



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 24th May, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Melvyn Caplan (Chairman)
Susie Burbridge
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. AD FOOD & WINE, BASEMENT AND GROUND FLOOR, 29 PADDINGTON STREET, W1

(Pages 1 - 18)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Marylebone High Street Ward / not in cumulative impact area	AD Food & Wine, Basement And Ground Floor, 29 Paddington Street, W1	Variation of a Premises Licence	18/03290/LIPV

2. SECOND FLOOR, CARRIAGE HOUSE, 29 FLORAL STREET, WC2

(Pages 19 - 42)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End Cumulative Impact Area	Second Floor, Carriage House, 29 Floral Street, WC2	New Premises Licence	18/02620/LIPN

3. 8-9 JAMES STREET, COVENT GARDEN, WC2

(Pages 43 - 68)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	St James's Ward / West End Cumulative Impact Area	8-9 James Street, Covent Garden, WC2	New Premises Licence	18/02791/LIPN

**Stuart Love
Chief Executive
18 May 2018**

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)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



Item No:	
Date:	24 May 2018
Licensing Ref No:	18/03290/LIPV - Premises Licence Variation
Title of Report:	AD Food & Wine Basement And Ground Floor 29 Paddington Street London
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Sam Eaton Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	26 March 2018		
Applicant:	Mr Muhammad Ghani		
Premises:	AD Food & Wine		
Premises address:	Basement And Ground Floor 29 Paddington Street London W1U 4HA	Ward:	Marylebone High Street
		Cumulative Impact Area:	None.
Premises description:	According to the application the premises are a convenience store with the facility to supply alcohol for consumption off the premises.		
Variation description:	<p>The application is to increase the permitted hours for the sale of alcohol by retail, for consumption off the premises, by one hour Monday to Saturday and one hour on Sunday.</p> <p>Also, to increase the terminal opening hours of the premises by one hour 30 minutes Monday to Saturday and One hour 30 minutes on Sunday.</p> <p>The proposed amendment will accord with Paragraph 10.15, Section 182 Guidance - Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping.</p> <p>The current opening hours of the convenience store are - Monday to Saturday 08.00 to 00.30 and Sunday 08.00 to 00.00.</p> <p>Note- The applicant has successfully operated premises in Baker St and Chiltern St London until midnight, with no issues whatsoever.</p>		
Premises licence history:	The premises have benefitted from a licence since February 2006. A full history can be found at Appendix 2.		
Applicant submissions:	None.		
Plan:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours

Sale by Retail of Alcohol

On or off sales		Current :				Proposed:	
		Off Sales				No change	
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Tuesday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Wednesday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Thursday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Friday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Saturday	08:00	23:00	08:00	00:00	Ground Floor	No Change	
Sunday	10:00	22:30	10:00	23:30	Ground Floor	No Change	
Seasonal variations/ Non-standard timings:	Current:				Proposed:		
	None.				No Change		
	None.				No Change		

Hours premises are open to the public

	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Tuesday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Wednesday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Thursday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Friday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Saturday	08:00	23:00	08:00	00:30	Ground Floor	No Change
Sunday	10:00	22:30	10:00	00:00	Ground Floor	No Change
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None.				No Change	
	None.				No Change	

1-D Conditions being varied, added or removed

Condition	Proposed variation
Condition 10: The premises shall not trade under the authority of this licence until building works are completed to the satisfaction of the relevant authorities.	To be removed from the licence.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	11 th April 2018
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Prevention of Crime and Disorder and Protection of children from harm objectives.</p> <p>The hours sought exceed Westminster's Core Hours Policy.</p> <p>There is insufficient detail within the operating schedule to promote the Licensing Objectives.</p> <p>An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the problems already experienced in this area.</p> <p>It is for these reasons that we are objecting to the application.</p> <p><i>The Metropolitan Police Service have also provided conditions which the applicant has agreed. The conditions can be found in Appendix 4.</i></p>	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	18 th April 2018
<p>I refer to the application for the variation of the Premises Licence for the above mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed variation in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.</p> <p>1. The licensee is seeking to vary the Premises Licence to extend hours for the sale by retail of alcohol for consumption off the premises by one hour Monday to Sunday</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy, I wish to make the following representations:</p> <p>1. To extend hours for the supply of alcohol by one hour throughout the week may have the likely effect of increasing Public Nuisance and impact on Public Safety within the area</p> <p>The applicant has provided additional conditions in support of the application but these do not fully address the concerns of Environmental Health and additional conditions may be proposed.</p> <p>It is my view that there is insufficient information within the application to address concerns around Prevention of public nuisance and Public safety. As such if further information is not forthcoming, the granting of this variation, as presented, would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.</p> <p>Proposed Environmental Health conditions in addition to those agreed with the police.</p>	

1. Condition 9 amended to read

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

- 2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 3. 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.
- 4. The external door shall be kept closed after 21:00 hours except for the immediate access and egress of persons.
- 5. 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
- 6. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
- 7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
- 8. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

2-B Other Persons

Received: 23rd April 2018

This is a very residential area and whilst it is appreciated that for many small convenience stores to survive, they need to sell alcohol. This premises already does so.

I have been contacted by residents in the nearby Mews who are concerned with regard to Public Nuisance and Crime and Disorder if the hours were permitted to be increased.

I therefore object to the the proposed variation in licensing hours to sell alcohol as this will undermine the Licensing Objectives of prevention of Public Nuisance, Public safety and Prevention of Crime and disorder.

Received: 22nd April 2018

I am writing to object to the application by the corner shop at 29 Paddington Street to extend their licensing hours. I live at Paddington Street and have done for 11 years and I have owned the leasehold for 9 years. This is a residential building and area. The two restaurants in the block's licence do not extend this late but I experience noise from them. In addition, I have noticed an increase in antisocial behaviour from people hanging around Paddington Gardens and in Sherlock Mews with bottles being smashed. I believe the shop does not need to be open this late and will further increase antisocial behaviour encouraging people to congregate as none of the other shops and restaurants are open this late. I have spoken to the freeholder of the block and I understand the lease of the shop states that they are not to cause a nuisance.

Received: 18th April 2018

I'm writing in reference to the above application to extend the licensing hours of the convenience store at 29 Paddington St to extend it's licensing hours.

I am the owner of the residential property immediately behind this store. I am concerned that extending licensing hours at this shop is likely to exacerbate problems that we already experience: noise from people who have bought alcohol from the shop late in the evening, and then loiter on the corner of Paddington St and Chiltern St drinking it; and the litter we receive in our lightwell from people who are drinking and eating from this shop late in the evening, and then dispose of the empties over our railings.

I therefore wish to lodge my opposition to an extension of licensing hours for this premises.

Received: 19th April 2018

I am responding to the application of Mr Muhammad Ghani to extend his licensing hours.

These four houses are essentially residential accommodation, with people sleeping on the first floor immediately above the shops. The lease contains covenants in the user clause under which:

The tenant shall not allow any noise, music, flashing lights, fumes or smells to emanate from the Property so as to cause a nuisance or annoyance to any other tenants or occupiers of the Building or any neighbouring property.

The Tenant shall not use the Property for any illegal purposes nor for any purpose or in a manner that would cause loss, damage, injury nuisance or inconvenience to the Landlord, the other tenants or occupiers of the Building or of any neighbouring property.

I am concerned that the shop will attract late night drinkers who will assemble on the pavement outside the shop where the tenant has an awning. An extension of the hours is bound to cause disturbance to those who are trying to sleep up stairs. There is a risk bottles may be thrown about outside. There are no public toilet facilities that are open at night anywhere in the vicinity. So an extension to drinking hours in the street is likely to cause considerable nuisance to local residents and other people passing by.

For this reason, I wish to oppose the application for extended hours for selling alcohol at 29 Paddington Street.

Received: 20th April 2018

A residential cul-de-sac around the corner from 29 Paddington Street. I object to the above application on the following grounds.

1. As a result of the increase in recent years of restaurants, cafes, burger bars and takeaways in this area, the residents of the Mews have a continuing struggle to maintain the amenities we are entitled to expect. Despite the help we receive from the Council and the police, we still have problems in the Mews with noise at night, people eating, drinking and leaving litter, urinating and worse. On occasion there are overnight sleepers. An extension of licensing hours for No. 29 would exacerbate these problems.

2. The current permitted hours are in accordance with the Council's "core policy" on licensing hours. There are no reasons to depart from the policy in this case, and to do so would set an unfortunate precedent for future applications.

Received:	20 th April 2018
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I object to the application which has been submitted to extend the licensing hours of the corner shop at 29 Paddington Street. My objection is similar to one I made regarding Honest Burgers' licence application for 23 Paddington Street in August 2016 and your colleague Yiannis Chrysanthou, who handled that matter, will no doubt regale you with the details should you request them.

I am objecting principally because I think that the extended hours for the sale of alcohol will attract the same people who we in the Mews have had, and to an extent are still having, trouble with, for the following reasons:

Sherlock Mews is a quiet residential cul-de-sac which is attractive to those people who want to avoid public scrutiny particularly at night time. It is only a very short distance away from 29 Paddington Street. The Council and Police are aware of some of the problems we endure in the Mews: rough sleeping, drunkenness, shouting and noise generally, fighting (with bloodshed), defecating in doorways, frequent urinating - particularly in the corners of the Mews, breaking of bottles (a regular on-going problem), litter and on one occasion, a sexual act. If the licenced hours are extended, it will act as a magnet to those who behave as above and a ready supply of alcohol and is likely to lead to an increase in the above anti-social behaviour, which to a large extent has improved in the last year.

Honest Burgers licensing hours were restricted to 23.00 hours during the week but earlier, 23.30, on Sundays. At the moment 29 Paddington Street has similar hours but if it is allowed an additional hour, it is not an equitable situation and would set a precedent for Honest Burgers to apply for a similar extension.

On the documents available on Westminster's Licensing website it is not clear whether the applicant, AB Food & Wine, is a limited company with a Registered Number or if it's some other legal entity. We would wish this to be clarified if a Variation of the licensing hours is permitted. Also it is claimed that the designated premises supervisor for 29 Paddington Street had previous experience at both 67 Chiltern Street and 48 Baker Street which is not supported by the Premises Licence Summaries, 09/02972/LIPV for the latter and 09/06786/LIPV for the former.

I therefore strongly object to any extension of the licensing hours for 29 Paddington Street.

I wish to add the points below to the submission I made earlier today.

I feel that it's relevant and important the Licensing Committee are made aware that the current hours for the sale of alcohol are in line with the Council's Policy on hours, it's core policy. The Application, if permitted, would extend the licensing hours outside the 'core hours' policy.

The application purports to state the current opening hours, but that's not reflected on the licence. The closing hours stipulated on the licence are at the moment in line with the hours for sale of alcohol.

It may not be apparent from my earlier email, but when it happens, noise is the most pressing cause for concern because it's immediate and not easily dealt with at the time.

Received:	21 st April 2018
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THIS REPRESENTATION is made by the Marylebone Association, which is recognised by Westminster as the Amenity Society representing the community of Marylebone south of Marylebone Road.

We are writing on behalf of the local community OBJECTING to the application by AD Food & Wine No18/03290/LIPV

This short stretch of Paddington Street has been completely transformed in the last couple of years. Now that the 2 large residential developments on the 2 corners of Chiltern Street have been completed there has been a sudden influx of new licenced premises. In addition to the long established Casa Becci there are Fucina, Pantry, Ohisama, Honest Burgers and Zizzi all within a few yards. There are also two empty units opposite the applicant.

We therefore contend that the cumulative impact of all these establishments needs to be considered when analysing this request to increase licencing hours. We believe that all these restaurants operate within Core Hours (Policy HRS1) and believe that granting this application could mark a change to the very nature of this small neighbourhood, the start of a general move towards later opening hours and the possibility of a return of the undesirable behaviour experienced by residents particularly in Sherlock Mews.

We therefore believe that this application if granted as applied for will be contrary to the following Licensing Objective: The Prevention of Public Nuisance.

Received:	21 st April 2018
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I object to the application which has been submitted to extend the licensing hours of the corner shop at 29 Paddington Street. My objection is similar to one I made regarding Honest Burgers' licence application for 23 Paddington Street in August 2016

I am objecting principally because I think that the extended hours for the sale of alcohol will attract the same people who we in the Mews have had, and to an extent are still having, trouble with, for the following reasons:

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Honest Burgers licensing hours were restricted to 23.00 hours during the week.

At the moment 29 Paddington Street has similar hours but if it is allowed an additional hour, it is not an equitable situation and would set a precedent for Honest Burgers to apply for a similar extension.

On the documents available on Westminster's Licensing website it is not clear whether the applicant, AB Food & Wine, is a limited company with a Registered Number or if it's some other legal entity. We would wish this to be clarified if a Variation of the licensing hours is permitted. Also it is claimed that the designated premises supervisor for 29 Paddington Street had previous experience at both 67 Chiltern Street and 48 Baker Street which is not supported by the Premises Licence Summaries, 09/02972/LIPV for the latter and 09/06786/LIPV for the former.

I therefore strongly object to any extension of the licensing hours for 29 Paddington Street.

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

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@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	April 2018
4	Metropolitan Police Service	11 th April 2018
5	Environmental Health Service	18 th April 2018
6	Representation	23 rd April 2018
7	Representation	22 nd April 2018
8	Representation	18 th April 2018
9	Representation	19 th April 2018
10	Representation	20 th April 2018
11	Representation	20 th April 2018
12	Representation	21 st April 2018
13	Representation	21 st April 2018

Appendix 2

Applicant Supporting Documents

There are no supporting documents from the Applicant

Licence & Appeal History

Application	Details of Application	Decision	Date Determined
05/12971/LIPN	New Premises Application	Granted Under Delegated Authority	03.02.2006
07/01825/LIPT	Transfer Application	Granted Under Delegated Authority	15.03.2007
06/11272/WCCMAP	New Premises Application	Granted Under Delegated Authority	15.03.2008
09/06239/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	08.12.2009
10/06390/LIPT	Transfer Application	Granted Under Delegated Authority	22.09.2010
10/06391/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	22.09.2010
13/08634/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	09.12.2013
17/02927/LIPT	Transfer Application	Granted Under Delegated Authority	23.06.2017
17/02929/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	23.06.2017

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

5(ii) For the purposes of the condition set out in paragraph 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.

5(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.

- 5(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

6. That a comprehensive CCTV system be maintained that ensures all areas of the licensed premises are monitored including all entry and exit 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 video recordings 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 on request. Recordings outside this period shall be made available on 24 hours notice.

7. Outside of permitted hours all alcohol within the shop area to be secured behind locked grills/screens or secured behind locked cabinet doors.
8. All deliveries and collections will only be scheduled between the hours of 0700 and 1900.
9. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times. (Also indicated within the operating schedule)

Environmental Health proposed amendment:

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

10. The premises shall not trade under the authority of this licence until building works are completed to the satisfaction of the relevant authorities. ***(Proposed for deletion)***.
11. No beer or Cider to be sold above 5.5% Alcohol by Volume.
12. No self service of spirits
13. In the Judgement of the Designated Premises Supervisor, to maintain at all times levels of staff, so as not to undermine the Crime and Disorder objectives, to be disclosed on request to the Licensing authority and the Police.

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

None.

Conditions proposed by the Metropolitan Police Service and agreed with the applicant:

14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All till points and 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.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

17. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
18. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
19. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
20. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
21. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
22. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
23. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
24. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
25. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
27. Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that:
 - (i) Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person for a minimum of four hours before the commencement of the relevant designated sporting event;
 - (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated sporting event;
 - (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event;
 - (iv) On any day where there is a relevant designated sporting event taking place, the

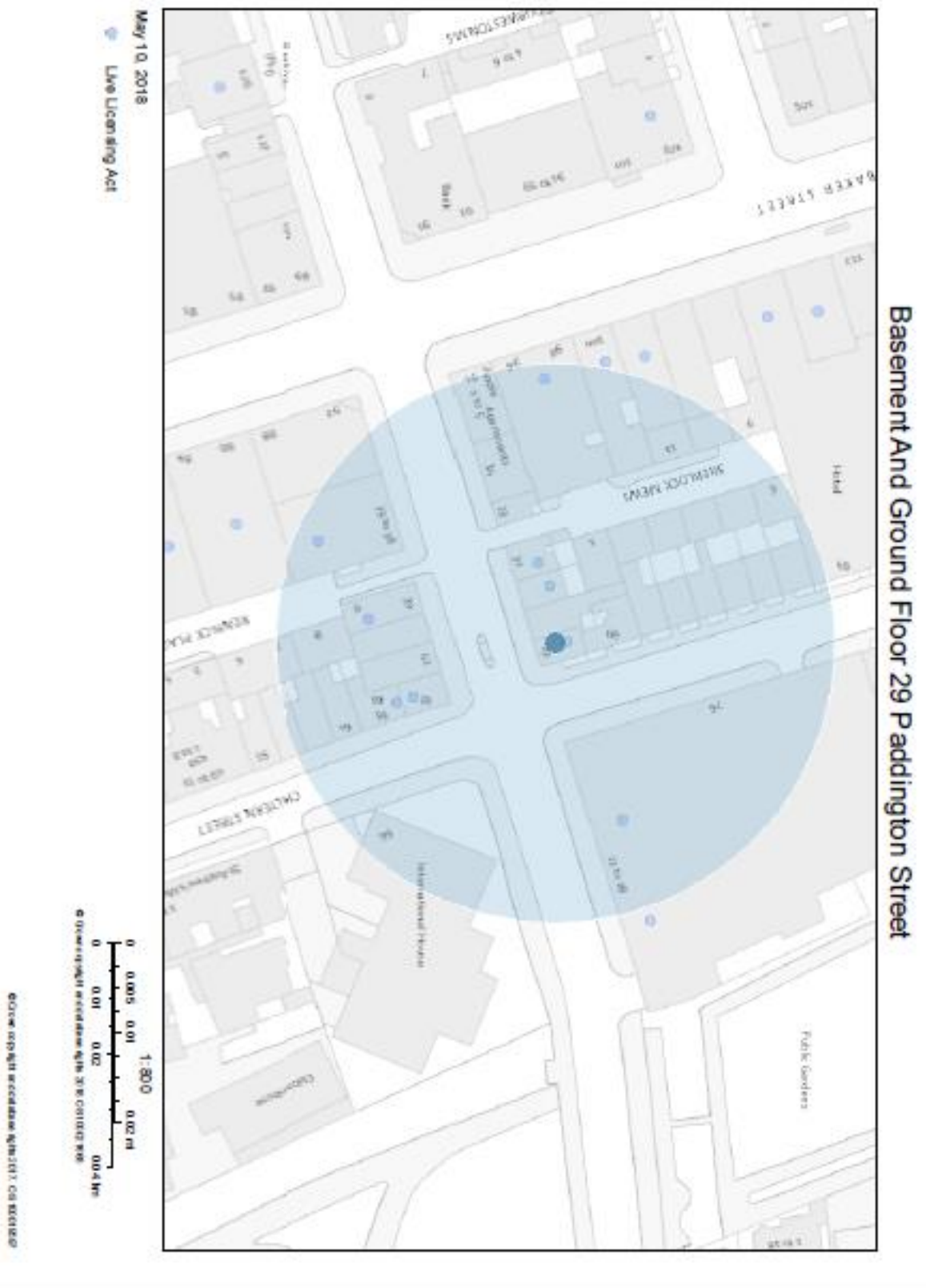
premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event;

- (v) All members of staff working at the premises are informed of this condition prior to taking up employment;
- (vi) On the day of the relevant designated sporting event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the police or until the relevant designated sporting event has finished.

Conditions proposed by Environmental Health Service

- 28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 29. 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.
- 30. The external door shall be kept closed after 21:00 hours except for the immediate access and egress of persons.
- 31. 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
- 32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
- 33. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
- 34. 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.

Residential Map and List of Premises in the Vicinity



Resident count: 94

Premises within 50 metres of: 29 Paddington Street

p / n	Name of Premises	Premises Address	Licensed Hours
47144	AD Food Wine	Basement And Ground Floor 29 Paddington Street London W1U 4HA	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
20976	Honest Burgers	31 Paddington Street London W1U 4HD	Monday to Saturday; 10:00 - 23:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 10:00 - 23:30
47148	Casa Becci	Ground Floor 32 Paddington Street London W1U 4HE	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
70078	Fabels	67 Chiltern Street London W1U 6NJ	Monday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30
20560	Blandfords Café-Restaurant	65 Chiltern Street London W1U 6NH	Monday to Friday; 07:30 - 00:00 Saturday to Sunday; 09:00 - 00:00
75997	Ohisama	Basement And Ground Floor 39 Paddington Street London W1U 4HH	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 10:00 - 00:30
82821	Fucina	26 Paddington Street London W1U 5QY	Friday to Saturday; 07:30 - 01:30 Sunday to Thursday; 07:30 - 00:30
20923	Zizzi	35-38 Paddington Street London W1U 4HQ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
67362	Everyman Baker Street	Ground Left 96-98 Baker Street London W1U 6TJ	Thursday; 09:00 - 01:00 Friday to Saturday; 09:00 - 02:00 Sunday to Wednesday; 09:00 - 00:00

Item No:	
Date:	24 May 2018
Licensing Ref No:	18/02620/LIPN - New Premises Licence
Title of Report:	Second Floor Carriage House 29 Floral Street London WC2E 9DP
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 March 2018		
Applicant:	Robinson Webster (Holdings) Ltd		
Premises:			
Premises address:	Second Floor Carriage House 29 Floral Street London	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises will operate as a restaurant.		
Premises licence history:	This is a new premises licence and therefore no licence history exists.		
Applicant submissions:	There are no applicant submissions.		
Plans	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day						

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	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	21 March 2018
<p>I write in relation to the application submitted for a New Premises Licence for Carriage House, 29 Floral Street.</p> <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• Protection of Children from harm <p>The premises is located within the West End Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1 and RNT2.</p> <p>The premises currently falls within policy RNT2. The applicant has given an indication within the proposed operating schedule that the capacity of the premises will not exceed 125 persons. However, the applicant has not yet demonstrated how the additional 125 persons will not add to cumulative impact in the cumulative impact area. No additional information has been received which addresses this policy concern, and the Licensing Authority encourages the applicant for further submissions as to how the premises will not add to cumulative impact. At present, the applicant has offered a condition where the supply of alcohol at the premises shall only be to a person seated taking a table meal and for consumption by such a person as ancillary to their meal. The Licensing Authority would ask that the applicant considers adding the following condition to the operating schedule on the licence to support the Council's policy relating to the sale of alcohol for consumption on the premises:</p> <ol style="list-style-type: none">1) The premises shall only operate as a restaurant:<ol style="list-style-type: none">(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. 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.

As separate to the supply of alcohol being to seated persons taking a table meal, the applicant has proposed a condition whereby alcohol may be supplied and consumed in the bar area, by up to a maximum at any one time, of 15 persons. The Licensing Authority are concerned that the supply of alcohol in this bar area may lead to vertical drinking. Paragraph 2.5.3 of the Council's Statement of Licensing Policy states in part that "The council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening". The Licensing Authority encourages the applicant to provide further information in to the operation of this bar area, and its use, if any, as part of the restaurant operation (i.e. as a holding area).

Further discussions will be held with the applicant prior to the hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

Responsible Authority:	Environmental Health Service
Representative:	Mr Anil Drayan
Received:	03 April 2018

I refer to the application for a new Premises Licence for the above premises which are located in the West End Cumulative Impact area.

The applicant has submitted following plans of the premises:

- Ground Floor, drawing no 12623_ GA01, Rev K, dated Sep 17.
- First Floor, drawing no 12623_ GA02, Rev K, dated Sep 17
- 2nd Floor, drawing no JCH – GA203 – 2, Rev A, dated 22.02.2018

The following licensable activity is being sought:

1. To provide for the Supply of Alcohol 'On' the premises between 10:00 and 23:00 Monday to Saturday, 12:00 and 22:30 Sunday and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

1. The hours requested for and the Supply of Alcohol may lead to an increase in Public Nuisance in the West End Cumulative Impact Area

Environmental Health also makes the following further comments:

- i. Although an extensive list of conditions have been offered in the operating schedule these are being considered as to whether they are sufficient to allay Environmental Health concerns eg it appears that the 'model restaurant condition' for a proposal in a Cumulative Impact Area has not been offered as part of the application.
- ii. It is unclear from the application if the premises have already undergone refurbishment for the proposed use. Nevertheless, it will need to be inspected for Public Safety prior to commencement of licensable activities.
- iii. The premises will also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or noise from the operation of any plant and machinery.

The applicant should also be made aware of the following considerations:

- If the premises do not already have planning A3 Use then the applicant will also be required to submit a subsequent planning change of use application.
 - Any planning application for a change of use to a new A3 use will be objected to by Environmental Health (and Planning Department) if the kitchen extract ventilation does not discharge at 'full height' or does not operate using an 'approved recirculation' system.
 - Nevertheless, the applicant is further advised that the planning status of the premises will not be a material consideration as to whether any Premises License should be granted. Conversely, under planning legislation, the approval of a Premises License does not provide automatic grounds for the planning status to also be changed.
- v. The provision of sanitary accommodation for any proposed capacity must be in line with the minimum standards as provided in British Standard 6465 to help prevent an increase in Public Nuisance in the West End Cumulative Impact Area. In addition, compliance with Food Hygiene guidance will also require separate facilities for staff if the overall capacity at the premises is more than 25 persons.

Representations are therefore made to this application on grounds of Public Nuisance, Public Safety and being against Westminster's Statement of Licensing Policy.

The applicant is therefore requested to contact the undersigned to discuss the above issues and arrange a site visit after which Environmental Health may propose additional conditions for the proposed use.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Toby Janes
Received:	28 March 2018

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.

2-B Other Persons

Received:	01 April 2018
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I am objecting to the application on the following grounds:

1. This is a quiet residential street in Covent Garden. This section of Floral Street predominantly consists of residential flats and retail shops which shut at 6pm on weekdays or at latest 8pm on Thursdays and weekends. To propose a venue which sells alcohol until 11pm every evening will create a public nuisance.
2. Residents will be forced to make frequent police complaints due to the inevitable noise and disturbance created by patrons of the venue, as anticipated by clause 11 of the schedule of proposed conditions ("Incident Log"). This is an unnecessary waste of police time and resource.
3. Deliveries from 8am to 11pm each day is unworkable. As mentioned, this is a quiet area and the presence of delivery vehicles will clearly be felt by the residents.
4. To suggest the venue will not generate noise is misleading. The premises will be selling food and alcohol, there will be a bar and if music licences are applied for there will be a constant level of noise during operating hours.
5. Encouraging smokers to smoke outside of the premises will essentially mean that patrons will be smoking outside the residential blocks of flats, leading to unnecessary unpleasant smoke and a likely increase in disturbances. There may also be times when patrons will be smoking on the steps to our properties making access difficult.

I would appreciate it if the applicant could consider the following:

1. Sales of food and alcohol/deliveries until 6pm on weekdays and 8pm on Thursdays/weekends which reflects the way commercial businesses on this section of Floral Street are operating.
2. Sales of food and alcohol to be restricted to table service only - although a small bar area is proposed, it is inevitable this is will attract a noisier crowd and it is likely the number of patrons proposed will go above capacity.
3. A designated smoking area outside, beside TK Maxx, not near the residential flats.

Received:

18 March 2018

I am surprised that the application is for a licence up to 2300 hours Monday to Saturday and 2230 hours on Sundays when customers are not permitted on the premises after 2200 hours Monday to Saturday and 1900 hours on Sundays (see planning permission 13/05176/FULL). I am therefore concerned that the applicant may not be aware of these and other conditions, eg not more than 15 customers shall be permitted on the second floor terrace at any time and the terrace shall not be accessible to customers outside the following hours: 0800 to 1900 Monday to Saturday and 1000 to 1899 Sundays and bank holidays

Received:

23 March 2018

This representation is being made by the Covent Garden Community Association (CGCA). The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5th December 2017.

The Representation is being made with respect to the grant of a licence for the Second Floor of Carriage House, 29 Floral Street. The premises are intended to be a restaurant which operates on the 2nd floor of the building. The other floors are in A1 retail use. The restaurant will be of substantial size, with a capacity of 125 customers. The hours requested are within WCC's Core Hours.

The CGCA believes that it is possible to operate a premises of this type without harming the Licensing Objectives or adding to Cumulative Impact within the CIA. However we wish to ensure that the conditions included on the Licence ensure that the premises only operates in the way intended and that any change in way in which it operates in the future will require an application for Variation. We believe that unless these conditions are put on the face of the Licence there is a risk that the Licensing Objectives will be harmed.

We would therefore ask that the conditions proposed by the applicant are modified or added to as follows:

Condition number	Condition	Reason
1. (9 in the report)	The supply of alcohol at the premises shall only be to a person seated taking a <i>substantial</i> table meal there and for consumption by such a person as ancillary to their meal.	The definition of table meal is vague. Requiring it to be substantial supports the nature of the premises being a genuine restaurant
13 (21 in the report)	No deliveries relating to licensable activities at the premises shall take place between <i>20:00 and 08:00 on the following day or between 20:00 on Saturday and 10:00 on Sunday</i>	The adjustment in timing is to ensure that delivery and waste vehicles do not disturb residents in the vicinity in the later part of the evening or on Sunday morning. The street is one way and narrow and noise from these vehicles can give rise to a nuisance
14 (22 in the report)	No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between <i>20:00 and 08:00 on the following day or between 20:00 on Saturday and 10:00 on Sunday</i>	
	The use of the premises for licensable activities will at all times be ancillary to the use of the remainder of the building for retail use. Entry to these premises will only be permitted during the times when the rest of the building is open for A1 retail use or 22:00 whichever is earlier.	This ensures that the restaurant remains dependent on the remainder of the building being in retail use and cannot effectively have a separate existence
	The use of the bar area for customers who are not dining at the premises is limited to the hours during which the rest of the building is open for A1 retail use.	We believe that the bar should close at the time when new customers can no longer enter the building in order to shop. This allows people who wish to drink whilst their companion are shopping to do so but does not encourage additional drinking without a meal beyond this time.
	The premises will not supply food or drink for consumption off the premises at any time no matter whether or not this supply would be licensable if provided.	The applicant has stated that they do not intend to supply food for consumption off the premises. This is to ensure that this is the case.
<p>The CGCA's view is that with the modification/addition of these conditions the Licence could be granted without harming the Licensing Objectives. If these are not included on the Licence then there is a significant risk that the nature of the use of the premises could change and cause harm and so the application should be refused.</p>		

We hope that this representation is clear. If you have any questions please contact the undersigned.

Received:

28 March 2018

At the moment, this part of Floral Street is a relatively quiet spot in Covent Garden. In particular, it is quiet in the evenings after 6pm. The proposed licence will materially adversely affect that situation and as a close neighbour (the premises adjoin my block of flats) I object on the following grounds:-

1. The selling of alcohol up to 23.00 hours is unreasonable and will attract drinkers to the area. The sale should be restricted to 21.00 hours. We were told that the premises would be a café/restaurant, not a bar.
2. The sale of alcohol other than to people sitting at a table who have ordered food should be refused. The planning consent was for the provision of a cafe/restaurant, however a separate bar area has been provided which will attract drinkers.
3. The application naturally envisages customers standing outside the premises to smoke. This will cause noise, litter and obstruction to the neighbours. The conditions include a provision that
 - (a) such smokers will be supervised by a member of staff; and
 - (b) that smokers should not take their drinks outside with them. These conditions are not enforceable and it is inevitable that they will be constantly broken. The only way to alleviate the detrimental effect caused by smokers standing outside the premises drinking and smoking is to restrict the hours of sale of alcohol to finish by 21.00.
4. Deliveries are envisaged to take place from 08.00 to 23.00. This is unreasonable and the increase in noise and traffic to an area which is quiet at this time should not be supported. The granting of a licence should be conditional on deliveries taking place from Monday to Friday, 08.00 - 18.00.
5. It should be noted that the conditions envisage sales to up to 125 people: this is a large number of people in a relatively small space and the concomitant noise will be considerable.

Received:

02 April 2018

My one bedroom flat has all its windows facing Floral Street, is on the 1st floor, so is closest to the entrance of the proposed café/restaurant and uniquely has a party wall in my bedroom with the premises at 29 - activity by previous occupants has been audible in the past, but only during the day not as this will be, at night as well. I have lived at this address for over 30 years and have hitherto enjoyed and valued the quiet of Floral St. after the commercial premises have shut for the day by 19:00hrs. The arrival of a licensed establishment serving alcohol until 23:00hrs bringing with it the inevitable noise of arrivals and departures of customers, cars and taxis, likely until well after that time and the chatter of knots of smokers standing around on Floral St., plus deliveries allowed up to 23:00hrs, will deprive me of it. I am only a few months short of my 81st birthday, consequently seldom away from my home and feel dread, and fear possible detriment to my health, at the possibility of the disruption and litter this unwelcome development will bring 7 days a week.

3. Policy & Guidance

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

Policy HRS1 applies

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

Policy RNT2 applies

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.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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	April 2018
4	Licensing Authority	21 March 2018
5	Environmental Health Service	03 April 2018
6	Metropolitan Police Service	28 March 2018
7	Representation	01 April 2018
8	Representation	18 March 2018
9	Representation	23 March 2018
10	Representation	28 March 2018
11	Representation	02 April 2018

Applicant Supporting Documents

There are no supporting documents from the Applicant.

Premises History

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

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

Proposed amendment by the Covent Garden Community Association

- 9a.** The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.
10. Notwithstanding condition 1, alcohol may be supplied and consumed in the bar area (**hatched red on the attached plan**), by up to a maximum at any one time, of 15 persons.
11. With the exception of customers in the bar area (**hatched red on the attached plan**), the supply of alcohol shall be by waiter or waitress service only.
12. 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.
13. A direct telephone number for the manager at the premises shall be available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
14. There shall be no admittance or re-admittance to the premises after 22:00 except for patrons permitted to temporarily leave the premises to smoke.
15. 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.
16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 125 persons.
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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
20. 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.
21. No deliveries relating to licensable activities at the premises shall take place between 23:00 and 08:00 on the following day.

Proposed amendment by the Covent Garden Community Association

- 21a. No deliveries relating to licensable activities at the premises shall take place between 20:00 and 08:00 on the following day or between 20:00 on Saturday and 10:00 on Sunday.
22. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 on the following day.

Proposed amendment by the Covent Garden Community Association

- 22a. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 and 08:00 on the following day or between 20:00 on Saturday and 10:00 on Sunday.
23. 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.

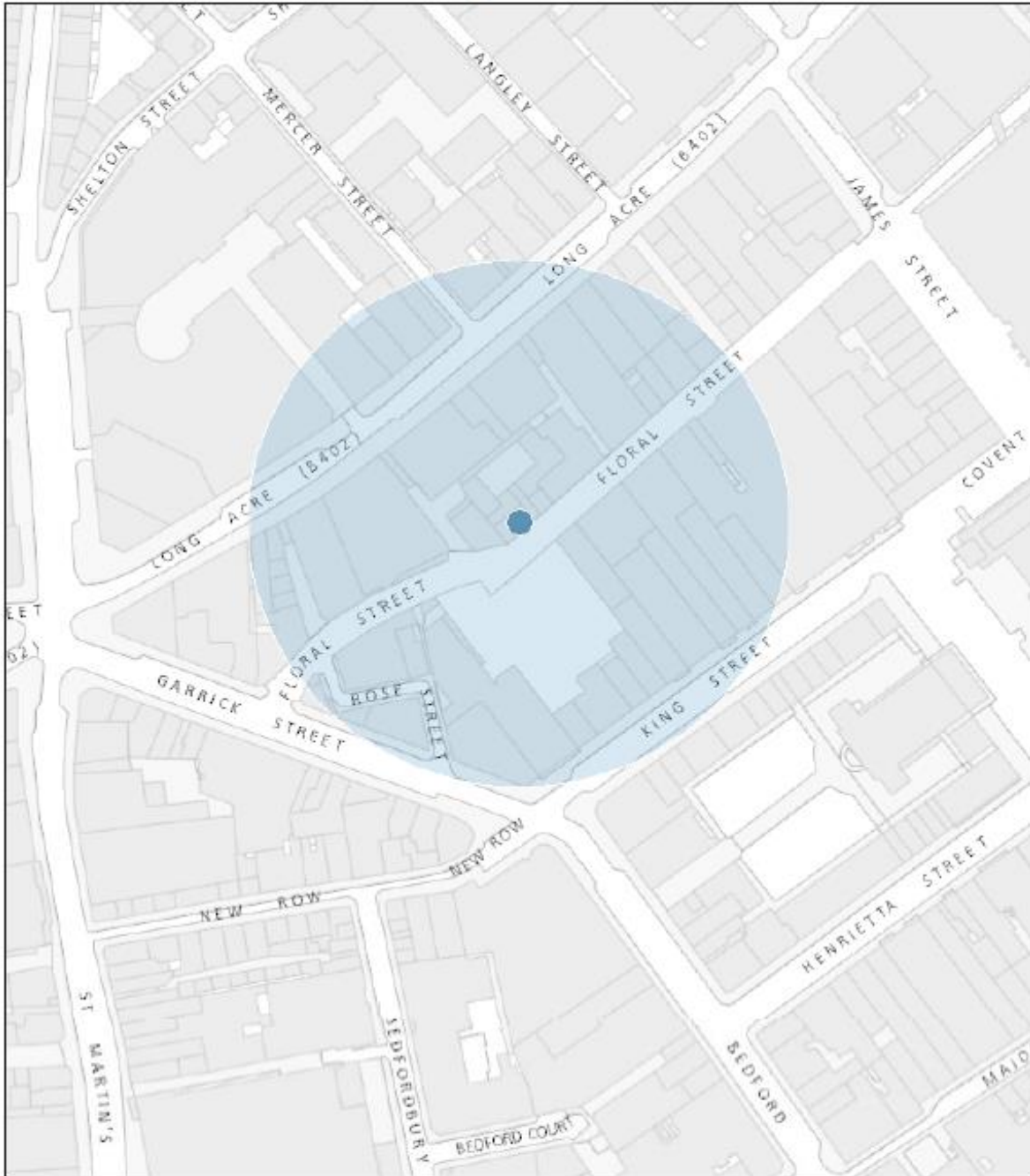
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
26. 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.
27. 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.
28. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
29. 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.
30. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises as constructed. Where there are minor changes to the layout of the premises during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority and shall be attached to this licence in substitution of the existing plans, at which time this condition shall be removed from the licence.

Conditions proposed by the Covent Garden Community Association

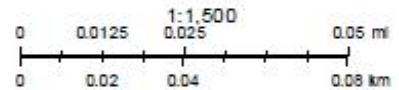
31. The use of the premises for licensable activities will at all times be ancillary to the use of the remainder of the building for retail use. Entry to these premises will only be permitted during the times when the rest of the building is open for A1 retail use or 22:00 whichever is earlier.
32. The use of the bar area for customers who are not dining at the premises is limited to the hours during which the rest of the building is open for A1 retail use.
33. The premises will not supply food or drink for consumption off the premises at any time no matter whether or not this supply would be licensable if provided.

Residential Map and List of Premises in the Vicinity

Second Floor, Carriage House, 29 Floral Street



May 2, 2018



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Resident count: 94

Licence Number	Trading Name	Address	Premises Type	Time Period
17/03360/LIPDPS	Joes Southern Table & Bar	34 King Street Covent Garden London WC2E 8JD	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 00:00
17/05460/LIPDPS	Clos Maggiore	Basement And Ground Floor 33 King Street Covent Garden London WC2E 8JD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
13/09067/LIPDPS	Trevor Sorbie	27 Floral Street London WC2E 9DP	Hairdresser or beauty salon	Monday to Saturday; 09:00 - 21:00 Sunday; 09:00 - 18:00
17/14697/LIPN	Mariage Freres	38 King Street Covent Garden London WC2E 8JS	Cafe	Monday to Sunday; 07:00 - 23:00
16/06523/LIPVM	Carluccio's	2A Garrick Street London WC2E 9BH	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30
17/10537/LIPVM	Carluccio's	2A Garrick Street London WC2E 9BH	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30
13/02048/LIPT	Steak & Co	4 - 6 Garrick Street London WC2E 9BH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/07843/LIPDPS	Com Viet	2 Garrick Street London WC2E 9BH	Restaurant	Monday to Sunday; 10:00 - 00:30

16/01378/LIPDPS	Palm Court Brasserie	39 King Street Covent Garden London WC2E 8JS	Restaurant	Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 00:00
14/06002/LIPDPS	Lima Floral	Ground Floor 14 Garrick Street London WC2E 9BJ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/12525/LIPDPS	La Goccia, The Petersham & The Deli	King Street Covent Garden London	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 08:00 - 22:30
11/07100/LIPT	Le Garrick	Ground Floor And Basement 10 - 12 Garrick Street London WC2E 9BH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

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Item No:	
Date:	24 May 2018
Licensing Ref No:	18/02791/LIPN - New Premises Licence
Title of Report:	8-9 James Street Covent Garden 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 Sam Eaton Senior Licensing Officer
Contact details	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	13 March 2018		
Applicant:	Capital & Counties Cg & Cg Nominee Limited		
Premises:			
Premises address:	8-9 James Street Covent Garden London WC2E 8BH	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	<p>According to the application this is a shadow licence of the existing "Maxwell's" licence (ref: 14/08275/LIPDPS) on the same terms as currently permitted. This can be found at Appendix 6.</p> <p>The premises currently trade as a bar and grill.</p>		
Premises licence history:	The premises currently benefit from a Premises Licence and a full history can be found at Appendix 3.		
Applicant submissions:	None.		
Plan:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Proposed licensable activities and hours							
Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:	None						
Further details:	Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit is unrestricted in accordance with premises licence 14/08275/LIPDPS.						

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None.					
Further details:		Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit is unrestricted in accordance with premises licence 14/08275/LIPDPS.					

Performance of dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None.					
Further details:		Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit is unrestricted in accordance with premises licence 14/08275/LIPDPS.					

Anything of a similar description to that falling within (e), (f) or (g):				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None.					
Further details:		Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit is unrestricted in accordance with premises licence 14/08275/LIPDPS.					

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve until 05:00 on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	00:30
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.				

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	08:00	08:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Toby Janes
Received:	7 th April 2018
<p>Application 18/02791/LIPN - Maxwell's, 8-9 James St, WC2</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>I will be in touch shortly to discuss this application in more detail.</p>	

Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	6 th April 2018

Dear Sirs

I write in relation to the application submitted for a New Premises Licence for Maxwells, situated at 8-9 James Street.

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks to permit the following licensable activities:

- Live music: unrestricted
- Recorded music: unrestricted
- Performance of dance: unrestricted
- Anything a similar description to that of the above: unrestricted
- Late night refreshment: Monday to Saturday from 23:00 to 01:30 and Sunday from 23:00 to 01:00
- Supply of alcohol: Monday to Saturday from 08:00 to 01:00 and Sunday from 08:00 to 00:30.

The premises is located within a Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, HRS1, PB2 and MD2.

The Licensing Authority notes that this application is for a 'shadow' licence of the existing Maxwell's licence 14/08275/LIPDPS. The Licensing Authority would like to note that paragraph 3.2.13 in the Council's Statement of Licensing Policy 2016 states that "The council remains concerned that the holding of additional licences has the potential to undermine the sanctions available to it in response to a review application under the Act". As a result of this, it would be useful to understand the reasons behind applying for a 'shadow' licence and the proposed use of this licence.

Further discussions will be held with the applicant and any additional submissions will be forwarded on for Member's information.

Please accept this as a formal representation.

2-B Other Persons	
Received:	23 rd March 2018
<p>To whom it concerns,</p> <p>I am confused and concerned by the application form. I live on the first floor. My bedroom and my 2 year old daughters bedrooms are at the front of the property. We deal with the noise of passers by who are intoxicated on the weekends but if there are people outside constantly for the duration of this event consuming alcohol it will be unbearable and my daughter will not get any sleep. Furthermore my husband is a national train driver and therefore works difficult hours. His schedule is not confirmed for the proposed dates and therefore may be significantly disturbed by the event and this could be a safety concern for his job and responsibilities of ensuring safe travel for the passengers on his train. I strongly object and encourage the council to move them to a less residentially populated area like the market square, not outside our bedroom windows.</p> <p>Thank you for your consideration</p> <p>To add to my previous comment as I had another read over the application form. I understand they are planning on playing Music downstairs in sketchers until 1am. We complain and request them to turn their shop music during the day. We can hear the music blasting through our very thin floor boards during the day and it is most loud in the bedrooms and living room. Aside from this as part of our Muslim faith we do not and are not permitted to listen to music so we feel this would be an unreasonable and unnecessary oppression on our freedom to practice our religion and would feel closer to torture. We will not be going out for New Years evening as We ended up driving for 3 hours trying to get close enough to our home to park this year.</p>	
Received:	23 rd March 2018
<p>My objection to the license application is based on the fact that this business (Sketchers) has many stores throughout the UK and should only acquire such licences where there are no residents living above their stores. We the residents do not have any other options as we live above and already have to endure loud music all day from 9 to 9 pm without to mention the 06:30 am deliveries 4-5 times a week. I Support local business and wish prosperity to all but not at the cost of our well being. Please take into account that the store is directly above 2 apartment blocks and some families have children who may not even get the opportunity to respond to this licence application.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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 MD2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy CIA1 applies	<ul style="list-style-type: none"> (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	Residential map and list of premises in the vicinity
Appendix 5	Maxwell Licence 14/08275/LIPDPS

Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@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	April 2018
4	Metropolitan Police Service	7 th April 2018
5	Licensing Service	6 th April 2018
6	Representation	23 rd March 2018
7	Representation	23 rd March 2018

Applicant Supporting Documents

None.

Premises History

Application	Details of Application	Decision	Date Determined
05/06350/LIPCV	Conversion Application	Granted by Licensing Sub-Committee	14.09.2005
06/09051/WCCMAP	New Premises Application	Granted by Licensing Sub-Committee	29.04.2007
07/11180/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	24.01.2008
09/06811/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	07.12.2009
11/06629/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	15.08.2011
14/08275/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	28.10.2014
18/03990/LIPT	Transfer Application	Invalid Application	18.04.2018

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. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. The terminal hour for Late Night Refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
11. The permitted hours for sale and supply of alcohol is:
 - a) Monday to Saturday 08:00 to 01:00
 - b) Sunday 08:00 to 00:30
 - c) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

SUBJECT to the following conditions:

- i. between 08:00 to 10:00 the provision of alcohol shall be substantially for customers consuming food.
 - ii. the consumption of alcohol after 23:00 on any day shall be substantially ancillary to the provision to customers of a table meal. In this context at least two thirds of all customers shall have taken table meals and ancillary in this context shall have the same meaning it and for the purpose of sections 68 and 69 of the Licensing Act 1964.
12. Children are to be seated away from the bar.
 13. The premises are allowed to extend the hours for the sale of alcohol to such time as agreed with the Police for the provision of licensable activities on no more than 15 occasions per calendar year and following ten working days' notice to be given to the Licensing Authority [or such lesser time as may be agreed with the Police]. The Police to have the power of veto to such applications.

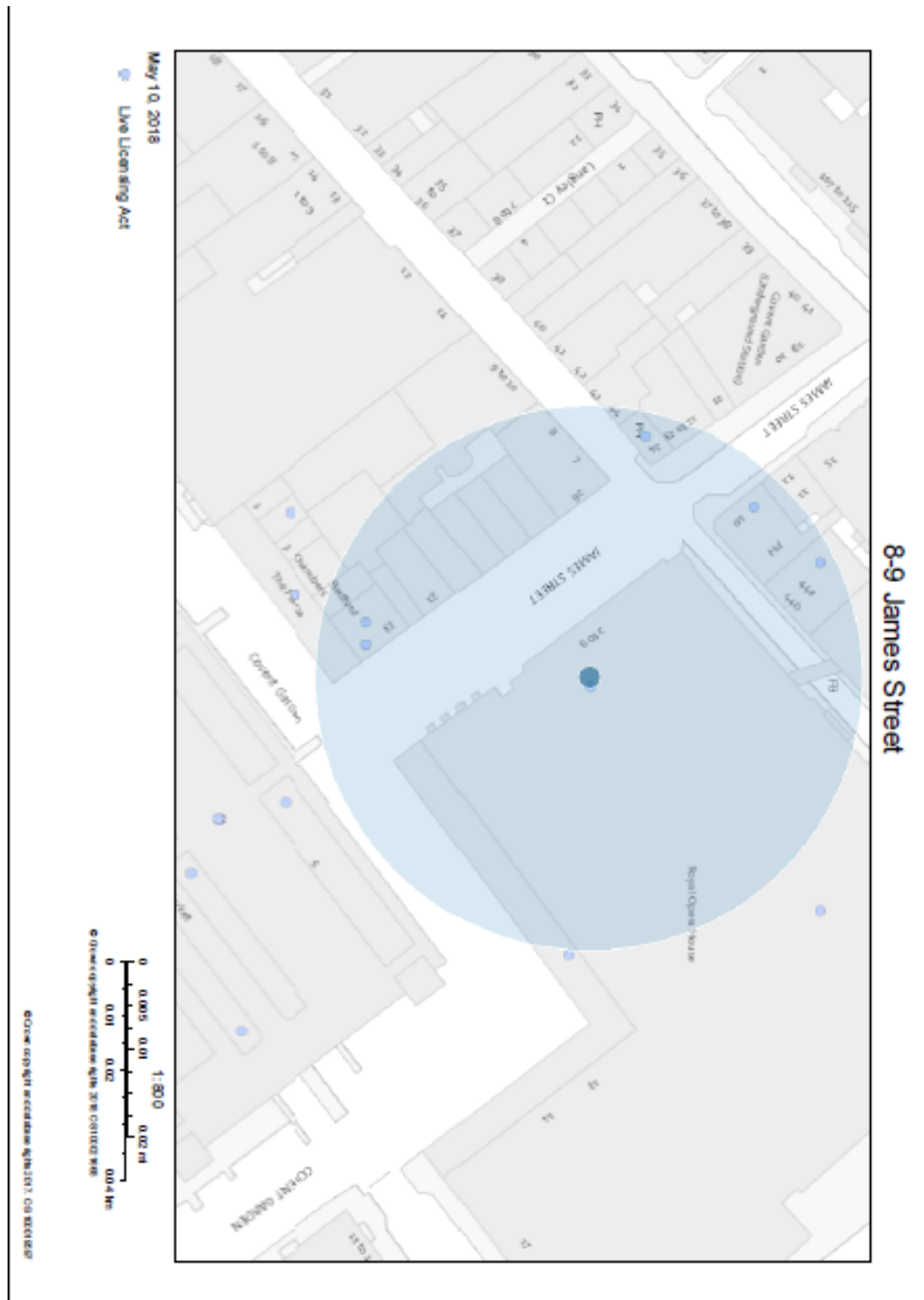
Conditions proposed by the Police

None.

Conditions proposed by the Licensing Authority

None.

Residential Map and List of Premises in the Vicinity



Resident count: 107

Premises within 50 metres of: 8-9 James Street			
p / n	Name of Premises	Premises Address	Licensed Hours
62379	Maxwell's Restaurant	8-9 James Street Covent Garden London WC2E 8BH	Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 01:00
82125	Sushi Samba	7 The Piazza Covent Garden London WC2E 8HD	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
82110	Harrods Pop Up Store	7 The Piazza Covent Garden London WC2E 8HD	Monday to Sunday; 09:00 - 20:30
53120	The Rock Garden And Gardening Club	6 - 7 The Piazza Covent Garden London WC2E 8HB	Monday to Sunday; 09:00 - 06:00
13073	The Nag's Head	10 James Street Covent Garden London WC2E 8BT	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00 Christmas Eve; 08:00 - 01:00
550	The White Lion	24 James Street Covent Garden London WC2E 8NS	Monday to Thursday; 08:00 - 23:30 Monday to Saturday; 08:00 - 00:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00 Sunday; 08:00 - 00:00 Sundays before Bank Holidays; 08:00 - 00:00
13339	Busaba	44A - 44B Floral Street London WC2E 9DA	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

History Maxwell Licence



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part AWARD: St James's
UPRN: 010033548216

Premises licence

Regulation 33, 34

Premises licence number:

14/08275/LIPDPS

Original Reference:

05/06350/LIPCV

Part 1 – Premises details

Postal address of premises:

Maxwell's Restaurant
8-9 James Street
Covent Garden
London
WC2E 8BH

Telephone Number: 0207 379 6189

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 01:30
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: 08:00 to 01:00 (08:00 to 10:00 subject to condition 11)
Sunday: 08:00 to 00:30 (08:00 to 10:00 subject to condition 11)

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

The opening hours of the premises:

Monday to Saturday: 08:00 to 01:30
Sunday: 08:00 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 Restaurant Ltd
22 Henrietta Street
Covent Garden
London
WC2E 8ND
Telephone Number : 0207 379 6132

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 Christian Southcott

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: 11/00454/LAPER
Licensing Authority: London Borough Of Newham

Date: 28th October 2014

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 must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions related to the Sale of Alcohol

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

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

10. The terminal hour for Late Night Refreshment on New Years Eve is extended to 05:00 on New Years Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

11. The permitted hours for sale and supply of alcohol is:
- (a) Monday to Saturday 08:00 to 01:00
 - (b) Sunday 08:00 to 00:30
 - (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

SUBJECT to the following conditions:

- (i) between 08:00 to 10:00 the provision of alcohol shall be substantially for customers consuming food.
 - (ii) the consumption of alcohol after 23:00 on any day shall be substantially ancillary to the provision to customers of a table meal. In this context at least two thirds of all customers shall have taken table meals and ancillary in this context shall have the same meaning it and for the purpose of sections 68 and 69 of the Licensing Act 1964.
12. Children are to be seated away from the bar.
13. The premises are allowed to extend the hours for the sale of alcohol to such time as agreed with the Police for the provision of licensable activities on no more than 15 occasions per calendar year and following ten working days notice to be given to the Licensing Authority [or such lesser time as may be agreed with the Police]. The Police to have the power of veto to such applications.



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

**Premises licence
summary**

Regulation 33, 34

Premises licence number: 14/08275/LIPDPS

Part 1 – Premises details

Postal address of premises:
Maxwell's Restaurant
8-9 James Street
Covent Garden
London
WC2E 8BH
Telephone Number: 0207 379 6189

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 01:30
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:	08:00 to 01:00 (08:00 to 10:00 subject to condition 11)
Sunday:	08:00 to 00:30 (08:00 to 10:00 subject to condition 11)

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

The opening hours of the premises:
Monday to Saturday: 08:00 to 01:30
Sunday: 08:00 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 Restaurant 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 Christian Southcott

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

Restricted

Date: 28th October 2014

Signed: pp
Operational Director - Premises Management