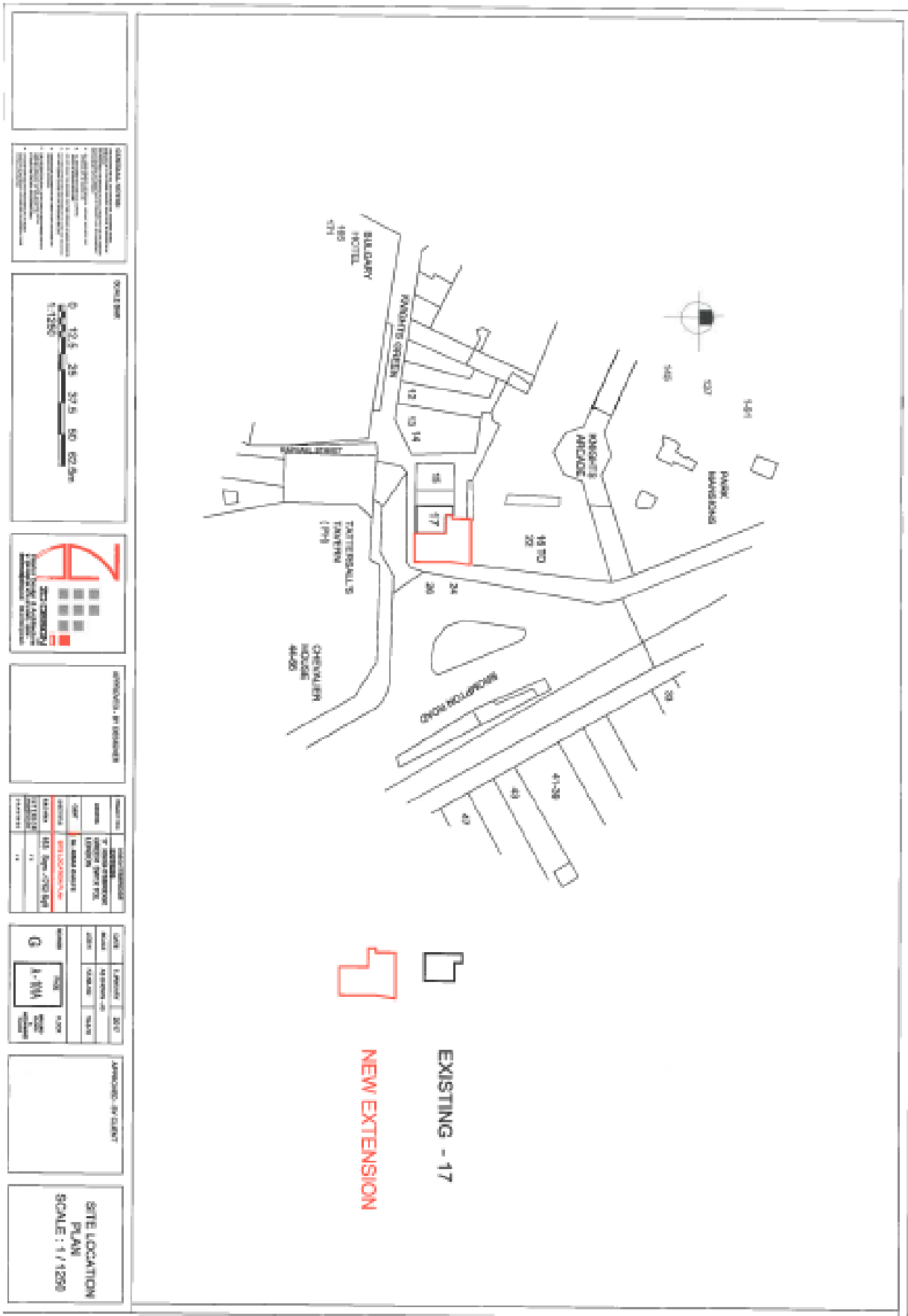
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

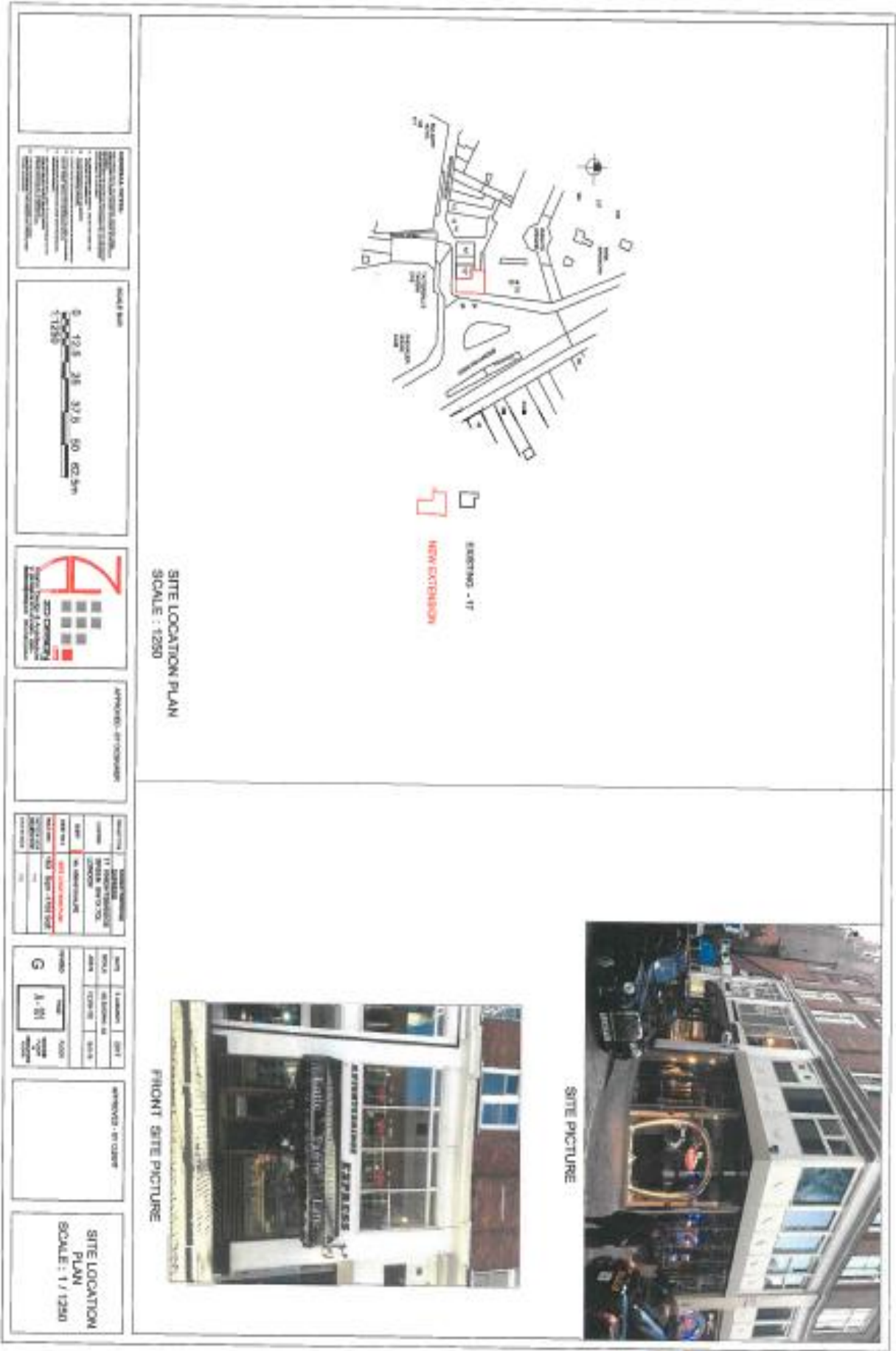
Background Documents – Local Government (Access to Information) Act 1972

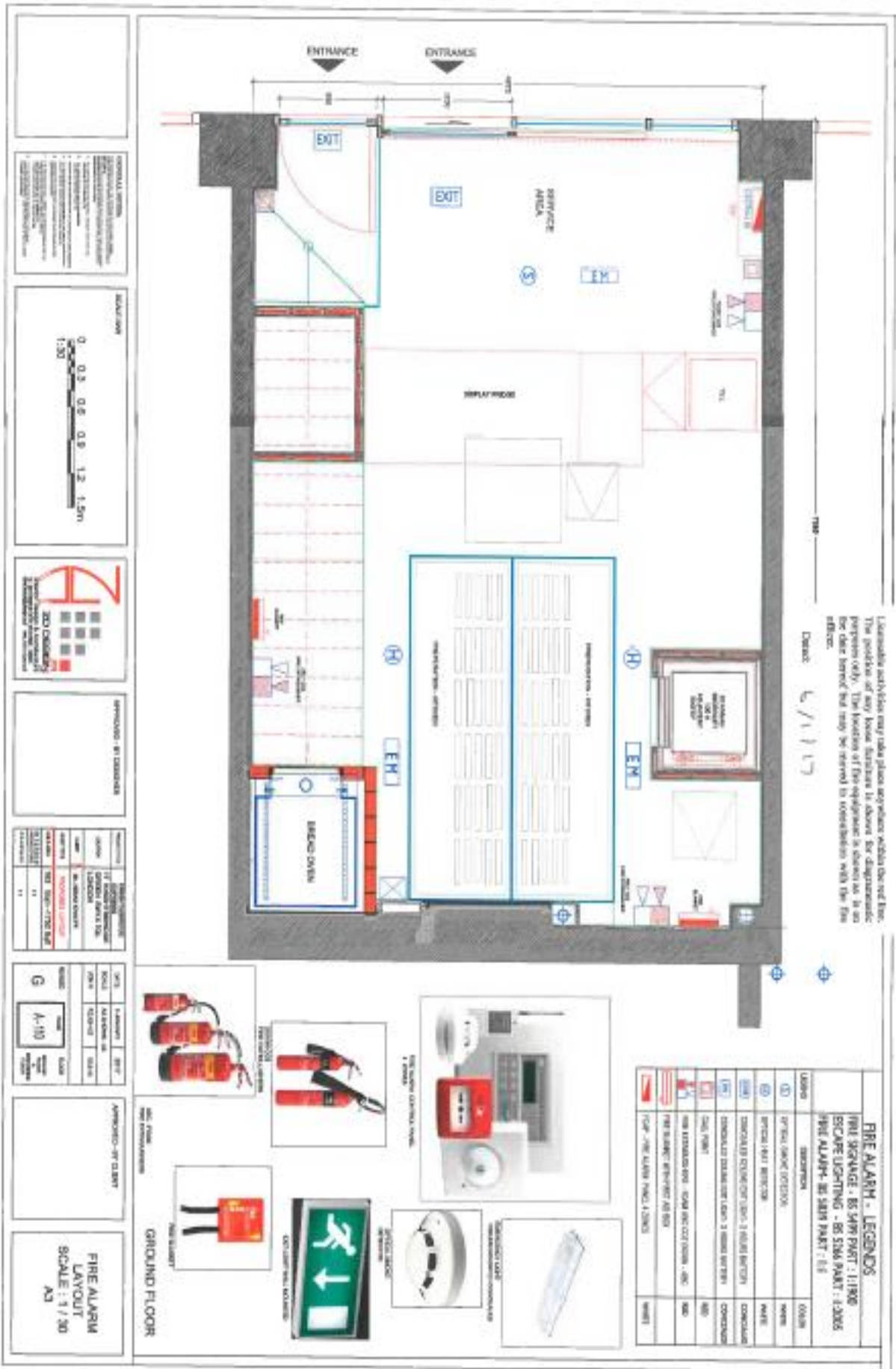
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	28 th December 2016
5	Representation – Environmental Health	2 nd February 2017
6	Representation – Mr Francis Corbesier	28 th December 2016
7	Representation – Stephan Bianchi	30 th January 2017
8	Representation – Caroline Stoclin	30 th January 2017
9	Representation – Knightsbridge Residents Management Company	31 st December 2016
10	Representation – Dr Christopher Gibson-Smith	31 st January 2017
11	Representation – Mr Nasser Aljaidah	31 st January 2017
12	Representation – Mr David Davis	1 st February 2017
13	Representation – Ms Therese Cattan	1 st February 2017
14	Representation – Mr Robert Hayes	2 nd February 2017
15	Representation – Dr Terence Bramall	3 rd February 2017
16	Representation – Mrs Tasoulla Christou	3 rd February 2017
17	Representation – Mr Najy Nasser	3 rd February 2017
18	Representation – Ms Marianna Chaykina	2 nd February 2017
19	Representation – Mr Rain Holdings	3 rd February 2017
20	Representation – Knightsbridge Association	2 nd February 2017

21	Representation – Wellington Court RMT Company	1 st February 2017
22	Representation – Cllr Devenish & Cllr Robathan	31 st January 2017

Premises Plans





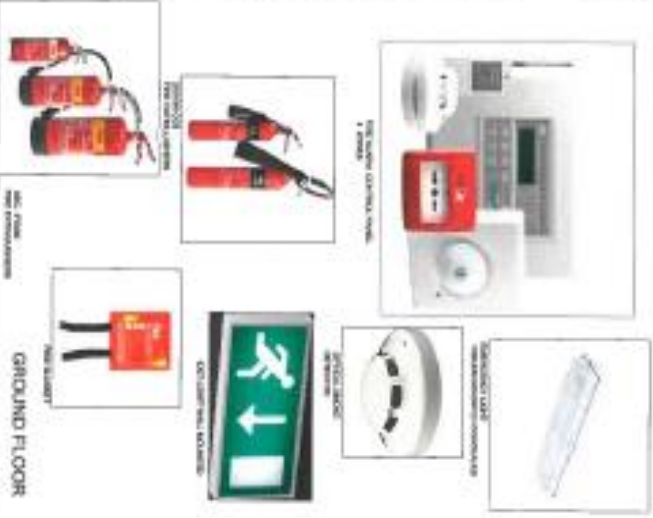


Locations and/or other information may vary from the above. The position of any fixed structure is shown for diagrammatic purposes only. The location of the equipment is shown as it is for latest period but may be revised in consultation with the fire officer.

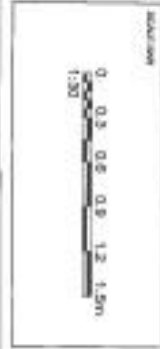
Date: 6/1/17

FIRE ALARM - LEGENDS

SYMBOL	DESCRIPTION	QUANTITY
①	FIRE ALARM CONTROL PANEL	1
②	FIRE ALARM CONTROL PANEL	1
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④	FIRE ALARM CONTROL PANEL	1
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㊺	FIRE ALARM CONTROL PANEL	1



GENERAL NOTES:
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 6. ALL WORK TO BE IN ACCORDANCE WITH THE SANITARY REGULATIONS 2010.
 7. ALL WORK TO BE IN ACCORDANCE WITH THE GAS REGULATIONS 2010.
 8. ALL WORK TO BE IN ACCORDANCE WITH THE HEATING REGULATIONS 2010.
 9. ALL WORK TO BE IN ACCORDANCE WITH THE VENTILATION REGULATIONS 2010.
 10. ALL WORK TO BE IN ACCORDANCE WITH THE LIGHTING REGULATIONS 2010.
 11. ALL WORK TO BE IN ACCORDANCE WITH THE SOUND REGULATIONS 2010.
 12. ALL WORK TO BE IN ACCORDANCE WITH THE VIBRATION REGULATIONS 2010.
 13. ALL WORK TO BE IN ACCORDANCE WITH THE ENVIRONMENTAL REGULATIONS 2010.
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 18. ALL WORK TO BE IN ACCORDANCE WITH THE PROTECTION REGULATIONS 2010.
 19. ALL WORK TO BE IN ACCORDANCE WITH THE PREVENTION REGULATIONS 2010.
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 21. ALL WORK TO BE IN ACCORDANCE WITH THE ELIMINATION REGULATIONS 2010.
 22. ALL WORK TO BE IN ACCORDANCE WITH THE CONTROL REGULATIONS 2010.
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 25. ALL WORK TO BE IN ACCORDANCE WITH THE REPORTING REGULATIONS 2010.
 26. ALL WORK TO BE IN ACCORDANCE WITH THE INVESTIGATION REGULATIONS 2010.
 27. ALL WORK TO BE IN ACCORDANCE WITH THE CORRECTIVE REGULATIONS 2010.
 28. ALL WORK TO BE IN ACCORDANCE WITH THE PREVENTIVE REGULATIONS 2010.
 29. ALL WORK TO BE IN ACCORDANCE WITH THE PROMOTION REGULATIONS 2010.
 30. ALL WORK TO BE IN ACCORDANCE WITH THE EDUCATION REGULATIONS 2010.



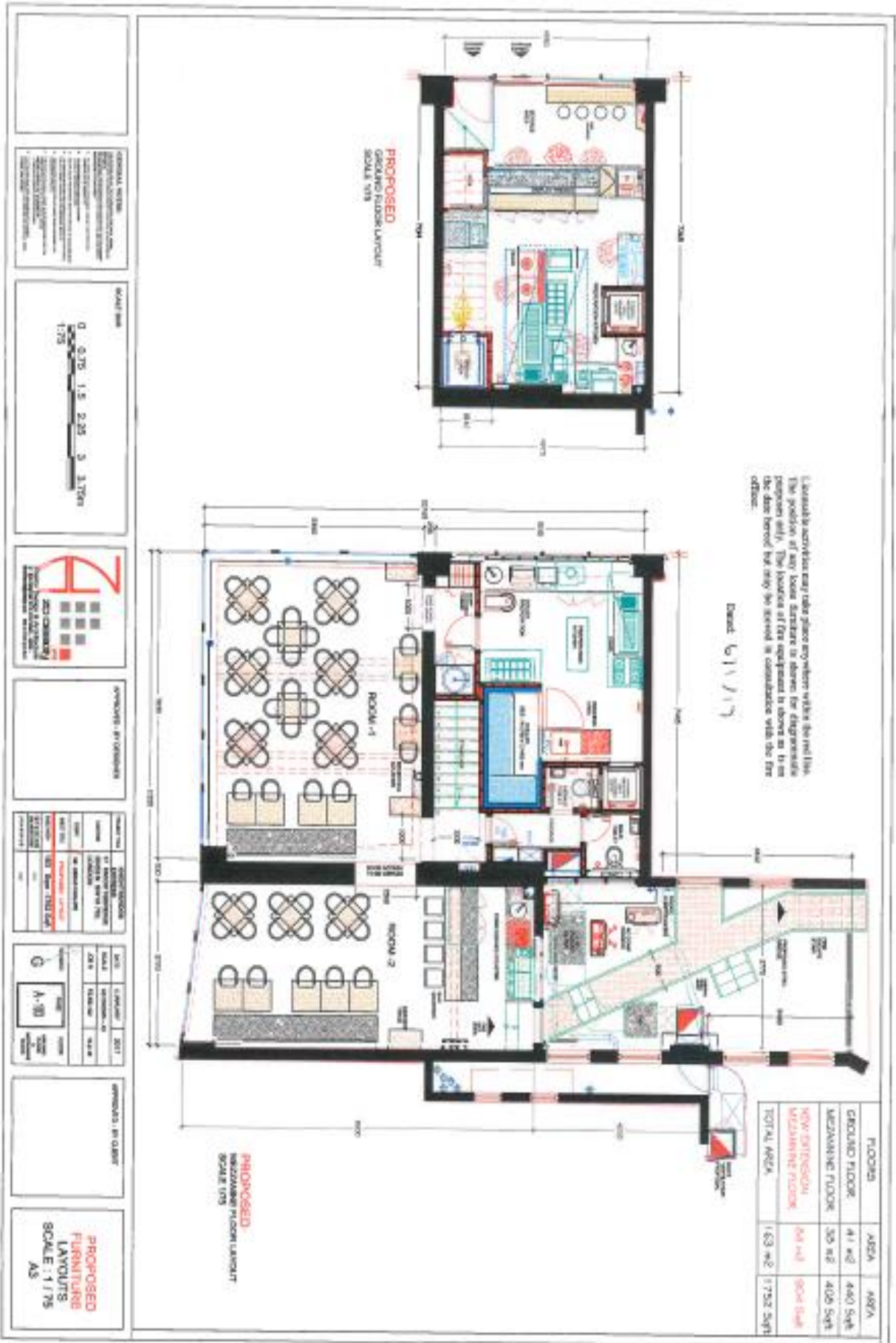
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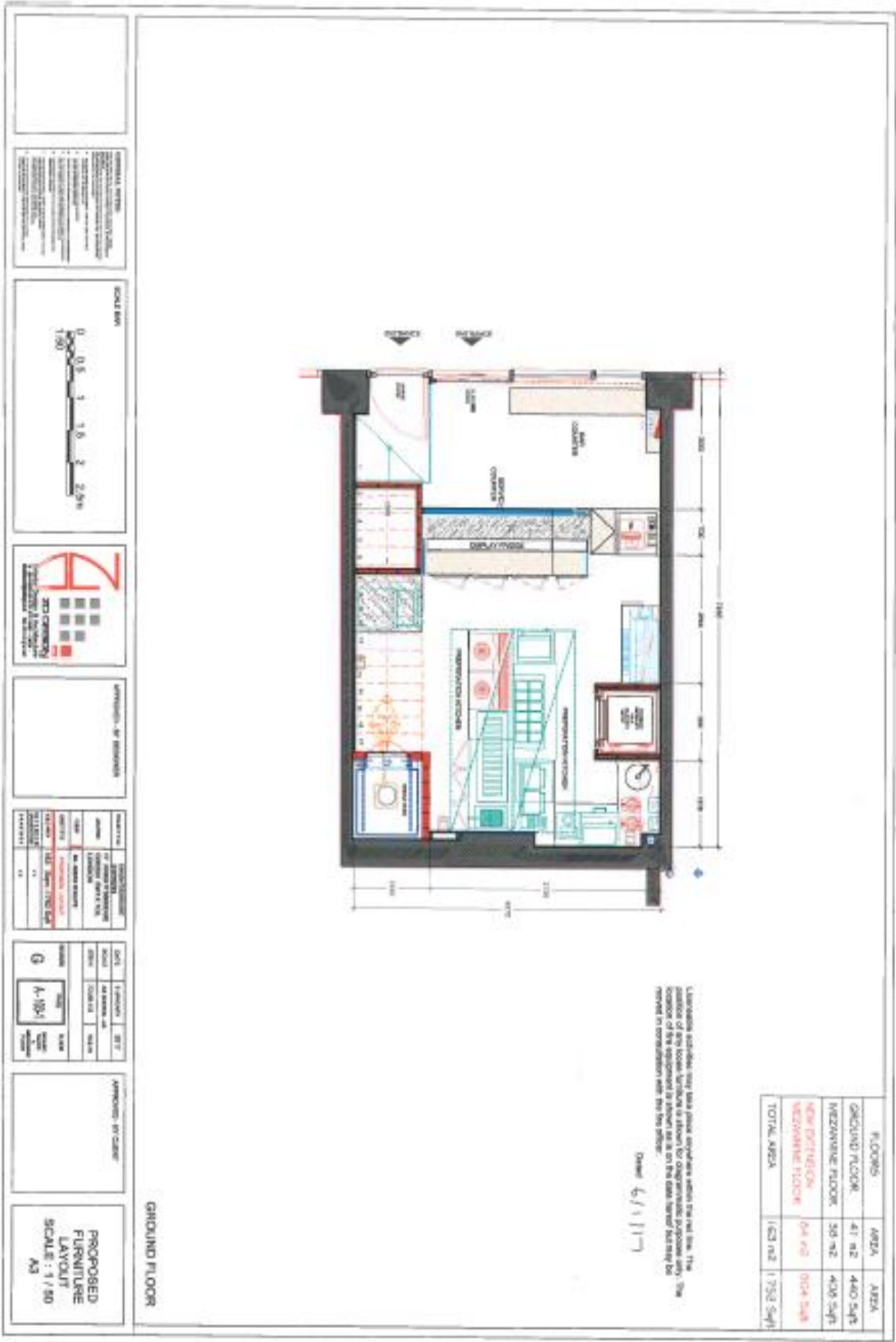
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FIRE ALARM LAYOUT SCALE: 1/30 AD





FLOOR#	AREA	AREA
GROUND FLOOR	47 m ²	440 Sqft
MEDIAWARE FLOOR	58 m ²	498 Sqft
NEW EXTENSION MEDIAWARE FLOOR	84 m ²	904 Sqft
TOTAL AREA	183 m ²	1738 Sqft

Liability excluded. See data source requirements within the net list. The position of any loose furniture is shown for diagrammatic purposes only. The location of the equipment is shown as it on the data sheet but may be moved in consultation with the data owner.

Drawn 6/1/17

GROUND FLOOR

<p>GENERAL NOTES:</p> <ul style="list-style-type: none"> 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED. 2. ALL WALLS ARE 100mm THICK UNLESS OTHERWISE SPECIFIED. 3. ALL FLOORS ARE 100mm THICK UNLESS OTHERWISE SPECIFIED. 4. ALL CEILING ARE 100mm THICK UNLESS OTHERWISE SPECIFIED. 5. ALL ROOF ARE 100mm THICK UNLESS OTHERWISE SPECIFIED. 6. ALL DOORS ARE 2000mm HIGH UNLESS OTHERWISE SPECIFIED. 7. ALL WINDOWS ARE 2000mm HIGH UNLESS OTHERWISE SPECIFIED. 8. ALL STAIRS ARE 1000mm WIDE UNLESS OTHERWISE SPECIFIED. 9. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 10. ALL FINISHES ARE TO BE DETERMINED BY THE CLIENT. 	<p>SCALE BAR</p>	<p>LEGEND</p>	<p>APPROVED - BY ENGINEER</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISION</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>06/01/17</td> <td>01</td> <td>ISSUE FOR PERMITTING</td> </tr> <tr> <td>06/01/17</td> <td>02</td> <td>ISSUE FOR CONSTRUCTION</td> </tr> <tr> <td>06/01/17</td> <td>03</td> <td>ISSUE FOR OCCUPANCY</td> </tr> </tbody> </table>	DATE	REVISION	DESCRIPTION	06/01/17	01	ISSUE FOR PERMITTING	06/01/17	02	ISSUE FOR CONSTRUCTION	06/01/17	03	ISSUE FOR OCCUPANCY	<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISION</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>06/01/17</td> <td>01</td> <td>ISSUE FOR PERMITTING</td> </tr> <tr> <td>06/01/17</td> <td>02</td> <td>ISSUE FOR CONSTRUCTION</td> </tr> <tr> <td>06/01/17</td> <td>03</td> <td>ISSUE FOR OCCUPANCY</td> </tr> </tbody> </table>	DATE	REVISION	DESCRIPTION	06/01/17	01	ISSUE FOR PERMITTING	06/01/17	02	ISSUE FOR CONSTRUCTION	06/01/17	03	ISSUE FOR OCCUPANCY	<p>APPROVED - BY CLIENT</p>	<p>PROPOSED FURNITURE LAYOUT</p> <p>SCALE : 1 / 50</p> <p>AS</p>
DATE	REVISION	DESCRIPTION																													
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06/01/17	02	ISSUE FOR CONSTRUCTION																													
06/01/17	03	ISSUE FOR OCCUPANCY																													

Sheet 6/11/17

Landmark activities may also place employees within the red line. The location of any loose furniture is shown for equipment proposed only. The location of any equipment is shown as it will be after the red line may be removed in consultation with the fire officer.



PROPOSED
GROUND FLOOR LAYOUT
SCALE 1/75



PROPOSED
MEZZANINE FLOOR LAYOUT
SCALE 1/75

FLOOR	AREA	AREA	AREA
GROUND FLOOR	41 m ²	440 m ²	
MEZZANINE FLOOR	59 m ²	405 m ²	
NEW EXTENDING MEZZANINE FLOOR	04 m²	304 m²	
TOTAL AREA	103 m²	1752 m²	

GENERAL NOTES

- 1. ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010.
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- 7. ALL WORK TO BE IN ACCORDANCE WITH THE HEALTH AND SAFETY REGULATIONS 2010.
- 8. ALL WORK TO BE IN ACCORDANCE WITH THE CONSTRUCTION REGULATIONS 2010.
- 9. ALL WORK TO BE IN ACCORDANCE WITH THE PLANNING REGULATIONS 2010.
- 10. ALL WORK TO BE IN ACCORDANCE WITH THE LOCAL AUTHORITY REGULATIONS 2010.

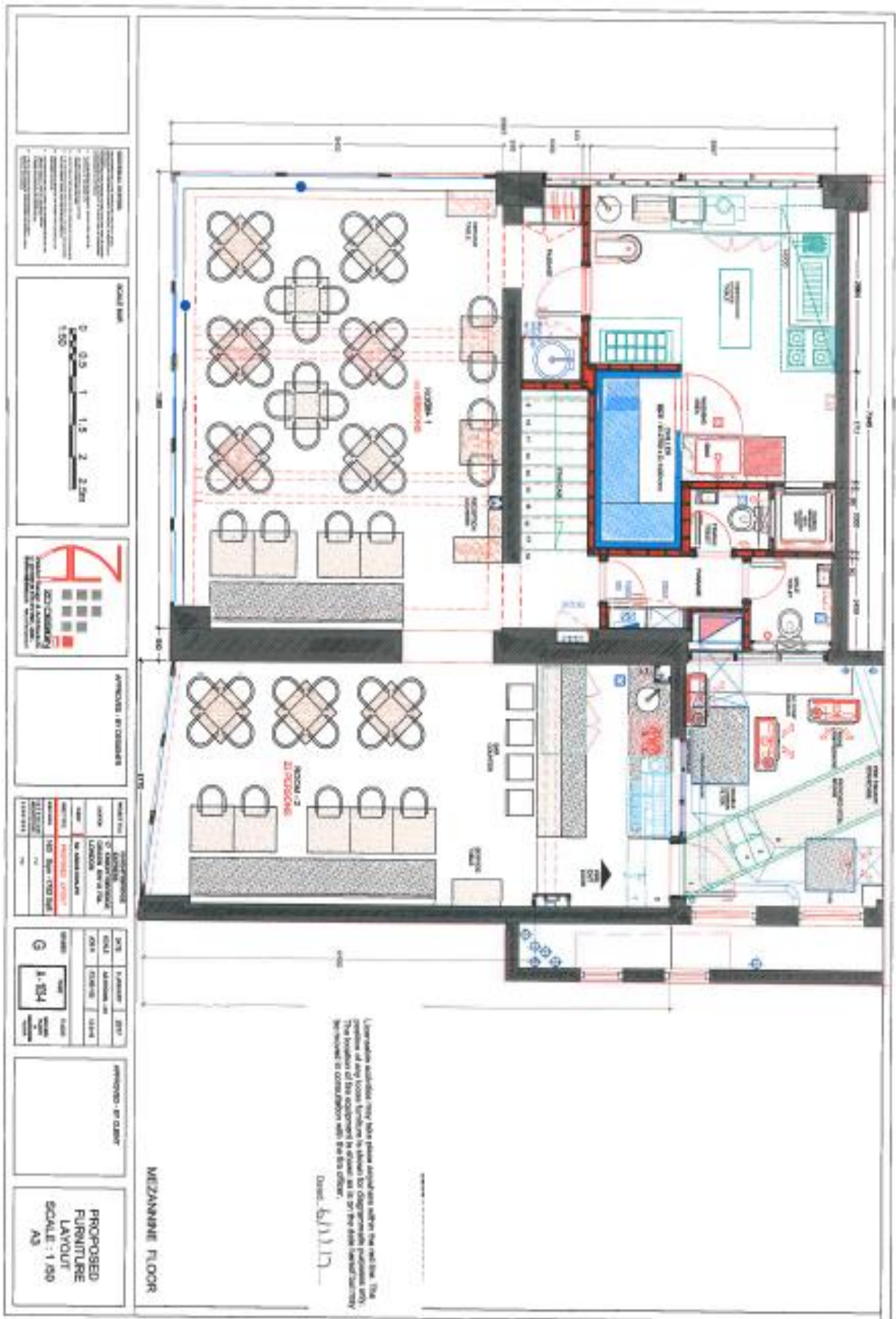
SCALE 1/75

APPROVED BY DESIGNER

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9	11/11/17	ISSUED FOR TENDER
10	11/11/17	ISSUED FOR TENDER

APPROVED BY CLIENT

PROPOSED
FURNITURE
LAYOUTS
SCALE : 1/75
A3



Applicant Supporting Documents

None submitted.

Premises History - 16/05956/LIPN

Application	Details of Application	Date Determined	Decision
16/05956/LIPN	New premises Licence	9 th August 2016	Granted under Delegated Authority

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

Conditions consistent with the operating schedule

9. The premises shall only operate as a restaurant:
- (i) 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,
 - (ii) where substantial food will be available at all times.
 - (iii) which do not provide any take away service of food or drink after 23.00, and
 - (iv) 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. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

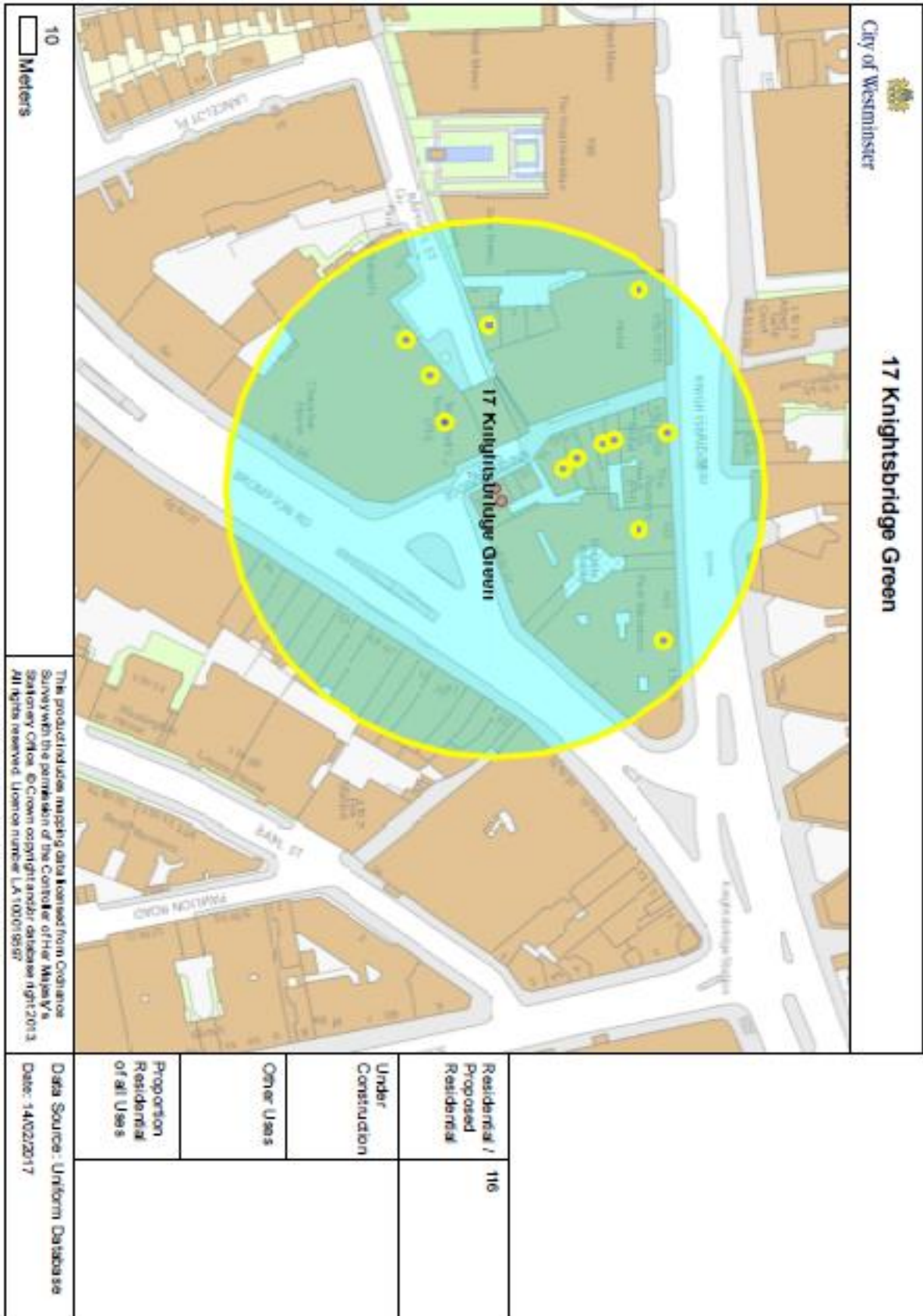
10. Staff are to be trained regularly on licensing provisions and the training is to be documented.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling 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.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage 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, 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. any faults in the CCTV system

- f. any visit by a relevant authority or emergency service
 - g. any refusal of alcohol.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 15. 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.
 16. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
 17. The premises will have sound proofing to prevent noise and vibration being transmitted through the structure of the premises which give rise to a nuisance.
 18. 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
 19. No deliveries to the premises shall take place between 23:00 hours and 08:00.
 20. The premises licence holder will be able to provide details of a minicab service to customers between the hours of 23:00 and 03:30, if such a service is required.
 21. 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 driving licence, passport or proof of age card with PASS hologram.
 22. Staff shall use the incident log to record details of instances where staff have refused a customer thought to be underage.
 23. No licensable activities in this application for a new premises licence shall take place at the premises until the current premises licence (premises licence number 16/05956/LIPN or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Conditions proposed by the Environmental Health

None submitted.

Residential Map and List of Premises in the Vicinity



Premises within 75 metres of 17 Knightsbridge Green:			
p / n	Name of Premises	Premises Address	Licensed Hours
1241	Zuma	5 Raphael Street London SW7 1DL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
4276	Signor Sassi	13 - 14 Knightsbridge Green London SW1X 7QL	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays 12:00 - 01:00
17593	Sautters	8 Raphael Street London SW7 1DL	Monday to Friday 09:00 - 20:00 Saturday 10:00 - 18:00 Sunday 11:00 - 17:00
-18988	J Walter Thompson	First Floor 1 Knightsbridge Green London SW1X 7QA	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-14764	Sunny News	10 Knightsbridge Green London SW1X 7QL	Monday to Sunday 05:30 - 23:00
22618	Fratelli La Bufala	12 Knightsbridge Green London SW1X 7QL	Monday to Saturday 09:00 - 00:00 Sunday 09:00 - 23:00
-30612	Kateh Restaurant	9 Knightsbridge Green London SW1X 7QL	New Year's Eve 11:00 - 01:00 Monday to Saturday 11:00 - 23:00 Sunday 12:00 - 22:30
-26662	Mr Chow Restaurant	151 Knightsbridge London SW1X 7PA	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00

-17853	Buddha Bar	145 Knightsbridge London SW1X 7PA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-17369	Tattersalls Tavern	Tattersalls Tavern 2 Knightsbridge Green London SW1X 7QA	Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30
-15406	Bvlgari Hotel	171 Knightsbridge London SW7 1DW	Monday to Sunday 00:00 - 00:00 Monday to Saturday 08:00 - 22:00 Sunday 09:00 - 22:00
29291	Paxton's Head Public House	153 Knightsbridge London SW1X 7PA	Monday to Sunday 10:00 - 01:30
32688	Tattersalls Tavern	Tattersalls Tavern 2 Knightsbridge Green London SW1X 7QA	Sunday 07:00 - 00:00 Monday to Saturday 07:00 - 00:30

Premises Licence - 16/14239/LIPN

Item No:	
Date:	3 March 2017
Licensing Ref No:	17/00142/LIPN - New Premises Licence
Title of Report:	Pilgrim Hotel 25 London Street London W2 1HH
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	5 January 2017		
Applicant:	New World Hospitality Limited		
Premises:	Pilgrim Hotel		
Premises address:	25 London Street London W2 1HH	Ward:	Hyde Park
		Cumulative Impact Area:	None.
Premises description:	The premises is currently operating as a Hotel.		
Premises licence history:	This is an application for a new Premises Licence and therefore no history exists.		
Applicant submissions:	<p>This is a modernisation of the existing hotel improving its standard and facilities.</p> <p>It will provide moderate priced accommodation for short stay guests; Good quality catering will become available with suitable background music both live and recorded.</p> <p>Facilities for residents will be available 24 hours a day but for those visiting them.</p>		

1-B Proposed licensable activities and hours							
Late Night Refreshment Hotel Residents:				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	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations/ Non-standard timings:			None.				

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	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:		None.					

Exhibition of Film :				Indoors, outdoors or both			Indoors
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.					

Live Music Hotel Residents:				Indoors, outdoors or both			Indoors
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.					

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Recorded Music Hotel Residents:				Indoors, outdoors or both			Indoors
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.					

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Sale by retail of alcohol Hotel Guests:				On or off sales or both:			On Sales
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.					

Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		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:		Not applicable.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	24 th January 2017
<p>With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a variation of a premises licence as it is our belief that if granted the application may undermine the Licensing Objectives contained in the 2003 Licensing Act.</p> <p>Our objections relate to the follow:</p> <ul style="list-style-type: none"> • There are insufficient conditions offered to support the licensing objectives • More information required to assess this application 	
Responsible Authority:	Environmental Health Team
Representative:	Mr Maxwell Koduah
Received:	23 rd January 2017
<p>This representation is based on the operating schedule and accompanying plans of basement to fourth floor by Chalk Architecture Ltd dated August 2016.</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none"> 1. Provision of films “indoors” for hotel residents Monday to Sunday from 12:00 to 00 hours (24 hours) 2. Provision of live music “indoors” at the following times: Monday to Thursday: 09:00 – 23:30 Friday to Saturday: 09:00 – 00:00 Sunday: 09:00 – 22:30 24 hours Monday to Sunday for hotel residents 3. Provision of recorded music “indoors” at the following times: Monday to Thursday: 09:00 – 23:30 Friday to Saturday: 09:00 – 00:00 Sunday: 09:00 – 22:30 24 hours Monday to Sunday for hotel residents 	

4. Provision of late night refreshment "Indoors" at the following times:
 Monday to Thursday: 23:00 – 23:30
 Friday & Saturday: 23:00 - 00:00
 24 hours Monday to Sunday for hotel residents

5. Supply of Alcohol for consumption "On" the premises at the following times:
 Monday to Thursday: 10:00 – 23:30
 Friday & Saturday: 10:00 - 00:00
 Sunday: 12:00 – 22:30
 Sundays before bank holidays: 10:00 – 00:00
 24 hours Monday to Sunday for hotel residents

I wish to make the following representation

1. No objection

2. The provision of live music and the hours requested will have the likely effect of causing an increase in Public Nuisance within the area

3. The provision of recorded music and the hours requested will have the likely effect of causing an increase in Public Nuisance within the area

4. The provision of late night refreshment (LNR) and the hours requested will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area

5. 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

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

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

2-B Other Persons			
Name:		John Zamit	
Address and/or Residents Association:		Chairman - South East Bayswater Residents' Association (SEBRA)	
Status:	Valid	In support or opposed:	Opposed
Received:	23 rd January 2017		
<p>We wish to object to grant of this licence on grounds of potential noise, crime and disorder and nuisance from guests and visitors arriving/ leaving etc.</p>			

Also cannot see conditions controlling deliveries and hours of waste /recycling collections from premises to protect residential amenity in surrounding area.

We are not clear as to position on hours of sale to 'guests' of persons staying at hotel. We would not want position that someone staying at hotel can bring back unlimited number of 'guests' to hotel to 'drink'

Also what is position on sales of alcohol to persons not staying at hotel and not guests of persons staying at hotel even within WCC 'Core Hours'? i.e. is it proposed anyone can enter hotel , have a drink but not partake of 'substantial food' ? If this is the case we would have substantial reservations and would need to look at mode of operation (seated etc) and numbers allowed at any one time.

We would welcome dialogue with applicant / agent and WCC on matters raised above and happy to attend meeting at hotel.

3. Policy & Guidance

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

Policy HRS1 applies

- (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
- (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

Policy HOT1 applies:

- Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:
- (a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.
 - (b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,
 - (c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.

4. Appendices

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

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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

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

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	5 th January 2017
5	Representation – Environmental Health	23 rd January 2017
6	Representation – MET Police	24 th January 2017
7	Representation – SEBRA	23 rd January 2017

Applicant Supporting Documents

None Submitted.

Premises History

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

Conditions consistent with the operating schedule

9. The 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.
10. 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.
11. 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.
12. There shall be no sales of alcohol for consumption off the premises after **(23.00)**.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. 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.
15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance

with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.

18. With the exception of residents and their bona fide guests, no alcohol shall be consumed more than **(30)** minutes after the permitted terminal hour for the supply of alcohol
19. 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.
20. 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.

Conditions proposed by the Environmental Health

21. There shall be no self-service of alcohol on the premises
22. 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 to non-residents
23. 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
24. The premises shall install and maintain a 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 officers throughout the preceding 31 day period
25. 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 non-residents of the hotel. 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
26. 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

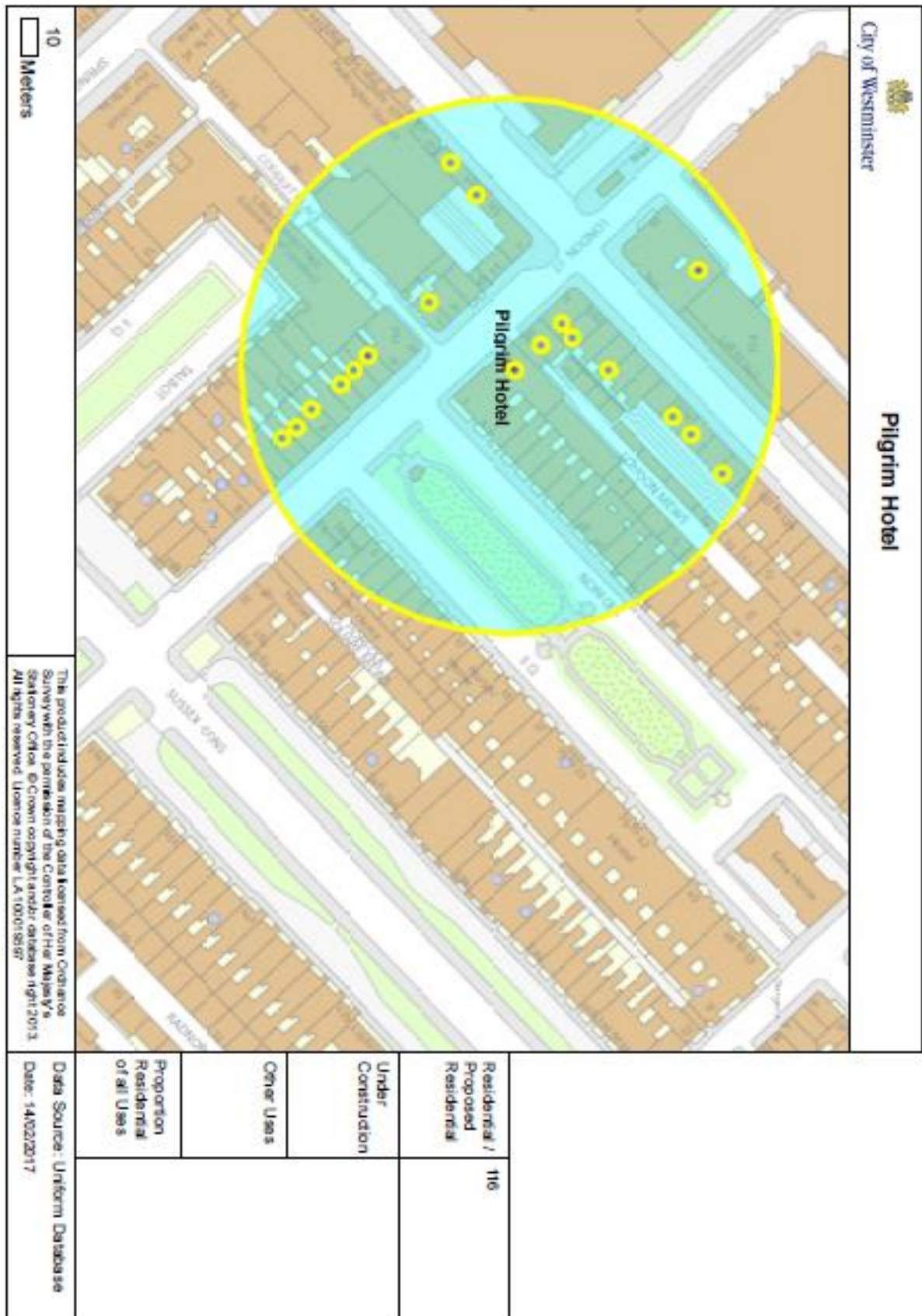
27. Other than in the hotel bedrooms, there shall be no striptease or nudity and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence
28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and business and leave the area quietly
29. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time
30. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi
31. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel
32. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
33. After 23:00, the sale and consumption of alcohol shall only be to and by residents of this premises and up to a maximum of two of their bona-fide guests.
34. 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
35. 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
36. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
37. 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
38. No deliveries to the premises shall take place between 23:00 and 08:00 hours on the following day.
39. 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.

40. 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.
41. There shall be no consumption of alcohol at the outside areas of the premises
42. All external doors in the basement shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.

Conditions proposed by the Police

None submitted.

Residential Map and List of Premises in the Vicinity



Premises within 75 metres of the Pilgrim Hotel, 25 London Street:			
p / n	Name of Premises	Premises Address	Licensed Hours
2420	Portland Food & Wine	15 London Street London W2 1HL	Monday to Sunday 00:00 - 00:00
-26731	Thresher Wine Shop	14 London Street London W2 1HL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-26007	Garfunkels	Ground Front 144 Praed Street London W2 1HU	Sunday 08:00 - 00:00 Monday to Saturday 08:00 - 00:30
-17208	Dickens Tavern	Basement 25 London Street London W2 1HH	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
-11673	Yahala	26 London Street London W2 1HH	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-10587	Kolossi Taverna	12 London Street London W2 1HL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
74	Paddington Gift Shop	Ground 161 Praed Street London W2 1RL	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
9287	The Mughal's	Basement And Ground Floor 11 London Street London W2 1HL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
9426	Kentucky Fried Chicken Express	149 Praed Street London	Monday to Sunday 23:00 - 03:00
15073	Sawyers Arms Public House	8-9 London Street London W2 1HL	Sunday 08:00 - 23:00 Monday to Saturday 08:00 - 23:30
16661	Le Gourmet	Ground Floor And Basement 157 Praed Street London W2 1RL	Monday to Saturday 07:00 - 02:00 Sunday 08:00 - 02:00
25773	Aberdeen Steak House	163-167 Praed Street London W2 1RH	Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 01:00 Sundays before Bank Holidays 10:00 - 01:00
26317	Budgens	171-173 Praed Street London W2 1RH	Monday to Saturday 08:00 - 05:00 Sunday 10:00 - 05:00

-31283	Oliver's Steakhouse	Basement 25 London Street London W2 1HH	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:30
-12672	Subway	147 Praed Street London W2 1RL	Monday to Sunday 00:00 - 00:00
-7438	Hotel Indigo	Front Left 16-17 London Street London W2 1HL	Monday to Sunday 07:30 - 23:00
-6323	San Marco	10 London Street London W2 1HL	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-627	La Tazza Cafe	Basement And Ground Floor 143 Praed Street London W2 1RL	Monday to Sunday 07:00 - 23:00
10904	McDonald's Restaurants	Ground Front Right 144 Praed Street London W2 1HU	Monday to Sunday 06:30 - 00:00
16633	Lite Bite	Basement Front And Ground Floor 7 London Street London W2 1HL	Sunday 07:00 - 23:00 Monday to Saturday 07:00 - 23:30
31114	Burger King (UK) Ltd	27 London Street London W2 1HH	Monday to Sunday 07:00 - 02:00

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City of Westminster

Licensing Sub-Committee Report

Agenda Item 3

Item No:	
Date:	3 March 2017
Licensing Ref No:	16/13896/LIPV - Premises Licence Variation
Title of Report:	Sidney Rose Mini Market Ground Floor 34-36 Maddox Street London W1S 1PD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	19 December 2016		
Applicant:	Mr Vijay Natwarlal Shukla		
Premises:	Sidney Rose Mini Market		
Premises address:	Ground Floor 34-36 Maddox Street London W1S 1PD	Ward:	West End
		Cumulative Impact Area:	None.
Premises description:	Sidney Rose Mini Market is currently operating as a local convenience store.		
Variation description:	<p>The applicant would like to extend its business operations to 24 hours, 7 days a week.</p> <p>The proposition of the business service within the extended operational hours would be:</p> <ol style="list-style-type: none"> 1) Selling all goods including alcohol for 24 hours. 2) The selling of pre-cooked late night refreshments. 3) Having a 24hours delivery service, which would have the full goods catalogue of Sidney rose minimarket. 		
Premises licence history:	The premises has had a premises licence since September 2005.		
Applicant submissions:	<p>The applicant has stated that they will abide by the general rules and regulations we are governed by and to uphold then responsibility.</p> <p>They do not envisage any new impact to public safety beyond the current business offerings. They will continue to abide by all legal obligations in terms of code of practice and required insurances.</p> <p>The applicant believes that the business is not going to be engaged in those activities which would invariably append to public nuisance. The adoption of extensive CCTV operations should prove to be a deterrent in this matter also.</p>		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
					Outdoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday			23:00	05:00		Please Plan attached at Appendix 1
Tuesday			23:00	05:00		
Wednesday			23:00	05:00		
Thursday			23:00	05:00		
Friday			23:00	05:00		
Saturday			23:00	05:00		
Sunday			23:00	05:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
					None.	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Off Sales		Off Sales	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	00:00	00:00	Please Plan attached at Appendix 1.	No Change.
Tuesday	08:00	23:00	00:00	00:00		
Wednesday	08:00	23:00	00:00	00:00		
Thursday	08:00	23:00	00:00	00:00		
Friday	08:00	23:00	00:00	00:00		
Saturday	08:00	23:00	00:00	00:00		
Sunday	10:00	22:30	00:00	00:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None.			None.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	06:00	21:00	Please Plan attached at Appendix 1.	No Change.
Tuesday	08:00	23:00	06:00	21:00		
Wednesday	08:00	23:00	06:00	21:00		
Thursday	08:00	23:00	06:00	21:00		
Friday	08:00	23:00	06:00	21:00		
Saturday	08:00	23:00	06:00	21:00		
Sunday	10:00	22:30	06:00	21:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None.				None.	

1-C Layout alteration
None applied for.

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
<p><u>Condition 6</u></p> <p>External and Internal CCTV recording will be in operation as a deterrent against violent crime and abuse.</p>	To be added.	
<p><u>Condition 7</u></p> <p>Strict age verification will be conducted, particularly in relation to those items that can be harmful for children such as tobacco and alcohol.</p>	To be added.	
Adult entertainment:	Current position:	Proposed position:
	Not applicable	Not applicable.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team

Representative:	Ms Ayesha Bolton
Received:	27 th January 2017

I refer to the application for variation of Premises Licence for the above premises. This representation is based on the application and the operating schedule submitted.

The applicant is seeking the following:

1. To extend the hours for Supply of Alcohol 'Off' the premises only Monday to Sunday 00.00 to 00.00 hours.
2. To provide Late Night Refreshment 'Outdoors' only Monday to Sunday 00.00 to 00.00 hours.

I wish to make the following representation.

1. The hours requested for Supply of Alcohol Off the premises only will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.
2. The hours requested for Late Night Refreshment Outdoors only will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.

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

The applicant is requested to contact me on the email or telephone number above to arrange a site meeting.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	23 rd January 2017

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a variation of a premises licence as it is our belief that if granted the application may undermine the Licensing Objectives contained in the 2003 Licensing Act.

Our objections relate to the follow:

- There are insufficient conditions offered to support the licensing objectives
- More information required to assess this application

- The hours sought are beyond core hours as defined by WCC Statement of Licensing Policy

Applicant's Response :

I have read the objections but I am not clear at all what the police require. They have not detailed their response at all.

1) conditions have clearly been specified. We are a business and need to survive and innovate so that we can make profit.

2) what more information do they require? Just writing more information required is not helpful at all.

3) We know that the licence is beyond core hours and that's why we have applied for 24 hours.

Do these objections make the case final. Preferably we would like to discuss this with you.

Police Response:

It is quite normal for Police to make a representation regarding a premises licence variation application during the consultation period. My letter to you simply states the reasons I am objecting to your application. It is the beginning of a process of ensuring that you will promote the licensing objectives. I will request a meeting with you and visit your premises or my Environmental Health colleague will make enquires on my behalf; depending on my commitments. I will consider proposing a list of conditions to provide reassurances to Police. My objection is simply to allow the Police to have an involvement in the application process. It is not a final decision on what our position is. I will be in contact with you in the forthcoming weeks to further discuss your application.

3. Policy & Guidance

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

Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.

Policy OS1 applies:	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.
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4. Appendices

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

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

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

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

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 th December 2017
5	Representation – MET Police	23 rd January 2017
6	Representation – Environmental Health	27 th January 2017

Premises Plans

Appendix 1

Applicant Supporting Documents

None Submitted.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
06/05993/WCCMAP	Application for a new premises Licence	20.09.2005	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 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.

- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.
- 5(iii). Where the permitted price given by Paragraph 5(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.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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.

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

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 8:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30
- (d) On Good Friday, 8:00 to 22:30

The above restrictions do not prohibit:

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

7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating Schedule

None.

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

None.

Conditions proposed by the applicant:

8. External and Internal CCTV recording will be in operation as a deterrent against violent crime and abuse.
9. Strict age verification will be conducted, particularly in relation to those items that can be harmful for children such as tobacco and alcohol.

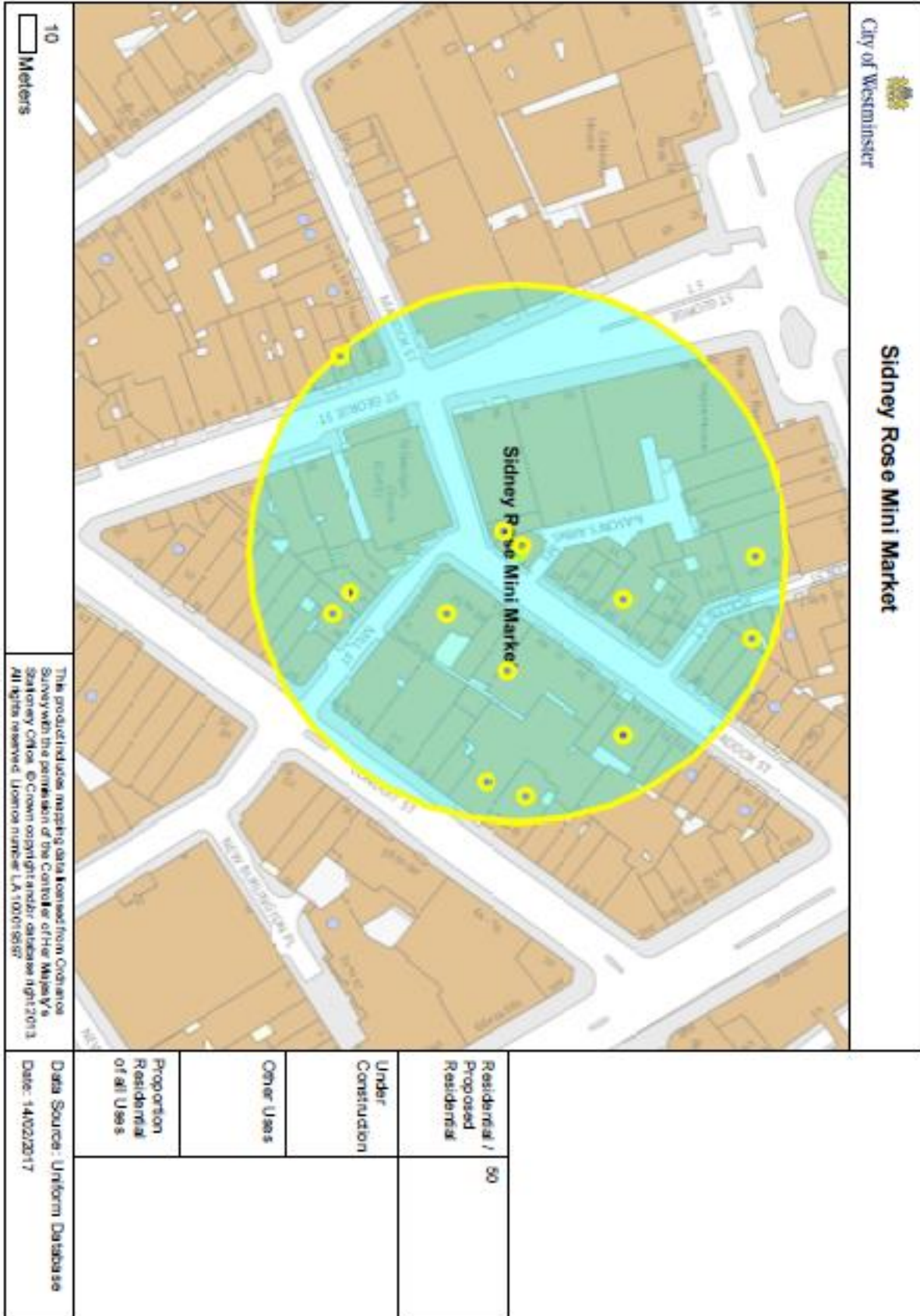
Conditions proposed by Environmental Health

None.

Conditions proposed by Metropolitan Police

None.

Residential Map and List of Premises in the Vicinity



Premises within 75 metres of Sidney Rose Mini Market :

p / n	Name of Premises	Premises Address	Licensed Hours
-26043	28/50	17-19 Maddox Street London W1S 2QH	Monday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 00:30 Sunday 08:00 - 23:00
-23294	Maddox	3-5 Mill Street London W1S 2AU	Monday to Sunday 00:00 - 00:00
-18216	28/50	17-19 Maddox Street London W1S 2QH	Monday to Thursday 08:00 - 00:00 Friday to Saturday 08:00 - 00:30 Sunday 08:00 - 23:00
-13340	Sketch	9 Conduit Street London W1S 2XG	Monday to Sunday 00:00 - 00:00
-4502	Masons Arms Public House	Whole Building 38 Maddox Street London W1S 1PY	Monday to Saturday 10:00 - 00:30 Friday to Saturday 10:00 - 00:30 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 00:00 Sundays before Bank Holidays 12:00 - 00:30 Sunday 12:00 - 23:00
8223	The East India Company	7 - 8 Conduit Street London W1S 2XF	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
14292	Pollen Street Social Jason Atherton	Ground Floor 10 Pollen Street London W1S 1NH	Monday to Thursday 10:00 - 00:30 Friday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:30 Sundays before Bank Holidays 12:00 - 00:30
17409	Wild Honey Restaurant	12 St George Street London W1S 2FB	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
23284	Sunflower Cafe Restaurant	3 Pollen Street London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-20013	Pattersons	Basement And Ground Floor 4 Mill Street London W1S 2AX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

-15949	Goodman	26 Maddox Street London W1S 1QH	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-14557	No 4 Mayfair	First Floor 4 Mill Street London W1S 2AX	Monday to Saturday 09:00 - 05:30 Sunday 12:00 - 23:00
-5572	Sidney Rose Mini Market	Ground Floor 34-36 Maddox Street London W1S 1PD	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
10243	Hibiscus	Ground Floor 29 Maddox Street London W1S 2PA	Monday to Saturday 10:00 - 00:00 Sunday 12:00 - 23:00
29955	Black Roe	Basement And Ground Floor 4 Mill Street London W1S 2AX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-30206	The Windmill Public House	6-8 Mill Street London W1S 2AZ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:30