



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** Committee held on **Thursday 3rd August, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Angela Harvey (Chairman), Karen Scarborough and Rita Begum

1 MEMBERSHIP

There were no changes to the Membership.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PARK LANE CLUB, LONDON HILTON, 22 PARK LANE, W1

LICENSING SUB-COMMITTEE No. 5

Thursday 3rd August 2017

Membership: Councillor Angela Harvey (Chairman), Councillor Karen Scarborough and Councillor Rita Begum

Legal Adviser: Horatio Chance
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Yolanda Wade

Relevant Representations: Ashiana Limited.

Present: Mr Andrew Woods (Solicitor, Representing Applicant Company), Mr Martin Baum (Managing Director, Park Lane Club), Mr Craig Murray (Director of Compliance and Security, Park Lane Casino), Mr Jeremy Phillips (Counsel, representing Ashiana Limited) and Mr Nick Nelson (Senior Licensing Officer).

**Park Lane Club, London Hilton, 22 Park Lane, W1 (“The Premises”)
17/05571/LIGV**

Application to vary the premises licence under Section 187 of the Gambling Act 2005 so as to extend the table gaming area on the first floor of the Premises.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

There was initially a discussion about the validity of the application. Ashiana Limited, the owner of 21-23 Curzon Street and acting on behalf of residents of that property, had included as part of the written objection to the application that it was believed that the public notice advertising the application was defective. Mr Phillips, representing Ashiana Limited, had seen a version of the public notice which he advised lacked the necessary information including listing the people who have the right to object to the application. Mr Woods, representing the Applicant, stated that following the 28 day consultation period for displaying the public notice, the Licensing Service had contacted him to request a copy of the notice. He had then proceeded to send a copy of the notice and had been advised that the notice was acceptable to the Licensing Service.

An adjournment took place where the Licensing Service, the Applicant’s representatives and Mr Phillips were able to discuss the position outside of the hearing. In particular, the Licensing Service was given time to look back through their records to see what had been submitted by Mr Woods. On the resumption of the hearing, Mr Phillips advised the Sub-Committee that he had now seen the public notice that had been received by the Licensing Service and he was content that the wording was correct. He had no further objections to the hearing proceeding.

Mr Woods stated that the Casino is situated on the first and second floors within the London Hilton on Park Lane Hotel. He advised that when the premises originally opened, the first floor consisted of the bar seating area and was set aside for table gaming. The second floor had a restaurant area with 29 covers and an additional gaming area. Since then there had been several changes to the layout on the first and second floors with applications having been made in respect of the gaming areas. Currently the whole of the second floor was dedicated to gaming and the restaurant was located on the whole of the first floor except for the bar seating area. The number of restaurant covers is currently 48.

Mr Woods explained that the Applicant was now seeking approval to have two more gaming tables located on the first floor with the restaurant on the first floor being

reduced to 28 covers. The Applicant wished to reduce the size of the restaurant because a larger restaurant had failed to attract more diners. He added that there had been no objections from the Responsible Authorities. He had written to Ashiana Limited offering to meet and explain the proposals in the application.

The Sub-Committee was addressed by Mr Phillips. He stated that the objections of his client were twofold (these were also set out in Ashiana's written objection). Firstly, by taking out a large part of the restaurant on the first floor and replacing it with two gaming tables, it was asserted that there was a loss of the physical and functional separation between the bar/restaurant area and the gaming area of the Premises. Secondly, Mr Phillips made the point that there was a detrimental impact on the licensing objectives (under the Gambling Act 2005) from the reduction of the covers at the restaurant by approximately 50% on the first floor.

Mr Phillips referred to the plans and in particular that currently the bar/restaurant area was located on a separate floor from the gaming areas with the exception of the 'Salle Prive' area which was located behind a closed door on the first floor. He said that in the event the application was granted, the separation would be lost and there would be what Mr Phillips described as largely an open plan arrangement except for a temporary screen between the bar/restaurant area and the gaming area. This he believed would have an adverse impact on the licensing objective to protect vulnerable adults. He referred to an evidential link between the consumption of alcohol and problem gambling as set out in the Gambling Review report produced by the gambling review body chaired by Sir Alan Budd. This included as set out in the report that alcohol reduces inhibitions and that 'there is convincing evidence that it impairs judgement about gambling and can cause people to gamble excessively'. Mr Phillips made the additional point that by taking away the separation between the bar/restaurant and gaming areas and also reducing the number of covers by approximately 50%, this could not be viewed in any positive sense in respect of promoting the licensing objectives.

The Sub-Committee asked a number of questions. These included Mr Woods being asked whether the Casino offered a minimum non-gambling area equivalent to at least 10% of its total gambling area under the new proposals. Mr Woods replied it was in the region of 12% to 13%. Mr Nelson clarified that in addition to staircases, there were two seating areas which constituted recreational areas which were readily available to customers. There was one with tables and chairs above a staircase and one in an alcove with sofa seating near to toilets which ensured that the non-gambling area was above 10%. Mr Nelson confirmed the reference in the report to the non-gambling area increasing slightly on the first floor in the event the application was granted.

Mr Woods was also asked by the Sub-Committee whether the screen was movable. He replied that the screen could be moved. It was six feet high and not transparent. A customer who was sitting in the restaurant would not be able to see the gaming tables.

The Sub-Committee, in granting the application, considered that the Applicant was an experienced operator. The Applicant had been able to operate with an arrangement when the Premises had originally opened where the first floor consisted of the bar seating area and was set aside for table gaming and the second floor had

a restaurant area with 29 covers and an additional gaming area. The Applicant was now offering to provide some separation between the bar/restaurant area and the gaming tables with the use of a six foot high screen so that customers would not be able to see the gaming area when seated in the bar/restaurant area. The Sub-Committee did not consider that the licensing objective under the Gambling Act 2005 requiring the protection of vulnerable adults would be undermined as a result of granting the application.

The Sub-Committee noted that in the Council’s report, paragraph 1.6 states that ‘there is no restriction in the legislation or associated regulations regarding the size of the table gaming area or the proportion of the premises it occupies provided that the mandatory condition requirement to provide a non-gambling area is observed’. It had been confirmed at the hearing that the non-gambling area had increased slightly on the first floor.

4 HOST COFFEE, 31 HENRIETTA STREET, WC2

LICENSING SUB-COMMITTEE No. 5

Thursday 3rd August 2017

Membership: Councillor Angela Harvey (Chairman), Councillor Karen Scarborough and Councillor Rita Begum

Legal Adviser: Horatio Chance
 Policy Adviser: Chris Wroe
 Committee Officer: Jonathan Deacon
 Presenting Officer: Yolanda Wade

Relevant Representations: Environmental Health, Metropolitan Police, Licensing Authority and 1 local resident.

Present: Mr Max Thomas, Mr Marco Jerrentrup and Mr Michael Bird (Applicant Company), Mr Richard Brown (Solicitor, Citizens Advice Bureau Licensing Advice Project, representing Mrs Linda Campin, local resident).

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| Host Coffee, 31 Henrietta Street, WC2 (“The Premises”) 17/06102/LIPN | |
| 1. | Recorded Music: Indoors |
| | Monday to Friday: 08:00 to 22:00 Saturday: 09:00 to 22:00 Sunday: 11:00 to 18:00 |
| | Amendments to application advised at hearing: |

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|---------------------|---|---------------------|----------------|---------|----------------|
| | None. | | | | |
| | <p>Decision (including reasons if different from those set out in report):</p> <p>The Sub-Committee had received an e-mail from Mr Brown prior to the hearing on behalf of Mrs Campin. This had been forwarded to all parties to the hearing. In the e-mail dated 31 July 2017, it was stated that 'Ms Campin checked on numerous occasions for the statutory blue notice advertising the application in the window of the Premises, but did not see it at all during the consultation period'. Mr Brown explained to the Sub-Committee that this matter had been raised in the e-mail because Mrs Camplin had been concerned that other local residents may have objected to the application had it been correctly advertised.</p> <p>It became clear, as accepted by Mr Thomas, that the Applicant had not displayed the statutory blue notice in the window during the consultation period. The Licensing Service was able to provide clarification that the Applicant had been advised in an e-mail dated 6 June 2017 that 'in addition to advertising in a local paper the regulations require the Applicant to display a notice at the Premises in the prescribed form. Failure to do so will invalidate your application'. Further information could be obtained from a link on the Council's website which advised that 'for new, provisional statements or full variation applications a notice must be displayed on the premises for 28 days starting from the application date'. The public notice template on the website sets out that the 'Display Notice must be on A4 paper, in Font 16 and be light blue in colour'.</p> <p>The Sub-Committee, taking into account advice from the Legal Advisor considered that the application was invalid as the statutory blue notice had not been displayed at the Premises for the 28 day consultation period as required by the regulations. Failure to display the notice had the potential to disadvantage those persons who may have wished to object to or support the application. The Licensing Sub-Committee was advised that the Licensing Service provided the relevant information to assist applicants, including in this instance. There was no obligation on the part of the Licensing Authority to check whether applicants had put the statutory blue notice in the window. It was the sole responsibility of the Applicant.</p> <p>It would now be necessary for the Applicant Company to re-apply in the event that a premises licence was sought.</p> | | | | |
| 2. | Sale by retail of alcohol (On and Off) | | | | |
| | <table> <tr> <td>Monday to Saturday:</td> <td>12:00 to 22:00</td> </tr> <tr> <td>Sunday:</td> <td>12:00 to 18:00</td> </tr> </table> | Monday to Saturday: | 12:00 to 22:00 | Sunday: | 12:00 to 18:00 |
| Monday to Saturday: | 12:00 to 22:00 | | | | |
| Sunday: | 12:00 to 18:00 | | | | |
| | Amendments to application advised at hearing: | | | | |

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| | None. |
| | Decision (including reasons if different from those set out in report): The application was invalid (see Section 1). |
| 3. | Hours premises are open to the public |
| | Monday to Friday: 08:00 to 22:00 Saturday: 09:00 to 22:00 Sunday: 11:00 to 17:00 |
| | Amendments to application advised at hearing: None. |
| | Decision (including reasons if different from those set out in report): The application was invalid (see Section 1). |

5 BASEMENT, 35 THE PIAZZA, COVENT GARDEN, WC2

LICENSING SUB-COMMITTEE No. 5

Thursday 3rd August 2017

Membership: Councillor Angela Harvey (Chairman), Councillor Karen Scarborough and Councillor Rita Begum

Legal Adviser: Horatio Chance
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Yolanda Wade

**Basement, 35 The Piazza, Covent Garden, WC2
17/06018/LIPN**

Application adjourned at the request of the Applicant.

6 ANGUS STEAK HOUSE, GROUND FLOOR, 24 HAYMARKET, SW1

LICENSING SUB-COMMITTEE No. 5

Thursday 3rd August 2017

Membership: Councillor Angela Harvey (Chairman), Councillor Karen Scarborough and Councillor Rita Begum

Legal Adviser: Horatio Chance
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Yolanda Wade

Relevant Representations: Metropolitan Police and Licensing Authority.

Present: Mr Craig Baylis (Solicitor, Representing Applicant Company), Ms Alexa Reid (Company Director), PC Toby Janes (Metropolitan Police) and Mr David Sycamore (Licensing Authority).

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| Steak & Co, Ground Floor, 24 Haymarket, SW1 ("The Premises") 17/05937/LIPV | |
| 1. | To permit off sales for external tables and chairs only, by waiter/waitress service to patrons seated at tables as ancillary to a table meal between 10:00 and 23:00 Monday to Saturday, and 10:00 to 22:30 on Sunday. |
| | Amendments to application advised at hearing: None. |
| | Decision (including reasons if different from those set out in report): Ms Wade and Mr Baylis advised the Licensing Sub-Committee that the Applicant did not own the forecourt as delineated on the plan and had been granted a tables and chairs licence and planning permission for the external area. Mr Baylis advised that the establishment was now called 'Steak & Co' rather than 'Angus Steak House'. Ms Reid added that there were terrace areas that were part of the Applicant Company's other sites and these were all well managed. The Sub-Committee heard from Mr Sycamore on behalf of the Licensing Authority. He stated that 24 Haymarket is located in the West End Cumulative Impact Area and that the proposed schedule of conditions agreed between the Applicant and the Police and Environmental Health should refer to the off sales consumed at the external tables and chairs being ancillary to substantial table |

meals and not simply ancillary to food. Mr Sycamore explained that the Applicant had not agreed the Council's model restaurant condition MC66 which set out the Council's definition of a restaurant in keeping with Policy RNT2. In the event that the Applicant was amenable to having MC66 attached to the premises licence, it was set out in the policy that it was necessary for the Applicant to demonstrate why the maximum capacity of 16 people outside would not add to cumulative impact.

In response to Mr Sycamore's representation and Mr Wroe's point that the conditions on the existing premises Licence could be brought up to date, Mr Baylis offered MC66 to be attached as a condition for the entire Premises.

PC Janes addressed the Sub-Committee. He advised that the Police's concerns regarding the potential for crime and disorder had been addressed. He had maintained his representation on policy grounds as there were an additional 16 people in the external area of the premises in the West End Cumulative Impact Area.

In response to a question from the Sub-Committee, Mr Baylis and Ms Reid stated that the clientele was likely to be tourists and pre-theatre customers. Mr Baylis confirmed that he was content with Environmental Health's proposed conditions being attached to the Premises licence relating to preventing litter and waste building up outside the Premises and also no noise emanating from the Premises or vibration being transmitted through the structure of the Premises which would give rise to a nuisance. He also agreed that the Council's Model Condition MC70a would be applied that 'the sale and supply of alcohol for consumption off the Premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only'.

The Sub-Committee granted the application, subject to conditions as set out below. The Licensing Sub-Committee considered that the Applicant's agreement of proposed conditions, notably the Council's model restaurant condition MC66 for the whole Premises where alcohol would be ancillary to substantial table meals throughout, was significant in promoting the licensing objectives. The Sub-Committee noted that Environmental Health had withdrawn their representation and therefore did not have any concerns regarding public nuisance. PC Janes had advised that the Police did not have any concerns regarding the potential for crime and disorder.

It was noted by the Sub-Committee that Mr Baylis had made an unfortunate remark in his submissions by saying that the Sub-Committee was brought into disrepute as a result of Mr Sycamore advising that the Applicant needed to demonstrate how the application would not add to cumulative impact following the Applicant having offered MC66. The Licensing Sub-Committee took the view that cumulative impact was a relevant element of the Council's policy RNT2 and that it was appropriate for Mr Sycamore to have raised it. In this instance, the Sub-Committee noted that the policy for applications for restaurants in the

cumulative impact areas is that they are judged on their merits. There is no policy presumption against them. The significance of the conditions offered such as MC66, replacing out of date conditions which had been converted from an old justices' licence, meant that it was appropriate to grant the application.

Having been advised of the Sub-Committee's disappointment at the comments he had made, Mr Baylis apologised.

Conditions attached to the Licence

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a

period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

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

7. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these

measures are available.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Additional Conditions

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

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

11. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as an ancillary to meals served in the licensed premises.
12. Alcohol shall not be sold or supplied unless the premises have been structurally and bona fide used, or intended to be used, for the purposes of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the premises.
13. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
14. Alcohol may be sold or supplied:
- (a) On weekdays 10:00 to 01:00;
 - (b) On Sundays 10:00 to 00:00;

- (c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or registered 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;
- (e) the taking of alcohol from the premises by a person residing there;
- (f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 15. 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.
- 16. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 17. 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.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system,
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
19. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.
20. All outside tables and chairs shall be rendered unusable by 23.00 each day.
21. 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.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

7 NAGOMI, 4 BLENHEIM STREET, W1

LICENSING SUB-COMMITTEE No. 5

Thursday 3rd August 2017

Membership: Councillor Angela Harvey (Chairman), Councillor Karen Scarborough and Councillor Rita Begum

Legal Adviser: Horatio Chance
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon
Presenting Officer: Yolanda Wade

**Nagomi, 4 Blenheim Street, W1
17/06083/LIPV**

Application withdrawn by the Applicant prior to the hearing.