



City of Westminster

Committee Agenda

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

Meeting Date: **Wednesday 30th September, 2020**

Time: **10.00 am**

Venue: **This is a virtual meeting**

Members: **Councillors:**

Jacqui Wilkinson (Chairman)
Barbara Arzymanow
Margot Bright

This will be a virtual meeting and members of the public can view the live broadcast by accessing the links on the council's website.

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: 07817054613 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. WHYTE AND BROWN FORMER GROUND FLOOR UNIT G2 KINGLY COURT LONDON W1B 5PW

(Pages 5 - 38)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End / West End cumulative impact area	Former Ground Floor Unit G2 Kingly Court London W1B 5PW	Variation	20/06404/LIPV

2. CUTTER AND SQUIDGE, 20 BREWER STREET LONDON W1F 0SJ

(Pages 39 - 76)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	West End / West End cumulative impact area	Cutter And Squidge 20 Brewer Street London W1F 0SJ	Variation	20/06574/LIPV

Stuart Love
Chief Executive
23 September 2020

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

POLICY CONSIDERATIONS

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

GUIDANCE CONSIDERATIONS

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

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

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

Friday and Saturday: 10:00 to midnight
Sundays immediately prior to Bank Holidays: Midday to midnight
Other Sundays: Midday to 22:30
Monday to Thursday: 10:00 to 23:30.

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

Monday to Saturday: 08:00 to 23:00
Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight
Sundays immediately prior to Bank Holidays: 09.00 to midnight
Other Sundays: 09.00 to 22.30
Monday to Thursday: 09.00 to 23.30.

Procedure for virtual hearings held under the Licensing Act 2003

The purpose of this procedure is to clarify how the Licensing Sub-Committee (“the Sub-Committee”) will conduct virtual licensing hearings made under the Licensing Act 2003 (as amended) and for licensing applications under other regimes. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and case law, regulations and guidance.

Accessing virtual hearings

Virtual Licensing Sub-Committee hearings will be held on Microsoft Teams as a live Teams event. Each application will be dealt with by a separate Teams meeting. All applicants, responsible authorities and other persons (who have submitted a valid representation) (collectively called “Parties”) will be provided with a link to the meeting beforehand. **Only these parties will be able to participate in the hearing** (together with their adviser) provided they have registered, in advance, with the Licensing Authority, as specified below. A link for the general public to watch the meeting will be available on the Council’s website.

Final Submissions before the Hearing

The parties (or their representatives) should use their best endeavours to ensure that all of their final submissions have been made so as to be included in the Sub-Committee report (typically **no later, than 5.pm, 5 working days** before the Sub-Committee hearing). This means by 5pm on the Thursday, the week before the Sub-Committee hearing is due to take place. Final submissions should set out the key points, policies and conditions that a party wishes the Sub-Committee to take account of in determining the application.

Any final submissions that a party wishes to make, (that have not been submitted so as to have been included in the report), **must** be submitted to the Licensing Service by **no later than 12 noon 3 working days** before the hearing is due to take place. The Licensing email address is: Licensing@westminster.gov.uk.

Rules during Licensing Hearings

The following rules must be followed by all parties to ensure the virtual hearing can progress as successfully as possible:

- All parties wishing to participate in the hearing **must** register their wish to participate in the hearing and provide their email addresses to the **Licensing Service at Licensing@westminster.gov.uk** no later than **12 noon on the Monday** before the Thursday hearing is scheduled to take place.
- All parties **should join the virtual hearing at least 15 minutes before the advertised start time** to ensure they are ready to start at the advertised start time. After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.
- All parties must only address the hearing when invited to do so by the Chairman.
- All parties must keep their microphones on mute unless they are speaking. The Chairman has the ability to mute all parties’ microphones.

- If a party wishes to interject, they should put their name in the messaging field. The chairman has the discretion to invite the party to make their comment at an appropriate stage in the hearing.
- All parties are asked to keep their comments as succinct as possible.
- If a party has a question for another party, this must be addressed to the Chairman who will have the discretion to ask the relevant party to respond.
- Parties wishing to make suggestions as to the conditions that may be imposed in the event of the application being granted should do so by reference to the schedule of proposed conditions set out in the Conditions Schedule annexed to the committee papers. In so doing, they should use the same numbering in that schedule. This is to ensure that there is ease of referencing the conditions by all the parties.
- To ensure the smooth running of hearings, a time limit will be placed on each party's submissions. This time limit must be adhered to but the Chairman has the flexibility to amend the time limit when it is considered appropriate to do so.
- When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- The Chairman has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

Procedure

1. The Chairman will open the meeting and introduce the members of the Sub-Committee and the other officers attending with the members, including the legal adviser, policy adviser and committee officer.
2. The Chairman will confirm the procedure that the hearing will follow.
3. The Sub-Committee members and officers will be asked to declare any interests they may have and any other procedural business will be transacted.
4. The presenting officer from the licensing service will introduce the application, giving a brief description of the application and introducing all the Parties in attendance for each application
5. Each party who has registered to speak, will be invited to make their representations and will be allowed **a maximum of 10 minutes each**. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chairman has the discretion to extend this time limit where it is appropriate for the determination of the application.
6. Parties will normally speak in the following order, (the order may change for other types of licensing applications):
 - a. The applicant
 - b. Responsible authorities
 - c. Other persons
7. The Chairman has the right to grant each party the opportunity to ask questions of each other for the purposes of clarification only where it is appropriate to do so. The Sub-Committee members will then be able to ask questions of the parties.

8. The legal adviser and/or policy officer may ask questions of the parties as they consider appropriate, including in relation to the conditions which should be attached to the application if the Sub-Committee is minded to grant the application.
9. Each party will have an opportunity to make a short closing submission each (not introducing any new evidence or case law) of no more than **5 minutes each**, in the following order:
 - a. Responsible authorities
 - b. Other persons
 - c. The applicant
10. The Chairman shall then **close the meeting** and all parties will leave the meeting. A Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
11. The Sub-Committee will deliberate in closed session and all parties will be advised of the outcome in a written Summary Decision. Unless otherwise required or permitted by Regulations, summary decisions will be made within a period of five working days of the last day of the hearing. The written summary of the decision (“Summary Decision”) will be sent to all the parties as soon as possible after the Decision has been made. The full Decision, setting out the reasons for the Decision, (Formal Notification) will be sent to the parties as soon as possible thereafter. The time limit for appealing will not commence until the Formal Notification has been sent to the parties.

Dated 15 April 2020

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Item No:	
Date:	30 September 2020
Licensing Ref No:	20/06404/LIPV - Premises Licence Variation
Title of Report:	Whyte And Brown Former Ground Floor Unit G2 Kingly Court 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 6500 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:	28 July 2020		
Applicant:	Whyte & Brown Limited		
Premises:	Whyte And Brown		
Premises address:	Former Ground Floor Unit G2 Kingly Court London W1B 5PW	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises currently operate as a restaurant.		
Variation description:	<p>Suspend restaurant conditions during Covid period as defined in Business and Planning Act 2020 while continuing to promote the licensing objectives.</p> <p>Add new condition to the premises licence as follows “Condition 19 to be suspended until 31 September 2021 save that substantial food shall be available throughout the premises at all times.”</p> <p>All other conditions to remain so there will be no vertical drinking and all patrons seated and served at tables as at present.</p>		
Premises licence history:	The premises have had the benefit of a premises licence since 2013. The current premises licence reference is 17/03113/LIPVM which is attached as Appendix 2 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						
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	23:30	No change		Ground and first floors	No change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:00				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday	N/A					

Seasonal variations/ Non-standard timings:	Current:	Proposed:
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day	No change

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Ground and first floors	No change
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		No change			

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	23:30	No change		Ground and first floors	No change
Tuesday	07:00	23:30				
Wednesday	07:00	23:30				
Thursday	07:00	23:30				
Friday	07:00	00:00				
Saturday	07:00	00:00				
Sunday	07:00	22:30				
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	None		No change			

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being added
Condition	
Condition 19 to be suspended until 31 September 2021 save that substantial food shall be available throughout the premises at all times."	
Adult entertainment:	Current position:
	None
	Proposed position:
	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	10 August 2020

I write in relation to the application submitted for a variation of the premises licence for Units G2 and 1.4 to 1.6, Kingly Court, London, W1B 5PW

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:

Suspend restaurant conditions during Covid period as defined in Business and Planning Act 2020 while continuing to promote the licensing objectives. Add new condition to the premises licence as follows “Condition 19 to be suspended until 31 September 2021 save that substantial food shall be available throughout the premises at all times.”

Condition 19. The premises (including the external seating area) shall only operate as a restaurant (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 seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.

All other conditions to remain so there will be no vertical drinking and all patrons seated and served at tables as at present.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, CIP1, RNT2 and PB2.

The Licensing Authority has concerns over the proposed suspension of condition 19 as the suspension of this condition means there is no ancillary nature to the Sale of Alcohol which in turn the application would fall into Westminster’s PB2 policy which states paragraph 2.5.23 the Licensing Authority considers that the grant of variations for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances.

Condition 19. The premises (including the external seating area) shall only operate as a restaurant (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 seated in the premises and 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 Licensing Authority would encourage the applicant to consider model condition 38 and 39 below so the restaurant goes in some way to remain within Westminster's RNT2 policy.

1. Only up until the 30th September 2021, the supply of alcohol at the premises (including the external seating area) shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. Only up until the 30th September 2021, the supply of alcohol at the premises (including the external seating area) shall be by waiter or waitress service only.

The Licensing Authority would like confirmation whether the applicant is agreeable to the above proposed conditions to be able to assess any further relevant policy considerations.

The Licensing Authority encourages the applicant to provide further submissions as to how the variation of this licence will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

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

Please accept this as a formal representation.

2-A Responsible Authorities

Responsible Authority:	Metropolitan Police Service
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Representative:	Bryan Lewis
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Received:	18 August 2020 (withdrawn 25 August 2020)
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With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, is objecting to this application as it is our belief that if granted this application would undermine the Licensing Objectives.

The venue is located in the West End Cumulative Impact Area, a locality where there is traditionally high levels of crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

I would like to propose the following condition:

1. There shall be no vertical drinking allowed on the premises.

Permanently amend (12) to current wording

2. 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 and will include the external area immediately outside the premises entrance. 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.

Following agreement of the above conditions the Metropolitan Police Service withdrew their representation on 25 August 2020

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	24 August 2020		
<p>We write to make a relevant representation to the above application on behalf of [REDACTED] [REDACTED]</p> <p>[REDACTED] objects to this application as it is currently presented, on the grounds of prevention of crime and disorder, prevention of public nuisance, public safety and cumulative impact in the West End Cumulative Impact Area.</p> <p>About [REDACTED]</p> <p>[REDACTED] is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the Society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.</p> <p>Application summary</p> <p>Premises variation; to vary the existing premises licence,</p> <ul style="list-style-type: none"> • Suspend restaurant conditions during the COVID period as defined in the Business and Planning Act 2020 while continuing to promote the licensing objectives. • A new condition to the premises licence as follows, condition 19 to be suspended until 30 September 2021 save that substantial food shall be available throughout the premises at all times. • All other conditions to remain so there will be no vertical drinking, and all patrons shall be seated and served at tables as at present. <p>Current licence</p> <p>Sale of alcohol: Mon - Thurs: 10:00 - 23:30. Fri - Sat: 10:00 - 00:00. Sun: 12:00 - 22:30</p> <p>Opening hours: Mon - Thurs: 07:00 - 23:30. Fri - Sat: 07:00 - 00:00. Sun: 07:00 - 22:30</p> <p>Capacity: 50 outside courtyard, 30 ground floor, 100 1st floor. Total = 180</p> <p>The application</p> <p>We object to this application on the following grounds,</p> <ul style="list-style-type: none"> • Removal of restaurant conditions; the applicant seeks to remove the existing condition 19 whereby the premises including the outdoor seating shall only operate as a restaurant, and the new proposed condition would allow patrons to purchase alcoholic drinks without food thereby creating a new indoor and outdoor bar in the West End Cumulative Impact Area which is contrary to policy as set out in the Statement of Licensing Policy 2016. (See Statement of Licensing Policy below). These are large premises with a capacity of 180, and this application, if successful, would permit the restaurant to transform into a drinking venue. • Promoting the Licensing Objectives; the application aims to suspend the restaurant conditions whilst continuing to promote the licensing objectives. However, the applicant has 			

failed to provide further details on how these will be promoted in the light of the operation selling more alcohol without the consumption of food.

- **Soho evening and night time economy;** Soho is a small area bordered by Oxford St, Regent Street, Shaftesbury Avenue and Charing Cross Road and it has **39 bars, 46 pubs, 29 clubs and 226 restaurants** all of which are licensed to sell alcohol with terminal hours ranging from 23:00 - 06:00. The area is already saturated with drink led establishments and in our view the creation of a new bar cannot be justified and will add to cumulative impact, crime and disorder and public nuisance.
- **Residents;** already suffer from late night noise, disturbance, anti-social behaviour and high levels of crime and disorder from the existing number of licensed premises in Soho. This application will add to existing disorder and disturbance and fail to promote the Licensing Objectives.
- **Business and Planning Act 2020 - COVID;** we note the application states it is until 30th September 2021 as defined under the Act (off-sales and pavement licences) but this is the latest in a series of applications to increase the alcohol on offer in Soho and we are concerned this trend will continue as a result of the effect of COVID on the hospitality industry. Whilst we acknowledge the difficulties for restaurants, bars, pubs, cinemas and theatres, we also maintain our position that there needs to be a balance between the evening / late night economy and residential amenity. We consider this balance has for some time been in favour of evening / late night premises which in turn has led to a deterioration and reduction in residential amenity.

Statement of Licensing Policy 2016

The application if successful will create a new bar in the West End Cumulative Impact Area which is contrary to the following policies,

a) Policy HRS1 - Hours; applications for hours outside of the core hours set out below in this policy will be considered on their merits, subject to other relevant policies and with particular regard to the following:

b) Policy CIP1 - Special policy on cumulative impact in Cumulative Impact Areas; 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. ***The Licensing Authority considers that the grant of variations or new licences for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances*** (our emphasis).

c) Policy PB2 - Pubs and Bars in the Cumulative Impact Areas; 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.

By creating a new bar the applicant needs to demonstrate how they will not add to cumulative impact in the CIA area and present a case for exceptional circumstances. We are in no doubt this application will add to cumulative impact and fail to promote the licensing objectives as described below.

The Licensing Objectives

In relation to the licensing objectives our concerns are as follows.

Prevention of crime and disorder - CD1

Under this Policy the criteria applied is, *'whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the grant of the application.* Under 'Considerations, (1) the levels of

crime and disorder in and around the venue; and the proposals contained in the operating schedule. Below we highlight the existing high levels of crime and disorder in Soho.

Criminal activity is associated with the evening and night economy, the high number of venues and large number of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night. People are targeted as they leave late night venues which is evidenced by the crime figure. Figures for Soho highlight a huge increase in robberies, * 111 robberies took place within the four-month period from Nov - Feb 2017/18, for the same period in 2018/19 the figure was 266 an increase of 140%. Figures for theft from person occurring throughout the day and night also shows a similar increase 401 for the same period in 2017/18 to 1,028 in 2018/19, a significant increase of 156%. (*Source; Police UK data).

We have provided evidence of the high levels of crime in Soho and believe if the application is granted it will contribute to the existing levels of crime and disorder, and therefore should be refused.

Prevention of public nuisance - Policy PN1

Under this Policy the criteria applied states, *'the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of a nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'*

Residents already suffer from anti-social behaviour in the form of street fouling, noise disturbance from patrons leaving premises and the noise from taxis and pedicabs playing loud music at night. The nature and characteristics of a bar is associated with an increase in nuisance, the addition of another bar in the CIA will have a detrimental impact on residential amenity.

Public Safety - PS1

Under this objective the applicant needs to *'... demonstrate that the public will be safe within and in the vicinity of the premises,'* and goes on to state *'Crime, disorder and antisocial behaviour inside and in the vicinity of licensed premises may threaten public safety and affect perceptions of public safety.'* Drunk and highly intoxicated people on the streets late at night are very vulnerable requiring support and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out Westminster City Council with the LGBT foundation has established the Soho Angels. As the Committee will know, these are group of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people on a night out. They work with St. John Ambulance who provide medical assistance at an eight-bedded night hub in St. Anne's Church on Dean Street. In their first year of operation they helped over 1,200 people, with medical assistance being given to 230 cases of which 80 were classed as serious incidents, and 40 crimes were reported. This is further evidence of the impact of the high number of late night uses and large numbers of people out on the streets such that a dedicated team of volunteers is required to help the vulnerable, keeping them safe from harm.

Licensing Policy - Cumulative Impact

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and

well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

The application proposes to add an additional bar to the existing 39 other alcohol led uses in Soho, any increase in the number of people on the streets at night will add to cumulative impact in the West End CIA.

Conclusion

In our view there is no exception to policy, we therefore respectfully request this application is rejected.

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 applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS1 applies	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. For premises for the supply of alcohol for consumption on the premises: 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 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: 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
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.
Policy RNT2 applies	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

4. Equality Implications

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

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

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

4. Appendices

Appendix 1	Premises Licence 17/03113/LIPVM
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 6500 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	Licensing Authority representation	10 August 2020
5	Metropolitan Police Service representation	18 August 2020 (Withdrawn 25 August 2020)
5	Interested Party representation	24 August 2020



Schedule 12
Part A

WARD: West End
UPRN: 010033567509

City of Westminster

Premises licence

Regulation 33, 34

Premises licence number:

17/03113/LIPVM

Original Reference:

13/00355/LIPN

Part 1 – Premises details

Postal address of premises:

Whyte And Brown
Units G2 and 1.4 to 1.6
Kingly Court
London
W1B 5PW

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30

Friday to Saturday: 07:00 to 00:00

Sunday: 07:00 to 22:30

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:

Whyte & Brown Limited
Unit G2
Kingly Court
London
W1B 5PW

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

8038369

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

Name: Nazmi Dervishaj

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: 223018129
Licensing Authority: London Borough Of Brent

Date: _____11 December 2017_____

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The total number of persons permitted in the premises at any one time (excluding staff) shall not exceed 140 persons, with no more than:
 - (a) 100 persons to the first floor
 - (b) 30 persons to the ground floor
 - (c) 50 persons to the outside courtyard
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. The supply of alcohol shall be by waiter or waitress service, save in the respect of the area hatched black on the approved plan.
16. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
17. There shall be no sale of alcohol for consumption off the Premises after 11pm.
18. The external seating will not be used after Core Hours, being 10:30pm Sunday, 11:30pm Monday to Thursday and midnight Friday and Saturday.
19. The premises (including the external seating area) shall only operate as a restaurant (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 seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received regards crime and disorder

- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.



Premises licence number:

17/03113/LIPVM

Part 1 – Premises details

Postal address of premises:

Whyte And Brown
Units G2 and 1.4 to 1.6
Kingly Court
London
W1B 5PW

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30

Friday to Saturday: 07:00 to 00:00

Sunday: 07:00 to 22:30

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:

Whyte & Brown Limited
Unit G2
Kingly Court
London
W1B 5PW

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

8038369

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

Name: Nazmi Dervishaj

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

Restricted.

Date: _____ 11 December 2017 _____

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
13/00355/LIPN	New premises licence	21.03.2013	Granted by Licensing Sub Committee
13/02601/LIPT	Transfer - Shaftesbury Carnaby Ltd to Whyte & Brown Limited	03.05.2013	Granted under delegated authority
13/03104/LIPVM	Minor variation – Change of layout	30.05.2013	Granted under delegated authority
13/03785/LIPDPS	Variation of designated premises supervisor	19.06.2013	Granted under delegated authority
14/00074/LIPDPS	Variation of designated premises supervisor	20.01.2014	Granted under delegated authority
15/00850/LIPDPS	Variation of designated premises supervisor	16.02.2015	Granted under delegated authority
15/05827/LIPDPS	Variation of designated premises supervisor	03.08.2015	Granted under delegated authority
16/03381/LIPV	Variation – Increase in capacity	27.07.2016	Granted by Licensing Sub Committee
16/07386/LIPDPS	Variation of designated premises supervisor	02.08.2016	Granted under delegated authority
17/03113/LIPVM	Minor variation – change of layout	22.08.2017	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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The total number of persons permitted in the premises at any one time (excluding staff) shall not exceed 140 persons, with no more than:
- (a) 100 persons to the first floor
 - (b) 30 persons to the ground floor
 - (c) 50 persons to the outside courtyard
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

The applicant has agreed the following model condition with the Metropolitan Police Service

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 and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. The supply of alcohol shall be by waiter or waitress service, save in the respect of the area hatched black on the approved plan.

16. No striptease, no nudity and all persons to be decently attired at all times except when the premises are operating under the provision of a Sexual Entertainment Venue Licence.
17. There shall be no sale of alcohol for consumption off the Premises after 11pm.
18. The external seating will not be used after Core Hours, being 10:30pm Sunday, 11:30pm Monday to Thursday and midnight Friday and Saturday.
19. The premises (including the external seating area) shall only operate as a restaurant (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 seated in the premises and bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received regards crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

The applicant is proposing the following additional condition

21. Condition 19 to be suspended until 31 September 2021 save that substantial food shall be available throughout the premises at all times.

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

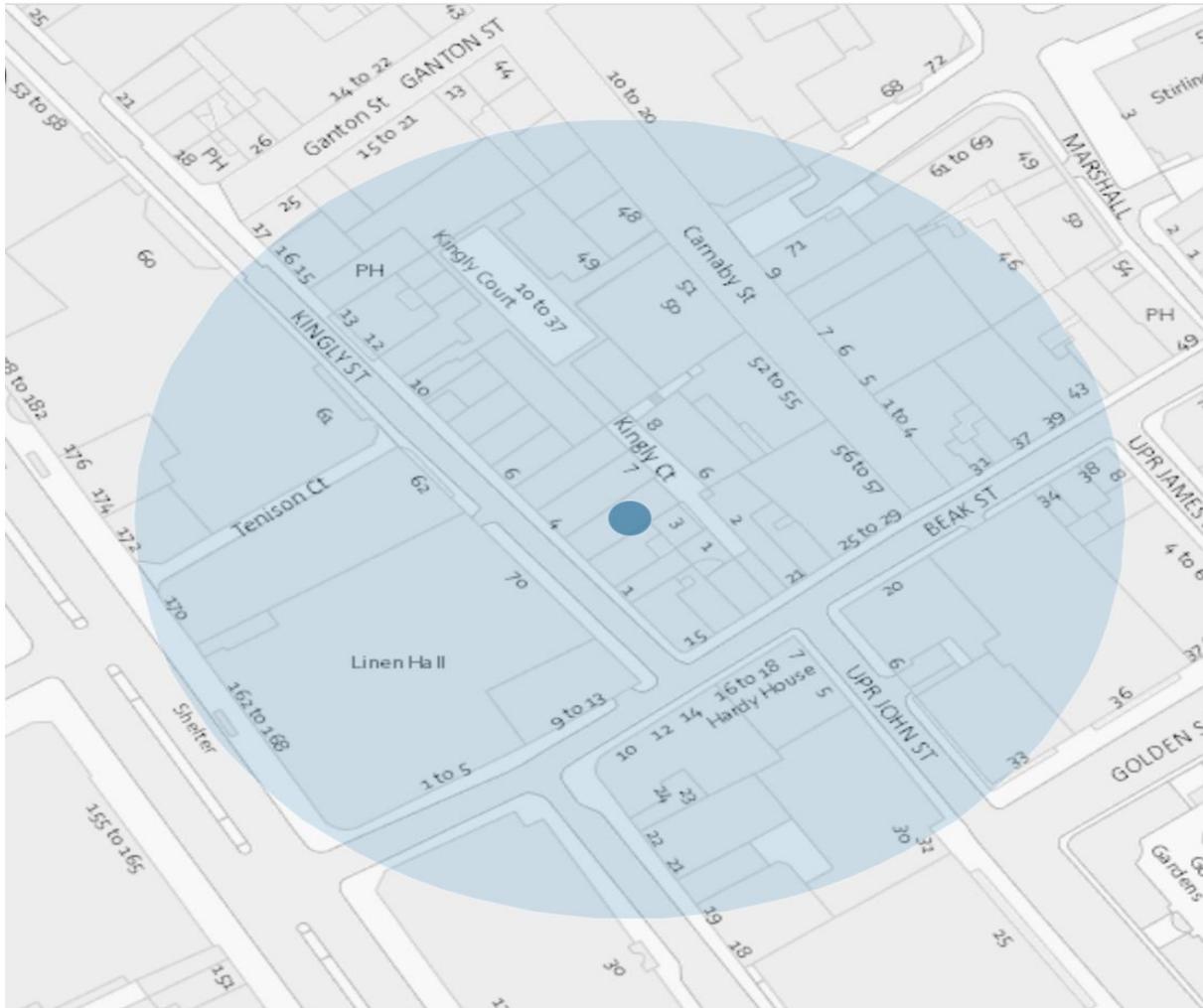
22. There shall be no vertical drinking allowed on the premises.

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

23. Only up until the 30th September 2021, the supply of alcohol at the premises (including the external seating area) shall be by waiter or waitress service only

Conditions proposed by the Licensing Authority

24. Only up until the 30th September 2021, the supply of alcohol at the premises (including the external seating area) shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.



Resident Count: 22

Licence premises with 75m of Unit G2, Kingly Court, London, W1B 5PW				
Licence Number	Trading Name	Address	Premises Type	Time Period
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
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

20/06111/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
20/02260/LIPDPS	Cahoots Ticket Hall Control Room	5 Kingly Street London W1B 5PF	Restaurant	Monday to Saturday; 09:00 - 01:10 Sunday; 09:00 - 01:00
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
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
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
19/03275/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
18/08932/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
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
19/14857/LIPT	The Good Egg	Second Floor Unit 9 Kingly Court Kingly Court London W1B 5PW	Restaurant	Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 23:00 New Year's Day; 00:00 - 00:00
20/00137/LIPN	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
19/07628/LIPDPS	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
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
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
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
19/09764/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
20/02060/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
20/07026/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
19/08906/LIPN	Anthropologie	158 Regent Street London W1B 5SW	Shop	Monday to Saturday; 08:00 - 21:00 Sunday; 10:00 - 21:00
20/06816/LIPRW	Not Recorded	49-51 Carnaby Street London W1F 9PY	Not Recorded	Monday to Thursday; 08:00 - 00:00 Friday to Saturday; 08:00 - 00:30 Sunday; 08:00 - 23:00
20/04102/LIPT	Fifty Carnaby	49-51 Carnaby Street London W1F 9PY	Night clubs and discos	Monday to Wednesday; 08:00 - 02:00 Thursday to Saturday; 08:00 - 03:00 Sunday; 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
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
20/00544/LIPDPS	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Shop	Monday to Sunday; 08:00 - 00:30
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
17/14852/LIPN	Sweaty Betty	1 - 2 Carnaby Street London W1F 9QG	Shop	Monday to Sunday; 08:00 - 20:00
18/13744/LIPV	Wright Brothers Soho	12 - 13 Kingly Street London	Restaurant	Monday to Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00
17/03861/LIPDPS	NOPI	21 - 22 Warwick Street London W1B 5NE	Restaurant	Monday to Saturday; 10:00 - 01:00 Sunday; 12:00 - 00:00
19/11677/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
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	Restaurant	Monday to

		41 - 43 Beak Street London W1F 9SB		Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00
20/04384/LIPVM	Jinjuu	Basement And Ground Floor 15 - 16 Kingly Street London W1B 5PT	Restaurant	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
19/12271/LIPCH	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; 10:00 - 00:00 Christmas Eve; 12:00 - 00:00
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
17/09470/LIPV	Pastaio	19 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



Licensing Sub-Committee Report

Agenda Item 2

Item No:	
Date:	30 September 2020
Licensing Ref No:	20/06574/LIPV - Premises Licence Variation
Title of Report:	Cutter And Squidge 20 Brewer Street London W1F 0SJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	3 August 2020		
Applicant:	Cutter And Squidge Limited		
Premises:	Cutter And Squidge		
Premises address:	20 Brewer Street London W1F 0SJ	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	This premises currently operates as a cake shop.		
Variation description:	<p>This application seeks the following:</p> <ul style="list-style-type: none"> To permit the service of cocktails on the ground floor in addition to the currently permitted basement by amending condition 10 to read ' No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff. 		
Premises licence history:	The premises have had the benefit of a licence, Licence number 18/02179/LIPVM from 2016. A copy of the licence can be found at Appendix 3 .		
Applicant submissions:	The applicant has provided an email to the resident which can be seen at Appendix 2 along with the applicant's response to the Licensing Authority's representation.		

1-B Current and proposed licensable activities, areas and hours						
Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		On sales			No variation sought	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	20:00	No variation sought		Basement and Ground Floor	No variation sought
Tuesday	10:00	20:00				
Wednesday	10:00	20:00				
Thursday	10:00	20:00				
Friday	10:00	20:00				
Saturday	10:00	20:00				
Sunday	11:00	20:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:30	21:00	No variation sought		Basement and Ground Floor	No variation sought
Tuesday	09:30	21:00				
Wednesday	09:30	21:00				
Thursday	09:30	22:00				
Friday	09:30	23:00				
Saturday	10:00	23:00				
Sunday	11:00	21:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

1-C Conditions being varied, added or removed	
Condition	Proposed variation
Condition 10 No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area.	Condition 10 No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service (<i>Withdrawn 04 September 2020</i>)
Representative:	Dave Nevitt
Received:	31 August 2020
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance.</p> <p>The premises is located in the West End CIA and what is sought may be contrary to the City Council's Licensing Policy.</p> <p>Following discussions with the applicant the Environmental Health Service withdrew their representation on 04 September 2020.</p>	

Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	17 August 2020

I write in relation to the application submitted for a variation of the premises licence for 20 Brewer Street, London, W1F 0SJ.

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:

Permit the service of cocktails on the ground floor as well as in basement area to customers seated at tables.

Amend Condition 10 to read ' No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, CIP1 and PB2.

The Licensing Authority has concerns over the proposed amending of condition 10 to allow cocktails to be served on the ground floor and is not ancillary to food which in turn would make the application fall into Westminster's PB2 policy which states paragraph 2.5.23 the Licensing Authority considers that the grant of variations for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances.

Condition 10 to read ' No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

The Licensing Authority encourages the applicant to provide further submissions as to how the serving of cocktails on the ground floor would be operated and controlled i.e. does the supply of cocktails on the ground floor fall under condition 9 below?

- 9. The premises shall operate as a cake shop and tea rooms:*
- (i) in which customers are shown to their table*
 - (ii) where the supply of alcohol is by waiter or waitress service only*
 - (iii) where alcohol shall not be sold or supplied for consumption on the premises otherwise than by persons who are seated in the premises and where the consumption of alcohol by such persons is ancillary to food (including cake, desserts and ice cream)*

The Licensing Authority encourages the applicant to provide further submissions as to how the

variation of this licence will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course so any further policy considerations can be accessed.

Please accept this as a formal representation.

2-B Other Persons

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	18 August 2020		

[REDACTED] I am surprised to see a cake shop wanting to acquire a licence to sell alcohol. It begins with cocktails and eventually the cake shop ends up as a late night bar with not a cupcake in sight!

As a resident we suffer from late night noise with people under the influence of alcohol and cannot see any reason as to why selling cup cakes has to involve selling cocktails. If the owners want a bar then I believe the owners should purchase a bar.

I believe the change of licence would only add to public nuisance.

Resident's further submission following an email from the Licensing Service clarifying that the premises are currently permitted to sell alcohol and Licensing Authority's proposed conditions:

Apologies for not replying sooner. You are quite right that I did misunderstand the issue as it appears they do have a licence to sell alcohol in the basement. Again I do have a concern about bringing more choice of alcohol onto the ground floor into a cake shop. I understand that they hold Booked functions in the basement and in my opinion that it where it should remain.

Again I cannot see the connection with alcohol and cakes and I believe this is the start of a slippery slope. Once cocktails are granted what reason is there not to grant beers And spirits at a later date. I still uphold my concerns in granting a licence for cocktails on the ground floor. I am amazed that a cake shop need to even sell wine. I believe that cakes could quite easily become ancillary to the alcohol.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p>For premises for the supply of alcohol for consumption off the premises:</p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 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, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

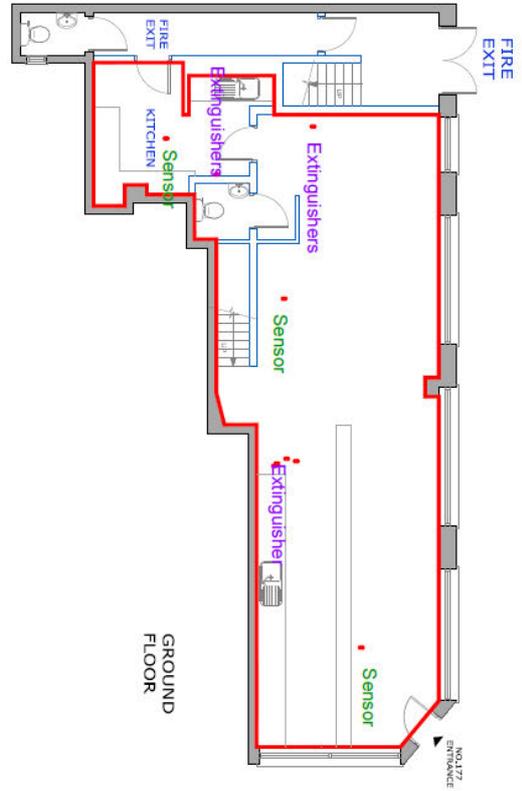
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Current premises licence and premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

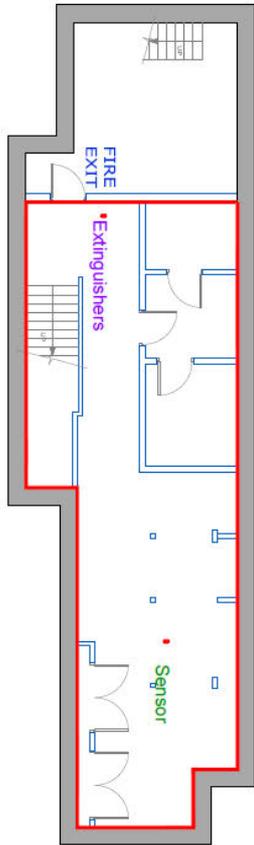
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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 <i>(Withdrawn 04 September 2020)</i>	31 August 2020
5	Licensing Authority representation	17 August 2020
6	Resident representation	18 August 2020



GROUND FLOOR

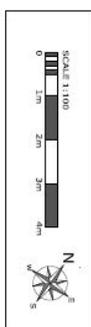


BASEMENT

BREWER STREET



LOCATION PLAN SCALE 1:1250



drawing address 20 BREWER STREET LONDON W1F 0S1	location/details GROUND FLOOR AND BASEMENT LEASE PLAN	date 20/01/16	scale 1/2500
		dwg. no. PP3707-01	sheet A3

PRINCIPAL PLANS © COPYRIGHT 2015. ALL RIGHTS RESERVED.



Email from applicant to resident

From: Craig Baylis

To: [REDACTED]

Cc: Abbott, Karyn: WCC; Donovan, Jessica: WCC

Subject: Cutter and Squidge, 20 Brewer Street

Date: 11 September 2020 13:13:24

Hello [REDACTED]

I am the solicitor representing Cutter and Squidge for the licence variation that has been lodged with the council.

Your email address has been given to me by the Council so that I can address your concerns about the application directly.

The current position is as follows.

1. The premises already has a licence to sell alcohol and has had this licence since 2016.
2. The licence currently permits alcohol sales on both the ground floor and in the basement.
3. The only current difference between the 2 floors at present is that the sale of alcohol on the ground floor is restricted to wine.
4. Cocktails are permitted in the basement at present because our client, who is a baker and cake maker, had a demand from customers to enjoy cocktails with their cakes when dining in the premises, particularly for functions like birthday or anniversary treats.
5. Unfortunately, current social distancing rules make the use of the basement impossible at the moment so our client is seeking to allow cocktails to be also sold on the ground floor as an ancillary to their choice of cake.
6. Alcohol will not be sold on its own, but only as an ancillary to food. There is no intensification of use of the property. Merely a change in the type of alcohol that may be sold on the ground floor.
7. We have agreed a number of conditions with the council to ensure that these premises do not turn into a bar including the following

The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a cake shop and tea rooms.

You can see from the way this condition is worded is that the primary activity at the premises remains as a cake shop and tea room and the sale of cocktails is likely to be very small indeed. All customers remain seated at all times. There is no bar counter. Drinks and food are served to tables by members of staff.

Hope that these safeguards will reassure you that the future of the premises is protected. Any future operator who seeks to turn these premises into a full bar would need to make a completely new application which would of course be brought to your attention by the Council.

In these circumstances I would hope that you are able to withdraw your objection and that the licence change can be granted without the need for a full hearing.

CRAIG BAYLIS

Partner

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email from applicant to the Licensing Authority

From: Craig Baylis
To: Abbott, Karyn: WCC
Cc: Donovan, Jessica: WCC; Licensing: WCC
Subject: RE: 20/06574/LIPV - Cutter And Squidge, 20 Brewer Street, London, W1F 0SJ
Date: 17 August 2020 13:59:13

Karyn

I have not asked to amend condition 9 so it would still apply to alcohol if it was allowed to be sold on the ground floor.

They are not using the basement because of social distancing difficulties so this amendment would allow the use of the ground floor for the same purposes as the basement.

CRAIG BAYLIS
Partner
BRYAN CAVE LEIGHTON PAISNER LLP - London, UK
[REDACTED]

From: Abbott, Karyn: WCC [mailto:kabbott@westminster.gov.uk]
Sent: 17 August 2020 13:55
To: Craig Baylis
Cc: Donovan, Jessica: WCC; Licensing: WCC
Subject: 20/06574/LIPV - Cutter And Squidge, 20 Brewer Street, London, W1F 0SJ

Dear Sirs

I write in relation to the application submitted for a variation of the premises licence for 20 Brewer Street, London, W1F 0SJ.

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:

Permit the service of cocktails on the ground floor as well as in basement area to customers seated at tables.

Amend Condition 10 to read ' No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely HSR1, CIP1 and PB2.

The Licensing Authority has concerns over the proposed amending of condition 10 to allow cocktails to be served on the ground floor and is not ancillary to food which in turn would make the application fall into Westminster's PB2 policy which states paragraph 2.5.23 the Licensing

Authority considers that the grant of variations for pubs and bars in the Cumulative Impact Areas should be limited to exceptional circumstances.

Condition 10 to read ' No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

The Licensing Authority encourages the applicant to provide further submissions as to how the serving of cocktails on the ground floor would be operated and controlled i.e. does the supply of cocktails on the ground floor fall under condition 9 below?

9. The premises shall operate as a cake shop and tea rooms:

(i) in which customers are shown to their table

(ii) where the supply of alcohol is by waiter or waitress service only

(iii) where alcohol shall not be sold or supplied for consumption on the premises otherwise than by persons who are seated in the premises and where the consumption of alcohol by such persons is ancillary to food (including cake, desserts and ice cream)

The Licensing Authority encourages the applicant to provide further submissions as to how the variation of this licence will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course so any further policy considerations can be accessed.

Please accept this as a formal representation.

Many Thanks
Karyn Abbott
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP

Current Premises Licence

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

Schedule 12
Part A

WARD: West End
UPRN: 010033596159

Premises licence

Regulation 33, 34

Premises licence
number:

18/02179/LIPVM

Original Reference:

16/03644/LIPN

Part 1 – Premises details

Postal address of premises:

Cutter And Squidge
20 Brewer Street
London
W1F 0SJ

Telephone Number: Not Provided

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 20:00
Sunday:	11:00 to 20:00

The opening hours of the premises:

Monday to Wednesday:	09:30 to 21:00
Thursday:	09:30 to 22:00
Friday:	09:30 to 23:00
Saturday:	10:00 to 23:00
Sunday:	11:00 to 21:30

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Cutter And Squidge Limited
Unit 7
Talina Centre
London
SW6 2BW

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

08189676

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

Name: Mr Yuk Ming Lui

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: BOB/PERSONAL/262
Licensing Authority: Borough Of Broxbourne Council

Date: 17 April 2018

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

Annex 2 – Conditions consistent with the operating Schedule

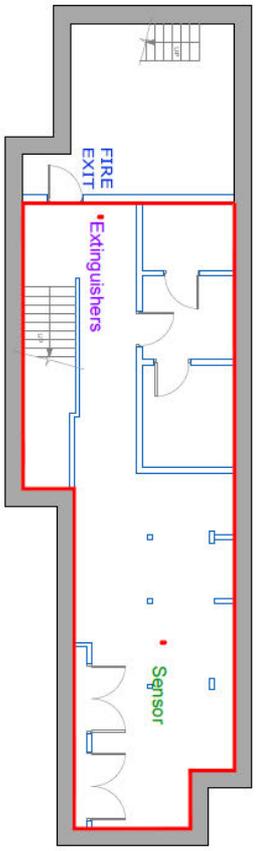
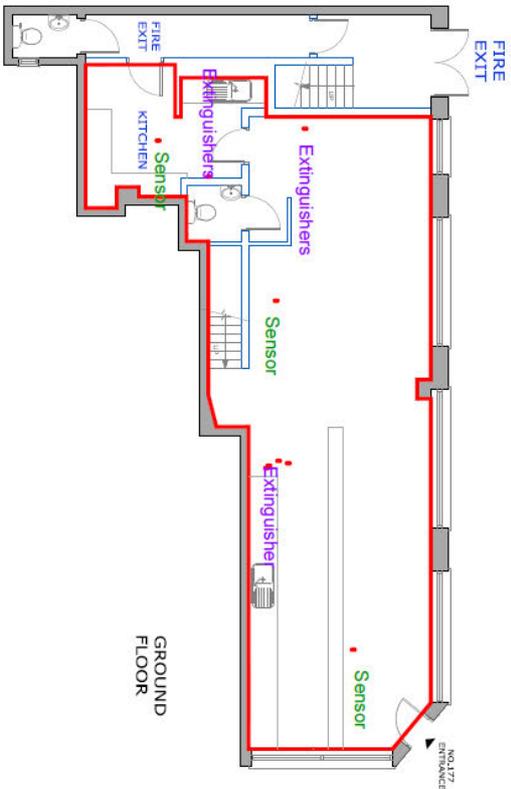
None

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

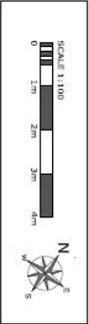
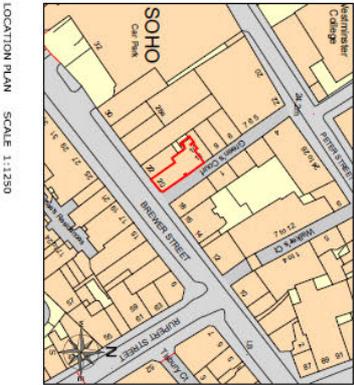
9. The premises shall operate as a cake shop and tea rooms:
 - (i) in which customers are shown to their table
 - (ii) where the supply of alcohol is by waiter or waitress service only
 - (iii) where alcohol shall not be sold or supplied for consumption on the premises otherwise than by persons who are seated in the premises and where the consumption of alcohol by such persons is ancillary to food (including cake, desserts and ice cream)
10. No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. 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.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
16. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.

19. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. The maximum number of persons seated within the premises at anyone time shall not exceed 60 persons excluding staff.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Annex 4 – Plans



BREWER STREET



drawing address 20 BREWER STREET LONDON W1F 0S1	location/details GROUND FLOOR AND BASEMENT LEASE PLAN	date 20/01/16	scale 1/100
		dwg. no. PP3707-01	sheet A3



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

Schedule 12
Part B

Premises licence
summary

WARD: West End
UPRN: 010033596159

Regulation 33, 34

Premises licence
number:

18/02179/LIPVM

Part 1 – Premises details

Postal address of premises:

Cutter And Squidge
20 Brewer Street
London
W1F 0SJ

Telephone Number: Not Provided

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 20:00
Sunday:	11:00 to 20:00

The opening hours of the premises:

Monday to Wednesday:	09:30 to 21:00
Thursday:	09:30 to 22:00
Friday:	09:30 to 23:00
Saturday:	10:00 to 23:00
Sunday:	11:00 to 21:30

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

Alcohol is supplied for consumption on the Premises.

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

Cutter And Squidge Limited
Unit 7
Talina Centre
London
SW6 2BW

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

08189676

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

Name: Yuk Ming Lui

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

Restricted

Date: 17 April 2018

This licence has been authorised by Ms Simone Murray on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/03644/LIPN	New premises application	14.07.2016	Granted by Licensing Sub-Committee
18/02179/LIPVM	Minor Variation application	15.03.2018	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 licenced premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. The premises shall operate as a cake shop and tea rooms:
- (i) in which customers are shown to their table
 - (ii) where the supply of alcohol is by waiter or waitress service only
 - (iii) where alcohol shall not be sold or supplied for consumption on the premises otherwise than by persons who are seated in the premises and where the consumption of alcohol by such persons is ancillary to food (including cake, desserts and ice cream)
10. No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area.

Condition 10 is proposed to be varied by the applicant to the following:

No beer, lager, cider or spirits shall be sold from the premises except spirits in the form of cocktails to no more than 20 persons attending a pre booked event in the basement area or any customer seated on the ground floor of the premises, and all drinks to be served to table by staff.

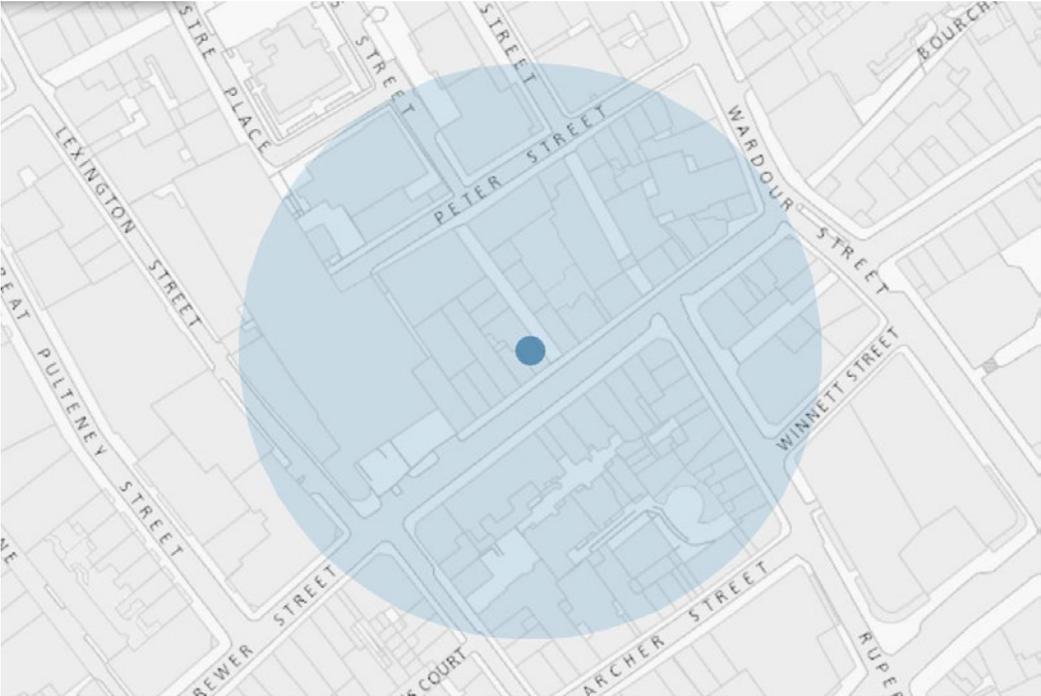
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. 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.
14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
16. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from

customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
19. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. The maximum number of persons seated within the premises at anyone time shall not exceed 60 persons excluding staff.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Conditions proposed by the Licensing Authority and agreed with the applicant so as to form part of the operating schedule.

23. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a cake shop and tea rooms.



Resident Count: 271

Licenced premises within 75 Metres of 20 Brewer Street, London, W1F 0SJ					
Licence Number	Trading Name	Address	Premises Type	Time Period	Application Type
18/02179/LIPVM	Cutter And Squidge	20 Brewer Street London W1F 0SJ	Shop (large)	Monday to Wednesday; 09:30 - 21:00 Thursday; 09:30 - 22:00 Friday; 09:30 - 23:00 Saturday; 10:00 - 23:00 Sunday; 11:00 - 21:30	Premises Licence - Variation - Minor
15/09155/LIPV	Lina Stores	18 Brewer Street London W1F 0SH	Shop	Monday to Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00	Premises Licence - Variation
19/14239/LIPV	Lina Stores	18 Brewer Street London W1F 0SH	Shop	Monday; 00:00 - 23:59 Tuesday; 00:00 - 23:59 Wednesday; 00:00 - 23:59 Thursday; 00:00 - 23:59 Friday; 00:00 - 23:59 Saturday; 00:00 - 23:59 Sunday; 00:00 - 23:59	Premises Licence - Variation
19/16648/LIPVM	Chilango	24 Brewer Street London W1F 0SN	Restaurant	Monday to Friday; 10:00 - 23:00	Premises Licence - Variation - Minor

				Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30	
18/03699/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00	Premises Licence - Change of DPS
20/02525/LIPDPS	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00	Premises Licence - Change of DPS
18/10483/LIPDPS	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00	Premises Licence - Change of DPS
17/12283/LIPT	Damson & Co	21 Brewer Street London W1F 0RL	Restaurant	Monday to Sunday; 08:00 - 21:45 Sundays before Bank Holidays; 08:00 - 00:00	Premises Licence - Transfer
19/08540/LIPN	Not Recorded	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 09:00 - 00:00	Premises Licence - New
19/00157/LIPCH	Adanami	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 00:00 - 00:00	Premises Licence - Change Licencee Dets
19/11333/LIPVM	El Camion	25-27 Brewer Street London W1F 0RR	Restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday;	Premises Licence - Variation - Minor

				09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 23:00	
19/04087/LIPDPS	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 Sunday; 09:00 - 00:30	Premises Licence - Change of DPS
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Cinema	Monday to Sunday; 09:00 - 01:00	Premises Licence - Transfer
15/08865/LIPN	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00 Sunday; 09:00 - 00:30	Premises Licence - New
19/13285/LIPDPS	Absurd Bird	25 Peter Street London W1F 0AH	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	Premises Licence - Change of DPS
20/05587/LIPT	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00	Premises Licence - Transfer
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8	Night clubs and discos	Monday to Saturday; 09:00 - 03:30	DPS Request to be Removed

		- 10 Brewer Street London W1F 0SB		Sunday; 12:00 - 01:00 Sundays before Bank Holidays; 12:00 - 03:30	from Licence
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00 Sundays before Bank Holidays; 12:00 - 03:30	DPS Request to be Removed from Licence
19/16016/LIPT	Not Recorded	6 Walker's Court London W1F 0BT	Theatre	Monday to Saturday; 08:00 - 01:30 Sunday; 08:00 - 23:00	Premises Licence - Transfer
19/09651/LIPN	Not Recorded	57 Rupert Street London W1D 7PL	Wine bar	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00	Premises Licence - New
19/14625/LIPVM	The Yard Bar	57 Rupert Street London W1D 7PL	Wine bar	Monday; 10:00 - 23:30 Monday to Thursday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 00:00	Premises Licence - Variation - Minor

				Friday to Saturday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00	
06/06238/WCCMAP	Rupert Supermarket	55 Rupert Street London W1D 7PJ	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30	Master Licence - Premises Licence
19/12383/LIPN	Not Recorded	6 Brewer Street London W1F 0SB	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00	Premises Licence - New
19/03892/LIPDPS	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 06:00 Sunday; 09:00 - 05:00 New Year's Eve; 00:00 - 00:00	Premises Licence - Change of DPS
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 00:00	Premises Licence - New

16/10909/LIPDPS	Lils	53 Rupert Street London W1D 7PH	Restaurant	Monday to Thursday; 07:00 - 23:00 Friday; 07:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00	Premises Licence - Change of DPS
19/03491/LIPDPS	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Public house or pub restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00	Premises Licence - Change of DPS
15/02567/LIPVM	Blacklock	25 Great Windmill Street London W1D 7LH	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 22:30	Premises Licence - Variation - Minor
20/06643/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Monday to Saturday; 11:00 - 01:00 Sunday; 11:00 - 00:00	Premises Licence - Transfer
16/07079/LIPN	Vegan Hippo	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 06:30 - 22:00 Friday to Saturday; 06:30 - 23:30 Sunday; 08:00 - 22:00	Premises Licence - New
18/06880/LIPDPS	Rupert Street Bar	50 Rupert Street London W1D 6DR	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30	Premises Licence - Change of DPS

				Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:50 Sundays before Bank Holidays; 12:00 - 00:00	
18/02747/LIPN	Not Recorded	52 Rupert Street London W1D 6DS	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00	Premises Licence - New
19/03053/LIPN	Co-op	104 - 105 Berwick Street London W1F 0QS	Not Recorded	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30	Premises Licence - New
19/01767/LIPDPS	Bubbleology	49 Rupert Street London W1D 7PF	Shop (large)	Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00	Premises Licence - Change of DPS

				Sunday; 12:00 - 22:30 Sundays before Bank Holidays; 12:00 - 00:00	
12/08457/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00	Premises Licence - Change of DPS
16/01124/LIPDPS	Wagamama	10A Lexington Street London W1F 0LD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00	Premises Licence - Change of DPS
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 Sunday to Thursday; 09:00 - 00:00	Premises Licence - Transfer
18/15162/LIPVM	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Sunday; 09:00 - 00:00	Premises Licence - Variation - Minor
18/14474/LIPVM	O Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30	Premises Licence - Variation - Minor

				Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00	
19/03516/LIPDPS	White Horse Public House	45 Rupert Street London W1D 7PB	Pub or pub restaurant with lodge	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00	Premises Licence - Change of DPS
19/09387/LIPCH	Bocca Di Lupo	Basement And Ground Floor 12 Archer Street London W1D 7BB	Restaurant	Monday; 07:30 - 00:00 Tuesday; 07:30 - 00:00 Wednesday; 07:30 - 00:00 Thursday; 07:30 - 00:00 Friday; 07:30 - 00:00 Sunday; 11:00 - 23:30	Premises Licence - Change Licencee Dets
17/09357/LIPN	Fiorucci	39-43 Brewer Street London W1F 9UD	Shop	Saturday to Sunday; 08:00 - 20:00	Premises Licence - New
12/00517/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30	Premises Licence - Change of DPS