



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 3rd August, 2017**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Angela Harvey (Chairman)
Karen Scarborough
Rita Begum

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 via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. 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. PARK LANE CLUB, LONDON HILTON, 22 PARK LANE, W1

(Pages 1 - 82)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward	Park Lane Club, London Hilton, 22 Park Lane, W1	Variation of premises licence - Gambling Act 2005	17/05571/LIGV

2. HOST COFFEE, 31 HENRIETTA STREET, WC2

(Pages 83 - 122)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End Cumulative Impact Area	Host Coffee, 31 Henrietta Street, WC2	New Premises Licence	17/06102/LIPN

3. BASEMENT, 35 THE PIAZZA, COVENT GARDEN, WC2

(Pages 123 - 190)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	St James's Ward / West End Cumulative Impact Area	Basement, 35 The Piazza, Covent Garden, WC2	New Premises Licence	17/06018/LIPN

4. ANGUS STEAK HOUSE, GROUND FLOOR, 24 HAYMARKET, SW1

(Pages 191 - 246)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	St James's Ward / West End Cumulative Impact Area	Angus Steak House, Ground Floor, 24 Haymarket , SW1	Variation of Premises Licence	17/05937/LIPV

5. NAGOMI, 4 BLENHEIM STREET, W1

**(Pages 247 -
294)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
5.	West End Ward / not in cumulative impact area	Nagomi, 4 Blenheim Street, W1	Variation of Premises Licence	17/06083/LIPV

**Charlie Parker
Chief Executive
27 July 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.

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Agenda Item 1

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Licensing Sub-Committee Report

Date: 3rd August 2017

Subject: Application for variation of the Casino Premises Licence under the Gambling Act 2005 for Park Lane Club, London Hilton, 22 Park Lane, W1K 1BE.

Summary

To consider and determine the application made by Silverbond Enterprises Ltd for variation of the Casino Premises Licence under Section 187 of the Gambling Act 2005.

Recommendations

After considering the application and the submissions from the applicant and the objector in accordance with paragraph 163 (1) of the Gambling Act 2005 the Licensing Sub Committee can either:

- 1) grant the application
- 2) refuse the application



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	3 rd August 2017
Licensing Ref No:	17/05571/LIGV
Title of Report:	Application for variation of the Casino Premises Licence under the Gambling Act 2005 for Park Lane Club, London Hilton, 22 Park Lane, W1K 1BE.
Report of:	Operational Director of Premises Management
Wards involved:	West End
Policy context:	Westminster City Council's Statement of Principles under the Gambling Act 2005
Financial summary:	None
Report Author:	Heidi Lawrance – Senior Licensing Officer
Contact details	Tel: 020 7641 2751 E-mail: hlawrance@westminster.gov.uk

1. Background Information

- 1.1 An application was received by the Licensing Authority on 22 May 2017 to vary the premises licence under section 187 of the Gambling Act 2005 ('The Act') so as to extend the table gaming area on the first floor of the premises. Previously the table gaming area on the first floor was restricted to the Salle Prive only. This application seeks to extend that area to cover the entire first floor. The area is currently part of the restaurant but has always formed part of the gambling area. The second floor of the premises is unaffected by this application. A copy of the application form is attached to this report at **Appendix 1**.
- 1.2 The premises are currently licensed as a converted casino under the Act and the current licence is attached at **Appendix 2**.
- 1.3 The premises is also licensed for regulated entertainment, the sale by retail of alcohol and late night refreshment under the Licensing Act 2003. A copy of the current premises licence is attached at **Appendix 3**.
- 1.4 The proposed plans are attached to this report at **Appendix 4**.
- 1.5 Casinos with converted licences, and that have a gambling area of over 200m², must offer a minimum non-gambling area equivalent to at least 10% of its total gambling area. In determining the floor area of the gambling area, all areas in which facilities for gambling are provided should be taken into account. The non-gambling area may consist of one or more areas within the casino. These areas must be readily available to customers (eg offices, kitchen areas, employee areas will not count). They may include, but should not consist exclusively of, lavatories and lobby areas. The area must also include recreational facilities for casino customers that are available for use when the casino is open; where there is more than one area each area must contain recreational facilities. No gambling facilities may be offered in the non-gambling areas.
- 1.5 The Gambling Act 2005 (Premises Licence and Provisional Statements) Regulations 2007 ('The Regulations') require the licence holder to define the areas of the premises used for gambling, non-gambling (i.e recreation areas where gambling facilities are not permitted) and table gaming. This application seeks to increase the size of the non-gambling area slightly on the first floor whilst reducing the size of the restaurant (and therefore restaurant seating areas) in exchange for two extra gaming tables. The restaurants areas being sacrificed already form part of the gambling area. In essence, the table gaming area is increasing within the already designated gambling area.
- 1.6 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.

2. Premises in the Vicinity

- 2.2 There are 6 faith groups located within a 500 metre radius from this premises. The nearest place of religious worship is the Mayfair Islamic Centre.
- 2.3 There is one Primary School within 500 metres from this premises.
- 2.4 There are 125 licensed gambling premises within a 500 metre radius of these premises and a full map of these can be found at **Appendix 5**.

3. Consultation

- 3.1 The application was advertised in accordance with the Regulations both on the premises and in the local press. The 28 day consultation period started from the date the application was received.
- 3.2 Local residents and businesses within a 50 metre radius of the proposed premises were written to outlining the nature of the application and how they can submit representations to the Authority within the statutory time period.

4. Representations

- 4.1 On the 19th June 2017 a representation was received from Ashiana Limited. A copy of the representation is attached to this report at **Appendix 6**. The main points of the representation are:
 - 4.1.1 The erosion of the physical and function separate between the bar/restaurant area and the gaming areas of the casino is inconsistent with the licensing objectives of protecting vulnerable persons from being harmed or exploited by gambling.
 - 4.1.2 The substantial reduction in the number of seated restaurant covers (almost a 50%) is inappropriate.

5. Applicant Submission

- 5.1 The applicant's solicitor's has sent a letter to Ashiana Limited offering to meet and explain the proposals in the application. A copy of this letter can be found at **Appendix 7**.

6. The Gambling Act 2005

- 6.1 This application has been made under section 187 of the Act. The application is to vary the layout in line with the requirements to define areas of the converted casino and specified by s2(3) of the Regulations.

- 6.2 The Licensing Authority must under Section 153(1) of the Act exercise its functions relating to premises licensing with an aim to permit the use of the premises for gambling in so far as it thinks fit and in accordance with the relevant codes of practice, guidance, reasonably consistent with the licensing objectives and in accordance with the Council's Statement of Principles.
- 6.3 The Licensing Authority can take into account a representations relating to an application for a premises licence from either an interested party (a person living sufficiently close to the premises to be likely to be affected by the authorised activity or has a business interest that may be affected or represents persons in either of these two groups) or a Responsible Authority (Licensing Authority, Gambling Commission, Police, Fire Authority, Environmental Health and HM Revenue and Custom). Any representations must be relevant and not frivolous or vexatious.
- 6.4 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. The Explanatory Notes for section 152 state "*The general position for premises licensing is that premises may only be subject to one premises licence at a time... The effect of this requirement is to limit the principal activity on the premises to the provision of facilities for a particular type of gambling activity.*"
- 6.5 The Act, via regulations also imposes mandatory and default conditions that promote the licensing objectives. A list of these Mandatory conditions are attached at **Appendix 8**.
- 6.6 A premises licence issued by the Authority will be subject to the mandatory and default conditions for that licence type. However, paragraph 9.26 of the Guidance states;

"Section 169 of the Act gives licensing authorities:

- The ability to exclude from premises licences any default conditions that have been imposed under Section 168; and
- The power to impose conditions on the premises licences that they issue."

The current premises licence (attached at Appendix 2) has removed the default condition restricting the hours of operation.

7. Gambling Commission Guidance

- 7.1 The Gambling Commission have produced Guidance for local authorities in relation to the 2005 Act. The information in this section of the report relates to the relevant points within the Guidance which members may wish to consider.
- 7.2 Previous guidance from the Department for Culture, Media and Sport (DCMS) and the Commission has been that an application for a variation will only be required where there are material changes to the layout of the premises. What

constitutes a material change will be a matter for local determination but it is expected that a common sense approach will be adopted. When considering an application for variations, the licensing authority will have regard to the principles to be applied as set out in s.153 of the Act.

7.3 The Committee can, if it feels minded impose conditions on the premises licence. Paragraph 9.32 of the Guidance states that:

“Licensing authorities have more flexibility in relation to default conditions and may exclude a default condition and substitute it with one that is either more or less restrictive. Licensing authorities should note, however, that default conditions are intended to reflect normal industry operating practices. In circumstances where default conditions are excluded, the Commission would generally expect them to be replaced by other conditions, given the requirements of s.153. Where the condition is more restrictive, the licensing authority should ensure that they have clear regulatory reasons doing so.”

7.4 The Guidance goes further to state that authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. If the authority does decide that the only way to address a particular concern is through conditions it must be proportionate to the circumstances which they are seeking to address.

7.5 The Guidance encourages licensing authorities to ensure that premises licence conditions are relevant to the need to make the proposed building suitable as a gambling facility, directly related to the premises and the type of licence applied for, or fairly and reasonably related to the scale and type of the premises and reasonable in all other respects (see paragraph 9.29 of the Guidance).

7.6 Local Authorities are also prevented from attaching conditions relating to certain matters. Paragraph 9.32 of the guidance sets out the relevant sections of the Act where conditions may not be imposed.

“...The relevant sections are:

- S.169(4) – prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition.
- S.172(10) – provides that conditions may not relate to gaming machine categories, numbers, or method of operation.
- S.170 – provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated).
- S.171 – prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.”

8. The Council's Statement of Principles

- 8.1 The Licensing Authority's Statement of Principles set out the Council's policy considerations in relation to applications made under the Gambling Act. The Statement reemphasises the Authority's position in relation to Section 153 of the Act and sets out the principles and policies that the Authority will adopt when considering and determining Gambling Act applications.
- 8.2 The Council's Statement or Principles location policy (LOC 1) sets out that the authority will pay particular attention to the suitability of a location for gambling activity in terms of the objective of the protection of children and vulnerable persons from being harmed or exploited by gambling. It is the authority's view that the applicant should establish if there are any sensitive premises or locations within close proximity to the proposed gambling premises.
- 8.3 The Council's policy relating to the Protection of children and other vulnerable people from being harmed or exploited (OBJ 3) sets out the criteria that the authority will consider when determining an application. The authority will have to be satisfied that the applicant has appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling. Whilst the protection of children has not been called into question with regards to this particular application, the question for members will be whether the proposals are reasonably consistent with the licensing objective of preventing the vulnerable from being harmed or exploited by gambling.

9. Options for The Licensing Sub-Committee

- 9.1 When determining the application the Committee will need to consider the Gambling Act 2005, the relevant Guidance to Licensing Authorities, the policies contained within the Council's Statement of Principles and the licensing objectives.
- 9.2 In determining the application the Sub-Committee will need to be satisfied that if the application were to be granted there would be no breach of mandatory conditions and would not have a detrimental impact on the licensing objectives.

10. Appendices

- 10.1 Appendix 1 – Application Form
Appendix 2 – Current Casino Licence
Appendix 3 – Premises Licence (Licensing Act 2003)
Appendix 4 – Plan
Appendix 5 – PIV Map and List of Premises
Appendix 6 – Representation from Ashiana Limited
Appendix 7 – Letter from applicants Solicitor to Ashiana Limited
Appendix 8 – Mandatory Converted Casino Conditions
Appendix 9 – Additional information from applicant's Solicitor.

If you have any queries about this report or wish to inspect one of the background papers please contact Heidi Lawrance on 020 7641 2751 or email hlawrance@westminster.gov.uk.

Application Form

Application to vary a premises licence under the Gambling Act 2005

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Part 1 - Applicant Details

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

Section A**Individual applicant**

- 1 Title: Mr Mrs Miss Ms Dr Other (please specify) [*****]
- 2 Surname: [*****] Other name(s): [*****]
- 3 Applicant's address (home or business -):
 [*****]
 [*****]
 [*****]
 Postcode: [*****]
- 4(a) The number of the applicant's operating licence (as set out in the operating licence): [*****]
- 4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [*****]
- 5 Tick the box if the application is being made by more than one person.

Section B**Application on behalf of an organisation**

- 6 Name of applicant business or organisation: Silverbond Enterprises Limited

7 The applicant's registered or principal address:

32 Hertford Street
 Mayfair
 London
 Postcode: W1J 7SD

8(a) The number of the applicant's operating licence (as given in the operating licence):

000-031812-N-318605-001

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [*****]

9 Tick the box if the application is being made by more than one organisation.

Part 2 - Premises Details

10 Trading name used at licensed premises: Park Lane Casino

11 Give the address of the premises or, if none, give a description of the premises and its location. Where the premises are a vessel, give the place indicated in the premises licence as the place in the licensing authority's area where the vessel is wholly or partly situated. Where possible this should include an address with a postcode:

Part Ground Floor, Part Frist Floor and Part Second Floor
 London Hilton
 22 Park Lane London
 Postcode: W1K 1BE

12 Telephone number at premises (if known): [*****]

13 Type of premises licence to be varied:

Regional Casino <input type="checkbox"/>	Large Casino <input type="checkbox"/>	Small Casino <input type="checkbox"/>
Converted Casino <input checked="" type="checkbox"/>	Bingo <input type="checkbox"/>	Adult Gaming Centre <input type="checkbox"/>
Betting (track) <input type="checkbox"/>	Betting (other) <input type="checkbox"/>	Family Entertainment Centre <input type="checkbox"/>

14 Premises licence number (if known): 16/03340/LIGV

15 If you are making this application alongside an application for transfer or reinstatement of the premises licence into your name, please give the name of the current licence holder as it appears on the premises licence (if known):

Surname: [*****] Other name(s): [*****]

Part 3 - Details of variations applied for

16(a) Please give details of any variation which is being applied for. Where the application includes an application to exclude or vary a condition of the premises licence, identify the relevant condition here (unless it relates to hours of operation which are dealt with in questions 16(b) and 16(c)):

To include gaming facilities on the first floor adjacent to the Salle Prive - the area currently being part of the restaurant but always part of the gambling area.

16(b) Do you want the licensing authority to exclude or vary a condition of the licence so that the premises may be used for longer periods than would otherwise be the case? No

16(c) If the answer to question 16(b) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	Start	Finish	Details of any seasonal variation
Mon	[hh:mm]	[hh:mm]	[*****]
Tues	[hh:mm]	[hh:mm]	[*****]
Wed	[hh:mm]	[hh:mm]	[*****]
Thurs	[hh:mm]	[hh:mm]	[*****]
Fri	[hh:mm]	[hh:mm]	[*****]
Sat	[hh:mm]	[hh:mm]	[*****]
Sun	[hh:mm]	[hh:mm]	[*****]

17 Please indicate any particular date on which you want the variation to take effect if approved: Upon the approval of the application.

18 Please set out any other matters which you consider to be relevant to your application: There is no change to the structure of the casino or extent of the casino/gaming area.

Part 4 - Declarations and Checklist (Please tick as appropriate)

We confirm that, to the best of my/ our knowledge, the information contained in this application is true. We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

We confirm that the applicant(s) have the right to occupy the premises.

Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- The existing premises licence is enclosed
- The existing premises licence is not enclosed, but the application is accompanied by -
 - A statement explaining why it is not reasonably practicable to produce the licence and,
 - An application under the Section 190 of the Gambling Act 2005 for the issue of a copy of the licence
- We understand that if the above requirements are not complied with the application may be rejected
- We understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

Part 5 - Signatures

19 Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: 

Print Name: Woods Whur 2014 Limited

Date: 22 May 2017 Capacity: Solicitors for applicant

20 For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: [*****]

Print Name: [*****]

Date: [*****] (dd/mm/yyyy) Capacity: [*****]

Part 6 - Contact Details

21(a) Please give the name of a person who can be contacted about the application: Andrew Woods

21(b) Please give one or more telephone numbers at which the person identified in question 21 (a) can be contacted: 07738 170138 or 0113 234 3055

22 Postal address for correspondence associated with this application:

Woods Whur 2014 Limited
Devonshire House
38 York Place Leeds
Postcode: LS1 2ED

23 If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:
andrew@woodswhur.co.uk

Casino Licence

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

No: 16/03340/LIGV

Original Ref: 07/08061/WCCGAP

CONVERTED CASINO PREMISES LICENCE

This licence is issued under section 164 of the Gambling Act 2005 by

City of Westminster

Part 1 – Details of person to whom licence is issued

The premises licence is issued to:

Silverbond Enterprises Ltd

of the following address:

32 Hertford Street
Mayfair
London
W1J 7SD

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-031812-N-318605-001

Part 2 – Details of the premises in respect of which the licence is issued

Facilities for gambling may be provided in accordance with this licence on the following premises:

Park Lane Club
Part Ground Floor, Part First Floor And Part Second Floor
London Hilton
22 Park Lane
London
W1K 1BE

Part 3 – Premises licence details

This licence came into effect on:

01.09.2007

This licence is of unlimited duration.

This licence has been re-issued following the grant of an application to vary the licence.

The variations to the licence take effect on:

28.04.2016

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

Substantial food and beverages shall be available by waiter / waitress service in the Quiet Zone and Quiet Lounge as marked on the plans at all times during which the licence is in operation.

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.

A scale plan is attached as an annex to this licence.

Date: 29 June 2016

Signed: pp



Director – Public Protection and Licensing



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

No: 16/03340/LIGV

Original Ref: 07/08061/WCCGAP

**SUMMARY OF THE TERMS AND CONDITIONS OF
A PREMISES LICENCE**

This licence is issued under section 164 of the Gambling Act 2005 by

City of Westminster

The summary is issued to:

Silverbond Enterprises Ltd

of the following address:

32 Hertford Street
Mayfair
London
W1J 7SD

A premises licence of the following type:

Converted Casino

has been issued in respect of the following premises:

Park Lane Club
Part Ground Floor, Part First Floor and Part Second Floor
London Hilton
22 Park Lane
London
W1K 1BE

Summary of the Terms and Conditions of the Premises Licence

1. The premises licence will run in perpetuity unless:
 - The Secretary of State prescribes a period after which the licence will expire under section 191 of the Gambling Act 2005;
 - The licence holder surrenders the licence under section 192 of the Gambling Act 2005;
 - The licence lapses under section 194 of the Gambling Act 2005;
 - The licence is revoked under section 193 or 202(1) of the Gambling Act 2005.
2. The premises licence applies only in relation to the premises specified in Part 2 of the licence and may not be varied so that it applies to any other premises (except in the case of a converted casino premises licence).
3. The premises licence authorises the premises to be used for the operation of a casino.
4. The premises licence is subject to:
 - Any conditions specified on the face of the licence as being attached under section 169(1) of the Gambling Act 2005;
 - Any other conditions attached to the licence by virtue of regulations made under sections 167 and 168 of the Gambling Act 2005 (other than any conditions under section 168 which have been excluded by the licensing authority); and
 - Any conditions attached to the licence by virtue of specific provisions of the Gambling Act 2005.
5. In particular, it is a condition of the premises licence under section 185 of the Gambling Act 2005 that the holder keeps the licence on the premises and arranges for it to be made available on request to a constable, enforcement officer or local authority officer. The holder of the licence commits an offence if he fails to comply with this condition.

Premises Licence – Licensing Act 2003

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

Schedule 12
Part A

WARD: West End
UPRN: 010033624031

Premises licence

Regulation 33, 34

Premises licence number:

16/13766/LIPVM

Original Reference:

14/06276/LIPN

Part 1 – Premises details

Postal address of premises:

Park Lane Club London
Part Ground Floor, Part First Floor And Part Second Floor
London Hilton
22 Park Lane
London
W1K 1BE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Performance of Live Music	
Monday to Sunday:	00:00 to 00:00
Playing of Recorded Music	
Monday to Sunday:	00:00 to 00:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00

Sale by Retail of Alcohol Monday to Sunday:	00:00 to 00:00
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The opening hours of the premises: Monday to Sunday:	00:00 to 00:00
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Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption on the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Silverbond Enterprises Limited
32 Hertford Street
Mayfair
London
W1J 7SD

Registered number of holder, for example company number, charity number (where applicable)
07215674

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

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
Licence Number: 0501902LAPER
Licensing Authority: London Borough of Bromley

Date: 08.03.2017

This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. Any door staff used at the premises will be employed and instructed by the Premises Licence Holder.
11. Any Premises Licence granted under the Licensing Act 2003 in respect of this application (number 14/06276/LIPN) shall have no effect unless a Casino Licence is in force.
12. The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment.
13. A Personal licence holder shall be on duty at the premises at all times when licensable activities are taking place.
14. The premise shall install and maintain a comprehensive CCTV system that ensures all parts of the licensed premises are monitored, including all entry and exit points and the street environment including the identification of every person entering in any light condition. All such cameras, that are not unique to casinos, required and approved by the Police and Licensing Authority shall continually record whilst the premises are open to the public and the recordings shall be retained and made available for 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a Police officer together with facilities for viewing. The recordings for the preceding two days shall be made available on request. Recordings outside this period shall be made available at 24 hours notice. All recording imagery that is unique to casinos such as gaming surveillance and cash desk imagery will be retained for the periods prescribed by the Gambling Commission or in the absence of a defined time, in accordance with the existing procedure. Where there is doubt or overlap the longest period will apply. (Subject to Data Protection Act 1998).
15. A 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 to the public. This staff member shall be capable of showing Police recent data or footage with the absolute minimum of delay when required to do so.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or 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 advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
18. 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.

19. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
20. The premises shall not employ or utilise the services of external promoters, on the streets of London, to include the use of fliers/leaflets.
21. Between 9pm and 3am there shall be a minimum of two door staff on duty, trained to SIA level. The premises shall provide documentation to the Responsible Authorities upon request, to confirm door staff on duty, have received adequate training.
22. 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.
23. There shall be no sales of hot food or hot drink for consumption off the premises.
24. 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.
25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
26. No loudspeakers shall be located external to the building or on the second floor terrace.
27. The means of escape provided for the premises shall at all time be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
28. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all times be maintained in good condition and full working order.
29. All emergency exit doors shall be available at all times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be marked and maintained so as to be conspicuous at all times.
32. Patrons permitted to temporarily leave to the street and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
33. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
34. The number of persons accommodated at any one time (including staff) shall not exceed
 - First Floor 125 persons
 - Second Floor 60 persons

With no more than 180 persons at any one time or any such lower figure determined by the District Surveyor (upon satisfactory clearance of the second floor the maximum capacity at any one time shall revert to 250 persons).

Annex 4 – Plans

Attached.



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

Schedule 12
Part B

WARD: West End
UPRN: 010033624031

Premises licence
summary

Regulation 33, 34

Premises licence number:

16/13766/LIPVM

Part 1 – Premises details

Postal address of premises:

Park Lane Club London
Part Ground Floor, Part First Floor And Part Second Floor
London Hilton
22 Park Lane
London
W1K 1BE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Performance of Live Music	
Monday to Sunday:	00:00 to 00:00
Playing of Recorded Music	
Monday to Sunday:	00:00 to 00:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	00:00 to 00:00
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00

Sale by Retail of Alcohol Monday to Sunday:	00:00 to 00:00
---	----------------

The opening hours of the premises: Monday to Sunday:	00:00 to 00:00
--	----------------

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

Name and (registered) address of holder of premises licence: Silverbond Enterprises Limited 32 Hertford Street Mayfair London W1J 7SD

Registered number of holder, for example company number, charity number (where applicable) 07215674

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

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

Date: 08.03.2017

This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.

Plan of the Premises – Proposed

To view the proposed plan, please contact the Licensing Department on:

Telephone: 0207 641 6500

Email: licensing@westminster.gov.uk

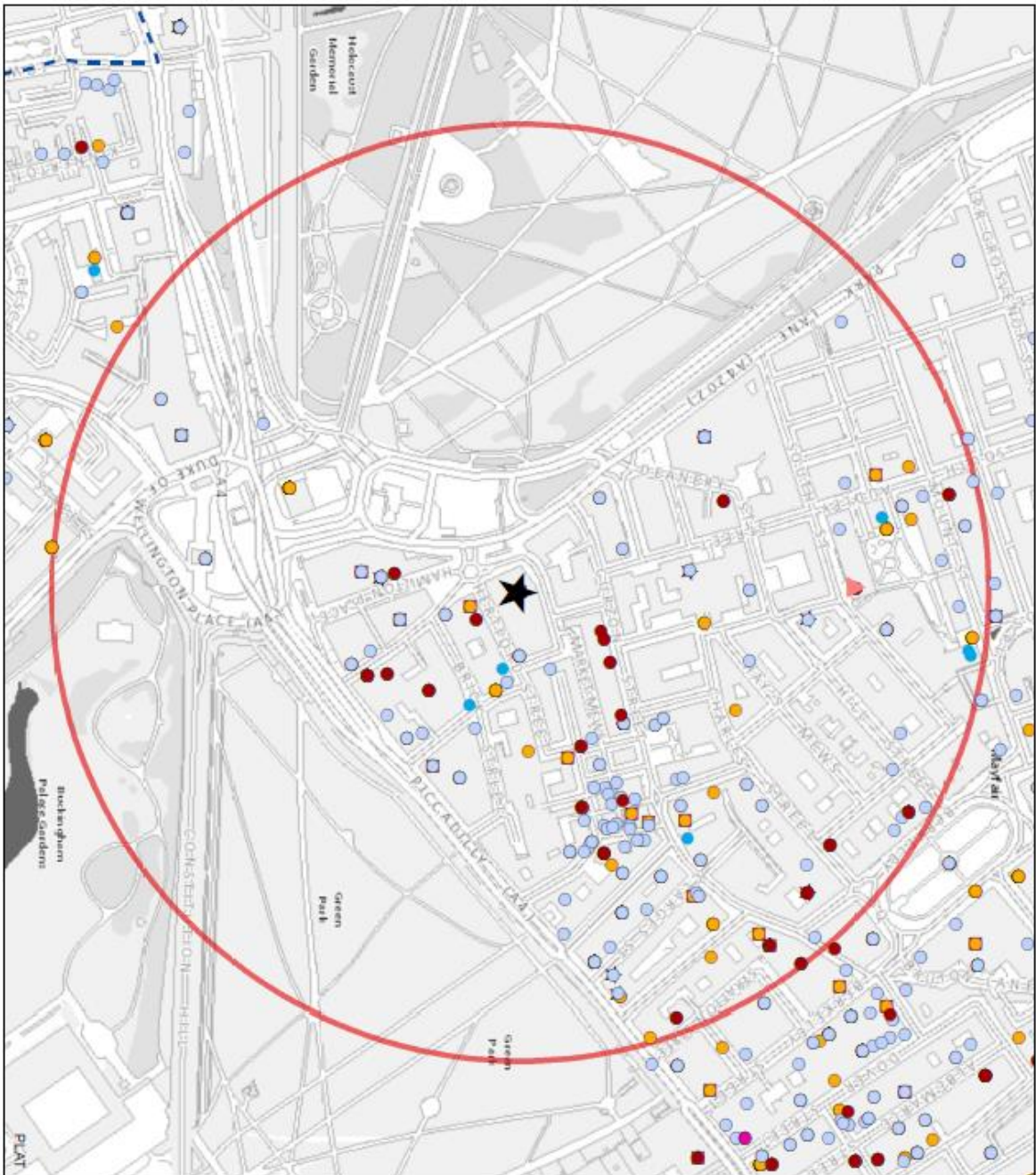
Plan of the Premises – Current

To view the current plan, please contact the Licensing Department on:

Telephone: 0207 641 6500

Email: licensing@westminster.gov.uk

PIV Map



City of Westminster

Key

- The Park Lane Casino, 22 Park Lane, London, W1K 1BE
- 50m radius of The Park Lane Casino
- Westminster Boundary
- Live Gambling Act
- Live Sex Establishments
- Live Licensing Act
- Live Other Premises Licensing
- Live Club Certificates
- Live Special Treatments
- Faith Groups
- Hostels - Special Needs Schemes
- Primary School

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Metres

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Ref: 0251
Map produced by: www.cityofwestminster.gov.uk
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OS 100021666

Representation



Licensing Team
Westminster City Council
4th Floor East
64 Victoria Street
London
SW1P 6QP

19 June 2017

Dear Sir,

RE: OBJECTION TO APPLICATION REFERENCE 17/05571/LIGV TO VARY THE PREMISES LICENCE FOR PARK LANE CLUB, PART GROUND FLOOR, PART FIRST FLOOR AND PART SECOND FLOOR, LONDON HILTON, 22 PARK LANE, W1K 1BE

We are the owner of 21-23 Curzon Street and act on behalf of the residents of that property ('the **Objectors**'), who object to the application by Silverbond Enterprises Limited to vary the Converted Casino premises licence for the Park Lane Club at 22 Park Lane ('the **Premises**'), pursuant to s 187 of the Gambling Act 2005 ('the **2005 Act**')

In summary, the basis of the objection is that:

- The Public Notice is Defective.
- The erosion of the physical and functional separation between the bar/restaurant area and the gaming areas of the casino is inconsistent with the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling.
- The substantial reduction in the number of seated restaurant covers (almost a 50% reduction) is inappropriate.

Objectors' Interest

The Objectors are resident at 21-23 Curzon Street and therefore live sufficiently close to the Premises to be likely to be affected by the authorised activities, bearing in mind the nature and size of the Premises, and are therefore an 'interested party' as defined by s 158 of the 2005 Act.

Notice Defective

Before turning to the substance of the objection, it should be noted that the public notice advertising the variation application is defective. It is not made in the format prescribed by Schedule 6 of Part 1 of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 ('the **2007 Regulations**'). Indeed, the public notice refers on page 2 to the Licensing Act 2003. Plainly that act is irrelevant to the application to vary, which is regulated by the 2005 Act.

Regulation 13 of the 2007 Regulation deals with the circumstances where defective notice is given. In such circumstances Regulation 13(3) requires the applicant is to give proper notice as soon as practicable after the end of the period specified in Regulation 13(4). Regulation 13(5) makes clear that the licensing authority shall not grant the application until notice has been given in accordance with Regulation 13(3) and the period referred to in Regulation 13(4) has elapsed.

The Licensing Authority's Powers

Whilst a licensing authority is of course under a general duty to 'aim to permit the use of premises for gambling' it should be noted that, as the Gambling Commission's 2015 Guidance ('the **Guidance**') makes clear at paragraph 1.2,

"The Act gives local regulators very broad discretion to manage local gambling provision" (emphasis added).

The s 153 duty to 'aim to permit' only arises in so far as the authority think that the use of premises for gambling is:

- (a) In accordance with any relevant code of practice under section 24;
- (b) In accordance with any relevant guidance issued by the Commission under s 25;
- (c) Reasonably consistent with the licensing objectives; and

- (d) In accordance with the statement published by the authority under section 349.

The licensing objectives are set out in section 1 of the 2005 Act. They are:

- (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- (b) Ensuring that gambling is conducted in a fair and open way, and
- (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

This application is not reasonably consistent with these objectives.

Substance of the Objection

The proposed variation seeks to introduce two gaming tables into what is presently the restaurant area of the Premises. A comparison of drawing L501 (Jan 2016) with L501 (May 2017) indicates that the number of covers seated at tables will be reduced from 46 to 25, with three further seats not at tables provided against the southern wall.

The effect of the proposal is therefore:

- (1) To remove the physical and functional separation between the bar/ restaurant area and the gaming area of the Premises; and
- (2) Dramatically to reduce the number of seated table covers by almost 50%.

Such a change is particularly inappropriate given that it is a condition of the licence to require that substantial food and beverages be available by waiter/ waitress service in the Quiet Zone and Quiet Lounge at all times during which the licence is in operation.

(1) Loss of the physical and functional separation between the bar/restaurant area and the gaming area of the Premises

The loss of the physical and functional separation between the bar/ restaurant area and the gaming area of the Premises is not reasonably consistent with the licensing objective of preventing vulnerable persons from being harmed or exploited by gambling.

Prior to the introduction of the 2005 Act the Government commissioned the gambling review report, produced by a gambling review body chaired by Sir Alan Budd ('the **Budd Report**'). In the Executive Summary to that report, under protecting the vulnerable, the report states at 1.20,

"We were unwilling to see an increase in ambient gambling, that is, gambling opportunities that are available in locations which are not dedicated to gambling. We also wished to limit the extent to which gambling could be combined with the consumption of alcohol."

In relation to the consumption of alcohol, at 3.21 the report states that,

"It is well established that alcohol reduced inhibitions. There is convincing evidence that it impairs judgement about gambling and can cause people to gamble excessively."

At present the bar/restaurant area is located on a separate floor from the gaming areas (with the exception of the *salon privee* which is its own self-contained space). This creates a physical and psychological boundary between the area where food and alcohol are bought and consumed, and the area of the Premises where gambling takes place. This layout promotes the licensing objective of protecting the vulnerable.

The proposal dilutes this separation. Gaming, food and alcohol would all be available on the same floor and in close proximity to one another. This increases the likelihood that those whose inhibitions have been lowered as a result of the consumption of alcohol will gamble to excess. It is not reasonably consistent with the third licensing objective.

Similarly, at present the restaurant area provides a location where an individual can take a break from gaming. They can order a meal, relax and reflect. The introduction of gaming tables into close proximity to this area reduces or extinguishes the ability of patrons to do this. Gaming becomes ever present, even in the restaurant area of the casino. This again is not reasonably consistent with protecting the vulnerable.

It is notable that a number of the Gambling Commission's codes of practice refer specifically to the layout of the premises. In particular, Social Responsibility Code 3.4.1 on Customer Interaction requiring licensees to put into effect policies and procedures for customer interaction where they have concerns that a customer's behaviour may indicate problem gambling, Ordinary Code provision 3.8.1 concerning money lending between customers and Social Responsibility Code provision 4.2.5 concerning the

supervision of games. The Applicant has failed to explain the impact of the proposed change in the layout of the premises upon their policies in this regard.

The licensing authority is therefore urged to refuse the variation since it erodes the physical and functional separation between the gaming and bar/ restaurant area of the premises, in a manner inconsistent with the licensing objectives.

(2) Reduction in restaurant table covers

The proposed variation application will reduce the number of table seats from 46 to 25 and the number of seats in the restaurant area from 46 to 28. This is a very significant reduction in the amount of restaurant space available for use by patrons of the Casino. The effect of that reduction will be to change the character of the Premises. There will be a greater emphasis on gaming and a reduced emphasis on dining/ relaxation as part of the casino experience. This risks changing the nature of the clientele at the Premises and the way in which patrons behave when at the Premises. There is consequently an increased risk of gambling related anti-social behaviour, crime and disorder, which is inconsistent with the first licensing objective.

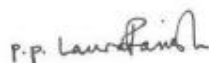
As noted above, the current licence includes a condition requiring that substantial food and beverages be available by waiter/ waitress service in the Quiet Zone and Quiet Lounge at all times during which the licence is in operation. The licensing authority itself therefore clearly places considerable store in the importance of ensuring adequate provision of substantial food and beverages on the Premises.

The proposed variation, which will result in a near 50% reduction in the number of seated covers, will undermine this.

Conclusion

For the reasons set out above, the authority are respectfully requested to refuse this application to vary.

Yours faithfully,



Ashiana Limited

Applicants Submissions



Devonshire House
38 York Place
Leeds
LS1 2ED

33 Cavendish Square
London
W1 oPW

Rotterdam House
116 Quayside
Newcastle Upon
Tyne

info@woodswhur.co.uk
www.woodswhur.co.uk
Tel: 0113 234 3055

All correspondence should be sent to our Leeds office

Ashiana Limited
68 Margarets Road
Edgware
Middlesex
HA8 9UU

Our ref CC/AH/SIL001-18-5/3058

Your ref

11 July 2017

Dear Sir

Re: Objection to application reference 17/05571/LIGV to vary the premises licence for Park Lane Club, Part Ground Floor, Part First Floor and Part Second Floor, London Hilton, 22 Park Lane, W1K 1BE

We are instructed by the operators of the Park Lane Casino and we have been forwarded your representation of the 19th June.

We would welcome the opportunity to meet with you and explain the proposals to you in more detail and to see if there are any issues we can work with you on.

If you would be happy to meet could you contact Andrew Woods on Andrew@woodswhur.co.uk so we could arrange a mutually convenient time and date to meet. Andrew is also available on 07738 170138.

Yours faithfully

Woods Whur

Directors: Patrick M Whur • Andrew J Woods • Consultant: Colin Manchester

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Mandatory Conditions – Casino

1. (1) The principal entrance to the premises shall be from a street.
(2) No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.
(3) No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
2. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
3. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
4. (1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.
(2) The condition in sub-paragraph (1) may be satisfied by—
 - (a) displaying a clear and legible sign setting out the rules; or
 - (b) making available to customers leaflets or other written material containing the rules.
5. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.
6. A notice shall be displayed in a prominent place at every entrance to the premises stating that no person under the age of 18 years is permitted to enter the premises.
7. (1) This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200m².
(2) In determining the floor area of the gambling area, all areas in which facilities for gambling are provided on the premises shall be taken into account.
(3) The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.

- (4) The non-gambling area may consist of one or more areas within the premises.
- (5) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.
- (6) Facilities for gambling shall not be provided in the non-gambling area.
- (7) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (5), shall contain recreational facilities that are available for use by customers on the premises.

Additional Document from applicants Solicitor

PARK LANE CASINO - PREMISES LICENCE VARIATION 3 AUGUST 2017 - EXPLANATORY NOTE

- The Casino opened in November 2014.
- It is situated within the Hilton Park Lane with the entrance door to the Casino adjacent to the main entrance to the Hilton Hotel.
- There are no facilities on the ground floor at all and through the entrance door is a staircase leading up to the first floor and second floor.
- There is a bar area on the first floor and when the premises opened in November 2014 , the remainder of the first floor was set aside for table gaming.
- In November 2014, the second floor was split between a restaurant area and a table gaming area.
- There have been alterations to the areas in which the various facilities took place. In January 2016, the restaurant was moved from its position on the second floor to the first floor and the whole of the second floor was set aside for table gaming.
- At all times however, the extent of the casino and the extent of gaming areas has been shown as including the first floor and second floor.
- The proposal now is to allow the provision of table gaming at the Park Lane end of the first floor. The first floor will still have the restaurant area and bar area which is slightly reduced in size.
- The area in which it is proposed to put through additional tables has always been part of the casino demise, always been part of the gaming area, but will now have two gaming tables.
- The size of the restaurant is virtually the same as when the premises opened and the restaurant was situated on the second floor.
- The restaurant on the first floor will be separated from the table gaming area by a screen. There are no physical alterations and no extension to the casino demise.

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Licensing Sub-Committee Report

Item No:	
Date:	3 August 2017
Licensing Ref No:	17/06102/LIPN - New Premises Licence
Title of Report:	Host Coffee 31 Henrietta Street London WC2E 8NA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	5 June 2017		
Applicant:	Host Coffee London Ltd		
Premises:	Host Coffee		
Premises address:	31 Henrietta Street London WC2E 8NA	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application the premises will operate as a Coffee Shop/Cafe where alcohol will be served from 12:00 onwards.		
Premises licence history:	The application is for a new premises licence therefore no history exists.		
Applicant submissions:	The premises have two floors. The first floor will be the place where coffee, food, alcohol and service is provided. The basement floor is where stock: Coffee, alcohol, food, cups and containers will be kept and stored away from the public.		

1-B Proposed licensable activities and hours							
Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	09:00	11:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	18:00

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	18:00

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	09:00	11:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	17:00

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	3 rd July 2017
<p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety <p>The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered. The application is currently seeking to go beyond core hours for the sale of alcohol (on and off the premises) and opening hours. Recorded music is also sort from 08:00 hours, which is again outside of core hours.</p> <p>We are concerned that as there are no proposed conditions this premises will operate as a bar in the heart of the West End Cumulative Impact Area. CIP1i and PB2 states that it is the Licensing Authority's policy to refuse applications in the cumulative impact area for pubs and bars. We would like to suggest that the applicants consider amending the application by proposing additional conditions that will prevent the premises from operating as a bar.</p> <p>Please accept this as formal objection, we look forward to receiving additional information from the applicant to address our concerns and why the application should be exempt from policy. We would welcome a meeting to discuss the application further and ask the applicant to consider Westminster Statement of Licensing Policy 2016 attached to this email.</p>	
Responsible Authority:	The Environmental Health Service
Representative:	Anil Drayan
Received:	3 rd July 2017
<p>I refer to the application for a new premises licence for the above premises which is located in the West End Cumulative Impact Area.</p> <p>The applicant has submitted plans of the premises showing the existing ground floor, drawing no 1322-0101 revision B, dated 16.09.13 and the existing lower ground floor, drawing no 1322-0100 revision B, dated 16.09.13.</p>	

The following licensable activities are being sought:

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises between 12:00 and 22:00 Monday to Saturday and 12:00 to 18:00 Sunday
2. To provide Recorded Music 'indoors' between 08:00 and 22.20 Monday to Friday, 09:00 to 22:00 Saturday and 11:00 and 18:00 Sunday

I wish to make the following representations based on the plans submitted and the support operating schedule:

1. The hours requested for and the Supply of Alcohol 'On' and 'Off' the premises may lead to increase in Public Nuisance in the West End Cumulative Impact Area
2. The hours requested for and the provision of Recorded Music may lead to an increase in Public Nuisance in the West End Cumulative Impact Area

Environmental Health also makes the following comments:

- Although some undertakings have been offered in the operating schedule there are no conditions provided for the licensable activities proposed.
- It is also noted that the application may not be consistent with Westminster's Statement Licensing policy in the West End Cumulative Impact Area in that the 'On' sale of alcohol is not covered by model condition 66 (see list of model conditions on the Council's website).
- The applicant should be advised that if the applicant accepts operating under model condition 66 then the premises may need to also apply for a planning change use to an A3 Use premises if that is not its current designation. The premises will in any case need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or from the operation of any plant and machinery.
- It is unclear from the application if the premises have already undergone refurbishment for the proposed use and it will nevertheless need to be inspected for Public Safety prior to commencement of the licensable activities. .
- The provision of sanitary accommodation for any proposed capacity must be in line with British Standard 6465 in order to help with preventing an increase in Public Nuisance in the West End Cumulative Impact Area. In addition compliance with Food Hygiene requirements may also require separate facilities for staff if the overall capacity at the premises is more than 25 persons.

Responsible Authority:	The Metropolitan Police
Representative:	PC Toby Janes
Received:	4 th July 2017

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder, we have concerns that this application will cause further policing problems in an already demanding area.

Police would like you to consider the following conditions as we believe these will address our concerns in relation to crime and disorder.

1. 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.
2. 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.
3. The sale of alcohol on the premises shall at all times be ancillary to the main use of the premises as a café.
4. The supply of alcohol on the premises shall be by waiter or waitress service only to persons seated at tables or bar counter.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
6. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
7. No draught beer shall be sold or supplied at the premises.
8. 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) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.
9. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
10. There shall be no self-service of alcohol for consumption on the premises.
11. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

In addition to these conditions the terminal hour for the supply of alcohol should be amended to 2000 hours as set out in Westminster City Council 2.4.21 as the premises is in the cumulative impact area.

2-B Other Persons	
Name:	Mr David Kaner – CGCA (withdrawn)
Address and/or Residents Association:	[REDACTED]
Received:	4 th July 2017
<p>3:36 PM on 04 Jul 2017 This is Representation is being made without sight of the application detail as this has not been properly uploaded. It may therefore be amended or withdrawn.</p> <p>The CGCA objects to the grant of an additional licence for the sale of alcohol within the CIA because of the impact on public nuisance of an additional premise serving alcohol on the Licensing Objective of the Prevention of Public Nuisance caused the the behaviour of customers once they have left it. This impact is likely to happen even for premises which, like this one, cease to serve alcohol at 22:00.</p>	
Name:	Mrs Linda Campin
Address and/or Residents Association:	[REDACTED]
Received:	29 th June 2017
<p>1:11 PM on 29 Jun 2017 We note that Host Coffee London Ltd have made an application for the playing of recorded music and for the sale of alcohol.</p> <p>There are 3 documents shown on the website but the only one that is possible to view is a summary of the application. Therefore it is impossible to understand the full extent of the application. Whether alcohol is only to be served to those eating in the cafe or whether it will be possible to take it away.</p> <p>These premises were previously a newsagent shop and since then there have been various retail pop up ventures. It is a very small space, which previously would only have traded until 7pm.</p> <p>There has been no consultation with neighbours about the plans. If it is to be a coffee shop, it is</p>	

difficult to see why it might need a licence to serve alcohol.

Henrietta Street is a mix of retail, commercial and residential properties. The number of residential properties has been increasing over the past few years There are already several licensed premises in the area and it is hard to see why there should be another one.

We are concerned how this cafe will operate, whether there will be more people outside on the street outside our front door later into the evening causing a disturbance. If this license is granted we are worried that the coffee shop would operate in a "bar like" way which would be inappropriate in this very small area. It also sets a precedent for any future use of this site.

Therefore we strongly object to the issue of the license.

3. Policy & Guidance

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

Policy CIA1 applies:	<ul style="list-style-type: none"> (i) It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas. Policy HRS1 applies:
Policy HRS1 applies:	<ul style="list-style-type: none"> (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 PB2 applies:	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents

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

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	5 th June 2017
5	The Licensing Authority	3 rd July 2017
6	The Environmental Health Service	3 rd July 2017
7	The Metropolitan Police	4 th July 2017
8	David Kane c/o CGCA Rep	4 th July 2017
9	Linda Campin Rep	29 th June 2017

To view the plans of the premises please contact the Licensing Department.

Email: licensing@westminster.gov.uk

Telephone: 0207 641 6500

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. Secure anything that would give cause for a person to break in or steal from the premises.
10. Minimizing the exposure of customers to potentially scalding drinks and preventing trip hazards.
11. Refusing to serve those we believe have had too much alcohol or who we feel is going to cause nuisance.
12. All current safety procedures will apply to children, with the added feature that they will not be allowed inside the premises while we are in our evening hours. (17:00 onwards)
13. We have security shutters on our premises, alarms and locks on all the places where we would be keeping the money
14. All hot drinks are prepared away from customers and we will be vigilant in keeping all pathways into and out of the premises clear.
15. Refusing service to those within our premises we believe have already consumed enough alcohol.
16. During our opening hours in the evening, (17:00 onwards) children will not be allowed inside the premises, otherwise, all public safety efforts will apply to them as well.
17. All off sales must be made only in sealed containers
18. Noise levels will be kept at a minimum is that we have a seated capacity of less than 25 and all patrons must be seated to consume on the premises.
19. Music will be strictly background therefore reducing the escalation of conversational noise.

Conditions proposed by the Police

17. 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.
18. 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.
19. The sale of alcohol on the premises shall at all times be ancillary to the main use of the premises as a café.
20. The supply of alcohol on the premises shall be by waiter or waitress service only to persons seated at tables or bar counter.

21. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
22. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
23. No draught beer shall be sold or supplied at the premises.
24. 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) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.
25. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
26. There shall be no self-service of alcohol for consumption on the premises.
27. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
28. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Conditions proposed by CGCA and agreed with applicant

29. No noise shall emanate from the premises which gives rise to a nuisance
30. Sale of alcohol is made ancillary to the primary use of the premises as a coffee shop
31. Sale of alcohol is for consumption on the premises only after 17:00
32. Sale is restricted to wine and bottled beer/cider and similar. No draught beer but will serve spirits.

Conditions proposed by EH

33. The premises shall only operate as a cafe:
 - (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 and
 - (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

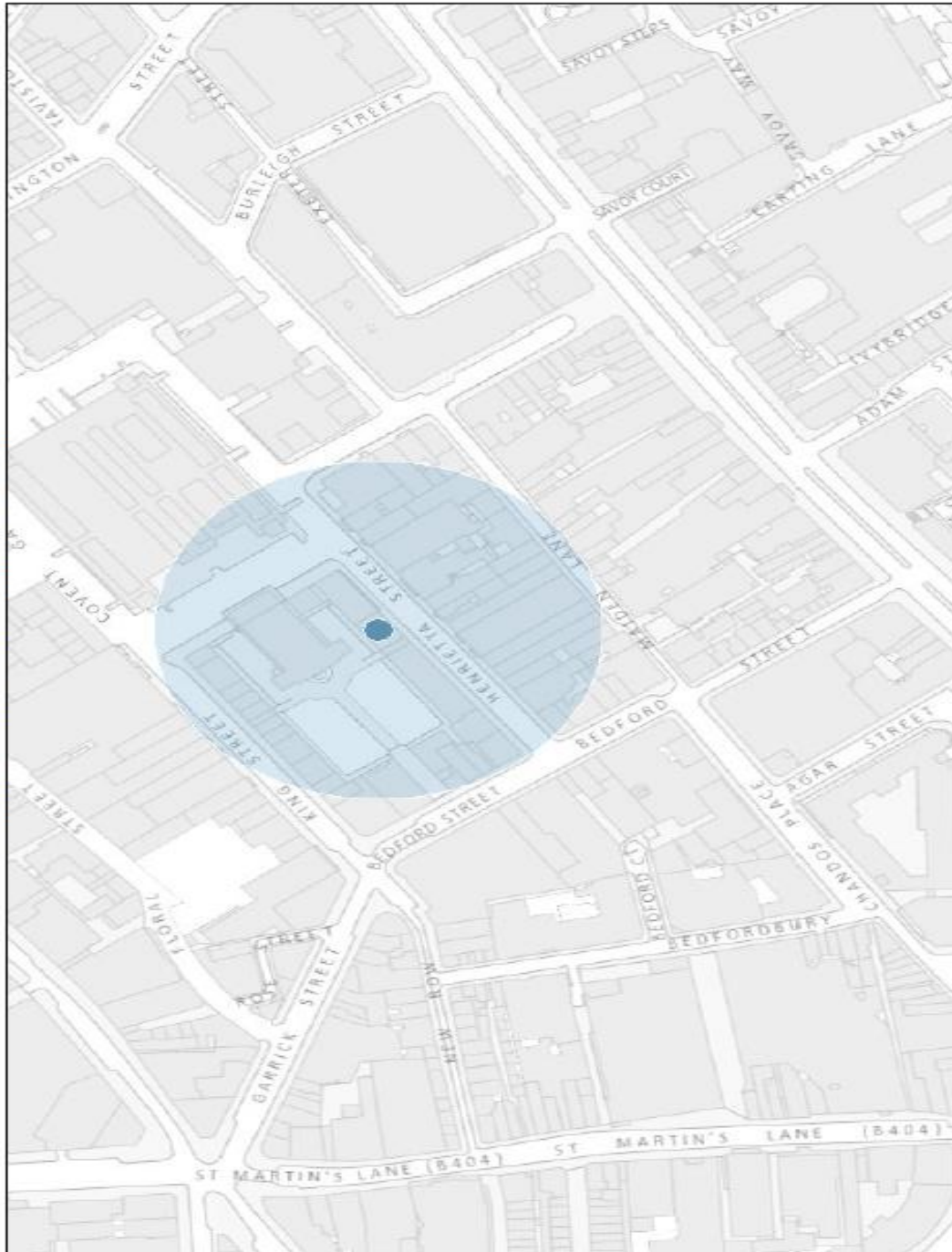
Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

34. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
36. 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.
37. 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.
38. The number of persons permitted in the premises at any one time (including staff) shall not exceed 25 persons.
39. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
42. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
43. 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 washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
44. 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.
45. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
46. 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.
47. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from

the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device

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

Host Coffee 31 Henrietta Street



July 20, 2017

Resident Count: 58

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Licensing Sub-Committee Report

Item No:	
Date:	3 August 2017
Licensing Ref No:	17/06018/LIPN - New Premises Licence
Title of Report:	Basement 35 The Piazza Covent Garden London WC2E 8BE
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 June 2017		
Applicant:	Capital & Counties CG Limited And Capital & Counties CG Nomi		
Premises:			
Premises address:	Basement 35 The Piazza Covent Garden London	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises will operate as an entertainment venue, bar and restaurant		
Premises licence history:	This is a new application for a new premises licence however the premises benefits from an existing premises licence (Appendix 3)		
Applicant submissions:	The application is for a 'shadow' licence of the existing Roadhouse licence (ref: 15/09173/LIPVM) on the exact same terms as currently permitted. (Appendix 2)		

1-B Current and proposed licensable activities, areas and hours				
<u>Regulated Entertainment</u>				
Performance of Dance, Provision of facilities for Dancing, Provision of facilities for making music, Performance of Live Music, Provision of facilities for entertainment of a similar description to making music or dancing, Anything of a similar description to Live Music, Recorded Music or Performance of Dance: Indoors				
	Shadow Licence Current Hours		Proposed Hours	
Monday	09:00	03:00	No change	No change
Tuesday	09:00	03:00	No change	No change
Wednesday	09:00	03:00	No change	No change
Thursday	09:00	03:00	No change	No change
Friday	09:00	03:00	No change	No change
Saturday	09:00	03:00	No change	No change
Sunday	09:00	01:00	No change	No change

Seasonal variations/ Non-standard timings:	Current:	Proposed:
	N/A	On the morning that British Summertime Commences these hours to be extended until 04:00

Playing of recorded Music: Indoors				
	Shadow licence Current Hours		Proposed Hours	
Monday	Unrestricted	Unrestricted	No change	No change
Tuesday	Unrestricted	Unrestricted	No change	No change
Wednesday	Unrestricted	Unrestricted	No change	No change
Thursday	Unrestricted	Unrestricted	No change	No change
Friday	Unrestricted	Unrestricted	No change	No change
Saturday	Unrestricted	Unrestricted	No change	No change
Sunday	Unrestricted	Unrestricted	No change	No change

Late night refreshment				
Indoors, outdoors or both			Current :	Proposed:
			Indoors	Indoors
	Shadow Licence Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	23:00	03:30	No change	No change
Tuesday	23:00	03:30	No change	No change
Wednesday	23:00	03:30	No change	No change
Thursday	23:00	03:30	No change	No change
Friday	23:00	03:30	No change	No change
Saturday	23:00	03:30	No change	No change
Sunday	23:00	01:00	No change	No change
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.		On the morning that British Summertime Commences these hours to be extended until 04:00	

Sale by Retail of Alcohol				
On or off sales			Current :	Proposed:
			Both	Both
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	10:00	03:00	No change	No change
Tuesday	10:00	03:00	No change	No change
Wednesday	10:00	03:00	No change	No change
Thursday	10:00	03:00	No change	No change
Friday	10:00	03:00	No change	No change
Saturday	10:00	03:00	No change	No change
Sunday	12:00	00:30	No change	No change
Seasonal variations/	Current:		Proposed:	
			On the morning that British	


<p>Non-standard timings:</p>	<p>Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-</p> <p>i.the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;</p> <p>ii.where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.</p> <p>(d)On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'</p> <p>i.the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;</p> <p>ii.where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).</p> <p>iii.The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.</p>	<p>Summertime Commences these hours to be extended until 04:00</p>
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Hours premises are open to the public

Shadow Licence Current Hours		Proposed Hours	
Start:	End:	Start:	End:

Monday	09:00	03:30	No change	No change
Tuesday	09:00	03:30	No change	No change
Wednesday	09:00	03:30	No change	No change
Thursday	09:00	03:30	No change	No change
Friday	09:00	03:30	No change	No change
Saturday	09:00	03:30	No change	No change
Sunday	09:00	01:00	No change	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	30 th June 2017
<p>Please accept this as a formal objection to the above application.</p> <p>We are concerned the application could undermine the licencing objectives.</p> <p>The application seeks hours (HRS1) that go beyond that of core hours and us located in the heart of the Westminster Cumulative Impact Zone.</p> <p>Some of the current proposed conditions could be replaced with more suitable ones and I will propose some in due course .</p> <p>We would welcome dialogue with the applicant to move forward with the application .</p>	
2-B Other Persons	
Name:	Mr David Kaner – CGCA
Address and/or Residents Association:	
Received:	30 th June 2017
<p>2:12 PM on 30 Jun 2017 This representation is being made on behalf of the Covent Garden Community Association.</p> <p>The application for is a new licence for the Basement area underneath Jubilee Hall. This currently trades as The Roadhouse which is a music and dancing venue which also serves food with a licence to operate until 03:30 Monday to Saturday and 01:00 on Sunday. The licence is a converted licence which has been the subject of minor variation applications.</p> <p>The Roadhouse is one of the very few venues of any type in the area which is open after the end of core hours. It frequently has large numbers of people outside the premises</p>	

smoking and talking which disturbs residents especially those in Driscoll House.

This is an application for a so-called shadow licence. This is a new licence which is on the same terms as the existing one. As such it is a new licence in the CIA for an operation which is not food led and which operates beyond core hours. The CGCA's view is that this licence, if granted on the terms applied for, would fail to promote the licencing objectives, particularly the prevention of public nuisance and the prevention of crime and disorder.

The CGCA's view is that any new licence granted for these premises should be significantly more restrictive than the existing licence. The particular areas where it should be more restrictive are as follows:

- More restrictive hours of operation (we suggest to core hours)
- If hours remain the same then the addition of a last entry condition
- Conditions regarding noise emanating from the premises
- Requirement for a dispersal policy agreed with WCC and the Police
- Minimum numbers of door staff
- Clear policies for managing queuing and smoking areas
- Requirement to manage the nuisance caused by customers outside the premises

We hope that this representation is clear.

3. Policy & Guidance

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

Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy 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 RNT2 applies:	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact</p>

	Areas.
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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
Appendix 6	Copy of Existing Licence

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	2 nd June 2017
5	The Licensing Authority Rep	27 th June 2017
6	David Kaner Rep	30 th June 2017

To view the plans of the premises please contact the Licensing Department.

Email: licensing@westminster.gov.uk

Telephone: 0207 641 6500

**Conditions consistent with the operating schedule
Shadow Licence
The Basement, 35 The Piazza, WC2E 8ND**

Proposed Conditions

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions relating to regulated entertainment

1. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
2. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following, and from 11pm on Sunday to 1am on the day following.
3. A telephone line dedicated to the receipt of complaints from the public shall be continuously manned throughout the hours of opening and for 30 minutes after the end of the hours of opening.
4. An announcement shall be made on the public address system at the premises to be audible by all customers therein not less than 15 minutes between a time one and a half hours before closing time and closing time each night directing patrons to the importance of silent departure from the premises.
5. The alteration or modification to any existing sound systems should be effected without prior knowledge of an authorised officer of the Environmental Health Services.
6. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.
7. The use of music and dancing at the premise shall remain ancillary to A3 use.
8. That a comprehensive CCTV system be installed to the satisfaction of the Metropolitan Police Crime Prevention officer and Environmental Health Service. All cameras shall continually record whilst the premises are open to the public which enable frontal identification of every person entering in any light condition. The video recording (i) shall be kept available for a minimum of 31 days with time and date stamping (ii) tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing (iii) the recordings for the preceding two days shall be made available immediately upon request. Recordings outside the period shall be made available on 24 hours notice.
9. No unauthorised advertisements of any kind (including poster, flyer, sticker, picture, letter, sign, or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public that advertises or promotes the establishment, its premises, or any of the events, facilities, goods, or services.

10. All refuse must be paid, properly presented, and can only be placed on street 30 minutes before the scheduled collection time.

11. A minimum of five additional female public WC's shall be installed within the premises prior to the renewal of this licence.

12. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.

Conditions for sale of alcohol

13. In the part of the premises cross hatched in green on the deposited plan there shall be no sale or supply of spirits and no draught beer other than 1 brand of draught beer.

14. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be equally available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

(a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that:

i. the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

ii. on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;

(b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:

i. with the substitution of references to 04:00 for references to 03:00.

(c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-

i. the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;

ii. where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

(d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'

i. the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;

ii. where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).

iii. The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.

(e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

(f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

(a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(f) 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;

(g) the taking of alcohol from the premises by a person residing there;

(h) 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;

(i) 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.

16. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence;

(b) He resides in the premises, but is not employed there;

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the

service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

17. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):

(a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;

(b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and

(c) to take all other reasonable precautions for the safety of the children.

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

Annex 2 – Conditions consistent with the operating Schedule

19. On no more than 25 occasions (and in substitution for Temporary Event Notices) per calendar year and following 10 working days notice to be given to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police. The Police have the power to veto any such application.

20. On any occasion when the premises are open to the public, all customers entering the premises after 21:00 hours will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).

21. Notwithstanding the above condition, a maximum number of 30 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

22. All door supervisors working outside the entrance to the premises, or supervising or controlling queues and the smoking area, shall wear yellow high visibility jackets, vests or tabards.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06215/LIPCV	Conversion Application.	16.09.2009	Granted Under Delegated Authority
06/13207/WCCMAP	New Premises Application.	01.02.2008	Granted Under Delegated Authority
12/09722/LIPDPS	To Vary Designated Premises Supervisor.	19.11.2012	Granted Under Delegated Authority
14/08002/LIPDPS	To Vary Designated Premises Supervisor	08.10.2014	Granted Under Delegated Authority
14/10240/LIPVM	Minor Variation Application	10.12.2014	Granted Under Delegated Authority
15/07033/LIPDPS	To Vary Designated Premises Supervisor	02.09.2015	Granted Under Delegated Authority
15/09173/LIPVM	Minor Variation Application	24.11.2015	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 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

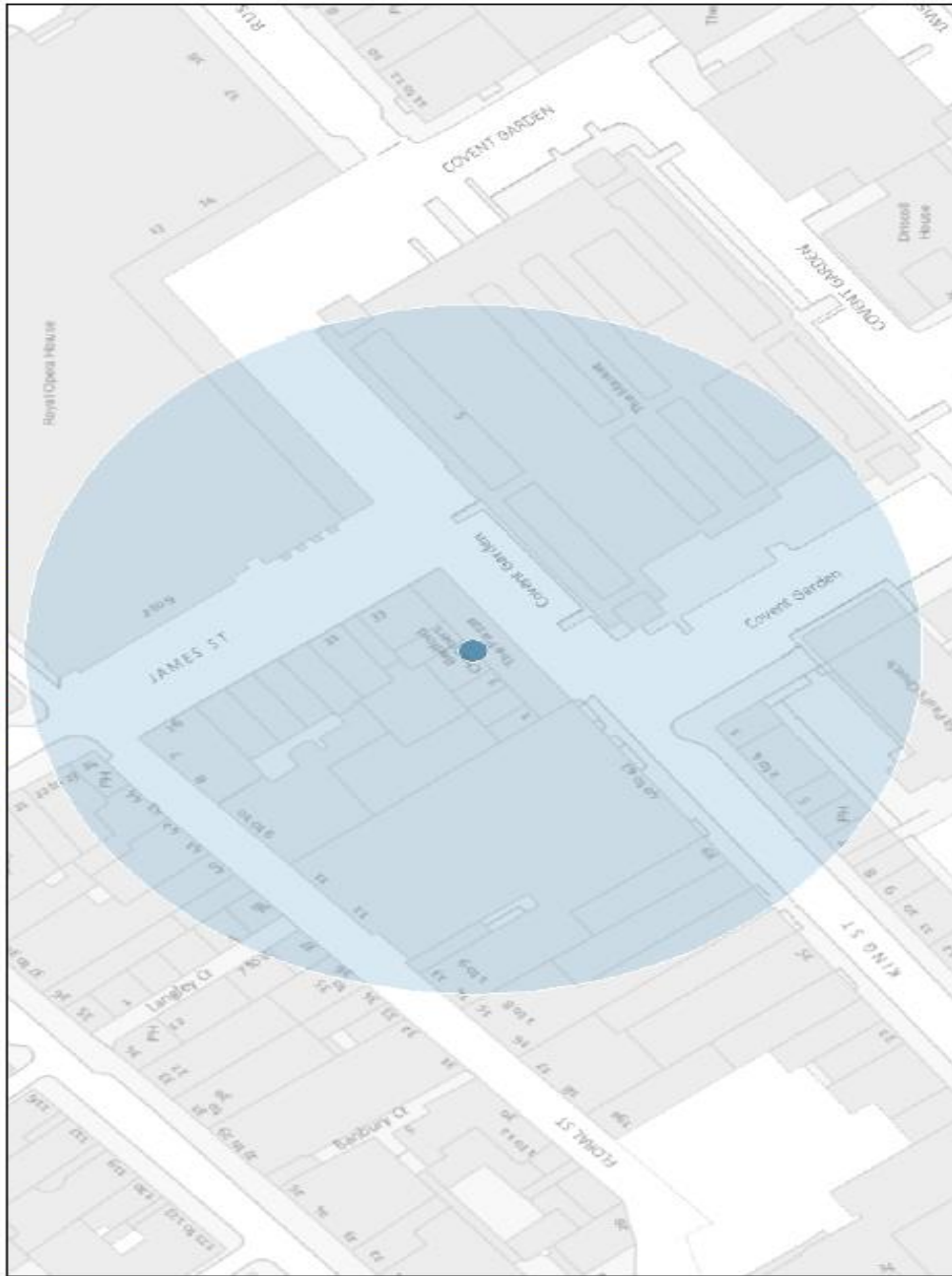
1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol 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.

Basement 35 The Piazza



Copy of Existing licence 15/09173/LIPVM



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: St James's
UPRN: 010033544648

Regulation 33, 34

Premises licence number:

15/09173/LIPVM

Original Reference:

05/06215/LIPCV

Part 1 – Premises details

Postal address of premises:

The Roadhouse
Basement
35 The Piazza
Covent Garden
London
WC2E 8BE

Telephone Number: 020 7497 0119

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Late Night Refreshment	
Monday to Saturday:	23:00 to 03:30
Sunday:	23:00 to 01:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 03:00
Sunday:	12:00 to 00:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 03:30
Sunday:	09:00 to 01:00

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Maxwell's Restaurants Ltd 22 Henrietta Street Covent Garden London WC2E 8ND <i>Business Phone Number : 020 7240 6001</i>

Registered number of holder, for example company number, charity number (where applicable)
1038660

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Mr Simon Rogers
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

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

Licence Number: 013243
Licensing Authority: London Borough Of Havering

Date: 01 December 2015

This licence has been authorised Mr Yiannis Chrysanthou on behalf of the Director – Public Protection & Licensing

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions relating to regulated entertainment

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following, and from 11pm on Sunday to 1am on the day following.
- 12. A telephone line dedicated to the receipt of complaints from the public shall be continuously manned throughout the hours of opening and for 30 minutes after the end of the hours of opening.
- 13. An announcement shall be made on the public address system at the premises to be audible by all customers therein not less than 15 minutes between a time one and a half hours before closing time and closing time each night directing patrons to the importance of silent departure from the premises.

14. The alteration or modification to any existing sound systems should be effected without prior knowledge of an authorised officer of the Environmental Health Services.
15. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.
16. The use of music and dancing at the premise shall remain ancillary to A3 use.
17. That a comprehensive CCTV system be installed to the satisfaction of the Metropolitan Police Crime Prevention officer and Environmental Health Service. All cameras shall continually record whilst the premises are open to the public which enable frontal identification of every person entering in any light condition. The video recording (i) shall be kept available for a minimum of 31 days with time and date stamping (ii) tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing (iii) the recordings for the preceding two days shall be made available immediately upon request. Recordings outside the period shall be made available on 24 hours notice.
18. No unauthorised advertisements of any kind (including poster, flyer, sticker, picture, letter, sign, or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public that advertises or promotes the establishment, its premises, or any of the events, facilities, goods, or services.
19. All refuse must be paid, properly presented, and can only be placed on street 30 minutes before the scheduled collection time
20. A minimum of five additional female public WC's shall be installed with in the premises prior to the renewal of this licence.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.

Conditions for sale of alcohol

22. In the part of the premises cross hatched in green on the deposited plan there shall be no sale or supply of spirits and no draught beer other than 1 brand of draught beer.
23. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be equally available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that:
 - i. the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii. on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;

- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i. with the substitution of references to 04:00 for references to 03:00.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - i. the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;
 - ii. where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'
 - i. the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;
 - ii. where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).
 - iii. The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;

- (i) 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.

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

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

- 26. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and
 - (c) to take all other reasonable precautions for the safety of the children.
- 27. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

28. On no more than 25 occasions (and in substitution for Temporary Event Notices) per calendar year and following 10 working days notice to be given to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police. The Police have the power to veto any such application.
29. On any occasion when the premises are open to the public, all customers entering the premises after 21:00 hours will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
30. Notwithstanding the above condition, a maximum number of 30 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.
31. All door supervisors working outside the entrance to the premises, or supervising or controlling queues and the smoking area, shall wear yellow high visibility jackets, vests or tabards.

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033544648

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/09173/LIPVM

Part 1 – Premises details

Postal address of premises:

The Roadhouse
Basement
35 The Piazza
Covent Garden
London
WC2E 8BE

Telephone Number: 020 7497 0119

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00
Performance of Live Music	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 01:00

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 01:00

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

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

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

Maxwell's Restaurants Ltd
22 Henrietta Street
Covent Garden
London
WC2E 8ND

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

1038660

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

Name: Mr Simon Rogers

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

Restricted

Date: 01 December 2015

This licence has been authorised Mr Yiannis Chrysanthou on behalf of the Director – Public Protection & Licensing

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Licensing Sub-Committee Report

Item No:	
Date:	3 August 2017
Licensing Ref No:	17/05937/LIPV - Premises Licence Variation
Title of Report:	Angus Steak House Ground Floor 24 Haymarket London
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	1 June 2017		
Applicant:	ATFC Limited		
Premises:	Angus Steak House		
Premises address:	Ground Floor 24 Haymarket London SW1Y 4DG	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises currently operates as a restaurant		
Variation description:	<p>The applicant is seeking to vary the premises licence:</p> <ul style="list-style-type: none"> To permit off sales for external tables and chairs area 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. 		
Premises licence history:	The premises benefits from a premises licence (Appendix 3)		
Applicant submissions:	Appendix 2		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Playing of Recorded Music, Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	See Plan (Appendix 1)
Tuesday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	
Wednesday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	
Thursday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	
Friday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	
Saturday	Unrestricted	Unrestricted	No	No	Ground	

			Change	Change	Floor	
Sunday	Unrestricted	Unrestricted	No Change	No Change	Ground Floor	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:00	No change	No change	Ground Floor	See plan (Appendix 1)
Tuesday	23:00	01:00	No change	No change	Ground Floor	
Wednesday	23:00	01:00	No change	No change	Ground Floor	
Thursday	23:00	01:00	No change	No change	Ground Floor	
Friday	23:00	01:00	No change	No change	Ground Floor	
Saturday	23:00	01:00	No change	No change	Ground Floor	
Sunday	23:00	00:00	No change	No change	Ground Floor	
Seasonal variations/ Non-standard timings:		Current: Sundays before Bank Holidays 23:00 to 01:00			Proposed: N/A	

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
	Current Hours		Proposed Hours for On Sales		Proposed Hours for Off Sales	
	Start:	End:	Start:	End:	Start:	End:
Monday	10:00	01:00	No change	No change	10:00	23:00
Tuesday	10:00	01:00	No change	No change	10:00	23:00
Wednesday	10:00	01:00	No change	No change	10:00	23:00
Thursday	10:00	01:00	No change	No change	10:00	23:00
Friday	10:00	01:00	No change	No change	10:00	23:00
Saturday	10:00	01:00	No	No change	10:00	23:00

			change			
Sunday	10:00	01:00	No change	No change	10:00	22:30
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	Sundays before Bank Holidays 10:00 to 01:00			Terminal hour on Sundays before Bank Holidays to be 01:00 from the start time on Ne Year's Eve to the finish time on New Year's Day		

Licensable Area	
Current:	Proposed:
Ground Floor	See Plan (Appendix 1)

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change	No change	Ground Floor	See Plan (Appendix 1)
Tuesday	10:00	01:00	No change	No change	Ground Floor	
Wednesday	10:00	01:00	No change	No change	Ground Floor	
Thursday	10:00	01:00	No change	No change	Ground Floor	
Friday	10:00	01:00	No change	No change	Ground Floor	
Saturday	10:00	01:00	No change	No change	Ground Floor	
Sunday	10:00	00:00	No change	No change	Ground Floor	
Sundays before Bank Holidays	10:00	01:00	No change	No change	Ground Floor	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	David Sycamore
Received:	29 th June 2017
I write in relation to the application submitted for a new Premises Licence for the following	

premises –

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of Policy points must be considered. We are concerned that there is an increase of up to 16 people in the Cumulative Impact Area and we need to fully assess this application. As model condition 66 has not been proffered, this application cannot be treated as a restaurant. The offered condition only refers to customers being seated at tables ancillary to a table meal being served by waiter or waitress.

CIP1 It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.

As the applicants seek to add off sales, this is not considered and application to vary hours within core hours as they are additional.

Responsible Authority:	The Metropolitan Police
Representative:	PC Brian Hunter
Received:	5 th June 2017

I am writing to confirm I am in receipt of the new application ref 17/05937/LIPV, which replaces 17/04985/LIPV as it was noted you had mistakenly applied for a reduction in Late Night Refreshment Hours and as such chose to withdraw and submit the new application.

Your previous application and our representation of the Metropolitan Police as a responsible authority to it, was based on the fact that it is in the Cumulative Impact Area and that there were insufficient details contained within the operating schedule to evidence how you would prevent crime and disorder.

Having communicated with you on your previous application, the condition I have shown below as agreed by the Metropolitan Police and by yourself on instruction from your client, are the conditions we would like to see and agreed within the new application as shown below.

I note the times shown in part J of the application as Times for off sales to be 10.00 to 23.00 every day except Sunday when the terminal hour shall be 22.30

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.

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.

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.

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.

The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan and served only to a person seated taking food there and for consumption by such a person as ancillary to their meal.

All outside tables and chairs shall be rendered unusable by **(23.00)** each day.

2-A Responsible Authorities

Responsible Authority:	The Environmental Health Service (Withdrawn)
Representative:	Anil Drayan
Received:	29 th June 2017

I refer to the application to vary the Premises Licence for the above premises which is located in the West End Cumulative Impact Area.

The applicant has submitted new plans of the premises showing the Ground Floor and the proposed external area, ref R/728 drawing no 02, Rev P3, dated October 2016.

The applicant is seeking the following variation:

1. Permit off sales of alcohol only in the external area marked on the plan, between 10:00 to 23:00 Monday to Saturday and 10:00 to 22:30 Sunday.

I wish to make the following representations based on the plans and operating schedule

submitted:

1. The proposed changes may lead an increase Public Nuisance in the West End Cumulative Impact Area

The plan submitted with the application shows the marked area where the off sales are to be carried out. However it is unclear from the plan if this external area is a private forecourt or part of the public and/or adopted highway. The applicant is advised that if this area is not a private forecourt then the following permissions will also need to be obtained to utilise the area as proposed:

- Tables and Chairs Licence under the Westminster Act 1999.
- Planning permission.

If this area is not a private forecourt then the following model condition for use of the external area should replace the condition offered in the application:

- **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.**

Pending clarification of the above matter Environmental Health nevertheless will withdraw its representation to this variation of the Premises Licence if the following model conditions (in addition to those offered in the application) are accepted by the applicant:

- **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**
- **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.**

Following the further information sent by the applicant and agreement to conditions Environmental Health withdraws its representations to this application

3. Policy & Guidance

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

Policy CIA1 applies:	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.
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Policy RNT2 applies:	<p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p> <p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
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>

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Copy of Current Licence
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016

3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	1 st June 2017
5	The Metropolitan Police Rep	5 th June 2017
6	The Licensing Authority Rep	29 th June 2017
7	The Environmental Health Service	29 th June 2017

To view the plans of the premises please contact the Licensing Department.

Email: licensing@westminster.gov.uk

Telephone: 0207 641 6500

Schedule of Conditions.

1. 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.
2. 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.
3. 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.
4. 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.
5. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan and served only to a person seated taking food there and for consumption by such a person as ancillary to their meal
6. All outside tables and chairs shall be rendered unusable by (23.00) each day.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/08062/LIPC	Conversion Application	21.09.2005	Granted Under delegated Authority
06/05616/WCCMAP	New Premises Application	06.06.2006	Granted Under delegated Authority
11/03974/LIPVM	Minor Variation Application	09.06.2011	Granted Under delegated Authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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

(other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and

customers are made aware of the availability of these measures.

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.

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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions related to the Sale of Alcohol

10. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his 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.

Conditions which reproduce the effect of any restriction imposed on these of the premises by specified enactments

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 Supply of Alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
16. The Supply of Alcohol may only be served by waiter or waitress service to persons who are seated.

Propose Conditions by the Police

17. 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.
18. 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.
19. 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.
20. 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.
21. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan and served only to a person seated taking food there and for consumption by such a person as ancillary to their meal.
22. All outside tables and chairs shall be rendered unusable by **(23.00)** each day

Proposed Conditions by Applicant

23. 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.

24. 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.

25. 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.

26. 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.

27. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan and served only to a person seated taking food there and for consumption by such a person as ancillary to their meal

28. All outside tables and chairs shall be rendered unusable by (23.00) each day.



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

Schedule 12
Part A

WARD: St James's
UPRN: 010033554283

Premises licence

Regulation 33, 34

Premises licence number:

11/03974/LIPVM

Original Reference:

05/08062/LIPC

Part 1 – Premises details

Postal address of premises:

Angus Steak House
Ground Floor
24 Haymarket
London
SW1Y 4DG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music

Unrestricted

Late Night Refreshment

Monday to Saturday:	23:00 to 01:00
Sunday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 01:00

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 01:00
Sunday:	10:00 to 00:00
Sundays before Bank Holidays:	10:00 to 01:00

For times authorised for New Year see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday: 10:00 to 01:00
Sunday: 10:00 to 00:00
Sundays before Bank Holidays: 10:00 to 01:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

ATFC Limited
1A Dukesway Court
Team Valley Trading Estate
Gateshead
Tyne And Wear
NE11 0PJ

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

04712181

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


Name: Ismail Narsoy

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

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

Licence Number: 05/01419/LIPERS
Licensing Authority: London Borough Of Croydon

Date: 16 July 2013



Signed: pp

Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and

customers are made aware of the availability of these measures.

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.

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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions related to the Sale of Alcohol

10. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his 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.

Conditions which reproduce the effect of any restriction imposed on these of the premises by specified enactments

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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

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 Supply of Alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
16. The Supply of Alcohol may only be served by waiter or waitress service to persons who are seated.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033554283

Premises licence
summary

Regulation 33, 34

Premises licence number:

11/03974/LIPVM

Part 1 – Premises details

Postal address of premises:

Angus Steak House
Ground Floor
24 Haymarket
London
SW1Y 4DG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment

Monday to Saturday:	23:00 to 01:00
Sunday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 01:00

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 01:00
Sunday:	10:00 to 00:00
Sundays before Bank Holidays:	10:00 to 01:00

For times authorised for New Year see conditions at Annex 1 & 3

The opening hours of the premises:

Monday to Saturday:	10:00 to 01:00
Sunday:	10:00 to 00:00
Sundays before Bank Holidays:	10:00 to 01:00

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

Alcohol is supplied for consumption on the Premises.

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

ATFC Limited
1A Dukesway Court
Team Valley Trading Estate
Gateshead
Tyne And Wear
NE11 0PJ

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

04712181

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

Name: Ismail Narsoy

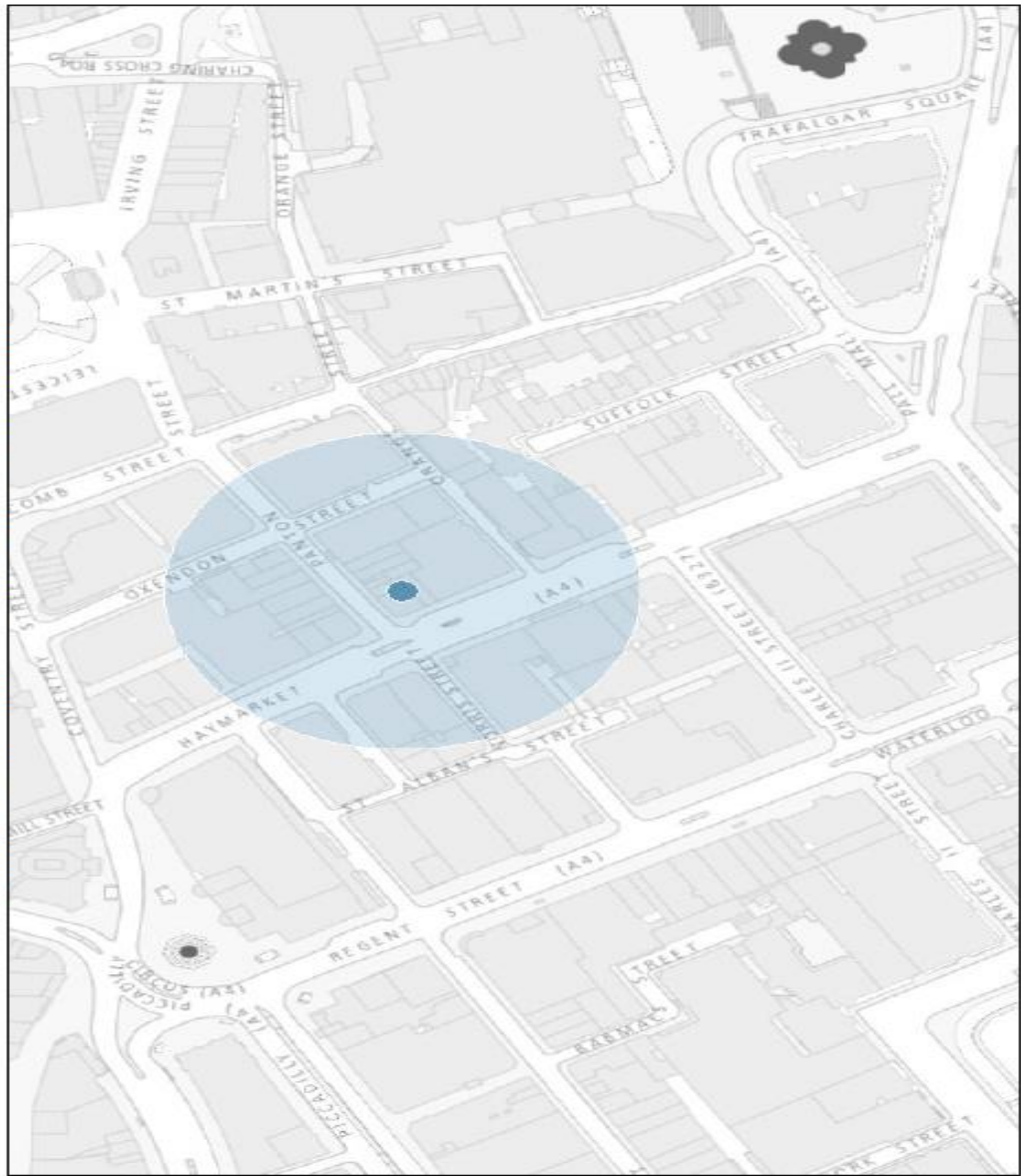
State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 16 July 2013

Signed: pp  Operational Director - Premises Management

Angus Steak House Ground Floor 24 Haymarket



July 21, 2017

Resident Count: 61

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Licensing Sub-Committee Report

Item No:	
Date:	3 August 2017
Licensing Ref No:	17/06083/LIPV - Premises Licence Variation
Title of Report:	Nagomi 4 Blenheim Street London W1S 1LD
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 Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	5 June 2017		
Applicant:	Rising Sun UK Limited		
Premises:	Nagomi		
Premises address:	4 Blenheim Street London W1S 1LD	Ward:	West End
		Cumulative Impact Area:	No
Premises description:	The premises currently operate as a restaurant		
Variation description:	<p>The applicant is seeking to vary the premises licence as follows:</p> <ol style="list-style-type: none"> 1. Revised layout following a refurbishment 2. Extension of hours 3. Addition of recorded music. 		
Premises licence history:	Appendix 3		
Applicant submissions:	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		12:00	16:00	Basement, Ground Floor	See Plan (Appendix 1)
			18:00	00:00	Basement, Ground Floor	
Tuesday			12:00	16:00	Basement, Ground Floor	
			18:00	00:00	Basement, Ground Floor	
Wednesday			12:00	16:00	Basement, Ground Floor	
			18:00	00:00	Basement, Ground Floor	
Thursday			12:00	16:00	Basement, Ground Floor	
	18:00	00:00	Basement, Ground Floor			
Friday	12:00	16:00	Basement, Ground Floor			
	18:00	00:00	Basement, Ground Floor			
Saturday	12:00	17:00	Basement, Ground Floor			
	18:00	00:00	Basement, Ground Floor			
Sunday	12:00	17:00	Basement, Ground Floor			
	18:00	22:00	Basement, Ground Floor			

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	12:00 18:00	15:00 22:45	12:00 18:00	16:00 00:00	Basement, Ground Floor	See Plan (Appendix 1)
Tuesday	12:00 18:00	15:00 22:45	12:00 18:00	16:00 00:00	Basement, Ground Floor	
Wednesday	12:00 18:00	15:00 22:45	12:00 18:00	16:00 00:00	Basement, Ground Floor	
Thursday	12:00 18:00	15:00 22:45	12:00 18:00	16:00 00:00	Basement, Ground Floor	
Friday	12:00 18:00	15:00 22:45	12:00 18:00	16:00 00:00	Basement, Ground Floor	
Saturday	12:00 18:00	15:00 22:45	12:00 18:00	17:00 00:00	Basement, Ground Floor	
Sunday	12:00 18:00	15:00 22:15	12:00 18:00	16:00 22:00	Basement, Ground Floor	

Hours premises are open to the public				
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	12:00 18:00	15:00 23:00	12:00 18:00	16:00 00:30
Tuesday	12:00 18:00	15:00 23:00	12:00 18:00	16:00 00:30
Wednesday	12:00 18:00	15:00 23:00	12:00 18:00	16:00 00:30
Thursday	12:00 18:00	15:00 23:00	12:00 18:00	16:00 00:30
Friday	12:00 18:00	15:00 23:00	12:00 18:00	16:00 00:30
Saturday	12:00 18:00	15:00 23:00	12:00 18:00	17:00 23:00
Sunday	12:00 18:00	15:00 22:30	12:00 18:00	15:00 22:30

1-C Layout alteration
According to the application, there is a revised layout of the premises following refurbishment

2. Representations

2-A Responsible Authorities	
Responsible	The Environmental Health Service

Authority:	
Representative:	Mr Dave Nevitt
Received:	11 th July 2017

I wish to make Representations on the following grounds:
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety. I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

Responsible Authority:	The Metropolitan Police Service
Representative:	PC Brian Hunter
Received:	16 th June 2017

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

There are no conditions contained within the operating schedule, having previously visited your premises to discuss the previous application, I have listed the following conditions the Police would like to see on the Premises Licence. If these are agreed to I would be willing to review my representation:

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.

- 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.

- 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.

- 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.

- 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.

- 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.

- All outside tables and chairs shall be rendered unusable by (23.30) Monday to Saturday except on a Sunday where this will be at (22:00)

The Police have withdrawn their representation to the application as the applicant agreed

to their proposed conditions

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	Copy of the existing licence
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
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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 June 2017
5	The Environmental Health Service Rep	11h July 2017
6	The Metropolitan Police Service Rep	16 TH June 2017

To view the plans of the premises please contact the Licensing Department.

Email: licensing@westminster.gov.uk

Telephone: 0207 641 6500

None

Appendix 3

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
06/09683/WCCMAP	New Premises Application	19.09.2006	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 variation of the premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

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

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

Conditions: On Current Licence -

Mandatory:

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

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

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. The sale of alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such person as ancillary to their meal.
10. The supply of alcohol shall be by waiter/waitress only.
11. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (subject to the Data Protection Act 1998).
13. All refuse will be paid, properly presented and placed on the street 30 minutes before any agreed collection time.

Proposed Conditions by Police and agreed by applicant that will form part of the Operating Schedule

14. 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.

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. 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.
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 (23.30) Monday to Saturday except on a Sunday where this will be at (22:00)

Copy of Existing Licence



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

Schedule 12
Part A

WARD: West End
UPRN: 999000011480

Premises licence

Regulation 33, 34

Premises licence number:

06/09683/WCCMAP

Part 1 – Premises details

Postal address of premises:

Nagomi
4 Blenheim Street
London
W1S 1LD

Telephone Number: 0207 165 9506

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol: Monday to Saturday - 12:00 to 15:00
Sale by Retail of Alcohol: Monday to Saturday - 18:00 to 22:45
Sale by Retail of Alcohol: Sunday - 12:00 to 15:00
Sale by Retail of Alcohol: Sunday - 18:00 to 22:15

The opening hours of the premises:

Monday to Saturday - 12:00 to 15:00
Monday to Saturday - 18:00 to 23:00
Sunday - 12:00 to 15:00
Sunday - 18:00 to 22:30

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

On

Part 2

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

Rising Sun UK Limited
31 Livingstone House
Wyndham Road
London
: 020 7703 6242

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

N/A

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

Name: Hiroomi Wada
Address: 31 Livingstone House, Wyndham Road, London, SE5 0UX
Phone: 020 7703 6242

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

Licence Number: Not supplied
Licensing Authority: Southwark Council

Date: _____

Signed: _____
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

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

Annex 2 – Conditions consistent with the operating Schedule

4. The sale of alcohol 'On' the premises shall only be to persons taking a table meal there and consumption by such person as ancillary to their meal.
5. The supply of alcohol shall be by waiter/waitress only.
6. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
7. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (subject to the Data Protection Act 1998).
8. All refuse will be paid, properly presented and placed on the street 30 minutes before any agreed collection time.

Annex 3 – Conditions attached after a hearing by the licensing authority
None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: West End
UPRN: 999000011480

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/09683/WCCMAP

Part 1 – Premises details

Postal address of premises:

Nagomi
4 Blenheim Street
London
W1S 1LD

Telephone Number: 0207 165 9506

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol: Monday to Saturday - 12:00 to 15:00
Sale by Retail of Alcohol: Monday to Saturday - 18:00 to 22:45
Sale by Retail of Alcohol: Sunday - 12:00 to 15:00
Sale by Retail of Alcohol: Sunday - 18:00 to 22:15

The opening hours of the premises:

Monday to Saturday - 12:00 to 15:00
Monday to Saturday - 18:00 to 23:00
Sunday - 12:00 to 15:00
Sunday - 18:00 to 22:30

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

On

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

Rising Sun UK Limited
31 Livingstone House
Wyndham Road
London

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

N/A

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

Name: Hiroomi Wada

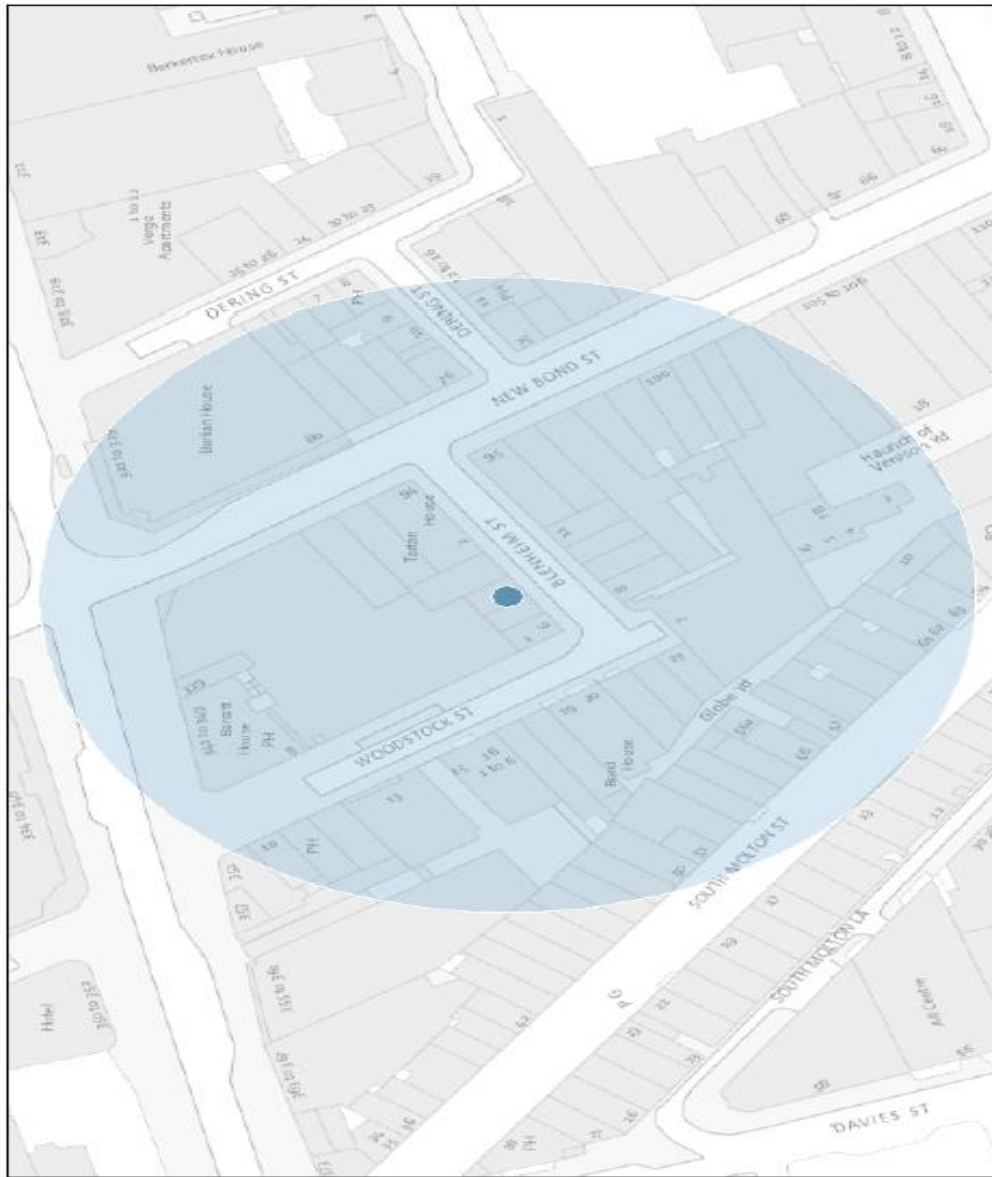
State whether access to the premises by children is restricted or prohibited:

Restricted

Date: _____

Signed: _____
Director of Legal & Administrative Services

Nagomi 4 Blenheim Street



July 21, 2017

Resident Count: 28