



City of Westminster

Committee Agenda

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

Meeting Date: **Thursday 30th August, 2018**

Time: **10.00 am**

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

Members: **Councillors:**

Tim Mitchell (Chairman)
Jim Glen
Jacqui Wilkinson

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 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. KIRAZU, 3 WINNETT STREET, LONDON, W1D 6JY

(Pages 1 - 28)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Cumulative Impact Area	Kirazu, 3 Winnett Street, London, W1D 6JY	New Premises Licence	18/06896/LIPN

2. URBAN BARISTAS, GROUND FLOOR, 11 QUEENSWAY, LONDON, W2 4QJ

(Pages 29 - 46)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Lancaster Gate Ward/	Urban Baristas,	New Premises	18/07658/LIPN

	Bayswater Cumulative Impact Area	Ground Floor, 11 Queens way, London, W2 4QJ	Licence	
--	---	--	---------	--

3. GROUND AND FIRST FLOORS, 1 HEDDON STREET, LONDON, W1B 4BD

(Pages 47 - 64)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward/ West End Cumulative Impact Area	Ground and First Floors, 1 Heddon Street, London, W1B 4BD	New Premises Licence	18/07624/LIPN

4. SECOND FLOOR, 1 HEDDON STREET, LONDON, W1B 4BD

(Pages 65 - 80)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward/ West End Cumulative Impact Area	Second Floor, 1 Heddon Street, London, W1B 4BD	New Premises Licence	18/07618/LIPN

Stuart Love
Chief Executive
24 August 2018

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7th January 2016.

GUIDANCE CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. The most recent version was published in April 2018.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy 2016)

- 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.

This page is intentionally left blank

Item No:	
Date:	30 August 2018
Licensing Ref No:	18/06896/LIPN - New Premises Licence
Title of Report:	Kirazu 3 Winnett Street London W1D 6JY
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	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:	13 June 2018		
Applicant:	Kirazu Ltd		
Premises:	Kirazu		
Premises address:	3 Winnett Street London W1D 6JY	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The applicant proposes to operate the premises as a small restaurant specialising in Japanese Tapas and Takeaway. The premises will comprise of a Kitchen to the rear of the premises and a small service area for food and drink.		
Premises licence history:	The premises has previously benefitted from 2 premises licences. 11/10835/LIPN was suspended for non-payment of the annual fee in 2013 and 08/04328/LIPN was surrendered on 17/01/2011. Full details of the premises licence history can be found at Appendix 2.		
Applicant submissions:	There are no submissions from the applicant.		
Note:	The applicant had original applied for recorded music; however had stipulated that this would be background music only. Therefore, the applicant has withdrawn this element of their application.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	17:00	17:00	17:00	17:00	17:00	17:00	17:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	17:00	17:00	17:00	17:00	17:00	17:00	17:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	22:30
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Roxsana Haq
Received:	24 July 2018

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

This application seeks the following:

- The supply of alcohol (on premises)
Monday – Saturday: 17:00 – 23:00
Sunday: 17:00 – 22:00
- Playing of recorded music (indoors)
Monday – Saturday: 17:00 – 23:00
Sunday: 17:00 – 22:00

The premises is located within the West End Cumulative Impact area and as such, policy points RNT2, and CIP1 must be considered.

This application currently falls within policy RNT2. The applicant has accepted the Metropolitan Police’s proposal of model condition 66. We acknowledge that the hours of operation and for licensable activities, as applied for, fall within the council’s core hours policy. However, the applicant must also demonstrate that the operation of the premises will not add to cumulative impact in the Cumulative Impact Area. Currently no additional information has been received which addresses this policy concern, and the Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact.

For your information and assistance I attach a copy of the Council’s Statement of Licensing Policy that I have referred to above.

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 and I look forward to hearing from you soon.

Further correspondence between the applicant and the Licensing Authority dated 24 July 2018

Thank you for your email. My clients would like to assure Westminster Council they are serious about promoting the licensing objectives to reduce the impact of the commutative area.

No children are allowed on the venue. There will be a strict challenge 25 policy in place make sure no underage drinking will take place.

Signage will be displayed reminding customers to leave quietly. No cars or taxis will be allowed to wait outside for customers, and no customers will congregate outside.

Doors will be kept closed at all times apart from entry and exit.

Alcohol will be sold with stable meal and purely to enhance the food. The restaurant wants to be purely food led but allowing customers to have a drink or two with their meal to enhance their enjoyment.

The management of the venue are mean to work with Westminster Council and assist in anyway to help the restaurant enhance the area not be a detriment to the community.

The chef is a renowned In Japanese cooking. The vision of the venue is to be rustic and classy and fit in with the ambience of soho. The size of the venue is perfect for what they are trying to achieve. They do not want to be busy of have crowds of people they want a quiet restaurant that people want to return to so there will be no advertising other than word of mouth from customers.

Responsible Authority:

Environmental Health Service (*Withdrawn*)

Representative:

Sally Fabbriatore

Received:

29 June 2018

I refer to the application for a new Premises Licence for the above premises.

The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.

This representation is based on the Operating Schedule and the submitted plans for the ground floor, drawing number 1610-03 and dated 160427.

The applicant is seeking the following on the **ground floor**:

1. To allow the Supply of Alcohol 'on' the premises Monday to Saturday 17:00-23:00 hours and Sunday 17:00-22:00 hours.
2. To allow the provision of Recorded Music Monday to Saturday 17:00-23:00 hours and Sunday 17:00-22:00 hours. (This has been described as background music).

I wish to make the following representation in relation to the above application:

1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety.
2. The provision of Recorded Music may cause an increase in Public Nuisance in the cumulative impact area.

The applicant has proposed conditions within the Operating Schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

No customer WC is noted on the proposed plan. Reference should be made to the British Standard 6465-1:2009 Sanitary Installations if customers are going to dine in the premises. The staff WC will need a lobby to be added to ensure good separation from the kitchen and food preparation areas.

The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.

Following the applicant's agreement to the conditions proposed, Environmental Health have withdrawn their representation.

Responsible Authority:	Metropolitan Police Service (<i>Withdrawn</i>)
Representative:	PC Sandy Russell
Received:	14 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, it is our belief that if granted the application would undermine the Licensing Objectives.

I have looked through the application. Overall it is agreeable, however, I would like to arrange a visit to the premises to ensure that the conditions proposed are appropriate to the venue. Please can this be arranged?

Following the applicant's agreement to the conditions proposed, the Police have withdrawn their representation.

2-B Other Persons

Representation 1

Received: 15 July 2018

Director of Kirazu ltd and owner of Jugemu on 3 Winnett Street, Mr Yuya Kikuchi has been running unauthorized business since he has opened Jugemu even on previous his business, Kirazu on 47 Rupert Street.

His trick is like this. Take over A1 planning premises because of cheaper premium than A3, then pretend as A1, but run as a restaurant. See his previous web site, <http://www.kirazu.co.uk/> and current restaurant, Jugemu <https://www.facebook.com/jugemu.uk> These are restaurants, not primal cooking A1 business. Moreover he opens the business till late as a bar not restaurant, sometimes until 3am-4am. He used to open his business ONLY FOR JAPANESE just saying "private party" and accept only cash payment(of course no report to HMRC as well) , but now he puts a piece of paper out side says "private party" and shut a curtain and running unauthorised business which only serving alcohol.

So he is against the four licensing objectives, which he sells alcohol only if customer wants and open till late as a bar, lots of Japanese drunk young girls come to this place after mid nights because they know the business opens till late for them and serving alcohol only with cheap cash price, then they cause lots of noise.

Opening till late as a bar and making cash money is how Mr Yuya Kikuchi survive.

Also their designated premises supervisor, Sakiko Kikuchi is Mr Yuya Kikuchi's wife who is hardly ever to be at the premises while they are selling alcohol.

These story is not secret, it is common if you are Japanese. If you know any Japanese, please ask these as a proof.

If he breach a condition of license, the business has to be stopped immediately. So I do object the application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u> Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
Policy CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy RNT2 applies	<p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

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

Report author:	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 representation	24 July 2018
5	Environmental Health Service representation (withdrawn)	29 June 2018
6	Metropolitan Police Service representation (withdrawn)	14 June 2018
7	Resident representation	15 July 2018



Location Plan
Scale 1:1250



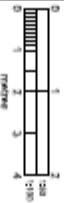
<p>NOTES</p> <p>1. The information contained in this plan is for the use of the client only and is not to be used for any other purpose without the written consent of the architect.</p> <p>2. The architect is not responsible for the accuracy of the information provided by the client.</p> <p>3. The architect is not responsible for the accuracy of the information provided by the client.</p> <p>4. The architect is not responsible for the accuracy of the information provided by the client.</p> <p>5. The architect is not responsible for the accuracy of the information provided by the client.</p>	
<p>SCALE</p> <p>1:1250</p> <p>0 10 20 30 40 50 60 70 80 90 100</p> <p>METERS</p>	
<p>LEGEND</p> <p>Red line: Site Boundary</p>	
<p>DATE</p> <p>15/05/2024</p>	
<p>PROJECT</p> <p>AS PART OF THE APPLICATION FOR A PLANNING PERMISSION FOR THE REDEVELOPMENT OF THE SITE AT 1250 LONDON ROAD, LONDON.</p>	
<p>CLIENT</p> <p>1250 LONDON ROAD, LONDON.</p>	
<p>ARCHITECT</p> <p>SMD ARCHITECTS LTD</p> <p>1250 LONDON ROAD, LONDON.</p>	
<p>DATE</p> <p>15/05/2024</p>	
<p>PROJECT</p> <p>AS PART OF THE APPLICATION FOR A PLANNING PERMISSION FOR THE REDEVELOPMENT OF THE SITE AT 1250 LONDON ROAD, LONDON.</p>	
<p>CLIENT</p> <p>1250 LONDON ROAD, LONDON.</p>	
<p>ARCHITECT</p> <p>SMD ARCHITECTS LTD</p> <p>1250 LONDON ROAD, LONDON.</p>	

Site Plan
Scale 1:200



NOTES
1. The site is shown in red on the site plan.
2. The site is shown in red on the site plan.
3. The site is shown in red on the site plan.
4. The site is shown in red on the site plan.
5. The site is shown in red on the site plan.
6. The site is shown in red on the site plan.
7. The site is shown in red on the site plan.
8. The site is shown in red on the site plan.

Scale
1:200

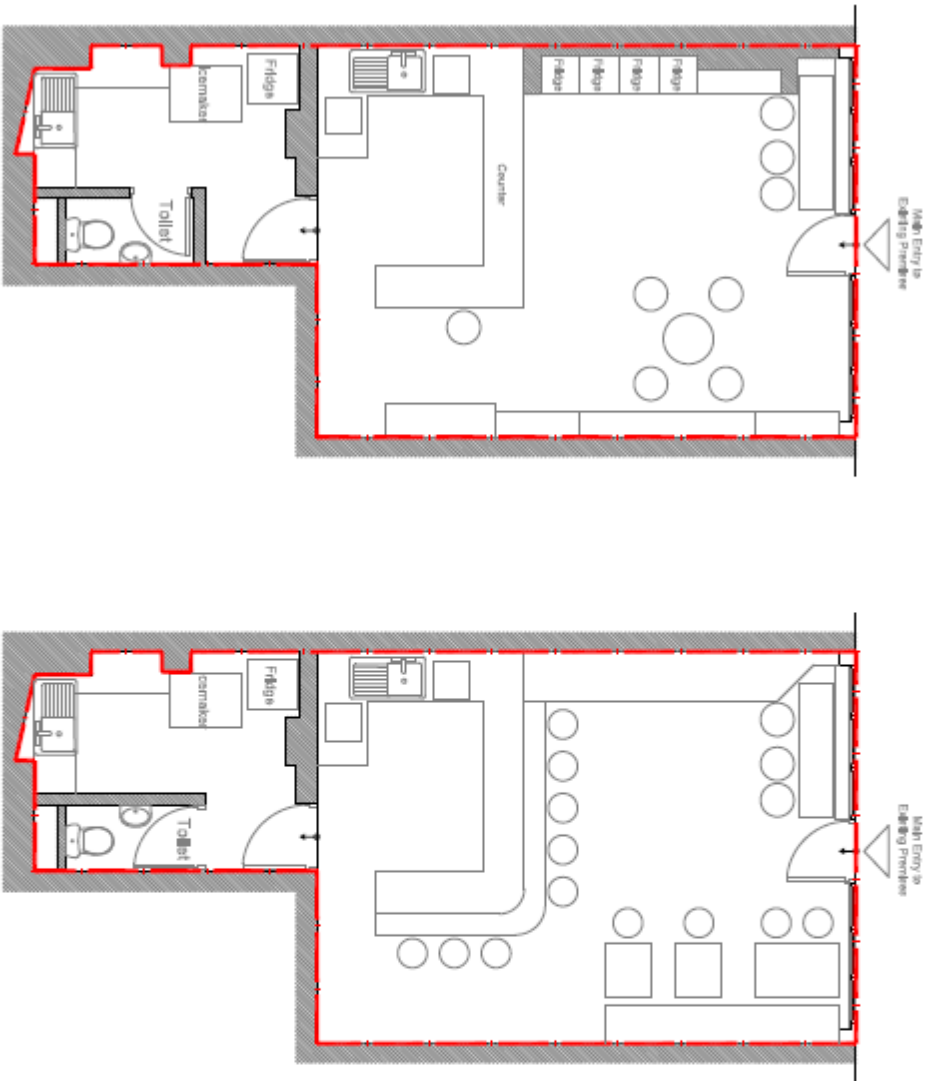


SMD
Sustainable Management Design
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Client: Niven Ltd
Address: 3 Winnet Street, Stone, London W1D 6JY
Project: Site Plan

Drawn by: [Name]
Checked by: [Name]
Date: 10/10/02

- Notes**
- * Water supply system, for all fixtures and services, shall be to engineer's detail and specifications.



Existing Ground Floor Plan
Scale 1:50

Proposed Ground Floor Plan
Scale 1:50

Notes on Drawings

1. All dimensions are in millimetres unless otherwise stated.

2. All dimensions are to the centre of lines unless otherwise stated.

3. All dimensions are to the face of lines unless otherwise stated.

4. All dimensions are to the edge of lines unless otherwise stated.

5. All dimensions are to the centre of lines unless otherwise stated.

6. All dimensions are to the face of lines unless otherwise stated.

7. All dimensions are to the edge of lines unless otherwise stated.

8. All dimensions are to the centre of lines unless otherwise stated.

9. All dimensions are to the face of lines unless otherwise stated.

10. All dimensions are to the edge of lines unless otherwise stated.

Notes on Drawings

1. All dimensions are in millimetres unless otherwise stated.

2. All dimensions are to the centre of lines unless otherwise stated.

3. All dimensions are to the face of lines unless otherwise stated.

4. All dimensions are to the edge of lines unless otherwise stated.

5. All dimensions are to the centre of lines unless otherwise stated.

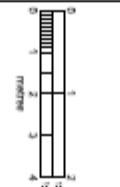
6. All dimensions are to the face of lines unless otherwise stated.

7. All dimensions are to the edge of lines unless otherwise stated.

8. All dimensions are to the centre of lines unless otherwise stated.

9. All dimensions are to the face of lines unless otherwise stated.

10. All dimensions are to the edge of lines unless otherwise stated.

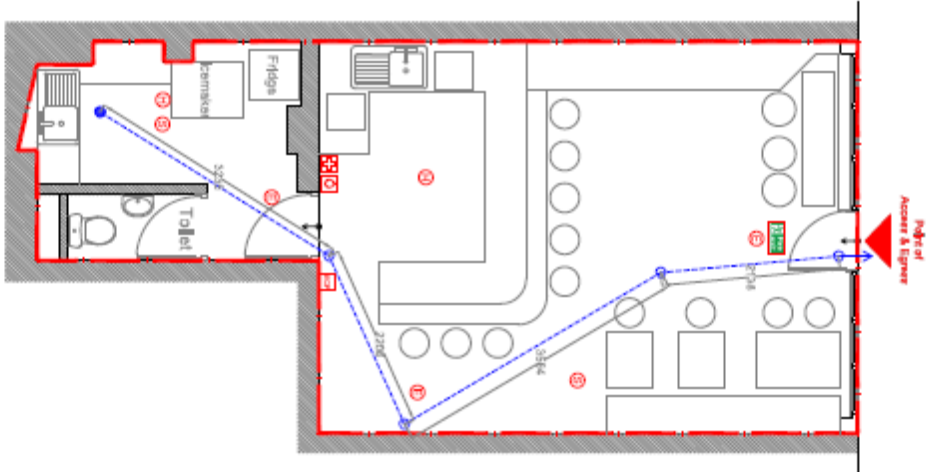


NO.	REV.	DATE	BY	CHKD.

Client: NFM UK
Project: As per the contract documents
Address: As per the contract documents
Site: 3 Wilford Street, Seven, London
W1D 4JY

Drawn by: [Name]
Checked by: [Name]
Approved by: [Name]

Date: 15/05/2018
Scale: 1:50



Proposed Ground Floor Plan
Scale: 1:50

Total Length of Escape Route:
3200mm + 2000mm + 3000mm + 2100mm
= 11300mm = 11.3 metres

1	Room: Kitchen	2	Room: Toilet
3	Room: Kitchen	4	Room: Kitchen
5	Room: Kitchen	6	Room: Kitchen

SCALE BAR
1:50
0 1 2 3 4 5 6 7 8 9 10 METRES

SYMBOLS
 North Arrow
 Door Boundary

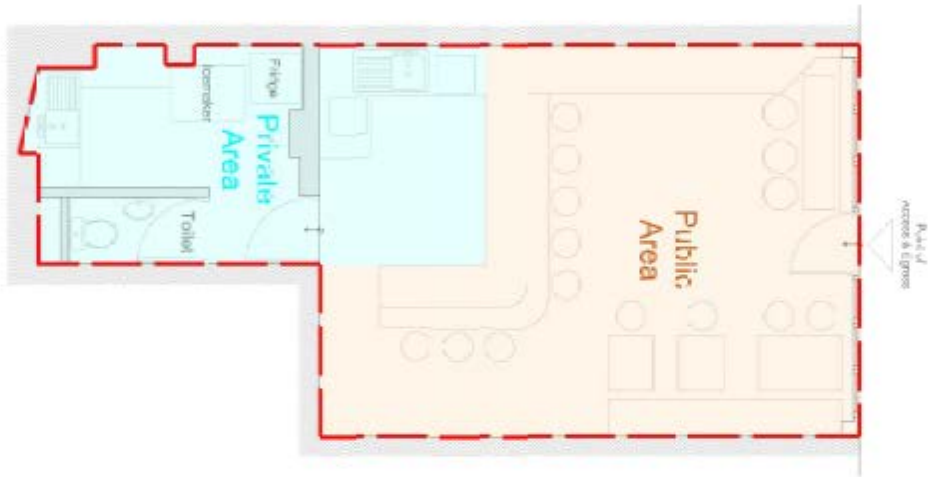
SMD
 SMD ARCHITECTURE
 3 WILFRED STREET, GOWER, LONDON
 W1D 4JY
 TEL: 020 7424 1000
 WWW.SMDARCHITECTURE.CO.UK

PROJECT
 Kitchen: UK
 Architects for AS Properties London
 3 Wilfred Street, Gower, London
 W1D 4JY
 Scale: 1:50
 Drawn: Floor Plan: SMD/plan

REVISIONS

No.	Date	Description

Author: Lisa
Designer: Lisa
Checker: Lisa
Date: 2024
Project No.: 100004
Sheet No.: 100004



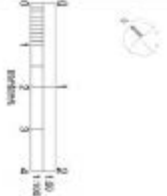
Proposed Ground Floor Plan
Scale: 1:50

PLEASE NOTE:
These notes should be read in conjunction with the drawings. They are intended to provide additional information and do not constitute a contract.

- Notes:**
- All dimensions are in millimeters unless otherwise stated.
 - Dimensions are given to the center of the hole or the center of the shaft unless otherwise stated.
 - Dimensions are given to the face of the hole or the face of the shaft unless otherwise stated.
 - Dimensions are given to the center of the hole or the center of the shaft unless otherwise stated.
 - Dimensions are given to the center of the hole or the center of the shaft unless otherwise stated.

GENERAL NOTES:

- The drawings are for information only and are not to be used for construction purposes without the approval of the design team.
- The design team is not responsible for the accuracy of the information provided in these drawings.
- The design team is not responsible for the accuracy of the information provided in these drawings.
- The design team is not responsible for the accuracy of the information provided in these drawings.
- The design team is not responsible for the accuracy of the information provided in these drawings.



NO.	REV.	DATE	BY	CHKD.	APP.

PROJECT:
 KIROU LITE
 Application for AB Purview License
 3100 West Beaver Creek Road
 WVD 007
 Ground Floor Accessibility Zoning Plan

DESIGNER:
 SMD
 200 WOODSIDE DRIVE
 WILLOWDALE, ONTARIO
 L4Y 1R3
 TEL: 416-491-1111
 FAX: 416-491-1112
 WWW.SMDDESIGN.COM

There are no supporting documents from the applicant.

Premises Licence & Appeal History

Application	Details of Application	Date Determined	Decision
08/04328/LIPN	Application for a new premises licence	24.07.2008	Granted by Licensing Sub-Committee (Licence Surrendered on 17.01.2011)
11/10835/LIPN	Application for a new premises licence	02.02.2012	Granted by Licensing Sub-Committee (Licence was suspended for non-payment of annual fee on 05.04.2013)
18/06896/LIPN	Current application		

There is no appeal history

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

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

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

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

Mandatory Conditions

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

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

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

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

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

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

Conditions consistent with the operating schedule

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

- 9. The number of seated persons inside the premises (excluding staff) shall not exceed 20 persons.
- 10. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

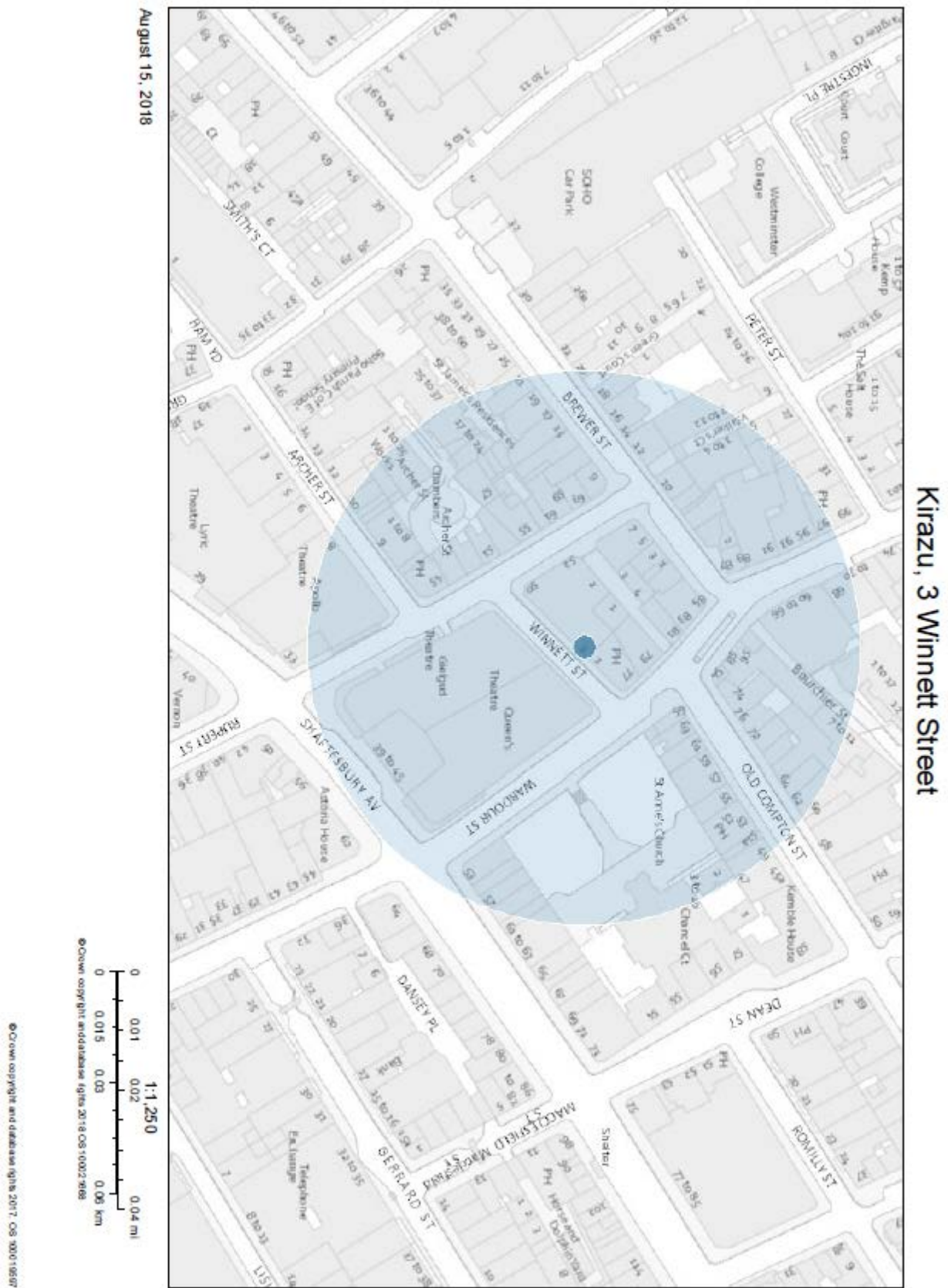
11. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
12. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **(23.00)** hours and **(08.00)** hours on the following day.
13. 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.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. 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.

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

16. 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.
17. 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.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
21. There shall be no self-service of alcohol.

22. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
23. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
24. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
25. 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.
26. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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



Resident count: 182

Premises within 75 metres of Kirazu, 3 Winnett Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
17/05525/LIPDPS	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 Sunday to Thursday; 09:00 - 00:00
12/00517/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
16/07079/LIPN	Vegan Hippo	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 06:30 - 22:00 Friday to Saturday; 06:30 - 23:30 Sunday; 08:00 - 22:00
18/02747/LIPN	Not Recorded	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
18/06880/LIPDPS	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:50 Sundays before Bank Holidays; 12:00 - 00:00
16/04370/LIPDPS	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00

17/02027/LIPVM	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Theatre	Monday to Sunday; 09:00 - 00:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00
16/09817/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 06:00 Sunday; 09:00 - 05:00 New Year's Eve; 00:00 - 00:00
17/12281/LIPDPS	O' Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Sunday; 12:00 - 00:00
17/02049/LIPVM	Queens Theatre	Queens Theatre Ltd Shaftesbury Avenue London W1D 6BA	Theatre	Monday to Sunday; 09:00 - 00:00
13/02742/LIPDPS	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Monday to Thursday; 07:00 - 23:00 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30

18/00940/LIPDPS	Bubbleology	49 Rupert Street London W1D 7PJ	Shop (large)	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00
06/05841/WCCMAP	I Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
13/02057/LIPN	Kirazu	47 Rupert Street London W1D 7PD	Restaurant	Monday to Sunday; 11:30 - 23:00
17/09678/LIPCH	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
18/05280/LIPDPS	White Horse Public House	45 Rupert Street London W1D 7PB	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
16/07760/LIPDPS	Poppies Fish Chips	55-59 Old Compton Street London W1D 6HP	Cafe	Monday to Saturday; 09:00 - 01:30 Sunday; 09:00 - 01:00
14/08656/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Monday to Saturday; 11:00 - 01:00 Sunday; 11:00 - 00:00
06/12416/WCCMAP	Soho Food And News	2 Brewer Street London W1F 0SD	Shop	Monday to Sunday; 09:00 - 03:00
06/05560/WCCMAP	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/01943/LIPDPS	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
17/04220/LIPDPS	Cafe Monico	39 - 45 Shaftesbury Avenue London W1D 6LA	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:00

10/01721/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PJ	Wine bar	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
17/05537/LIPDPS	Comptons Of Soho Public House	51 - 53 Old Compton Street London W1D 6HN	Public house or pub 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
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00 Sundays before Bank Holidays; 12:00 - 03:30
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00 Sundays before Bank Holidays; 12:00 - 03:30
16/11292/LIPDPS	Babaji Pide	53 Shaftesbury Avenue London W1D 6LB	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/09609/LIPDPS	Jackson + Rye	56 Wardour Street London W1D 4JG	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00

18/03699/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
13/09851/LIPN	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Theatre	Monday to Thursday; 09:00 - 23:30 Monday to Saturday; 09:00 - 01:00 Monday to Sunday; 09:00 - 22:00 Friday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30 Sundays before Bank Holidays; 09:00 - 00:00
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Cinema	Monday to Sunday; 09:00 - 01:00
17/00277/LIPVM	The Box	11-12 Walker's Court London W1F 0ED	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 Sunday; 09:00 - 00:30
15/08865/LIPN	The Box	11-12 Walker's Court London W1F 0ED	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 Sunday; 09:00 - 00:30
15/03006/LIPN	Yoshino	59 Shaftesbury Avenue London W1D 6LF	Restaurant	Monday to Sunday; 11:00 - 00:00
17/02012/LIPVM	Leggero (formerly La Polenteria)	64 Old Compton Street London W1D 4TL	Cafe	Monday to Thursday; 07:30 - 23:30 Friday; 07:30 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00
12/03560/LIPV	Selva Food & Wine	68 Old Compton Street London W1D 4UJ	Shop	Monday to Sunday; 00:00 - 00:00
17/12283/LIPT	Damson & Co	21 Brewer Street London W1F 0RL	Restaurant	Monday to Sunday; 08:00 - 21:45 Sundays before Bank Holidays; 08:00 - 00:00

15/09155/LIPV	Lina Stores	18 Brewer Street London W1F 0SH	Shop	Monday to Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00
18/01928/LIPDPS	Hipchips	49 Old Compton Street London W1D 6HL	Restaurant	Monday to Saturday; 12:00 - 23:00 Sunday; 12:00 - 20:00

This page is intentionally left blank

Item No:	
Date:	30 August 2018
Licensing Ref No:	18/07658/LIPN - New Premises Licence
Title of Report:	Urban Baristas Ground Floor 11 Queensway London W2 4QJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Lancaster Gate
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:	28 June 2018		
Applicant:	Urban Baristas Queensway Limited		
Premises:	Urban Baristas		
Premises address:	Ground Floor 11 Queensway London W2 4QJ	Ward:	Lancaster Gate
		Cumulative Impact Area:	Bayswater
Premises description:	The application form states that the premises are to operate as a café/restaurant company delivering speciality grade coffee		
Premises licence history:	This is an application for a new premises licence and therefore no premises history exists.		
Applicant submissions:	None.		
Amendment to Application:	The applicant has amended the hours in relation to the sale of alcohol to within core hours.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	09:00	09:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None.					
Sale by retail of alcohol - Amended				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	10:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		None.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	26 July 2018
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	
Responsible Authority:	Metropolitan Police Service (<i>withdrawn</i>)
Representative:	PC Brian Hunter
Received:	12 July 2018
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application, the venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>I have looked at your application and the conditions you have offered, for the purpose of clarity, I have listed the conditions we would like to see on it should it be granted.</p> <p>You state on the application page 13 section M- that on a Saturday and Sunday for the supply of Alcohol for consumption on the premises to commence at 0900, we would like this to come within the core hours starting at 10am for the Saturday and 12pm for the Sunday.</p> <p>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.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (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. 	

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.

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.

The supply of alcohol shall be by waiter or waitress service only.

All tables and chairs located in the external areas of the premises will be rendered unusable by 22:00 on each day

I look forward to your response in due course.

On 24th July 2018 the applicant reduced the commencement hour for the sale of alcohol on Saturday's and Sunday and agreed the proposed conditions. Subsequently, the Metropolitan Police Service has withdrawn their representation.

Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	20 July 2018

I write in relation to the application submitted for a New Premises Licence for 11 Queensway, London, W2 4QJ.

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:

Supply of Alcohol (On)

- Monday to Friday: 11:30 to 23:00
- Saturday: 09:00 to 23:00
- Sunday: 09:00 to 22:30

According to the application form, the premises is intending to operate as a coffee shop/restaurant.

The premises is within the Bayswater Cumulative Impact Area and as such a number of policy points must be considered, namely CIP1, HRS1 and RNT2.

The applicant has offered a condition whereby 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. As a result, this application falls within, but does not fully comply with, policy RNT2. The Licensing Authority would like to propose the following condition to be added

to the operating schedule of the premises licence as an alternative to this applicant's proposed condition, should this application be granted:

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

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

With the applicant's agreement to model condition 66, the operation of the premises will then be brought in line with policy RNT2 which states that "Applications will be granted subject to other policies... provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas".

No additional information has been received which addresses this policy concern of cumulative impact, and the Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact.

Furthermore, it is noted that the hours applied for licensable activities on Saturday and Sunday exceed those outlined in Westminster's Hours policy. The Licensing Authority would encourage the applicant to consider reducing the commencement hour for licensable activities to be in line with Westminster's Core Hours as set out in the Council's Statement of Licensing Policy. The Licensing Authority would encourage the applicant to provide further submissions as to the reasoning behind the operating hours applied for licensable activities that would enable the Licensing Authority to fully consider the impact of the application on the licensing objectives.

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

Please accept this as a formal representation to this application.

2-B Other Persons	
Name:	BRA / SEBRA
Address and/or Residents Association:	2 Claremont Court Queensway London W2 5HX
Received:	27 July 2018
<p>On behalf of the Bayswater Residents' Association (BRA) and the South East Bayswater Residents' Association (SEBRA) we object to this application to sell alcohol at the coffee shop at 11 Queensway.</p> <p>The premises are situated in the WCC "Queensway/Bayswater Stress Area" and there are already too many premises selling alcohol.</p> <p>Premises are situated under a large block of flats (Queen Court) and opposite is another large block of flats (Consort House)</p> <p>We note conditions offered and these should be attached to licence if granted.</p> <p>If licence was to be granted we also would wish control over hours of deliveries and refuse/recycling collections to be controlled so none take place between 20.00 & 07.00 with Sundays & Bank Holidays 16.00 & 10.00</p> <p>We note sale of alcohol to be ancillary to taking of a 'food'. We need to see 'menu' of food offered all day so can ascertain if sale of alcohol with to be seated with 'substantial food' e.g not just a croissant or cake etc</p> <p>We object to sale of alcohol early, particularly on a Saturday and Sunday, and if allowed would set a bad 'precedent' for the 'Stress Area'.</p> <p>Later hours of sale of alcohol on a Sunday should also include Bank Holidays.</p> <p>We note reference to tables and chairs outside but not sure these have any necessary planning consent.</p> <p>As always, we are happy to meet up with applicant and their advisors to discuss application.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u></p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
Policy CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

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

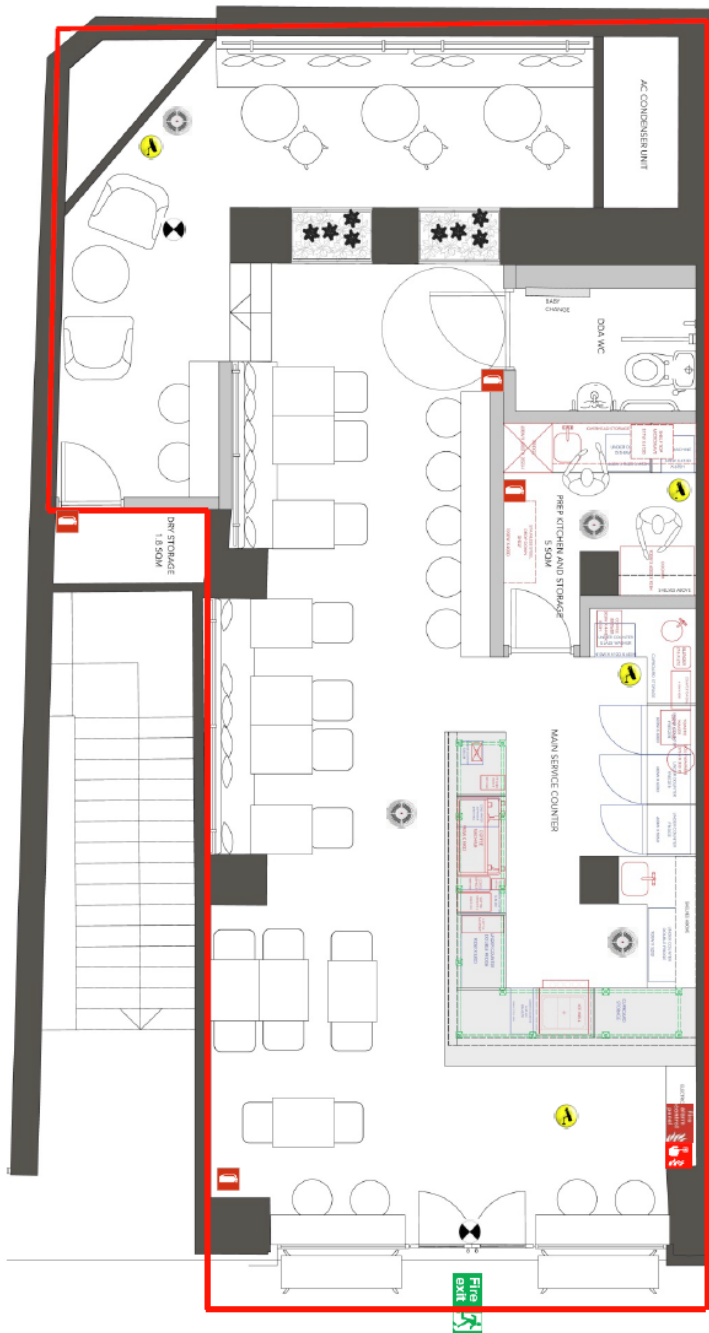
Report author:	Miss Sam Eaton Senior Licensing Officer
Contact:	Telephone: 020 7641 2700 Email: seaton@westminster.gov.uk

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	Representation – Environmental Health Service	26 th July 2018
4	Representation – Metropolitan Police Service	12 th July 2018
5	Representation – Licensing Authority	20 th July 2018
6	Representation – BRA/SEBRA	27 th July 2018

Premises Licence Plan



Queensway

- Key**
- Area Covered by Licence
 -  CCTV Camera
 -  Fire Extinguisher
 -  Smoke / Heat Detector
 -  Emergency Lighting
 -  Fire Call Point
 -  Fire Alarm Control



Urban Baristas
11 Queensway, London W2 4QJ

www.beyondtheblue.co.uk
©Beyond the Blue Ltd. 2008 – 2018

Applicant Supporting Documents

None.

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 Sale of Alcohol between 09.00 and 11.30 on Saturdays and Sundays is restricted to customers taking their meal from the brunch menu.
(Proposed for deletion following reduction of commencement hour)

10. Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol.
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system or searching equipment or scanning equipment
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.

(Also proposed by the Metropolitan Police Service)
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

(Also proposed by the Metropolitan Police Service)
13. 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.

(Also proposed by the Metropolitan Police Service)
14. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
15. Alcoholic drinks will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
16. No self-service of alcohol will be permitted at the premises.
17. No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.
18. 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.

(Also proposed by the Metropolitan Police Service)
19. The supply of alcohol shall be by waiter or waitress service only.

(Also proposed by the Metropolitan Police Service)
20. Regular waste disposal is undertaken in accordance with the council's requirements.

21. Outer front doors will be kept closed (except for egress and exit) after 22.00 to prevent noise escaping from the premises.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. All tables and chairs located in the external areas of the premises will be rendered unusable after 22.00 on each day.
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. 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.
(Also proposed by the Metropolitan Police Service)
26. 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.

Additional condition proposed by the Police:

27. All tables and chairs located in the external areas of the premises will be rendered unusable by 22:00 on each day.

Condition proposed by the Licensing Authority:

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

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

Residential Map and List of Premises in the Vicinity



Resident count: 279

Premises within 50 metres of: Urban Baristas, 11 Queensway			
Ref	Name of Premises	Premises Address	Licensed Hours
18/08878/LIPT	Del Casa	27 Queensway London W2 4QJ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/03341/LIPVM	Queen's Ice Bowl	Queens Ice Club 17 Queensway London W2 4QP	Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30 Sunday; 09:00 - 23:00
09/10291/LIPN	Casa Brasil	Unit L001 Queensway Market 23-25 Queensway London W2 4QJ	Monday to Saturday; 11:00 - 20:00 Sunday; 12:00 - 18:00
13/08953/LIPT	Royal China Chinese Restaurant	13 Queensway London W2 4QJ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/02559/LIPN	La Docta	Unit A15 Queensway Market 23 - 25 Queensway London W2 4QJ	Monday to Sunday; 10:00 - 20:30
15/11442/LIPN	Not Recorded	10 Queensway London W2 3RX	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:00
14/02691/LIPDPS	Med Mezze	22 Queensway London W2 3RX	Monday to Thursday; 10:00 - 23:00 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 10:00 - 00:00
06/10112/WCCMAP	Mandarin Kitchen	14-16 Queensway London W2 3RX	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
10/06611/LIPT	Food Basics Limited	28 Queensway London W2 3RR	Monday to Saturday; 10:00 - 23:00 Sunday; 10:00 - 22:30
06/10311/WCCMAP	Taza Take Away	35A Queensway London W2 4QJ	Monday to Sunday; 10:00 - 00:00
06/10289/WCCMAP	Kalinka	35 Queensway London W2 4QJ	Monday to Saturday; 11:00 - 20:00 Sunday; 12:00 - 18:30
11/06692/LIPDPS	Caps News	35B Queensway London W2 4QJ	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/06728/LIPN	Ground Floor	31-31A Queensway London W2 4QJ	Monday to Saturday; 07:00 - 00:00 Sunday; 08:00 - 00:00
15/03800/LIPT	Queensway Food & Wine	37 Queensway London W2 4QJ	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
18/08878/LIPT	Del Casa	27 Queensway London W2 4QJ	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

Item No:	
Date:	30 August 2018
Licensing Ref No:	18/07624/LIPN - New Premises Licence
Title of Report:	Ground and First Floors 1 Heddon Street London W1B 4BD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss 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:	26 June 2018		
Applicant:	The Crown Estate Commissioners		
Premises:	Ground And First Floors		
Premises address:	1 Heddon Street London W1B 4BD	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The application form describes the premises as a café.		
Premises licence history:	This is an application for a new premises licence and therefore no premises history exists.		
Applicant submissions:	None.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		None.					

Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	11:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service (<i>withdrawn</i>)
Representative:	Ian Watson
Received:	18 th July 2018
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The premises is located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' the premises Monday to Thursday 10.00 to 23.30 hours Friday and Saturday between 10.00 and 00.00 hours and Sunday between 12.00 to 22.30 hours. 2. To provide Late Night Refreshment 'Indoors' Monday to Thursday 23.00 to 23.30 hours Friday and Saturday between 23.00 and 00.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CI Area. 2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CI Area. <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p><i>Following the applicant's agreement of the conditions proposed at Annex 4, Environmental Health have withdrawn their representation.</i></p>	
Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	20 th July 2018
<p>Further to the Licensing Authority's original representation, I write in relation to the application submitted for a New Premises Licence for Second Floor, 1 Heddon Street, to provide further submissions on behalf of the Licensing Authority.</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>	

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

The application seeks to permit the following licensable activities:

Late Night Refreshment

- Monday to Thursday: 23:00 to 23:30
- Friday to Saturday: 23:00 to 00:00

Supply of Alcohol (On)

- Monday to Thursday: 10:00 to 23:30
- Friday to Saturday: 10:00 to 00:00
- Sunday: 12:00 to 22:30

This application seeks to provide a licensed café facility for use by office workers within the building and the general public.

The premises is within the West End Cumulative Impact Area and as such a number of policy must be considered, namely CIP1 and RNT2.

The applicant has provided a condition whereby 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.

The Licensing Authority would like to propose the following condition to be added to the operating schedule of the licence, should this application be granted:

- 1) The supply of alcohol shall be by waiter or waitress service only.

This application currently falls within, but does not fully comply, with policy RNT2. Policy RNT2 states that “Applications will be granted subject to other policies...provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.”

No additional information has been received which addresses this policy concern of cumulative impact, and the Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact.

The Licensing Authority also requires further information into the operation and management of the premises, as it has been stated that the café will be of use by both office workers within the building and the general public. It would be useful to understand how the general public will gain access to the premises and how the premises will manage the access/egress of customers, with specific regard to the various clientele the premises is intending to cater for.

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

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u></p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p>
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

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

Report author:	Miss 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	Representation – Environmental Health (<i>Withdrawn</i>)	18 th July 2018
5	Representation – Licensing Authority	20 th July 2018

Applicant Supporting Documents

None.

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.

10. 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.
11. 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.
12. The premises will ensure health and safety risk assessments are undertaken and all staff shall be trained therein.
13. Signs will be located at the exits to the building to remind occupants that they should ensure that local residents are not disturbed by any licensable activity at the premises.
14. Signs will be provided reminding occupants that alcohol should only be supplied to persons over the age of 18.

Conditions proposed by the Environmental Health and agreed by the applicant to form part of the operating schedule:

15. The provision of licensable activities shall at all times be ancillary to the premises being managed by The Crown Estate.
16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 60 persons.
17. 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.
18. Alcohol shall be ancillary to persons consuming substantial food and seated at tables.
19. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. There shall be no sales of hot food or hot drink off the premises after 23.00 hours.
21. 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.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. 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

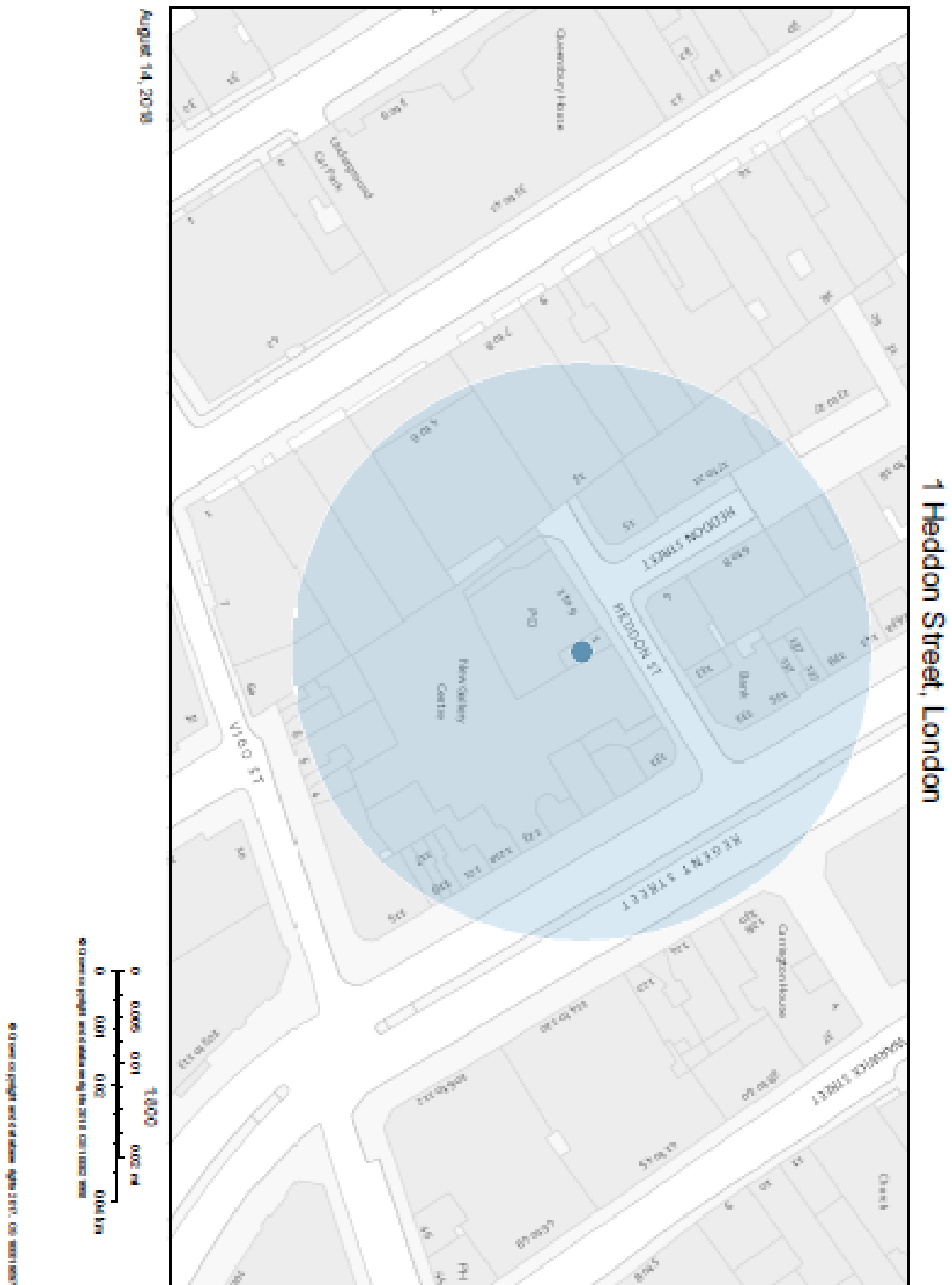
swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

24. 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 Licence by the licensing authority.

Conditions proposed by the Licensing Authority:

25. The supply of alcohol shall be by waiter or waitress service only.

Residential Map and List of Premises in the Vicinity



Resident count: 0

Premises within 50 metres of: Ground and First Floor, 1 Heddon Street			
Ref	Name of Premises	Premises Address	Licensed Hours
18/00716/LIPDPS	Heddon Street Kitchen	3-9 Heddon Street London W1B 4BE	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:00
18/00260/LIPDPS	Aubaine	4 Heddon Street London W1B 4BS	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00
17/11014/LIPT	Strawberry Moons	15-17 Heddon Street London W1B 4BF	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 03:30
17/02143/LIPN	Strawberry Moon (Shadow)	15-17 Heddon Street London W1B 4BF	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
17/09838/LIPCH	Sakagura	Basement And Ground Floor Sterling House 8 Heddon Street London W1B 4BU	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/03601/LIPDPS	Piccolino	Basement And Ground Floor 19-21 Heddon Street London W1B 4BG	Monday to Wednesday; 10:00 - 00:30 Thursday to Saturday; 10:00 - 01:30 Sunday; 10:00 - 00:00
17/08528/LIPDPS	Not Recorded	10 Heddon Street London W1B 4BY	Monday to Thursday; 07:30 - 00:00 Friday; 07:30 - 01:00 Saturday; 09:00 - 01:00 Sunday; 09:00 - 23:30

This page is intentionally left blank

Item No:	
Date:	30 August 2018
Licensing Ref No:	18/07618/LIPN - New Premises Licence
Title of Report:	Second Floor 1 Heddon Street London W1B 4BD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss 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:	20 June 2018		
Applicant:	The Crown Estate Commissioners		
Premises:			
Premises address:	Second Floor 1 Heddon Street London W1B 4BD	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The application form describes the premises as a space for private pre-booked functions and events.		
Premises licence history:	This is an application for a new premises licence and therefore no premises history exists.		
Applicant submissions:	None.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		None.					

Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	11:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		None.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service (<i>withdrawn</i>)
Representative:	Ian Watson
Received:	18 th July 2018
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>The premises is located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' the premises Monday to Thursday 10.00 to 23.30 hours Friday and Saturday between 10.00 and 00.00 hours and Sunday between 12.00 to 22.30 hours. 2. To provide Late Night Refreshment 'Indoors' Monday to Thursday 23.00 to 23.30 hours Friday and Saturday between 23.00 and 00.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CI Area. 2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CI Area. <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p><i>Following the applicant's agreement of the conditions proposed at Annex 4, Environmental Health have withdrawn their representation.</i></p>	
Responsible Authority:	Licensing Authority
Representative:	Daisy Gadd
Received:	20 th July 2018
<p>Further to the Licensing Authority's original representation, I write in relation to the application submitted for a New Premises Licence for Second Floor, 1 Heddon Street, to provide further submissions on behalf of the Licensing Authority.</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>	

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

The application seeks to permit the following licensable activities:

Late Night Refreshment

- Monday to Thursday: 23:00 to 23:30
- Friday to Saturday: 23:00 to 00:00

Supply of Alcohol (On)

- Monday to Thursday: 10:00 to 23:30
- Friday to Saturday: 10:00 to 00:00
- Sunday: 12:00 to 22:30

The application is seeking to licence a space for private pre-booked functions and events.

The premises is situated within the West End Cumulative Impact Area and as such a number of policy must be considered, namely CIP1 and PB2.

The applicant has proposed a condition whereby the supply of alcohol at the premises shall only be to a person attending a private pre-booked function or event at the premises. The Licensing Authority requires the following information to fully consider the likely impact on the Licensing Objectives:

- 1) How can these events be booked, and how far in advance do customers need to book for an event? What is the latest time in which an event can be booked?
- 2) Who can attend these events? What is the maximum capacity of an event?
- 3) How will the premises manage the egress of customers after a pre-booked event to mitigate any risk to the licensing objectives?

This application falls within policy PB2, as outlined in the Council's Statement of Licensing Policy 2016. Paragraph 2.5.23 of the policy states that "the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances." It will be for the applicant to demonstrate at the Licensing Sub-Committee any exceptional circumstances that would allow to depart from policy.

Further discussions will be held with the applicant and any further submissions will be forwarded on for Members consideration.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight</p> <p>Other Sundays: Midday to 22:30</p>
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy 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	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss 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	Representation – Environmental Health (<i>Withdrawn</i>)	18 th July 2018
5	Representation – Licensing Authority	20 th July 2018

Premises Plans



Applicant Supporting Documents

None.

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

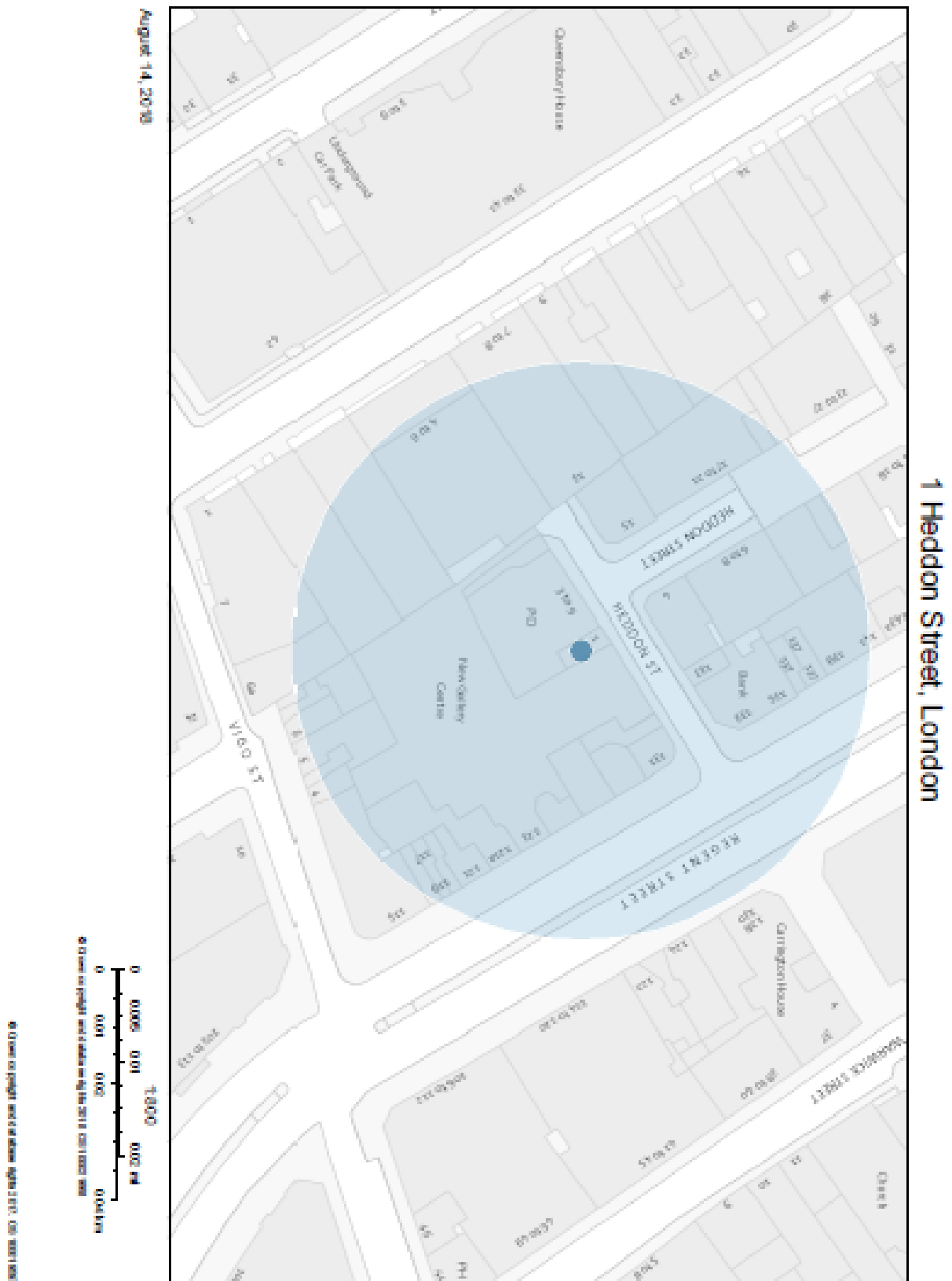
9. The supply of alcohol at the premises shall only be to a person attending a private pre-booked function or event at the premises.

10. Substantial food shall be available at all times that alcohol is supplied at the premises.
11. 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.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
13. The premises will ensure health and safety risk assessments are undertaken and all staff shall be trained therein.
14. Signs will be located at the exits to the building to remind occupants that they should ensure that local residents are not disturbed by any licensable activity at the premises.
15. Signs will be provided reminding occupants that alcohol should only be supplied to persons over the age of 18.

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

16. The provision of licensable activities shall at all times be ancillary to the premises being managed by The Crown Estate.
17. The number of persons permitted in the second floor function space at any one time (excluding staff) shall not exceed 60 persons.
18. There shall be no sales of hot food or hot drink off the premises after 23.00 hours.
19. 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.
20. 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 Licence by the licensing authority.

Residential Map and List of Premises in the Vicinity



Resident count: 0

Premises within 50 metres of: Ground and First Floor, 1 Heddon Street			
Ref	Name of Premises	Premises Address	Licensed Hours
18/00716/LIPDPS	Heddon Street Kitchen	3-9 Heddon Street London W1B 4BE	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:00
18/00260/LIPDPS	Aubaine	4 Heddon Street London W1B 4BS	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Sundays before Bank Holidays; 07:00 - 00:00
17/11014/LIPT	Strawberry Moons	15-17 Heddon Street London W1B 4BF	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 03:30
17/02143/LIPN	Strawberry Moon (Shadow)	15-17 Heddon Street London W1B 4BF	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00
17/09838/LIPCH	Sakagura	Basement And Ground Floor Sterling House 8 Heddon Street London W1B 4BU	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/03601/LIPDPS	Piccolino	Basement And Ground Floor 19-21 Heddon Street London W1B 4BG	Monday to Wednesday; 10:00 - 00:30 Thursday to Saturday; 10:00 - 01:30 Sunday; 10:00 - 00:00
17/08528/LIPDPS	Not Recorded	10 Heddon Street London W1B 4BY	Monday to Thursday; 07:30 - 00:00 Friday; 07:30 - 01:00 Saturday; 09:00 - 01:00 Sunday; 09:00 - 23:30

This page is intentionally left blank