



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 26th September, 2019**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Karen Scarborough (Chairman)
Peter Freeman
Aicha Less

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 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. DAISY GREEN, 2 CANALSIDE WALK, LONDON, W2 1DG

(Pages 1 - 18)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
2.	Hyde Park Ward/ Not in Cumulative Impact Area	Daisy Green, 2 Canalside Walk London W2 1DG	New Premises Licence	19/09114/LIP N

2. DAISY GREEN, 1 CANALSIDE WALK, LONDON, W2 1DG

(Pages 19 - 36)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
1.	Hyde Park Ward/Not in Cumulative Impact Area	Daisy Green, 1 Canalside Walk London W2 1DG	New Premises Licence	19/09141/LIP N

3. UNITED CHIP, UNIT 34A, THE TROCODERO, 19A RUPERT STREET, LONDON, W1D 6DF

(Pages 37 - 76)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
3.	St James's Ward/West End Cumulative Impact Area	United Chip, Unit 34a, The Trocodero 19A Rupert Street London W1D 6DF	New Premises Licence	19/07844/LIP N

4. SHAMPERS WINE BAR, GROUND FLOOR, 4 KINGLY STREET, LONDON, W1B 5PE

(Pages 77 - 110)

<u>App No</u>	Ward / Cumulative Impact Area	Site Name and Address	App Type	Licensing Ref No.
4.	West End Ward/ West End Cumulative Impact Area	Shampers Wine Bar Ground Floor 4 Kingly Street London W1B 5PE	Premises Licence Variation	19/08992/LIP V

**Stuart Love
Chief Executive
19 September 2019**

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 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.

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Item No:	
Date:	26 September 2019
Licensing Ref No:	19/09141/LIPN - New Premises Licence
Title of Report:	Daisy Green, 1 Canalside Walk London W2 1DG
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	25 July 2019		
Applicant:	Daisy Green Food Limited		
Premises:	Daisy Green, 1 Canalside Walk London W2 1DG		
Premises address:	1 Canalside Walk London W2 1DG	Ward:	Hyde Park
		Cumulative Impact Area:	None
Premises description:	This is a new premises licence application for a café style bar with external seating area.		
Premises licence history:	As this is a new premises licence application and therefore no history exists for this premises.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors Only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

Sale by retail of alcohol				On or off sales or both:			Both
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:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	22 August 2019
I wish to make Representations on the following grounds:	
Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Caroline Cockshull
Received:	7 August 2019
With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.	
It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 August 2019
Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).	
We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the	

legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

With that in mind, this application raises a significant number of issues which lead us to conclude that, if granted as applied for, it will constitute an unacceptable risk to the licensing objectives. We would ask that if the licensing authority is minded to grant the application, it should be with amendments and additional conditions.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

The application

We note that the application seeks a new premises licence for a new development which we understand is close to completion. The building is a multi-storey mixed use development.

The applicant has also made an application for a new premises licence for the rooftop of 2 Canalside Walk.

We believe that the applicant also has the benefit of two premises licences in the very near vicinity.

The premises is described as 'café/bar with external seating'. The licensable activities sought are:

- 1) To sell alcohol for consumption on and off the premises from 10am to 11.30pm Mon-Thurs; 10am to midnight Fri-Sat; 10am to 10.30pm Sun (midnight on Sun before a bank holiday).
- 2) To provide late night refreshment to the same times as above.
- 3) Premises open to the public from 7.30am to the times specified above.

Whilst some conditions have been proposed, they fall some way short of the safeguards we would want in order to be content with the application.

Reasons for representation

We have the following concerns:

1. The immediate vicinity of the application site has had many new premises licences granted in recent years. We are concerned that a 'cumulative impact' of these premises is beginning to manifest.
2. The hours for licensable activities and opening are likely to impact adversely on the licensing objectives.
3. It seems from the conditions that the proposed style of operation is as a vertical drinking bar with no requirement to be seated.
4. Substantial food need only be 'available'.
5. Servicing not between 11pm and 7am. We feel that these times are too early/late.
6. There is no capacity given but we count 42 chairs outside and about 177 inside across the ground floor and mezzanine. The capacity would obviously be higher if customers are also standing.

7. No 'restaurant' condition is proposed across any or all of the premises. We feel this raises the 'risk profile' of the premises in terms of the impact on the licensing objectives.
8. No 'seated' condition is proposed across any or all of the premises. Vertical drinking is known to increase risk to the licensing objectives.
9. No 'waiter/ess service' condition is proposed across any or all of the premises.
10. No 'No noise shall emanate...' condition is proposed.
11. There is no condition stopping drinks being taken outside.
12. There is no condition specifying at what time outside tables and chairs would be rendered unusable/taken in.
13. The times proposed for off sales extend well beyond 'core hours'.

We would also suggest that a telephone number is available for residents.

For these reasons, we object to this licence being granted as presented.

Conclusion

We note that the premises licence for 'Beany Green', which we believe is operated by the applicant, has a much earlier terminal hour and is subject to many if not all of the conditions to which we refer above.

We are aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	21 August 2019

The South East Bayswater Residents' Association (SEBRA) wishes to lodge an objection to this Premises Licence application on grounds of potential noise & nuisance to adjoining properties and the surrounding area, school and potential for crime and disorder issues.

We understand that last day for objections is tomorrow so we set out below concerns we have.

We are particularly concerned that premises should operate within WCC Core Hours for both 'on sales' and 'off sales' (or less if condition on hours set by WCC planning department) and sale of alcohol should be to persons seated, with waiter/waitress service and be ancillary to taking substantial meal.

We have not checked if sale of draft beer and lager is proposed.

On 'off sales' we would want condition of no sale of beer or cider over 5.5% APV

Also can we please be advised if premises operated by application nearby on canal if have had any noise complaints.

- o The applicant is Daisy Green, who already have a premises at Sheldon Square, and the two boats opposite the Hammersmith and City line entrance.
- o The premises is described as "café/bar with external seating.
- o Alcohol on and off premises, late night refreshment - both to core hours for on sales, beyond core for off sales. Opening 7.30am to core hours.
- o Conditions - substantial food 'available'.
- o Waste/deliveries not between 11pm and 7am.
- o
- o No capacity given but I count 42 chairs outside and about 177 inside across ground floor and mezzanine. Would obviously be higher capacity is standing.
- o There are clearly important omissions from the conditions:
- o No 'restaurant' condition across any or all of the premises.
- o No 'seated' condition across any or all of the premises.
- o No 'waiter/ess service' condition across any or all of the premises.
- o No 'No noise shall emanate...' condition.
- o No condition stopping drinks being taken outside.
- o No phone number available.
- o No condition rendering tables and chairs unusable at []pm.
- o No condition stopping off sales at 11pm (or earlier).

As always we are more than happy to meet up with applicant and.or their agent to discuss our concerns.

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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

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.

4. Appendices

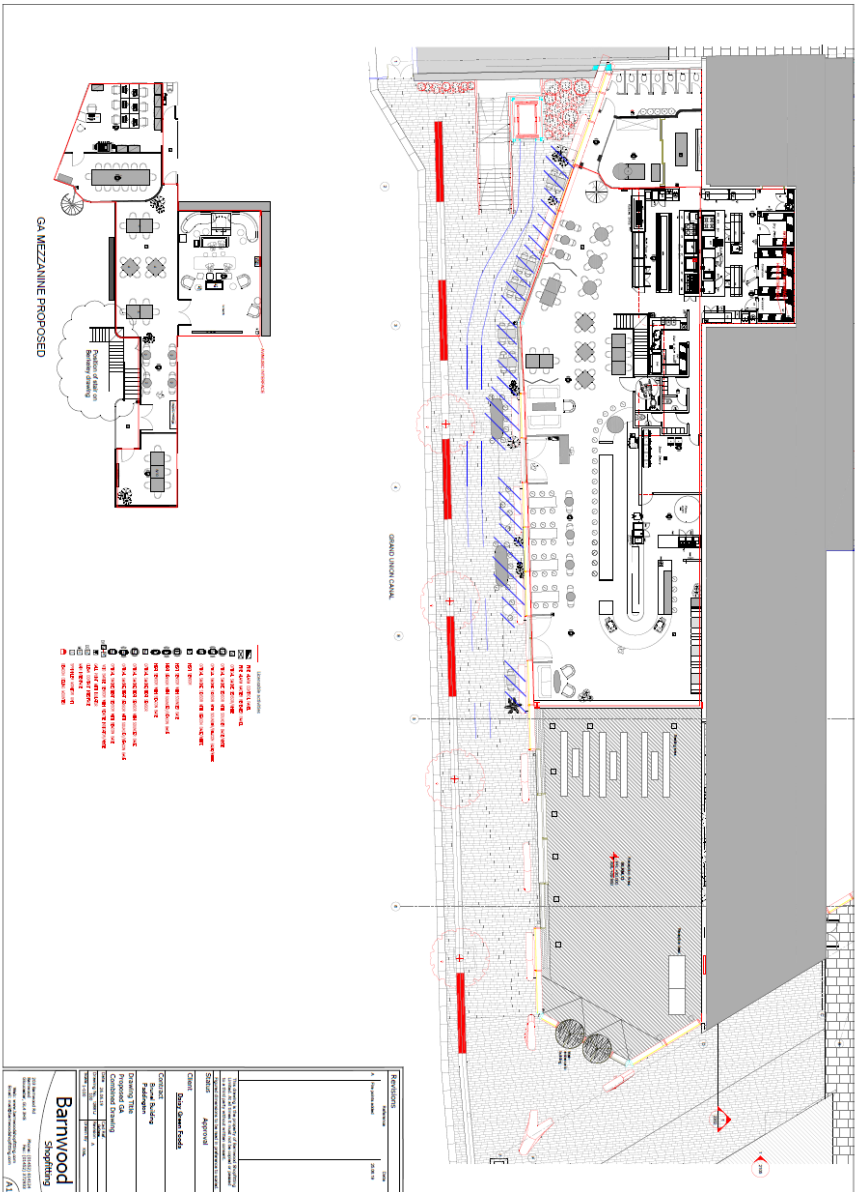
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@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 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	22 August 2019
5	Metropolitan Police Service Representation	7 August 2019
6	Public Representation 1	22 August 2019
7	Public Representation 2	21 August 2019



None

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. 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.
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. Save for any external area shown hatched blue on the plan, all sales of alcohol for consumption off the premises shall be in sealed containers only.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
17. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
18. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
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. 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.
21. 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.

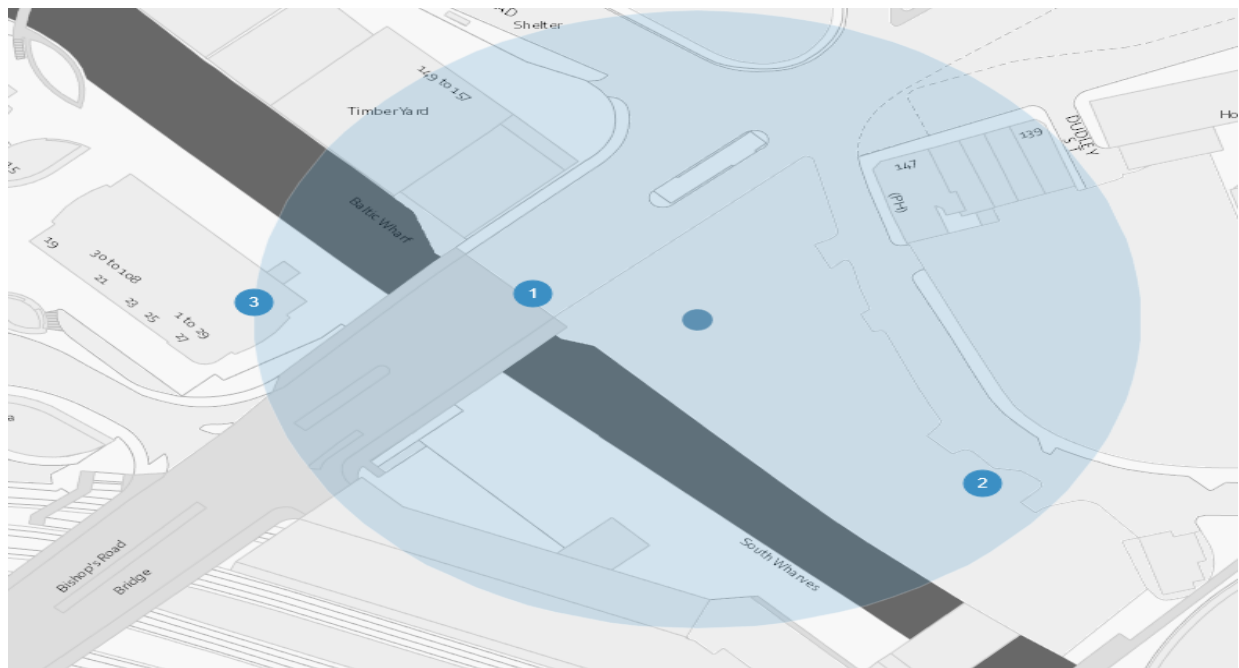
22. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None



Resident Count: 0

Premises within 75 metres of Daisy Green 1 Canalside Walk, London, W2 1DG				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/00371/LIPN	Not Recorded	STREET RECORD Canalside Walk City Of Westminster London	Not Recorded	Monday to Saturday; 11:00 - 23:00 Sunday; 11:00 - 22:00
11/02593/LIPDPS	ETC Venues	Ground Floor To Third Floor 57 North Wharf Road London W2 1LA	Office	Monday to Saturday; 07:00 - 23:30 Sunday; 07:00 - 22:30
16/01994/LIPVM	Smiths Bar And Grill	25 Sheldon Square London W2 6EY	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 10:00 - 00:30

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Item No:	
Date:	26 September 2019
Licensing Ref No:	19/09114/LIPN - New Premises Licence
Title of Report:	Daisy Green 2 Canalside Walk London W2 1DG
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	25 July 2019		
Applicant:	Daisy Green Food Limited		
Premises:	Daisy Green, 1 Canalside Walk London W2 1DG		
Premises address:	1 Canalside Walk London W2 1DG	Ward:	Hyde Park
		Cumulative Impact Area:	None
Premises description:	This is a new premises licence application for office space and private events.		
Premises licence history:	As this is a new premises licence application and therefore no history exists for this premises.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors Only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	
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Seasonal variations/ Non-standard timings:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
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Seasonal variations/ Non-standard timings:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		New Year's Eve from end of permitted hours to the start of permitted hours on New Year's Day. On Sundays prior to Bank Holidays 23:00 to 00:00					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	22 August 2019
I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Caroline Cockshull
Received:	6 August 2019
With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application. It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.	

2-B Other Persons	
Name:	██
Address and/or Residents Association:	████████████████████ ████████████████████ ██
Received:	22 August 2019
Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the	

legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

With that in mind, this application raises a significant number of issues which lead us to conclude that, if granted as applied for, it will constitute an unacceptable risk to the licensing objectives. We would ask that if the licensing authority is minded to grant the application, it should be with amendments and additional conditions.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

The application

We note that the application seeks a new premises licence for a new development which we understand is close to completion. The building is a multi-storey mixed use development.

The applicant has also made an application for a new premises licence for the ground floor and mezzanine at 1 Canalside Walk.

We believe that the applicant also has the benefit of two premises licences in the very near vicinity.

The premises is described as 'office and pre-booked private event use'.

The licensable activities sought are:

- 1) To sell alcohol for consumption on and off the premises from 10am to 11.30pm Mon-Thurs; 10am to midnight Fri-Sat; 10am to 10.30pm Sun (midnight on Sun before a bank holiday).
- 2) To provide late night refreshment to the same times as above.
- 3) Premises open to the public from 7.30am to the times specified above.

Whilst some conditions have been proposed, they fall some way short of the safeguards we would want in order to be content with the application.

Reasons for representation

We have the following concerns:

1. The immediate vicinity of the application site has had many new premises licences granted in recent years. We are concerned that a 'cumulative impact' of these premises is beginning to manifest.
2. The hours for licensable activities and opening are likely to impact adversely on the licensing objectives. Is the premises open air?
3. There is a condition proposed that 'Alcohol shall not be sold or supplied otherwise than to: a. Directors, partners, officers and employees of the business occupants of the building (and subsidiaries and affiliated companies thereof) and their bona fide guests; and b. Persons attending by prior invitation to a private or organised function in the premises a list of such functions is to be kept at reception and made available for inspection by the relevant authorities upon request.' The second part of the condition causes great concern. There is no detail given of how the premises proposes to operate these events and we are concerned that noise emanating from the rooftop and noise from dispersal will affect residents.
4. It seems from the conditions that the proposed style of operation is as a vertical drinking

bar with no requirement to be seated.

5. There is no reference to food at all.
6. Servicing not between 11pm and 7am. We feel that these times are too early/late.
7. The number of covers is given as 164. The capacity would obviously be higher is customers are also standing.
8. No 'restaurant' condition is proposed across any or all of the premises. We feel this raises the 'risk profile' of the premises in terms of the impact on the licensing objectives.
9. No 'seated' condition is proposed across any or all of the premises. Vertical drinking is known to increase risk to the licensing objectives.
10. No 'waiter/ess service' condition is proposed across any or all of the premises.
11. There is no condition stopping drinks being taken out of the premises.
12. The times proposed for off sales extend well beyond 'core hours'. We are unclear why the premises would in any event need permission for off sales?

We would also suggest that a telephone number is available for residents.

For these reasons, we object to this licence being granted as presented.

Conclusion

We note that the premises licence for 'Beany Green', which we believe is operated by the applicant, has a much earlier terminal hour and is subject to many if not all of the conditions to which we refer above.

We are aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	21 August 2019

The South East Bayswater Residents' Association (SEBRA) wishes to lodge an objection to the above Premises Licence application on grounds of potential noise & nuisance to adjoining properties and the surrounding area, school, church and potential for crime and disorder issues.

We understand that last day for objections is tomorrow so we set out below our objection in brief and some points of concerns / objections in the bullet points below where we need some clarification etc.

We are particularly concerned that premises should operate within WCC Core Hours for both 'on sales' and 'off sales' (or less if condition on hours set by WCC planning department) and

sale of alcohol should be to persons seated, with waiter/waitress service and be ancillary to taking substantial meal.

We are not clear if sale of draft beer and lager is proposed.

On 'off sales' we would want condition of no sale of beer or cider over 5.5% APV

Also can we please be advised if premises operated by application nearby on canal if have had any noise etc complaints

- The applicant is Daisy Green, who already have a premises at Sheldon Square, and the two boats opposite the Hammersmith and City line entrance.
- The premises is described as 'office and pre-booked private event use'.
- Alcohol on and off premises, late night refreshment – both to core hours for on sales, beyond core for off sales. Opening 7.30am to core hours.
- Conditions – ancillary to use if the building as offices.
- Waste/deliveries not between 11pm and 7am.
- Covers stated as being 164 in total (although could be more if standing).
- 'Alcohol shall not be sold or supplied otherwise than to: a Directors, partners, officers and employees of the business occupants of the building (and subsidiaries and affiliated companies thereof) and their bona fide guests; and b. Persons attending by prior invitation to a private or organised function in the premises a list of such functions is to be kept at reception and made available for inspection by the relevant authorities upon request.'
- No 'restaurant' condition across any or all of the premises.
- No 'seated' condition across any or all of the premises.
- No 'waiter/ess service' condition across any or all of the premises.
- No condition stopping drinks being taken off the premises.
- No phone number available.
- Core hours maybe late for open air premises?
- No condition stopping off sales at 11pm (or earlier) why do they they want/need off sales.

As always SEBRA are more than happy to meet up with applicant and or their agent to discuss application and our concerns.

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> <p><u>For premises for the supply of alcohol for consumption off the premises:</u> Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

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.

4. Appendices

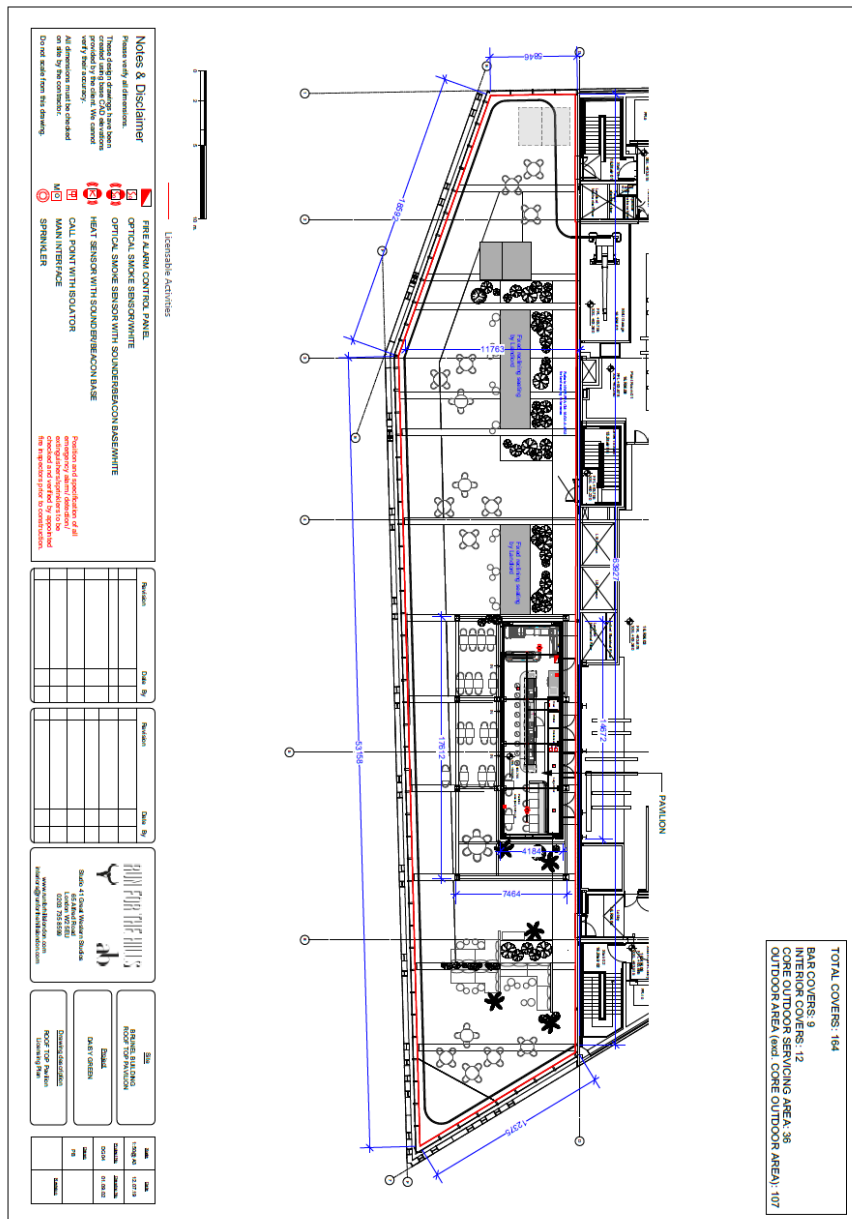
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Michelle Steward Senior Licensing Officer
Contact:	Telephone: 020 7641 1872 Email: msteward1@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 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	22 August 2019
5	Metropolitan Police Service Representation	6 August 2019
6	Public Representation 1	22 August 2019
7	Public Representation 2	21 August 2019



None

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 licence shall remain ancillary to the use of the building as offices.
10. No advertising of the licensed premises outside of the premises.
11. Alcohol shall not be sold or supplied otherwise than to:
a. Directors, partners, officers and employees of the business occupants of the building (and subsidiaries and affiliated companies thereof) and their bona fide guests; and
b. Persons attending by prior invitation to a private or organised function in the premises a list of such functions is to be kept at reception and made available for inspection by the relevant authorities upon request.
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. 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.
14. 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.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (07.00) hours on the following day.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
20. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
21. 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.
22. 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.

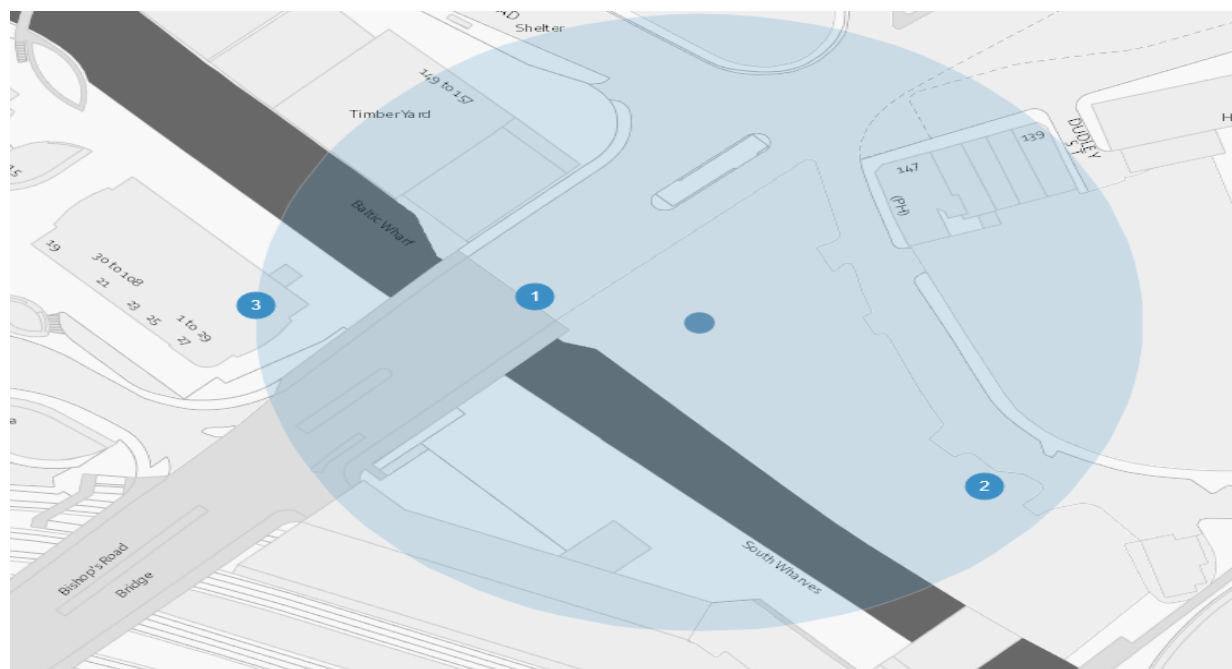
23. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) 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.
25. 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 Environmental Health

None

Conditions proposed by the Police

None



Resident Count: 0

Premises within 75 metres of Daisy Green, Top Floor, 2 Canalside Walk, London, W2 1DG				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/00371/LIPN	Not Recorded	STREET RECORD Canalside Walk City Of Westminster London	Not Recorded	Monday to Saturday; 11:00 - 23:00 Sunday; 11:00 - 22:00
11/02593/LIPDPS	ETC Venues	Ground Floor To Third Floor 57 North Wharf Road London W2 1LA	Office	Monday to Saturday; 07:00 - 23:30 Sunday; 07:00 - 22:30
16/01994/LIPVM	Smiths Bar And Grill	25 Sheldon Square London W2 6EY	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Sundays before Bank Holidays; 10:00 - 00:30

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Item No:	
Date:	26 September 2019
Licensing Ref No:	19/07844/LIPN - New Premises Licence
Title of Report:	United Chip, Unit 34a, The Trocodero 19A Rupert Street London W1D 6DF
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	26 June 2019		
Applicant:	United Restaurant Group Limited		
Premises:	United Chip		
Premises address:	19A Rupert Street London W1D 6DF	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application form the premises will trade as a fish and chip restaurant.		
Premises licence history:	The premises have previously held a premises licence, licence number 16/08280/LIPDPS. A copy of this licence appears at appendix 2		
Applicant submissions:	<p>United Restaurant Group are excited to be bringing their United Chip concept to the very heart of London.</p> <p>At United Chip, they believe fish and chips too often just simply isn't good enough; greasy fish, soggy chips and poorly prepared sides. They have put the passion back in to this great institution and are proud to stay true to the roots of the chippy, nothing fancy here (apart from, perhaps, the soft-shell crab burger), its good honest, good-value food.</p> <p>The fish is sustainably line caught and delivered to the restaurant fresh, coated in flour & our secret recipe 40ft beer batter, before frying it in sunflower oil; a healthy neutral oil that lets the batter do the talking, and gives a good clean taste.</p> <p>A premises licence is being sought to allow the premise to sell alcohol to compliment this traditional British fare, where the consumption is on the premises.</p> <p>Located on the ground floor opening up onto Rupert Street, the unit in Trocadero has previously benefitted from a Premises Licence (formerly a Yo-Sushi restaurant) and as such this application is seeking to replicate / replace that licence.</p> <p>Waste disposal falls under the governance of the building owners and the premises licence holder will operate within these existing established management systems.</p> <p>This application seeks to fall within the core hours for Westminster which are slightly less than the hours of the former/existing Premises Licence.</p> <p>A strong set of conditions is offered with this application and while we are aware it falls within the West End CIP area, we do not feel that the granting of this Premises Licence will undermine the Licensing Objectives; were the hours applied for and conditions offered to be applied.</p>		

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	
End:					00:00	00:00	
Seasonal variations/ Non-standard timings:			On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	23:00	23:00	23:00	23:00	23:30	23:30	22:00
Seasonal variations/ Non-standard timings:			On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			On any day preceding a Bank Holiday the opening hours for Licensable Activities of the premises will reflect those for Saturdays.				
Adult Entertainment:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	17 July 2019

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

The applicant is seeking the following licensable activities

1. The provision of Late-Night Refreshment "Indoors" at the following times:

Friday to Saturday: 23:00 to 00:00 hours

Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities

at the premises will reflect those for Saturdays.

2. The supply of alcohol for consumption "On" the premises at the following times:

Monday to Thursday: 11:00 to 23:00 hours

Friday to Saturday: 11:00 to 23:30 hours

Sunday: 12:00 to 22:00 hours

Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays

Following consideration of the application and how it may affect the Licensing Objectives meeting the requirements of the Council's Statement of Licensing Policy I wish to make following representation:

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

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

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

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

Responsible Authority:	Metropolitan Police Service
Representative:	Adam Deweltz
Received:	15 July 2019 (withdrawn 7 August 2019)

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are 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.

I have been through the operating schedule and note the conditions contained. I would just like a few conditions tweaked if possible to bring them in line with City of Westminster model conditions.

Your proposed conditions:

Point 4

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.*

Point 9

I am content with your Restaurant condition, however, I would like the following point added: *The Premises shall operate as a restaurant which do not provide any take away service of food or drink for **immediate consumption**.*

Customers are still allowed to take food away, but food must be closed up. This prevents people loitering on the street immediately outside the front of the premises eating their food causing a public nuisance.

All other conditions, I am happy with. If these minor points can be agreed to, I will be in a position to withdraw my representation.

Following mediation with the applicant, the Metropolitan Police withdrew their representation on 7th August 2019

Responsible Authority:	Licensing Authority
Representative:	Angela Seaward
Received:	25 July 2019

I write in relation to the application submitted for a new premises licence for United Chip, Unit 34a, The Trocodero, 19A Rupert Street, London, W1D 6DF

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 has considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

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

The application seeks the following Licensable Activities:

Late Night Refreshment: Friday to Saturday: 23:00 – 00:00

Retail by Sale of Alcohol On the premises:
 Monday to Thursday: 11:00 – 23:00
 Friday to Saturday: 11:00 - 23:30
 Sunday: 12:00 – 22:00

Opening Hours
 Monday to Thursday: 11:00 – 23:30
 Friday to Saturday: 11:00 – 00:00
 Sunday: 12:00 – 22:30

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, RNT2

The proposed licensable hours fall within the Westminster’s Core Hours Policy HRS1 for off-

licences as per paragraph 2.5.26

“Core hours are those set out in the policy HRS1 which will generally be granted, subject to not being contrary to other policies in the licensing statement. For off-licences these hours are 08:00 to 23:00 on Monday to Saturday, and 10:00 to 22:30 on Sundays.”

The application proposes to operate as a restaurant and the Licensing Authority acknowledges that the applicant has offered conditions that go some way in mitigating the potential adverse effects on the licensing objectives, under paragraph 2.5.3 For the purposes of this policy a restaurant is therefore defined as premises (i) in which customers are shown to their table, (ii) 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, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The applicant has, in part, offered Westminster’s model condition 66 however in order to be fully compliant under RNT2 the Licensing Authority would proposed the full wording to read as follows;

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

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

The council is particularly concerned that restaurant premises in the cumulative impact areas do not, event in part, come to operate as bars therefore should this condition not be agreed to the application can only be referred to under PB2 where it is the Licensing Authorities policy to refuse applications in the Cumulative Impact Area.

The premises currently benefits from a separate premises licence under 16/08280/LIPDPS whereby licensable activities fall within Westminster’s core hours policy. This licence has not been proposed to be surrendered as part of this new premises licence application and therefore encourage the applicant to advise if they are in a capacity to do so.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

3. Policy & Guidance

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

Policy CP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than
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	<p>applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <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> <p><u>For premises for the provision of other licensable activities:</u> Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</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

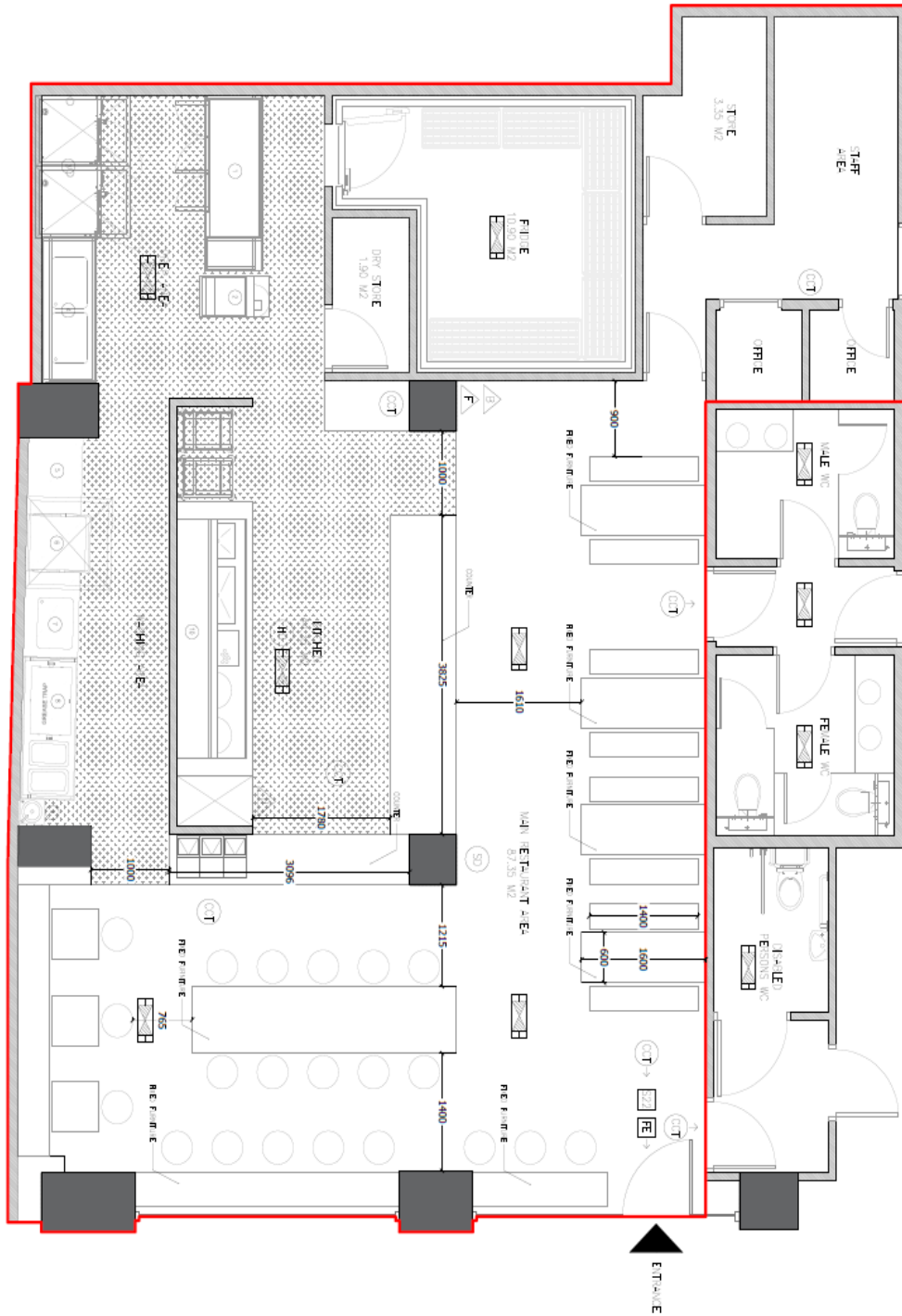
Appendix 1	Premises plans
Appendix 2	Premises Licence 16/08280/LIPDPS
Appendix 3	Applicant supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 8094 Email: kjackaman@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	Environmental Health Service Representation	17 July 2019
5	Metropolitan Police Service Representation	19 July 2019 (withdrawn 7 August)
6	Licensing Authority Representation	25 July 2019



1 UNIT 34A, THE TRODACERO
A-200
1:50

ELECTRICAL LEGEND 1. SWITCH 2. LIGHT 3. RECEPTACLE 4. DIMMER 5. DIMMER 6. DIMMER 7. DIMMER 8. DIMMER 9. DIMMER 10. DIMMER 11. DIMMER 12. DIMMER 13. DIMMER 14. DIMMER 15. DIMMER 16. DIMMER 17. DIMMER 18. DIMMER 19. DIMMER 20. DIMMER		MECHANICAL LEGEND 1. COIL 2. HEAT EXCHANGER 3. SMOKE EXTRACTOR 4. FAN EXTRACTOR 5. ILLUMINATED REFRIGERATOR 6. REFRIGERATOR 7. MAIN ENTRANCE 8. REFRIGERATOR 9. REFRIGERATOR 10. REFRIGERATOR 11. REFRIGERATOR 12. REFRIGERATOR 13. REFRIGERATOR 14. REFRIGERATOR 15. REFRIGERATOR 16. REFRIGERATOR 17. REFRIGERATOR 18. REFRIGERATOR 19. REFRIGERATOR 20. REFRIGERATOR
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Schedule 12
Part AWARD: St James's
UPRN: 010033554950

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

16/08280/LIPDPS

Original Reference:

05/08820/LIPC

Part 1 – Premises details

Postal address of premises:

Yo! Sushi
Unit 34a
Trocadero
13 Coventry Street
London
W1D 7AB

Telephone Number: 020 7434 2724

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

Late Night Refreshment
Monday to Saturday: 23:00 to 23:30

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

Sale by Retail of Alcohol
Monday to Saturday: 10:00 to 23:00
Sunday: 12:00 to 22:30

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

The opening hours of the premises:

Monday to Saturday: 10:00 to 23:30
Sunday: 12:00 to 23:00

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

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

Part 2

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

Yo! Sushi UK Limited
95 Farringdon Road
London
EC1R 3BT

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

02994470

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

Name: Tatjana Aleksejeva

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

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

Licence Number: HO1804
Licensing Authority: London Borough of Hounslow

Date: 17 January 2017

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

Annex 1 – Mandatory conditions

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

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

(a) a holographic mark, or

(b) an ultraviolet feature.

7. The responsible person must ensure that—

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

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

Conditions for Sale of Alcohol

- 9. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
- 10. No striptease, no nudity and all persons to be decently attired at all times.
- 11. A CCTV system to be installed, maintained and operated correctly as specified by the Metropolitan Police Crime Prevention Officer. The tapes from the system to be retained for a period of 31 days.
- 12. No payment shall be made by or on behalf of the licensees to any person for bringing customers into the premises.
- 13. All persons to be seated whilst consuming alcohol or food.
- 14. Maximum occupancy shall be 60 persons, inclusive of staff, or such figure as is determined from time to time by the Proper Officer of the LFEPA.

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

- 15. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

16. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

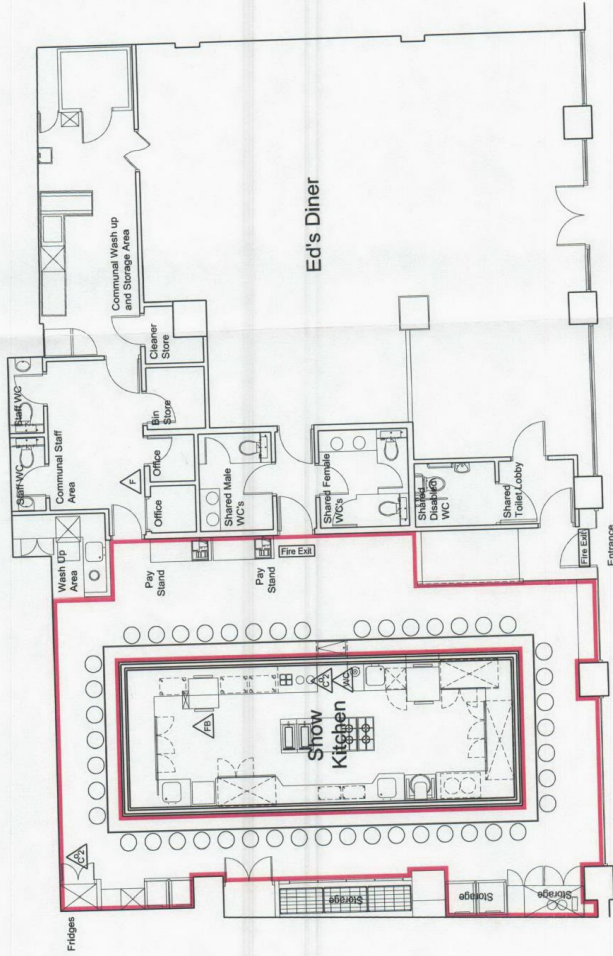
Annex 4 – Plans

Attached

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- Key**
-  Non Maintained Fire Exit Sign
 -  Maintained Fire Exit Sign
 -  Carbon Dioxide Fire Extinguisher
 -  Water Fire Extinguisher
 -  Foam Fire Extinguisher
 -  Fire Blanket
 -  Wet Chemical Fire Extinguisher
 -  Powder Fire Extinguisher

Sale & Supply of alcohol, late night refreshment & recorded music



YOLU SUSHI
 Yol Lani
 95 Farringdon Road
 London
 EC1R 3B

joseph+satou
 architecture and interior design

JS (1036)-001

Licensing Reform Plan
 Yol Lani
 Unit 3A, Triclad Centre, Rupert Street, London, W1D 7DH
 1:100 @ A3
 20.05.08
 JS

Birmingham Office
 a. 20 Hockwood Road, Acocks Green, Birmingham, B27 7X1, 0121 668 6961
 a. info@josephandsatou.com www.josephandsatou.com





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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

16/08280/LIPDPS

Part 1 – Premises details

Postal address of premises:

Yo! Sushi
Unit 34a
Trocadero
13 Coventry Street
London
W1D 7AB

Telephone Number: 020 7434 2724

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

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

The opening hours of the premises:

Monday to Saturday: 10:00 to 23:30
Sunday: 12:00 to 23:00

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

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

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

Yo! Sushi UK Limited
95 Farringdon Road
London
EC1R 3BT

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

02994470

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

Name: Tatjana Aleksejeva

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

Restricted

Date: 17 January 2017

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

Dear Angela,

Thank you for your email. Apologies for the delay in getting back to you on this matter; I'm sure you are aware that there was a delay in the application due to a cleaner removing the notice, I wanted to get everything on track before contacting you.

In respect of your point on the Model Condition, we did amend it a little, not in order to operate as a bar, but rather to deal with the issue of take-away food during the day; something the proposed licence should not seek to prevent.

We did have discussions with the police on this issue and came to an agreement which allowed them to withdraw their representation. They also brought up MC66, but agreed following further discussion that our slightly amended version did not significantly impact on the CIP.

As you will be aware we offered:

Restaurant Condition - *The premises shall operate as a restaurant (i) where the supply of alcohol is ordered at the counter and delivered by waiter or waitress service only, (ii) 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, (iii) which do not provide any take away service of food or drink after 23.00, and (iv) 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.*

The only point we removed from MC66 was:

(iv) which do not provide any take away service of food or drink for immediate consumption,

We agreed that the business will discourage this, but that for this type of business it may occasionally occur and we would not wish to put the applicant in a position where they might inadvertently be in breach of their licence.

The two key points here are that without off-sales there will be no consumption of alcohol outside and that during the day the sale of food is not a licensable activity; so there is an argument to be made that the Premises Licence should not concern itself with this matter.

No one is going to be drinking inside and then taking food away for consumption, so we have no cross-over there and the current condition would essentially deal with that point.

The condition we proposed is robust enough to prevent the premises operating as a bar without further variation.

I mention the police simply to provide information, I do understand that you are not bound by their decision and that you make representation based on your own concerns. However I think the discussion is relevant as we are essentially making the same points to you as we did with them.

I would be more than happy to discuss this further with you, if that would be helpful.

I look forward to your comments.

Application	Details of Application	Date Determined	Decision
05/08820/LIPC	Conversion	26.09.2005	Granted by Licensing Sub Committee
05/13211/LIPDPS	Change of DPS	21.02.2006	Granted under delegated authority
06/02485/LIPDPS	Change of DPS	05.04.2006	Granted under delegated authority
06/12584/LIPDPS	Change of DPS	12.12.2006	Granted under delegated authority
07/10344/LIPDPS	Change of DPS	03.12.2007	Granted under delegated authority
08/03988/LIPDPS	Change of DPS	24.06.2008	Granted under delegated authority
08/11041/LIPDPS	Change of DPS	04.02.2009	Granted under delegated authority
10/09471/LIPDPS	Change of DPS	10.12.2010	Granted under delegated authority
11/00174/LIPDPS	Change of DPS	26.01.2011	Granted under delegated authority
11/02789/LIPDPS	Change of DPS	06.06.2011	Granted under delegated authority
11/04523/LIPDPS	Change of DPS	07.06.2011	Granted under delegated authority
11/11503/LIPDPS	Change of DPS	09.12.2011	Granted under delegated authority
12/08506/LIPDPS	Change of DPS	12.10.2012	Granted under delegated authority
13/06740/LIPDPS	Change of DPS	14.10.2013	Granted under delegated authority
13/10135/LIPDPS	Change of DPS	29.01.2014	Granted under delegated authority
14/10661/LIPDPS	Change of DPS	13.02.2015	Granted under delegated authority
16/00996/LIPDPS	Change of DPS	24.03.2016	Granted under delegated authority
16/08280/LIPDPS	Change of DPS	17.01.2017	Granted under delegated authority

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. 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.
 - d. Fire safety & emergency evacuation procedures
10. 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.
 11. On any day immediately preceding a Bank Holiday, the operating hours and those hours for all licensable activities will reflect the hours permitted on Saturdays
 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.

Alternative wording proposed by the Police and agreed by the applicant so as to form part of the operating schedule

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.

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.
14. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
15. No self-service of alcohol will be permitted at the premises.

16. 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.
17. The premises shall operate as a restaurant
 - a. where the supply of alcohol is ordered at the counter and delivered by waiter or waitress service only,
 - b. 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,
 - c. which do not provide any take away service of food or drink after 23.00, and
 - d. 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.
18. A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
 - a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
 - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - d. All emergency exits are marked on the premises plan.
19. Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 22.00 and 08.00 on any day
20. The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. Alcoholic drinks will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
23. A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.
24. All external doors to the premises will remain closed after 22.00 except for entrance and egress, to prevent noise escaping from the premises.
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.

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.

Conditions proposed by the Environmental Health

27. The number of persons permitted in the premises at any one time, excluding staff, shall not exceed 60 persons
28. 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.
29. 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.
30. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
31. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and which time this condition shall be removed from the Licence by the Licensing Authority.
32. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated

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

See amended condition 12

Conditions proposed by the Licensing Authority

33. 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.

Residential Map and List of Premises in the Vicinity

Appendix 6



Resident count: 33

Licensed premises within 75 metres of Unit 34a, 19A Rupert Street, W1

18/07150/LIPDPS	Bubba Gump Shrimp Co.	Basement To First Floor Unit 75 Trocadero 13 Coventry Street London W1D 7AB	Restaurant	Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sunday; 09:00 - 22:30 Sundays before Bank Holidays; 09:00 - 00:00
16/08280/LIPDPS	Yo! Sushi	Unit 34A Trocadero 13 Coventry Street London W1D 7AB	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00

19/00522/LIPDPS	Not Recorded	Unit 34B Trocadero 19 Rupert Street London W1D 7PN	Not Recorded	Monday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 00:00
18/08646/LIPN	Not Recorded	Unit 29 Trocadero 13 Coventry Street London W1D 7AB	Not Recorded	Monday to Sunday; 00:00 - 00:00
19/04772/LIPDPS	HaiDiLao	Units 4 And 5 Trocadero 13 Coventry Street London W1D 7AB	Restaurant	Tuesday to Thursday; 08:00 - 00:00 Friday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00 Sundays before Bank Holidays; 08:00 - 00:30
19/02859/LIPCH	Platinum Lace Gentleman's Club	Unit 33 Trocadero 13 Coventry Street London W1D 7AB	Night clubs and discos	Monday to Saturday; 15:00 - 06:30 Sunday; 15:00 - 03:30
18/13366/LIPDPS	Opium	Basement 21 Rupert Street London W1D 7PJ	Restaurant	Monday to Sunday; 09:00 - 03:00
18/16233/LIPN	Not Recorded	Unit 34B Trocadero 19 Rupert Street London W1D 7PN	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 10:00 - 00:00
18/02894/LIPDPS	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 -

				23:00
18/04102/LIPDPS	Blue Posts Public House	28 Rupert Street London W1D 6DJ	Restaurant	Monday to Thursday; 10:00 - 23:30 Thursday to Friday; 10:00 - 00:00 Sunday; 12:00 - 23:00
14/10567/LIPVM	Fratelli La Bufala	40 Shaftesbury Avenue London W1D 7ER	Restaurant	Monday to Sunday; 09:00 - 01:00
16/02850/LIPDPS	Bar Rumba	Ground Floor Unit 17d Trocadero 13 Coventry Street London W1D 7ER	Restaurant	Monday to Saturday; 09:00 - 06:00 Sunday; 09:00 - 03:30
17/03149/LIPCHT	XU	30 Rupert Street London W1D 6DL	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
14/01354/LIPVM	The Palomar	34 Rupert Street London W1D 6DN	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
18/14617/LIPN	Not Recorded	20-24 Shaftesbury Avenue London W1D 7EU	Miscellaneous	Monday to Sunday; 09:00 - 04:00
18/09335/LIPT	Golden Nugget Casino	22 - 32 Shaftesbury Avenue London W1D 7EJ	Casino or gambling club	Monday to Saturday; 10:00 - 06:30 Sunday; 12:00 - 06:30

18/13324/LIPDPS	Rainforest Cafe	20-24 Shaftesbury Avenue London W1D 7EU	Restaurant	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 03:00
06/12437/WCCMAP	C & R Cafe Restaurant	3-4 Rupert Court London W1D 6DY	Shop	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/04264/LIPVM	Hovarda	36 - 40 Rupert Street London W1D 6DN	Restaurant	Not Recorded; XXXX - XXXX
18/07703/LIPT	Biagios	Unit F1 Basement Trocadero 13 Coventry Street London W1D 7DH	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
17/08106/LIPN	Unit 4 - Happy Bar And Grill	Trocadero 13 Coventry Street London W1D 7DH	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
18/01877/LIPDPS	Picturehouse Central	Trocadero 13 Coventry Street London W1D 7DH	Cinema	Monday to Sunday; 00:00 - 23:59
18/00656/LIPN	Trocadero Hotel/Sky Bar & Restaurant	Trocadero 13 Coventry Street London W1D 7DH	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00

19/01125/LIPDPS	Five Guys	Trocadero 13 Coventry Street London W1D 7DH	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30
19/07091/LIPDPS	Morada Brindisa	18 Rupert Street London W1D 6DD	Restaurant	Monday to Wednesday; 10:00 - 00:30 Thursday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/05614/LIPDPS	Morada Brindisa	18 Rupert Street London W1D 6DD	Restaurant	Monday to Wednesday; 10:00 - 00:30 Thursday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/00090/LIPVM	Morden & Lea	17 Wardour Street London W1D 6PJ	Restaurant	Monday to Wednesday; 10:00 - 00:30 Thursday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/14506/LIPDPS	Thai Tho Soho	42 Rupert Street London W1D 6DP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/04805/LIPDPS	Caffe Concerto	50 Shaftesbury Avenue London W1D 6LW	Cafe	Monday to Sunday; 08:00 - 23:30

15/05385/LIPT	London Jade Garden	15 Wardour Street London W1D 6PH	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/01152/LIPVM	Waxy O'Connor's	Basement And Ground Floor 14 - 16 Rupert Street London W1D 6DD	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sunday; 12:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
16/10204/LIPV	London Jade Garden	15 Wardour Street London W1D 6PH	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/12173/LIPDPS	Pizza Express	29 Wardour Street London W1D 6PS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 10:00 - 00:00
07/10675/WCCMAP	Sunrise Cafe And News	Ground Floor 31 Wardour Street London W1D 6PT	Shop	Monday to Saturday; 08:00 - 05:00 Sunday; 10:00 - 05:00

12/08402/LIPDPS	Hung's Chinese Restaurant	Ground Floor To Second Floor 27 Wardour Street London W1D 6PR	Restaurant	Monday to Saturday; 10:00 - 04:30 Sunday; 12:00 - 04:30
14/01871/LIPDPS	Wong Kei Restaurant	41-43 Wardour Street London W1D 6PY	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/12381/WCCMAP	Cafe T.P.T.	21 Wardour Street London W1D 6PN	Restaurant	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 01:00
19/03860/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Restaurant	Monday to Saturday; 10:00 - 05:00 Sunday; 12:00 - 05:00
18/02061/LIPT	Old Town 97	19 Wardour Street London W1D 6PL	Restaurant	Monday to Saturday; 10:00 - 04:00 Sunday; 12:00 - 04:00
16/00578/LIPDPS	MW Buffet	Astoria House 58-60 Shaftesbury Avenue London W1D 6LS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/14804/LIPV	Young Cheng Restaurant	39 Wardour Street London W1D 6PX	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
14/05537/LIPVM	Apollo Theatre	Apollo Theatre 31 - 33 Shaftesbury Avenue London W1D 7EZ	Theatre	Monday to Sunday; 09:00 - 00:00

16/06157/LIPT	McDonald's	Ground Floor Right And Basement Avenue House 25 - 27 Shaftesbury Avenue London W1D 7EQ	Restaurant	Monday to Thursday; 05:00 - 00:00 Friday to Saturday; 05:00 - 01:00 Sunday; 05:00 - 23:00
18/06239/LIPRW	Shaftesbury Food And Wine	Ground Floor Middle Avenue House 25 - 27 Shaftesbury Avenue London W1D 7EQ	Shop	Monday to Sunday; 07:00 - 01:00
08/06982/LIPDPS	Lyric Theatre	Avenue House 25-27 Shaftesbury Avenue London W1D 7EG	Theatre	Monday to Sunday; 09:00 - 00:00
19/03757/LIPVM	Sugar	First Floor And Second Floor 11 Wardour Street London W1D 6PG	Club or institution	Monday; 09:00 - 03:30 Monday to Thursday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 06:00 Friday to Saturday; 09:00 - 06:00 Saturday; 09:00 - 06:00 Sunday; 09:00 - 23:00

06/04892/WCCMAP	Misato Restaurant	11 Wardour Street London W1D 6PG	Restaurant	Monday to Sunday; 11:00 - 00:00
19/05366/LIPT	La Scala	45 Wardour Street London W1D 6PZ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

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Licensing Sub-Committee Report

Agenda Item 4

Item No:	
Date:	26 September 2019
Licensing Ref No:	19/08992/LIPV - Premises Licence Variation
Title of Report:	Shampers Wine Bar Ground Floor 4 Kingly Street London
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 020 7641 8094 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	23 July 2019		
Applicant:	Mr Simon Mark Pearson		
Premises:	Shampers Wine Bar		
Premises address:	Ground Floor 4 Kingly Street London W1B 5PE	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises trade as a wine bar and restaurant		
Variation description:	To remove condition 5 of the current premises licence to permit draught beer to be served at the premises.		
Premises licence history:	The premises has had the benefit of a premises licence since at least 2005. The current premises licence reference 06/04160/WCCMAP is which is attached as Appendix 1 of this report. Please see Appendix 5 of the report for a full licence history.		
Applicant submissions:	None		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground floor	
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal Variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30	No change		Ground floor	No change
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				
Saturday	23:00	00:30				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and off		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	No change		Ground floor	No change
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	23:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Good Friday, 12:00 to 22:30 Christmas Day, 12:00 to 15:00. and 19:00 to 22:30 New Year's Eve, except on a Sunday, 10:00 to 23:00 New Year's Eve on a Sunday, 12:00 to 22:30 New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:30	No change		Ground Floor	No change
Tuesday	10:00	00:30				
Wednesday	10:00	00:30				
Thursday	10:00	00:30				
Friday	10:00	00:30				
Saturday	10:00	00:30				
Sunday	12:00	00:00				
Seasonal variations/ Non-standard timings:	Current: New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).				Proposed: No change	

1-C Layout alteration
No change

1-D Conditions being removed	
Condition	Proposed variation
Condition 5 - There shall be no sale or supply of draught beer	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	30 July 2019
<p>I refer to the application to vary the Premises Licence number for the above-mentioned premises located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed licensable activities in line with the relevant policies within the Council's Statement of Licensing Policy dated January 2016.</p> <p>Applicant seeks to remove condition 5 which reads "There shall be no sale or supply of draught beer" from the Premises licence</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I</p>	

wish to make the following representations:

The request to sell or supply draught beer at the premises would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact Area

It is my view that, as presented, the application does not fully address the concerns of Environmental Health. Additional conditions may be proposed.

The applicant is asked to contact the undersigned to discuss the application and its wider implication on the licensing objectives of Public Nuisance and Public Safety.

Responsible Authority:	Licensing Authority
Representative:	Angela Seaward
Received:	20 August 2019

I write in relation to the application submitted for a variation of the premises licence for Shampers Wine Bar, Ground Floor, 4 Kingly Street, London, W1B 5PE.

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 four Licensing Objectives:

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

The application seeks the following variations:

Variation of the licence in order to serve draught beer.

In order to assess the application to determine that there is unlikely to be any impact to the cumulative impact area, the Licensing Authority encourages the applicant to provide further submissions on how they intend to ensure that there will be no addition to the cumulative impact area from patrons consuming draft beer.

3. Policy & Guidance

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

Policy CIP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS 1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to

	<p>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> <p><u>For premises for the provision of other licensable activities:</u></p> <p>Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</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	Current premises licence
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:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 020 7641 8094 Email: kjackaman@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	Environmental Health Service representation	30 July 2019
5	Licensing Authority Representation	20 August 2019



Schedule 12
Part A

WARD: West End
UPRN: 999000066035

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

06/04160/WCCMAP

Part 1 – Premises details

Postal address of premises:

Shampers Wine Bar
Ground Floor
4 Kingly Street
London
W1B 5PE

Telephone Number: 020 7437 1692

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

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

Late Night Refreshment
Sale by Retail of Alcohol

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

Regulated Entertainment:

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:30

Late Night Refreshment: Sunday - 23:00 to 00:00

Sale by Retail of Alcohol: Monday to Saturday - 10:00 to 00:00

Sale by Retail of Alcohol: Sunday - 12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday - 10:00 to 00:30

Sunday - 12:00 to 00:00

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

On and Off

Part 2

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

Mr Simon Mark Pearson
114 St Julians Farm Road
London
SE17 0RL
Telephone Number : 020 7439 9910

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

N/A

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

Name: Simon Mark Pearson
Address: 114 St Julians Farm Road
London
SE17 0RL
Phone: Not Supplied

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

Licence Number: Not Supplied
Licensing Authority: Not Supplied

Date: _____

Signed: _____
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

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

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

Conditions for Sale of Alcohol

4. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
5. There shall be no sale or supply of draught beer.

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

6. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (b) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
 - (c) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
 - (d) On Good Friday, 12:00 to 22:30
 - (e) On Christmas Day, 12:00 to 15:00, and 19:00 to 22:30
 - (f) On New Year's Eve, except on a Sunday, 10:00 to 23:00
 - (g) On New Year's Eve on a Sunday, 12:00 to 22:30
 - (h) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

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

- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None












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

None

Annex 4 – Plans

Attached

KEY

-  MANUAL FIRE ALARM CALL POINT
-  CEILING MOUNTED SMOKE DETECTOR
CONNECTED TO LANDLORDS ALARM SYSTEM
-  EXTINGUISHER - WATER
-  EXTINGUISHER - HALON GAS
-  EXTINGUISHER - DRY POWDER
-  EXTINGUISHER - CARBON DIOXIDE
-  EXTINGUISHER - FIRE BLANKET
-  EXTINGUISHER - FOAM
-  ELECTRONIC SOUNDER
- FE FIRE EXIT
-  EMERGENCY EXIT SIGN WITH EU APPROVED ARROW
INDICATING DIRECTION OF TRAVEL
-  FIRE RESISTANT PARTITIONS NOT LESS THAN 30 MINUTES.

**SHAMPERS WINE BAR, 4 KINGLY STREET,
LONDON, W1R 5LF**

SCALE 1:100

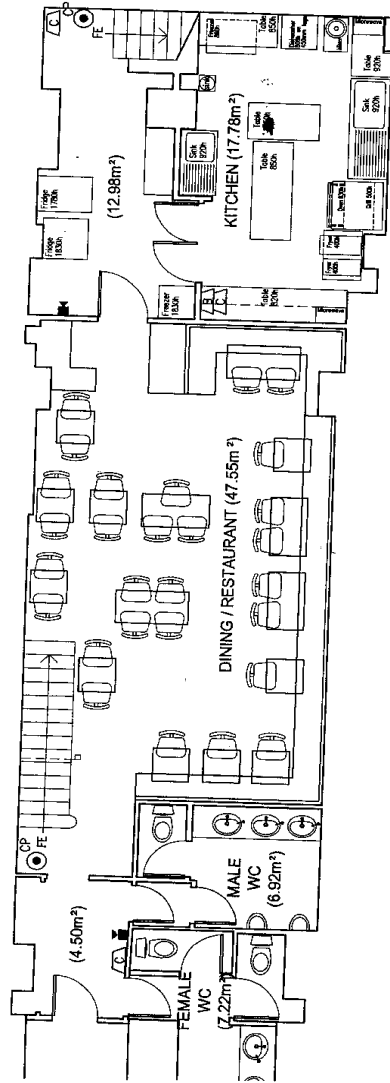
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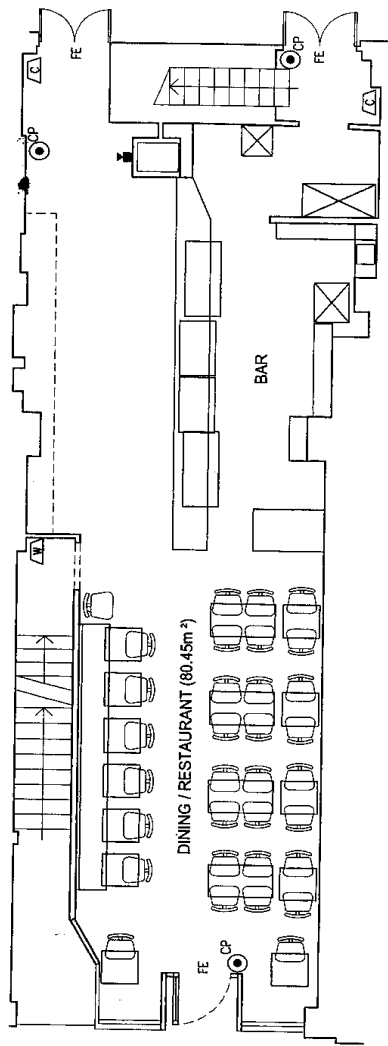
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BASEMENT PLAN



GROUND FLOOR PLAN



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

Schedule 12
Part B

WARD: West End
UPRN: 999000066035

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/04160/WCCMAP

Part 1 – Premises details

Postal address of premises:

Shampers Wine Bar
Ground Floor
4 Kingly Street
London
W1B 5PE

Telephone Number: 020 7437 1692

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:

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

Late Night Refreshment
Sale by Retail of Alcohol

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

Regulated Entertainment:

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

Late Night Refreshment: Monday to Saturday - 23:00 to 00:30

Late Night Refreshment: Sunday - 23:00 to 00:00

Sale by Retail of Alcohol: Monday to Saturday - 10:00 to 00:00

Sale by Retail of Alcohol: Sunday - 12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday - 10:00 to 00:30

Sunday - 12:00 to 00:00

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

On and Off

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

Mr Simon Mark Pearson
114 St Julians Farm Road
London
SE17 0RL

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

N/A

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

Name: Simon Mark Pearson

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

Restricted

Date: _____

Signed: _____
Director of Legal & Administrative Services

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10605/LIPC	Conversion	05.10.2005	Granted under delegated authority
06/04160/WCCMAP	Master licence	05.10.2005	Granted under delegated authority

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Conditions for Sale of Alcohol

9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. There shall be no sale or supply of draught beer.

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

11. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00. and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

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

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Conditions proposed by the Environmental Health

13. 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
14. 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.
15. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day.



Resident count: 22

Licensed premises within 75 metres of 4 Kingly Street, W1

06/04160/WCCMAP	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Wine bar	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/08888/LIPVM	Tatty Bogle Club T/a Casa Bonita	5 Kingly Street London W1B 5PF	Restaurant	Monday; 09:00 - 01:10 Tuesday; 09:00 - 01:10 Wednesday; 09:00 - 01:10 Thursday; 09:00 - 01:10 Friday; 09:00 - 01:10 Sunday; 09:00 - 01:00

19/02088/LIPDPS	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Shop	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
17/09285/LIPDPS	Rum Kitchen, First Floor, Units 1.12 And 1.13	Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
11/07877/LIPDPS	Open Space	Kingly Court London	Park / Open Space	Monday to Sunday; 00:00 - 00:00
17/12158/LIPDPS	Senor Ceviche	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
19/02435/LIPDPS	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/04377/LIPDPS	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
16/12530/LIPVM	Dirty Bones Units 2.12 And 2.13	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/11127/LIPVM	Oka Restaurant Units 1.14 - 1.16	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00

15/11467/LIPDPS	Le Bab (Units 2.10 And 2.11)	Kingly Court Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/04862/LIPVM	Disrepute	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 01:30
17/07358/LIPDPS	Darjeeling Express, Unit 2.14-2.16	Former Ground Floor Unit G2 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
14/06042/LIPDPS	Life Goddess	Former Unit 1.9 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/09824/LIPCH	Shoryu	Former Unit G3 Kingly Court London	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/03113/LIPVM	Whyte And Brown	Former Ground Floor Unit G2 Kingly Court London	Restaurant	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sunday; 07:00 - 22:30
06/06301/WCCMAP	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/09005/LIPCH	Flat Iron	17 Beak Street London W1F 9RW	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00

18/03059/LIPDPS	Soho Grind	Basement And Ground Floor 19 Beak Street London W1F 9RP	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
19/03433/LIPDPS	The Court	9 Kingly Street London W1B 5PH	Club or institution	Monday to Friday; 09:00 - 03:30 Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00
18/02217/LIPDPS	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Shop	Monday to Sunday; 08:00 - 00:30
15/00525/LIPN	Pizza Pilgrims Kiosk	11 Kingly Street London W1B 5PL	Shop	Monday to Saturday; 08:00 - 23:00 Saturday; 10:00 - 23:00 Sunday; 10:00 - 22:30
19/05416/LIPDPS	Cahoots	Unit G 13 Kingly Court London W1B 5PW	Night clubs and discos	Monday to Wednesday; 09:00 - 03:00 Thursday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00
18/13744/LIPV	Wright Brothers Soho	12 - 13 Kingly Street London	Restaurant	Monday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00
18/01074/LIPT	Byron	Hardy House 16- 18 Beak Street London W1F 9RD	Restaurant	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00
19/02708/LIPDPS	Be At One	10 Beak Street London W1F 9RA	Restaurant	Monday; 09:00 - 03:00 Monday; 09:00 - 01:30 Tuesday to Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 04:30 Sunday; 09:00 - 01:00 Sundays before Bank Holidays; 09:00 - 03:00

17/14852/LIPN	Sweaty Betty	1 - 2 Carnaby Street London W1F 9QG	Shop	Monday to Sunday; 08:00 - 20:00
16/10514/LIPDPS	Red Lion Public House	14 Kingly Street London W1B 5PR	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/00042/LIPDPS	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PT	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/10085/LIPDPS	Rosas	23A Ganton Street London W1F 9BW	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00 Christmas Eve; 12:00 - 00:00 Christmas Eve; 10:00 - 00:00
17/03861/LIPDPS	NOPI	21 - 22 Warwick Street London W1B 5NE	Restaurant	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 00:00
17/09470/LIPV	Premises Is 19 Ganton Street	15-21 Ganton Street London W1F 9BN	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
18/07664/LIPDPS	Cirque Le Soir	Basement 15-21 Ganton Street London W1F 9BN	Night clubs and discos	Monday; 00:00 - 00:00 Wednesday to Saturday; 00:00 - 00:00
18/16015/LIPDPS	Dehesa	17 Kingly Street London W1B 5PU	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00
17/12533/LIPDPS	M & C Saatchi	36 Golden Square London W1F 9JX	Office	Monday to Sunday; 00:00 - 00:00

19/01980/LIPT	Polpo	Ground Floor 41 - 43 Beak Street London W1F 9SB	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
16/11722/LIPVM	Sacred Cafe	13 Ganton Street London W1F 9BL	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30

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