



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 9th August, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Melvyn Caplan (Chairman)  
Susie Burbridge  
Aziz Toki



**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, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.**

**Email: [kscharlemagne@westminster.gov.uk](mailto:kscharlemagne@westminster.gov.uk) Tel: 020 7641 2783**

**Corporate Website: [www.westminster.gov.uk](http://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. KAYA, 10 LITTLE NEWPORT STREET, LONDON, WC2H 7JJ**

**(Pages 1 - 22)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / West End Cumulative Impact Area	Kaya, 10 Little Newport Street, London, WC2H 7JJ	New Premises Licence	18/04929/LIPN

**Stuart Love  
Chief Executive  
3 August 2018**

In considering applications for premises licences under the Licensing Act 2016, 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 2016.

### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2016.

### **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES** (As set out in the Council's Statement of Licensing Policy 2011)

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

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

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

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

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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Item No:	
Date:	9 August 2018
Licensing Ref No:	18/04929/LIPN - New Premises Licence
Title of Report:	Kaya 10 Little Newport Street London WC2H 7JJ
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			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	1 May 2018		
<b>Applicant:</b>	Mr Yap Leong		
<b>Premises:</b>	Kaya		
<b>Premises address:</b>	10 Little Newport Street London WC2H 7JJ	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a small convenience store that provides non-alcoholic drinks and snacks. They are applying for a premises licence to enable them to sell alcoholic drinks for consumption off the premises.		
<b>Premises licence history:</b>	This is a new premises licence application and therefore no licence history exists.		
<b>Applicant submissions:</b>	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Off
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			None				

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	23:30
<b>Seasonal variations/ Non-standard timings:</b>			On New Year's Eve the premises shall remain open to the public open 01:00; however the sale of alcohol shall cease at 23:00.				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Ms Daisy Gadd
<b>Received:</b>	09 July 2018

I write in relation to the application submitted for a New Premises Licence for 10 Little Newport 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 premises is located within the West End Cumulative Impact area and as such various policy points must be considered, namely CIP1 and OS2.

This application seeks to permit the sale of alcohol for consumption off the premises for the following times:

Monday to Saturday:	10:00 to 23:00
Sunday:	10:00 to 22:30

Paragraph 2.5.26 of the Council's Statement of Licensing Policy 2016 states that "the council is concerned that alcohol loading from off licence sales is a significant problem in the West End and adversely affects the licensing objectives". The Licensing Authority acknowledges that the applicant has agreed conditions that go some way in mitigating the potential adverse effects on the licensing objectives, however the applicant must also demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas. Unless the applicant can satisfy the concerns of the Licensing Authority by demonstrating that the application will not add to cumulative impact if granted it will be for Licensing Sub-Committee Members to determine this application given its location within the West End Cumulative Impact area.

Please accept this as a formal representation.

**Further correspondence from the Applicant to the Licensing Authority was received on 09 July 2018:**

Mr. Koduah came to visit the premises last Thursday and agreed that there were no concerns regarding your concerns listed below i.e..

- Public Nuisance – *Customers are more likely to be passer-by or tourists, who will not lead to an overall increase of such problems.*
- Prevention of Crime & Disorder – *it will not lead to an increase in alcohol consumption. Therefore problems will not arise.*
- Public Safety - *Public safety remains the same, as the customers will be better spread out in the area with an additional store.*

- Protection of children from harm – *Children will not be allowed to buy alcohol in our store and we don't envisage such problems with us.*

The store will never sell any alcohol to any children as it will be against the law. In any case, most of the children who came to the store were accompanied by adults or parents. So far, I have never had kids coming to my store to ask for alcohol in our current non-licensed status.

An additional store will have a minimal impact on the area or vicinity as the overall number of drinkers will still remain the same. If they cannot find a licensed store in our street, they can or will easily find another one nearby. In any event, I have more tourists than local customers frequenting our store. The volume of customers will not increase, but merely spread out as a result of an additional store.

My store is too small and basic to have any impact on the concerns you have stated. It will not be a tourist attraction; just a simple store catering for the needs of the passer-by and tourists.

Accordingly, I trust you will withdraw your representation and grant me the licence as applied.

**Further correspondence from the Licensing Authority to the Applicant dated 12 July 2018**

Thank you for email relating to the points raised in the Licensing Authority's representation to your application. I have taken all of your points on board and note the intended operation of the premises and target audience that you have outlined below.

However, as this application is located within the West End Cumulative Impact Area, it will be for our Licensing Sub-Committee Members to determine whether you have demonstrated accordingly that the application will not add to cumulative impact in the cumulative impact area.

**Further correspondence from the Applicant to the Licensing Authority was received on 12 July 2018:**

Thank you for your response. May I add that the alcohol sales will only be a small proportion of the overall business. Currently, the turnover is very small and not viable for the excessive rent and rates paid in maintaining such a business. Because the store is very small, there is a limitation on the growth of the business. As I had said in my previous email, any adverse effect on granting on the licence will be **NEGLIGIBLE**. Mr. Koduah had been to the premises and can brief you on the location and size of the premises. There are many licensed outlets surrounding the area and an additional outlet will not affect the overall usage, as such consumers will simply be diluted and spread out amongst the outlets. Even Leicester Tube has a licensed outlet, and together with other nearby outlets would have taken away most potential consumers away from my premises.

I hope the committee will take this and other points into consideration

<b>Responsible Authority:</b>	Environmental Health Service ( <i>Withdrawn</i> )
<b>Representative:</b>	Mr Maxwell Owusu Koduah
<b>Received:</b>	03 July 2018

I refer to the application for a new Premises Licence for the above mentioned premises. These premises are located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.



**The applicant is seeking to:**

1. Supply alcohol for the consumption "Off" the premises at the following times:  
Monday to Saturday: 10:00 to 23:00 hours  
Sunday: 10:00 to 22:30 hours

**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:**

1. The hours requested to supply alcohol may have the likely effect of increasing Public Nuisance and impact on Public Safety within the West End Cumulative Impact area

The applicant has provided conditions in support of the application. These are being considered but they do not fully address the concerns of Environmental Health. Additional conditions may be proposed.

It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

**Following the proposal of conditions that the applicant has agreed, Environmental Health have withdrawn their representation. The agreed conditions can be found at Appendix 4 of the report.**

<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>withdrawn</i> )
<b>Representative:</b>	PC Cheryl Boon
<b>Received:</b>	15 June 2018

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 at this stage in the application process. The venue is situated within Westminster's Cumulative Impact Area and it is our belief that if granted the application would undermine the Licensing Objectives with regards to the prevention of crime and disorder.

I have looked through the application and would like to try and arrange a meeting with you at the venue to discuss this fully and then try and propose some conditions for your application.

**Following the proposal of conditions that the applicant has agreed, the Police have withdrawn their representation. The agreed conditions can be found at Appendix 4 of the report.**

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p>
<b>Policy CIP1 applies</b>	(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.
<b>Policy OS2 applies</b>	Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement, provided it is 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

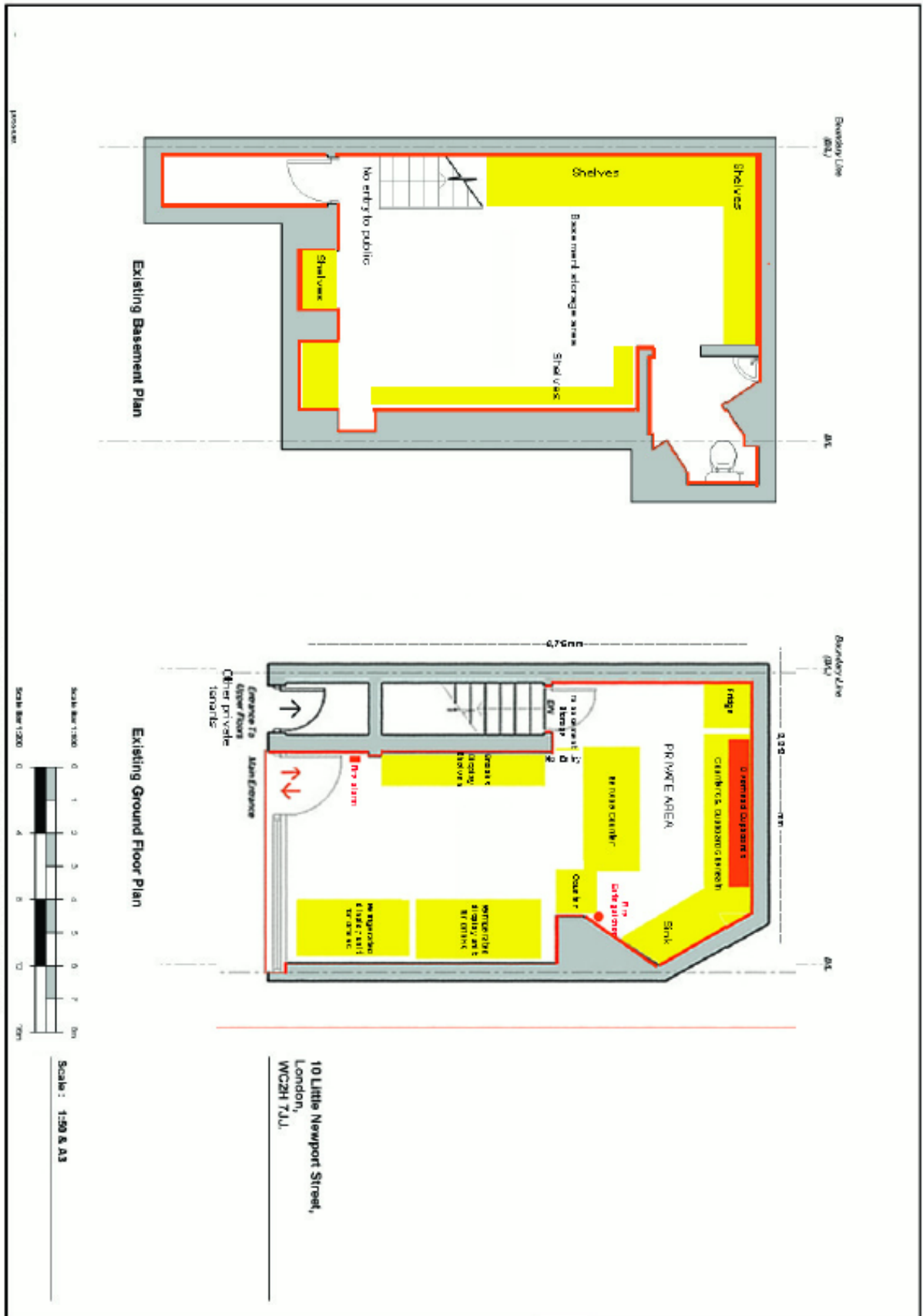
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mrs Shannon Pring Senior Licensing Officer
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Licensing Authority representation	09 July 2018
<b>5</b>	Email from the applicant to the Licensing Authority	09 July 2018
<b>6</b>	Email from the Licensing Authority to the applicant	12 July 2018
<b>7</b>	Email from the applicant to the Licensing Authority	12 July 2018
<b>8</b>	Environmental Health representation (Withdrawn)	03 July 2018
<b>9</b>	Metropolitan Police representation (Withdrawn)	15 June 2018
<b>10</b>	Email from the Police withdrawing representation	25 June 2018



On 30 July 2018 the Applicant sent the following email to the Licensing Service:

Dear Shannon Pring,

Thank you for your email dated 24/7/2018 and the attachments which highlights representations from the police and the Environment Health Officer, Mr Maxwell O. Koduah.

I believe that a hearing is no longer necessary for the reasons set out below.

**i) Representations from the Environmental Health Officer Mr Maxwell O. Koduah dated the 27<sup>th</sup> June 2018:**

M Maxwell O. Koduah had visited my premises in July to discuss my applications and his concerns; in particular condition 1 and 8. I have agreed to all his conditions in my email to him dated 11<sup>th</sup> of July 2018. Please find attached emails between me and Mr Robert O. Koduah.

**ii) CIP 1** - I believe the cumulative impacts on the environment and vicinity came from all the clubs, pubs, discos. music venues and fast food outlets nearby. Mine is just a small convenient store

and would not have any cumulative impact on the surroundings that would affect the public safety and health. The CIP 1 should not apply to me.

**iii) O2** - I can confirm that the police have withdrawn their representations on this issue. I have been in touch with them by email and i attached the email correspondence between myself and the police dated the 21<sup>st</sup> and 25<sup>th</sup> of June 2018.

You would note from their email to me on the 25<sup>th</sup> of June 2018 that they had agreed to withdraw their representations as I had accepted and agreed to all their conditions.

I attach my response to an email from Daisy Gadd dated the 9<sup>th</sup> of July 2018 addressing the Licensing Objectives therein.

I therefore believe that all outstanding issues and representations from the relevant authority have been resolved and it is not necessary for me to attend the hearing. Please forward my response to the attention of the hearing licence committees.

Thank you for your assistance and i await a favourable response.

Attached to the above email was the applicant response to the Licensing Authority representation:

**Licensing Objectives:**

**1) Public Nuisance**

Pre-existing drinking, anti-social or environmental problems in the area, including any increase, should not be held against my application. These problems have always been there.

My trading premises are small and it is unlikely to cause an incremental increase of such problems as it is not one which will attract drinkers; unlike pubs, night clubs or fashionable joints. It would not be right to consider my applications along with these pubs; clubs; nightclubs and discos that have huge venues or premises.

Most of the passer-by along Little Newport St are usually Chinatown shoppers, restaurant goers or just passing through. They are unlikely to stop for an alcoholic drink when there are posh pubs or clubs along the way. By the time they leave such joints, it will be late in the evening, and beyond the proposed licensing hours.

They are the ones most likely to cause anti- social behaviour or environmental problems. In any event, I have had experiences in the past dealing with such problems as I used to run two restaurants years ago and had encountered potential trouble makers, refused to sell to children, after licensing hours or to those who appeared intoxicated.

The Police have no objection to the application and withdrawn their representation; a copy of their email attached.

## **2) Prevention of Crime & Disorder**

We will have a system in place which ensures that alcoholic drinks are only sold to responsible adults. Any member of the public who appear intoxicated or likely to cause problems with further consumption of such drinks will be denied services.

We will ensure that a system is in place to ensure that children will not be sold alcohol and identification verification will be required for those who appear age 25 or below.

The alcoholic drinks will be kept in secured cupboards behind the counter, where customers would be able to access. These cupboards will be kept locked during off-license hours.

We have a 24-hour CCTV system to monitor potential troublemakers, both inside the outside the premises. We will also keep a log of incidents within the premises.

Opening and closing times of licensing hours will be prominently displayed on the shop front and in front of the counter. Posters on responsible and safe drinking will also be displayed.

The Police and the Environmental Health Officers have issued conditions which we have accepted.

## **3) Public Safety**

We will ensure that the sale of alcohol will not endanger Public Health and Safety. As soon as someone or a potential group is suspected of causing trouble, we will cease all alcohol sales, until the potential threat is eliminated. The safety of the staff and public are paramount.

## **4) Protection of children from harm -- age verification policy**

As stated in Para (2) above, no one under the age of 18 will be served and age and identity verification will be demanded if someone appears to be 25 or below. Sales will be refused to any adult who appears to be buying such drinks for a minor

Opening and closing times of licensing hours will be prominently displayed on the shop front and in front of the counter.

## **5) Protection of environment**

Prominent sign regarding the proper disposal of used cans or bottles into the numerous recycle bins, around the vicinity.

## **6) Will not add to cumulative impact in the Cumulative Impact area.**

Pre-existing drinking, anti-social or environmental problems in the area, including any increase, should not be held against our application. These problems have always been there.

It is unlikely that our small unit can or will cause an incremental increase of such problems as it is not one which will attract drinkers; unlike pubs, night clubs or fashionable joints. If any, it will be negligible as we are a very small unit. The most likely scenario will be to dilute the customer base across such shops in the area.

Most of the passer-by along Little Newport St are usually Chinatown shoppers, restaurant goers or just passing through. They are unlikely to stop for an alcoholic drink when there are posh pubs or clubs along the way. By the time they leave such joints, it will be late in the evening, and beyond our proposed licensing hours.

They are the ones most likely to cause anti- social behaviour or environmental problems. In any event, I have had experiences in the past dealing with such problems as I used to run two restaurants years ago and would refuse services to potential trouble makers, children, after licensing hours or to those who appeared intoxicated.

I would invite the Council to take the above representations into account and approve my application for a licence accordingly. Please do not hesitate to contact me if the committees have any further queries.

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 premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
 
$$P = D + (D \times V)$$
 Where -
  - (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions consistent with the operating schedule**

- 6. The premises shall only sell alcohol in complete bottles or cans and not open or break them up to sell as individual 'shots' etc.
- 7. The premises shall not allow credit to customers to encourage them to consume alcohol.
- 8. The premises shall strictly observe the licensing opening and closing hours each day and to display a prominent sign stating that it is illegal to sell alcohol to under 18.

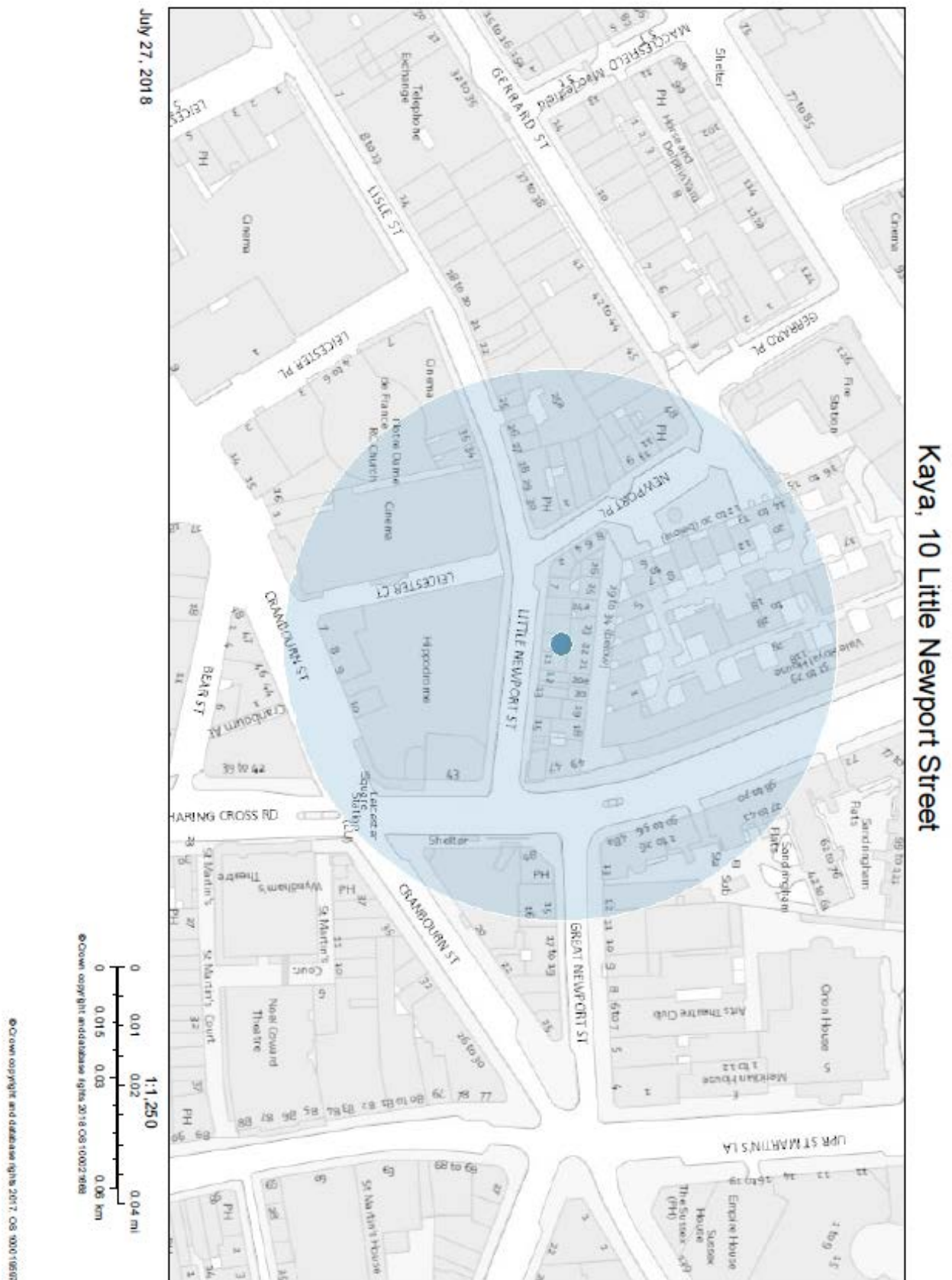
**Conditions proposed by the Environmental Health and agreed by the Applicant to form part of the operating schedule**

9. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
13. 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
14. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours on the following day.
15. 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
16. 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.
17. 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.

**Conditions proposed by the Police and agreed by the Applicant to form part of the operating schedule**

18. 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.
19. 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

20. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
21. 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.
22. There shall be no self service of spirits on the premises.
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. 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.
25. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open
26. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
27. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.



Resident count: 255

**Premises within 75 metres of Kaya, 10 Little Newport Street**

Licence Number	Trading Name	Address	Premises Type	Time Period
17/05193/LIPT	Baiwei Restaurant	8 Little Newport Street London WC2H 7JJ	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/08719/LIPT	ZheJiang Food	28-29 Newport Court London WC2H 7PQ	Shop	Monday to Sunday; 10:00 - 22:00
06/12504/WCCMAP	Tokyo Diner	2 Newport Place London WC2H 7JP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/01283/LIPDPS	Baozi Inn	25-26 Newport Court London WC2H 7JS	Restaurant	Monday to Friday; 10:00 - 23:30   Saturday; 10:00 - 00:30   Sunday; 10:00 - 23:00
13/08732/LIPDPS	Longji	Ground 47 Charing Cross Road London WC2H 0AN	Restaurant	Monday to Sunday; 11:00 - 23:30
18/03985/LIPV	Hippodrome Casino	The Hippodrome 10 - 14 Cranbourn Street London WC2H 7JH	Casino or gambling club	Monday to Sunday; 00:01 - 00:00
16/14176/LIPDPS	PizzaExpress	43 Charing Cross Road London WC2H 0AP	Restaurant	Monday to Saturday; 07:00 - 00:30   Sunday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:30
13/06515/LIPN	Make Noodle Heaven	51 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Sunday; 11:00 - 00:00
15/00346/LIPT	Manbar	79 Charing Cross Road London WC2H 0NE	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 23:00

14/02839/LIPT	Kopi Tiam Malaysian Restaurant	67 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30   Sundays before Bank Holidays; 09:00 - 00:00
13/02532/LIPN	Real Beijing	67 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Saturday; 11:00 - 23:30   Sunday; 11:00 - 23:00   Sundays before Bank Holidays; 11:00 - 23:30
15/08795/LIPT	Longshots Bar	75 Charing Cross Road London WC2H 0NE	Night clubs and discos	Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30   Sundays before Bank Holidays; 09:00 - 00:30
14/08040/LIPDPS	Red N Hot Chinese Restaurant	59 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Thursday; 12:00 - 23:00   Friday to Saturday; 12:00 - 00:00   Sunday; 12:00 - 23:00   Sundays before Bank Holidays; 12:00 - 00:00
18/03099/LIPCH	Unit 13	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
17/05382/LIPN	Unit 14	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Not Recorded	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
17/05363/LIPN	Unit 15	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00

17/05384/LIPN	Unit 13	Development Site Bounded By 10 To 18 Newport Place 28 To 35 Newport Court And 51-79 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00   Sunday; 08:00 - 22:30   Sundays before Bank Holidays; 08:00 - 00:00
18/06273/LIPDPS	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Cinema	Monday to Sunday; 00:00 - 00:00
16/11554/LIPVM	Ku Bar	29 - 30 Lisle Street London WC2H 7BA	Night clubs and discos	Monday to Thursday; 10:00 - 23:30   Monday to Saturday; 09:00 - 03:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sunday; 09:00 - 00:30   Sundays before Bank Holidays; 12:00 - 00:00
18/01938/LIPDPS	Hawker Street	Ground Floor 7-9 Newport Place London WC2H 7JR	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/03637/LIPDPS	New China Gate (London) Limited	18 Newport Place London WC2H 7PR	Shop	Monday to Sunday; 11:00 - 22:00
16/09524/LIPT	Leong's Legend II	26-27 Lisle Street London WC2H 7BA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
17/01541/LIPN	Gourmet Kitchen	34 Lisle Street London WC2H 7BD	Restaurant	Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 23:00   Sundays before Bank Holidays; 12:00 - 00:30   New Year's Eve; 00:00 - 00:00



16/10053/LIPDPS	The Porcupine Public House	48 Charing Cross Road London WC2H 0BS	Public house or pub restaurant	Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sunday; 07:00 - 22:30   Sunday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:00
12/00183/LIPDPS	The Canton Chinese Restaurant	11 Newport Place London WC2H 7JR	Restaurant	Monday to Thursday; 10:00 - 01:00   Friday to Saturday; 10:00 - 02:00   Sunday; 12:00 - 01:00
17/09229/LIPT	New China	48 Gerrard Street London W1D 5QL	Restaurant	Monday to Wednesday; 10:00 - 00:00   Thursday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 23:00   Good Friday; 12:00 - 01:00   Good Friday; 10:00 - 01:00   Christmas Day; 12:00 - 01:00   Christmas Day; 10:00 - 01:00   New Year's Day; 10:00 - 01:00   New Year's Day; 12:00 - 01:00
16/10173/LIPDPS	Pepper Lime	Basement To First Floor 25 Lisle Street London WC2H 7BA	Restaurant	Monday to Thursday; 11:30 - 23:30   Friday to Saturday; 11:30 - 00:00   Sunday; 11:30 - 22:30
10/08059/LIPDPS	Pizza Rico	15-18 Great Newport Street London WC2H 7JG	Restaurant	Monday to Sunday; 07:00 - 00:30
11/06219/LIPT	Abeno Too Japanese Restaurant	15-18 Great Newport Street London WC2H 7JG	Restaurant	Monday to Wednesday; 12:00 - 23:00   Wednesday to Saturday; 12:00 - 23:30   Sunday; 12:00 - 22:30
15/04836/LIPN	(Shadow Licence)	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Restaurant	Friday to Saturday; 10:00 - 02:00   Sunday to Thursday; 10:00 - 01:00
15/06095/LIPDPS	Joy Luck	Basement To First Floor 47 Gerrard Street London W1D 5QJ	Restaurant	Friday to Saturday; 10:00 - 02:00   Sunday to Thursday; 10:00 - 01:00

16/08131/LIPV	Real Beijing Restaurant	46 Gerrard Street London W1D 5QH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
06/08111/WCCMAP	Imperial China	Wheeler House 25A Lisle Street London WC2H 7BA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00